

JOAN B. KROC  
*Distinguished Lecture Series*

# Asma Jahangir

## *Walking Together for Freedom*

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Joan B. Kroc Institute for Peace & Justice  
Joan B. Kroc School of Peace Studies  
University of San Diego

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*Fostering Peace, Cultivating Justice, Creating a Safer World*

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- September 27, 2012 **Asma Jahangir**  
Former Chair — Human Rights Commission of Pakistan  
*Walking Together for Freedom*

## **BIOGRAPHY OF ASMA JAHANGIR**



Asma Jahangir is a Pakistani human rights lawyer who served two terms as chair of the Human Rights Commission of Pakistan and was the first woman president of the Supreme Court Bar Association of Pakistan. She has fought to defend the human rights of women, religious minorities and laborers in Pakistan for over 40 years, both in and out of the courtroom.

On the international level, Jahangir has served as U.N. Special Rapporteur on Extrajudicial, Arbitrary or Summary Executions for the U.N. Commission on Human Rights (1998-2004) and U.N. Special Rapporteur on Freedom of Religion or Belief for the U.N. Human Rights Council (2004-2010).

Jahangir was a leading figure in the campaign to reform the controversial Hudood Ordinance, religious-based laws that, among other things, allowed rape victims to be charged with adultery if they did not have four Muslim male witnesses to the rape. The campaign was partially successful when the 27-year-old ordinance was reformed in 2006.

Jahangir has received the Ramon Magsaysay Award (often described as Asia's Nobel Prize), the UNIFEM Millennium Peace Prize, the Freedom of Worship Medal, the Hilal-i-Imtiaz (one of the highest civilian awards in Pakistan) and the 2010 UNESCO Bilbao Prize, among others. She was also one of the 1,000 women nominated for the Nobel Peace Prize in 2005.

## **INTERVIEW**

*The following is an edited transcript of an interview with Asma Jahangir conducted by Dee Aker, Ph.D., deputy director of the Joan B. Kroc Institute for Peace & Justice, and Babar Davary, Ph.D., associate professor in the Department of Theology and Religious Studies at the University of San Diego.*

*Professor Davary's scholarly research focuses on the interpretation of the classical Islamic canon as well as engagement with the concrete lives and social situations of women in various parts of the Muslim world.*

*The interview was conducted on September 27, 2012.*

**DA: Where do you think your sense of justice and injustice began?**

AJ: I don't think that there was any particular incident that triggered it. It just grew over the years. But it's not only to have a sense of justice and injustice, because you can always talk about injustice to yourself, and justice can mean different things to different people. It's a question of deciphering what is real justice. As a lawyer I find that sometimes legislation can be very unjust as well, and to say that you got justice because of an archaic law is not really justice. There have to be certain yardsticks to it. To my mind the yardsticks are basic human rights.

**DA: When you were young you went to a Catholic school. What was it like going to such a school being a Muslim girl? Did that experience influence your sense of justice?**

AJ: Many Pakistanis my age went to Catholic schools and there you got good values. I have to compliment the nuns who gave me a missionary spirit. When I look around now as well, I find many of the students who were in those schools are doing something other than for themselves. And that was inculcated in school.

At home as well I was influenced. My father was a politician; he was in the opposition. He talked a lot about human dignity and human freedom. He was a government employee in a very good post when the first martial law was declared and he resigned. He said, "I can't work in a place where I can't read, where I can't think, where I can't speak my mind. This is not the atmosphere in which I'd like to work." People were quite aghast at him. During the first martial law public opinion was not that sophisticated and people by and large welcomed it as a stabilizing factor.

He decided out of the blue to go to a wedding in the place where he had been serving for a long time as a commissioner for rehabilitation. People came and asked him to contest elections from there. He called up my mother and said, "I am contesting elections to the parliament." And my mother was quite aghast because he was supposed to come back after two days.

I remember as a kid I saw him come back in his green Volkswagen and there were horses that were dancing to receive him. We lived in a very close-knit community. Children and mothers and families were outside with garlands to receive him. And I thought, *Well, he's done something*, but I didn't know what it was. And to everyone's amazement he became a very fiery opposition leader in the parliament. He fought strongly, vigorously, for a fundamental rights bill in the constitution. That was accomplished not while he was in parliament but later on.

**DA: Did that tempt you to get into politics?**

AJ: I didn't ever want to get into power politics. My father was always in jails and hardships. Somehow, there is a great deal of satisfaction in a struggle. But I look back and I think my life would have been very compromised, very different had he taken the other path. To stay committed to your values and principles is a very difficult thing to do — I think the most difficult thing to do — especially in an environment where temptations outnumber the sacrifices you have to give.

**BD: Benazir Bhutto is a source of pride for some Muslim women, and I'm sure for some Pakistani women, as a woman who achieved a high position in leadership. How do you feel about her role and her death?**

AJ: I have a great deal of regard and respect and a lot of affection for her. There was a special bonding I had with her. I didn't always agree with her politics. She always respected that. When she became prime minister the second time, she wanted me to become the first woman judge in Pakistan, and when I refused she was very angry with me and didn't speak to me for some time. Then I explained to her that I don't have the temperament of a judge and she laughed.

We had arguments at times. I can see now very clearly what she said to me at that time. She said, "Asma, I run a country. I don't run an NGO." I appreciate what she said now, particularly, because when you're speaking to the converted it's a very different thing altogether. When I had the opportunity to go into mainstream as president of the Supreme Court Bar Association, I realized what she had said — that there are times when, without bending your principles, you may have to make small compromises.

She was a very humane person. When I was chair of the Human Rights Commission there were bonded laborers in Sindh. Our office in Sindh said that many of her party leaders had bonded laborers as well and their work was being hampered because of it. I faxed her — there was no email at that time — and her principal secretary called me up on their way to Japan and said she saw the fax come in on the way to the plane.

Benazir was very agitated and asked what she could do, because she didn't believe that there should be slavery in a country where she is asking for freedom. I said what she can do is send a personal note to each and every deputy commissioner of the area to cooperate with NGOs in getting these people released. And she did. As a consequence thousands of bonded laborers were released.

I've often said to her, "You have been put under a cloud so many times that you forget what you have done." For example, when she first came into power she released all women and children [convicted of] petty offenses from jails. She stopped whipping, which was practiced in Pakistan. I think that that one decision of hers reversed a little the Islamization system that Zia ul-Haq had put forward.

I know of many incidents where people have been arbitrarily arrested and it was brought to her notice, and she had obviously another picture from the intelligence. I said her, particularly in the cases of one journalist, "If there is a punishment for being stupid you can give it to him. But certainly this man is not instigating anything against the state." And she thought for a minute and looked at the paper I had given her and said, "I am very sorry to hear what has happened to him." And immediately she asked her interior minister not to oppose bail and let him go free. I can give you many incidents.

I met her two weeks before she was assassinated. She came to visit me at my house in Lahore. And she knew it. She knew that her life was very much in danger. It was a strange meeting. Very spontaneously she said, "I'm coming over." And when we parted, there was a feeling: When and in what circumstances am I going to see her again?

Not only myself, but I think there would hardly be any Pakistani who did not acknowledge that she was one of the great leaders of Pakistan. Even her adversaries did.

**BD: One of your books is on opposing the Hudood Ordinance. How much of your work is seen as opposition to Shariah or Hanafi Madhab,<sup>1</sup> or is it simply seen as a move toward a more human-rights-oriented Pakistan?**

AJ: It depends on what period you are talking about. When I first wrote that book it was very much seen as offensive to Islamic values. But as time went by and the women's organizations and human rights organizations continued to bring up more and more facts of injustice that this law was perpetrating, people changed their minds.

**DA: It's interesting to think back to when you started out, when there weren't these strict rules. For example, you were married quite young and got into law school. How did you get to go to law school? Wasn't that out of the ordinary?**

AJ: It was in a way. I was married at the age of 22. I didn't actually go to law school. I was given admission to law school and very politely told that married women are not welcome. So I studied at home. One of my friends was studying law, so when she finished a class she used to come and teach me. I have her to thank for being a lawyer today. She is one of the partners in our law firm. She was a very strict teacher. Both of us had just got married. So partly it was also to get away from extended families that we lived in, and partly it was the pursuit of law. But it all turned out well. My husband's family was not happy about it to begin with. But then there was not much that they could have said about somebody studying something or reading something in their room.

**DA: You started a women's law firm. How common was that?**

AJ: That was not common at all. This friend of mine who taught me law, we plotted and planned and both of us decided we were going to open a law firm of our own. Then we went and got two other partners. One of them was my sister and the other one was a senior partner who had been practicing earlier and had given up out of frustration, so we dragged her back. We succeeded in getting it going and it's still running.

The predictions were, including of my husband: It's a six-month hobby and then she'll be back because it's tough. All his lawyer friends laughed and smirked and said, "Women practicing law? The charm of it all will wear away when they have to kick up dust and go to courtrooms and get clients." But it continues.

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<sup>1</sup>Hanafi Madhab is one of the four schools of law in Sunni Islam.

**BD: Your profile of preventing the persecution of religious minorities, women and children seems very much like the profile of Iranian Nobel Peace Prize winner Shirin Ebadi. Do you ever partner with other women lawyers who work on the same issues that you do?**

AJ: I don't identify myself as a Muslim woman but as any woman. Just as I think of myself as a lawyer, rather than a woman lawyer. In fact, when I'm called a female lawyer in Pakistan, a lady lawyer more precisely, I resent it. I'm a lawyer. We do have partnerships with many women lawyers in South Asia who do similar kind of work, maybe in different areas. My own practice is in criminal law and constitutional law.

*I don't identify myself as a Muslim woman but as any woman. Just as I think of myself as a lawyer, rather than a woman lawyer.*

I know a number of women lawyers from India, Bangladesh, Sri Lanka, and we work together. We exchange notes, especially when it comes to looking at personal laws of women in these countries that have similar problems. We have strategized on how to change it without offending religious minorities in our respective countries.

We have analyzed that religious minority women have even fewer rights than the women of other countries where they are in the majority. For example, a Muslim woman in India has fewer rights than a Muslim woman in Pakistan. And a Hindu woman in Pakistan has fewer rights than a Hindu woman in India. So there is no such thing as personal law as such; it's colored by the politics of each country.

**BD: You received the Four Freedoms Award for Freedom of Worship in 2010. Can you tell us about the work that led to that? There are blasphemy laws in Pakistan and you've worked against those as well. Have you felt that you have made major achievements in denouncing those and making others aware of the dangers?**

AJ: I don't know why I was selected for that award. There are times when I think, I really couldn't have imagined that what I do was so important that it could have gotten me awards, because that's something that everybody should be doing. It's not exceptional to raise your voice against something that you see is so blatantly unjust.

I think that our criticism of the blasphemy law was first taken, like the Hudood Ordinance, as being anti-Islamic. But gradually its misuse has shown that these laws are untenable, because once you make a law in the name of religion it's very difficult to undo it. This is not only in countries like ours which are fragile democracies and closed societies, but even in mature democracies like the United Kingdom they had a blasphemy law that was hardly used. It took decades for people to convince the parliamentarians to take up the courage to do away with it.

It's also very discriminatory in the sense that in Pakistan you have it to protect Islam. In other countries you have it to protect Judaism or Christianity or Buddhism. And I think, frankly, such laws should be made to protect religious minorities rather than the majority.

I remember that no lawyer was willing to take up these cases and it was very risky. I still carry that risk. Since 1995, I do not go out without close protection. I've had threats on a regular basis. That's normal for me. It's become part of my life. But I have had some serious attacks as well.

**BD: I was reminded as you answered the previous question that the Egyptian feminist Nawal El Saadawi said, "I don't care about the change in law. What I care is the change in culture."**

AJ: I think they both go hand in hand. Don't forget that the law is an instrument of change as well. It gives you the peg in which you hang your tolerance or intolerance on. And this is a peg for intolerance.

**BD: In 2005 you had a marathon in Lahore to bring awareness about violence against women. How did that go?**

AJ: We had again in power Mr. Musharraf who was a dictator but a darling of the West. Mind you, even Zia ul-Haq was a darling of the West. So all of our dictators seem to attract all our neighbors and the West at the same time, except people inside the country. I think the best judges are those who live inside the country.

The government had arranged a marathon for young men and women, and the women were beaten up by Islamists, right-wingers. Once they were beaten up, the government told them to go home. They did not arrest anyone, and in fact were very critical of the women — after having invited them to the marathon. This was very offensive.

So we decided that we would also go for a marathon and challenge those who would come and beat us up, and challenge the government. First when we tried to run, they locked me up in my office but I managed to get out through the fire escape. They had orders not to let me go. The minute I came out there were pockets of people who were wanting to join the marathon. So they really did beat me up quite badly and even tore my clothes, the back of my shirt, just to teach me a lesson in a way. That made it even worse because there was much more outrage.

The next week we had another marathon, protesting against what had happened to us while we were trying to run — a pretend marathon in that way. People actually flew across the country and took buses to come, and there was a huge crowd that they couldn't stop. So we did run the marathon. The right-wingers were there. We said it's the government's duty to stop them, not to stop us, because we were doing something that was completely within the law while they were not. And when we put it to the government and placed the responsibility on them, they did stop them.

**DA: You have talked about the threats that continue. Was that the only time you were hurt physically?**

AJ: Unfortunately that has happened. It's been very frightening at times. In one of the cases that I was doing, when I came out of court people stormed my car, broke it into bits and pieces while I was standing there. My driver miraculously escaped; some other lawyers took him out and hid him. And then I had to be taken in a police van to my house and kept there for a couple of days.

At another time which was the worst for me, people came to kill me and my children. They came to the wrong house. They came to my mother's house — we are neighbors — and took my elder sister and her children hostage, and my brother and his children hostage, looking for me. It's a miracle that nobody was hurt. They tried to fire at my sister-in-law, trying to ask her who she was and where the other people in the house were. They didn't realize it was not my house.

**DA: Does anyone in power support you? Is there anyone looking out for you?**

AJ: It's a strange thing that you ask me that because I've noticed that there is always someone there. It may not be the government itself, but somebody within it. There are people who care, whether it's within the journalist community, lawyers, people in bureaucracy, even people within the police. That's the way systems work and how people survive in very hard circumstances — there's always some level of humanity everywhere.

**BD: I was reading an interview done with you and your sister in which she said that a human rights defender at a desk is only a reporter. A human rights defender in the field is a foot soldier, and it's the most difficult thing to expose some of the realities. After all these years of your work, what was the most challenging case?**

*The most difficult thing was to get people to accept that women have rights, that what you're giving them is not charity. Do not be patronizing toward us. Do not protect us; we don't need your protection. We need the protection of our rights, and we can do the rest.*

AJ: I think it's always difficult to expose those realities because everything is looked at in such a demented way. Let me put it this way: The most difficult thing was to get people to accept that women have rights, that what you're giving them is not charity. Do not be patronizing toward us. Do not protect us; we don't need your protection. We need the protection of our rights, and we can do the rest.

It was equally challenging to show people that religious minorities have to be protected, and that they were being persecuted. People were not willing to believe it. Denial is the first defense of societies who want to survive without having to put their hands in the dirt.

**BD: How much has the fate of women in Pakistan been influenced not just by Islam, but also by Hindu principles such as the Laws of Manu?<sup>2</sup> Do you see Pakistan being different in that case from other Muslim societies outside of South Asia?**

AJ: I am certain that there must be some influences, but I think one exaggerates them. Everything we don't like we call Hindu culture that we have imbibed. I wish that we would imbibe some of their good culture as well. I'm sure that we have imbibed some of the British culture when the British

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<sup>2</sup> The Laws of Manu is an ancient Hindu text which outlines and describes the norms and customs of domestic and social life in India. The laws are often viewed as discriminatory against women.

were there. We lived together with Hindus; we must have imbibed some of that as well, and some of the Parsi culture. Hindus must have imbibed some of the Muslim culture.

But there can also be very positive aspects to diversity. I would rather look at it in that sense. Hindu culture has changed itself several times over. How is it that we continue to say that Pakistani women are not treated so well because it's the influence of Hindu culture, whereas women in India have far more rights than we do and they have overcome prejudices by making laws that are more just for Hindu women?

**BD: You mentioned that there is cooperation and partnership within South Asia with Muslim women and Hindu women. There are many vociferous Hindu women speaking for women's rights and about violence against women, and are bringing that awareness to the public. Have you had any cases in India against Muslim women and in Pakistan against Hindu women?**

AJ: I have not done any cases in India because I don't practice there, but we do a lot of cooperation. It's wider — it's violence against women — in the sense that we don't look at the religion of the victim or the perpetrator. Naturally we will look at whether it's double jeopardy: being a woman from a minority community in India, or double jeopardy of a Hindu woman being in Pakistan.

As a part of the Human Rights Commission of Pakistan, we have taken up several cases for advocacy where Hindu women were either converted forcibly or where a Hindu woman converted of her own will and was persecuted by her own community. It happens both ways. It's difficult because the minority community will never accept that a woman has converted of her own will. They're hurt, they're threatened. And they feel that since you're a human rights activist, you must always side with the minority — rather than looking at it as issue of gender - the minority within a minority.

So these are very delicate matters to deal with, and one has to be able to remain unprejudiced and independent in one's view on these matters. We have dealt with a lot of cases of violence against women in Pakistan. That's one of the main branches of our practice.

**BD: It was very interesting to me when you said, "I don't see myself as a Muslim woman. I see myself as a lawyer."**

AJ: No, no. I am talking of predominating identity. I see myself as a woman rather than as a Muslim women. But when I'm a lawyer, I don't see myself as a woman lawyer. I see myself as a lawyer. And when I'm praying I see myself as a Muslim. People have multiple identities, but if I'm working for women's rights it's for women's rights.

**BD: When you are a lawyer, do you ever invoke religion? After all, you live in a society which has a heightened attention to religion and religiosity, it seems at least from the outside.**

AJ: I have kept away from such temptations so far.

**BD: Would that be of some sort of advantage?**

AJ: I have kept away from that temptation. There are reasons for it. First of all, I am not a very religious person. I am not a religious scholar. Secondly, the debate for me is not about religions. The debate is about rights.

For example, there was a case about a woman getting married of her own will and her parents had gone to court saying I had kidnapped her and asked for ransom, whereas she had simply just got married of her own will and gone to court. In any event, it came down to the constitutional matter that she should not be married without the permission of her parents, and that was Islamic law. There were enough judgments that I could read out from as a lawyer; I didn't have to become a religious scholar myself to do it.

**BD: You are an institution in Pakistan. You have mentioned threats to you and your family. Have you ever toyed with the idea of leaving the country for good?**

AJ: I have never toyed with the idea of leaving the country. This option has been given to me several times, more particularly in the last six months when there was an assassination attempt that was planned against me. My sister out of concern for me was very keen that I should leave. But my children, along with me, took the decision that I'm not going to leave. I like to live there. That's my society. That's where my memories are. That's where my life is. If you leave once, it's very difficult to come back. And you leave without dignity. I've always fought for living with dignity for other people, and I hope that I will die with dignity.

**BD: What keeps you going?**

AJ: I wish I could answer that for you. If you come to my office, even if you swear to yourself that you're not going to get into any contentious issue now, clients pop themselves up and there you are. If you have somebody there crying her heart or his heart out because they've been tortured and nobody is listening, because their child has been taken to prison, because they can't survive, they're threatened because of their religion, what do you do? You simply cannot sit back and say, "OK, let me just write a small little petition for you." It strikes you at the heart.

*To be an activist is not simply to use your heart but also to be strategic.*

Sometimes one thing leads to another. For example, when I was working with bonded laborers, there was a woman who was raped. I went there and then I realized that there was injustice that the woman had been raped, but even worse that she was raped by her employer's son. And then when I started to look around, most of the bonded laborers were Christians. And why do they treat the Christians so badly? The employer was running for election frequently but there was a system of separate electorate where non-Muslims could not vote in the General Elections. So what did that matter to employers how they treated their Christian employees

So many issues came up with one single case that I could take back to my colleagues at the Human Rights Commission and say, "We have to fight against separate electorates." And we won that fight. We have to fight against bonded labor because not only is it bonded labor, it is bondage of people from minority religious communities. We have to fight against untouchability of the Hindu bonded laborers in Sindh, because even their own community was discriminating against them. And you have to do it gently. You have to sensitize, you have to have dialogues.

To be an activist is not simply to use your heart but also to be strategic. Some of the people who have come to study or work with us from outside the country have said to me, "You're more of a strategist than a lawyer." Because when I'm planning my case I will wait for the right bench, I will know what a judge wants from me, where I should start my arguments. Sometimes you have to start in a very aggressive way to put them on the back foot, and sometimes you have to take them along. That is what this profession teaches you, that interaction, how you have to win. You have to protect your clients — that's your job. You simply can't write off a petition and leave it for fate to decide.

**DA: This is the 10th anniversary of the Women PeaceMakers Program, in which we've been documenting the stories of women we bring here who are doing this work and may need a respite. Sometimes they come in and they tell stories not unlike yours in terms of the threats, the danger. Many of them are asking the same questions about where to go from here. What would you tell them about the need to go on?**

AJ: I think it has to come from within. It comes with making close relationships with the people that you live with. I feel very strongly for my community. Whenever I'm in trouble, I must say that they stand by me. I am very grateful to all those people. Sometimes I think they must wonder, "Why is this woman always in trouble?" Last time I said to them, "Please don't." And they said, "No, we have to. We have to protest." They insisted. I think it gave a very strong message. I really didn't even call up anyone, but many people just stood up by themselves and spoke up. I think I owe them. I owe them my presence.

## **MEETING WITH STUDENTS**

*The following is an edited transcript of a meeting Asma Jahangir held with students and alumni from the master's program in peace and justice studies at the Joan B. Kroc School of Peace Studies.*

*The meeting was held on September 27, 2012.*

**Q: You were only 16 years old when you organized your first demonstration. Can you describe that experience?**

A: I can't recollect how old I was because now I've forgotten how old I am. I had just finished school and started college. This was the time when we had a military dictator, and his period was coming to an end. People wanted democracy. It was a pro-democracy demonstration where female students came out in the streets I think for the first time.

I was quite surprised at the response. Never having organized a procession in my life, only having watched some from afar, I didn't know how it would happen. I was told it wasn't as simple as making a call and turning up on the roadside. There were banners to be made, people to be called up, certain groups to be contacted, press to be invited, speeches to be made, routes to be determined. That was my first experience as a street activist.

Subsequent to that demonstration I was kicked out of college. At that time politics was a dirty word and children were to have nothing to do with political thinking. Student organizations and unions were banned. But fortunate for me a few months later the dictator left, so I was called back to college.

**Q: How did you choose law as a profession? Did you have a clear intention from the beginning that human rights issues were what you wanted to focus on, or did this evolve along the way? Did being a woman affect your profession?**

A: It evolved along the way. Some of my friends remind me that when I was in school I did say at some point that I was very adamant to become a lawyer. But that could have been a passing phase at that time. I recall at one stage that I wanted to become a hair stylist. You wouldn't imagine that looking at my hair now. I remember that one of my older friends said to me, "Please don't do it because I think you have the potential to be a good activist or journalist." And I thought about it. But like every young kid you want to do everything: You want to learn the piano, you want to speak French.

My father was a parliamentarian so there was a lot of discussion in our family about what is law, constitution-making. He had been in jail seven years or so, so I had to go to court to see him. There were lots of cases that we fought for him to get him out of jail. So I knew that law was important, but I did not do it by design. It just came about.

To be very honest with you, the first time I really felt I am a woman was after I got married. Before that I never had time to think that I was a woman because our lives were so disrupted; survival was the basic criteria. I never thought, *Well, you didn't get to go abroad to study but your brother did.* I never questioned it. We were not stopped from anything else.

But when I got married I realized that there was a certain role that a woman is expected to play. I was not it. There was something about me that was not it. There was nothing wrong with me, but I had aspirations just like my husband had. And I had feelings and I had emotions, and I needed to express them just like he did. I wanted to be free of the bonds of a joint family system, which I stayed in incidentally all my life.

But you have to make a place for yourself. I needed to be taken as a person, not as my husband's wife or my mother-in-law's daughter-in-law or my kids' mother. There was the feeling of discrimination — and not only discrimination, but your self-esteem is somehow not there. I looked at myself in the mirror one day and said, "That is not me. I don't want to be what I am today."

I called up a friend of mine and said, "I have to change. I am not going to coffee parties all my life. I am not going to wear different earrings every day. I cannot do it and I will not do it." There's a little fear inside every woman, that you want to play up to that. One day I decided to take this fear out and just throw it away — I don't want to be what X wants me to be or Y wants me to be, I just want to be what I am. Take it or leave it.

**Q: How do you connect human rights with the cultural and religious background of your own people?**

A: There are people of my religious background who are like me as well. There are people in my country who are very deprived economically, and for them their stomach comes before religion, like in every society. But where it is difficult is to have a discourse with the right-wing religious sector, which is not small in our country. They may be the minority but it is a sizable minority.

*There are people in my country who are very deprived economically, and for them their stomach comes before religion, like in every society.*

It is difficult, but we believe that we must have discourse with them. It's not simply to change their minds. Some of them will never change their minds. But that discourse also exposes their way of thinking to all those people who are listening to the arguments. And so we've constantly engaged them, both on public television and in seminars.

They have their same arguments that people have heard time and again. We have had to change our arguments over time, deepen them more. At first it was cautious.

Then it became less cautious. And now it is becoming more open and more accusatory. At first we were the only ones who were accused of being anti-Islamic. Now we can accuse them with reasons and with examples of how they have used religion as a ladder to climb into power.

When people are listening on the ground, they know what we are saying is not untrue. They are more in touch with society sometimes than we are. So I think it is important to do that. The strategy that was employed in the '60s of completely ignoring them and leaving them to preach on their own without having to annoy them, I believe was the wrong strategy.

**Q: You were under house arrest and imprisoned at some points. How do you deal with the fear and the risks involved in this kind of work?**

A: When you're working, that becomes secondary. It just goes somewhere to the back of your mind. You know it's lurking, but you want to believe that it won't happen to you. It happens to everyone else but it won't happen to you. But then it does happen to you as well. And you're a human being and there is fear that comes into you, and you have to fight it very hard. You have to question yourself: Why is it? What can at worst happen to you that has not happened yet?

There is something else: a commitment to a cause. Commitment overtakes fear. There is no other explanation that I can really give you. I have sometimes thought, *I'll be careful tomorrow morning when I go and say this*. And then once I have arrived there it's gone because you're feeling that emotion, you're driven by something. Unless you're driven by something, you cannot sustain yourself for very long in activism. You cannot.

**Q: What advice do you have for human rights activists so they can be safe doing their work? What are the methods that can be most effective in that?**

A: It's a very difficult question again. I think everybody has a certain threshold. They should take it as much as the threshold can take. Not everybody needs to be a front-liner. There is a lot of social media they can go on without disclosing their names. There are pamphlets to be made. There is editing to be done. This is also part of activism.

It is important in my view to put your share in the building of a society, even if it's a small share — because after all we have taken so much from society; it has given us a lot as well. There's a time to pay back sometimes.

Regarding methods, we have a saying in our society: "It is better to have a clever enemy than a simple friend." Some of our activists have put us into so much trouble because they don't know what to say at what time. You cannot be an activist without also having an overall vision of the political realities. If there is a procession of 20 or 30 mullahs coming toward me and I stand up and say, "Down with the blasphemy law," they will certainly kill me and set fire to all our offices. So there is a way of saying it and a time to say it.

*Survival skills for human rights activists are important. Amongst those survival skills is to know how to act in a given condition.*

This is not something that is charity work, and even in humanitarian work you have to have those skills. Survival skills for human rights activists are important. Amongst those survival skills is to know how to act in a given condition. I'm not saying compromise. I'm not saying bend down. I'm saying don't put other people's lives in danger.

We have had people do that. They have gotten away very nicely. There are women who have said things and then taken the next flight and gone off. They've had other people's offices burned down. These are things that I always fear. When some problem comes our way, the first thing is we have 20 people tapped who always do this, and we call them up and tell them to stay away from it.

**Q: It is very interesting to me that you were the first woman president of the Supreme Court Bar Association. Can you share with us some of those experiences? What challenges did you face as the first woman president and how did you come to that position?**

A: It was not because I was the first woman, but the first one who held the beliefs that I did, which everybody knew — what I believed in was very public. I accepted to run for election because our judiciary had become very dictatorial and lawyers were finding it very difficult to work under that kind of judiciary. I had been in the Lawyers Movement which brought this judiciary back,<sup>3</sup> and I was the first to start criticizing them for being dictatorial. Fortunate for me, I don't charge a very high fee, so I don't have to kowtow to judges.

Many of the younger lawyers who work in the Supreme Court came to me and said, "We can't breathe. We are getting suffocated. You have to contest elections." I had contested a previous election, and I had won that as well. They had that in mind. But I said, "I'm not wading into bad politics because it takes up too much time. But let me think about it." They kept coming back.

Then the Supreme Court gave a judgment. There is an article in our constitution which says that all parliamentarians have to be the best Muslims, should never have lied, should do all their work according to Islam. I thought to myself, *Well, apply those standards to yourself, my lord, and you will have no bench.* I wrote an article about it, which again brought many other lawyers to say that I should contest. And I did.

I learned a lot during my election campaign. I will never regret the campaign because it taught me to interact with people; it taught me humility. It also told me how you have to listen to people's criticisms and take them on board. There was a very vicious campaign against me. But eventually I did win.

This is one election of the Supreme Court Bar that was covered by national television, to the extent that on the day of the election there were fewer cars on the road. It was like entertainment. There were bets in markets about who would win. There were sweetmeats being distributed by people who believed in liberal ideas, and there were others who were hitting themselves in the forehead that I had won. So it had really polarized society. It gave a lot of courage to people who wanted a more open, a more liberal society, that someone can win elections to the Supreme Court Bar, which is very mainstream and a very political and important body in our country. They felt a little empowered.

It was an experience for me. I'll always be very grateful to the lawyers for giving me that honor, which truly it was. That's why I feel very much at home there.

**Q: The military tried to clamp down on the legal profession, up to the point where the chief justice was placed under arrest. What role did the Bar Association play in getting Pakistan out of that political logjam at that point in time? Now that you're the president of that, what plans do you have to make the judiciary less dictatorial? What's your vision?**

A: I retired as the president. My tenure has ended. While I was president I tried as much as I could to "keep the horses in the stable," as someone wrote in one of the editorials. I managed to some extent. Obviously there are vested interests of the judiciary which are larger than my desires. But I

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<sup>3</sup> The Lawyers Movement was a mass protest in 2007 that successfully reinstated the chief justice of the Supreme Court, who had been fired from his post by then-President Pervez Musharraf, in violation of the constitution. It is discussed in more detail in the next question.

was backed fully by the Bar at that particular time, and the Bar had to become very vocal. If your president is vocal then other people will also become vocal.

The courts have started calling lawyers for contempt of court. In fact, they have taken away one of the lawyer's license to practice. That has intimidated lawyers. They have not called me for contempt; I'm waiting for it. Another former president of the Bar, he also speaks his mind, has not been called. But the normal everyday lawyer who's taking money home for his wife and kids is not going to jeopardize his practice. They are using this contempt of court as a tool of repression in the Bar.

The judges themselves would have been sitting in some little hole if the Bar Association had not supported them. It was the Bar that started the movement. We did not even know whether the judge would go back and apologize to the dictator or whether he would come with us. We had to put up a pretty good show to convince him that this was the way to come. We always say to the court that they are sitting there because of our shoulders.

But once they were back in their chairs, they started thinking that they had gone through a lot of sacrifice. They keep talking about that sacrifice: "We were under house arrest." What sacrifice is house arrest? I've been under house arrest several times. It's given me time to clean out my cupboards. What kind of sacrifice is it? It's nothing.

They came back, but the sacrifice had been made by young lawyers who were beaten to a pulp, who were picked up in vans where 20 people were pushed into one, who were made to stay in a 10-by-10 room without a toilet for days on end. Several lawyers lost their lives in that movement. The judges won't talk about that. I don't think the judges were worth it, but I think the rule of law was worth it.

This was the beginning of the end of a dictatorship. That, to my mind, was very important — that this time the dictator did not go because there was a coup within the army, but he went because there was a demonstration by educated people on the streets saying, "We don't want dictatorship anymore." Believe me, if that had not happened, we would have had another dictator today. This government has not done that well. But because of the fear of that kind of outrage, no general has stepped in up to now.

**Q: What changes have you seen in your lifetime in Pakistan regarding women? What have been most significant? What role have you played?**

A: I think there have been quite a few changes. There was no such thing as a women's movement in Pakistan earlier. There was something called "protection for women." The idea was that if you give every woman a sewing machine, you will empower her. Women were seen as the weaker sex so they needed to be protected. It was that kind of an attitude.

I think it was the 12th of February 1983, when women for the first time came out into the streets asking for their rights, asking that the law should not discriminate against them. People sat up and said, "What are they talking about?" I remember there was an article saying that these were women who the next day would be burning their bras, and that this is not our culture, this is anti-Islamic, this is Western women. But most of us had studied and lived in Pakistan. I had no influence from the West in that regard at all, and neither did many of the other women.

Even women were very careful about us — sort of resentful that we were challenging something that was so obviously incorrect to them, that women cannot be equal to men. The same women who had spoken against all of us now come to our office with their daughters and say, "Will you please keep her as an intern in your office."

When politicians addressed the nation, nobody talked about women's rights. It was always, "My dear countrymen," never us. This cannot happen anymore. They will be lynched by women if they did that. There was no concept of having women in political parties or in parliament. We fought for one-third seats in the parliament. We got one-third seats in the parliament.

There is more visibility of women not only in parliament, but you see women spokespersons on television. We have now a foreign minister who is a woman, we have an ambassador in Washington who is a woman, we have an information minister who was a woman. Previously there was one woman who was on women's issues, or women and welfare, or women and children's affairs. But there are more coming into the mainstream. Even when you see women in colleges, there are more women who are at the top in education. More women are getting married because they want to get married; they have choice.

I'm not saying there are not problems. There are huge problems in our country. We still have violence against women. We still have honor killings. But honor killings previously were considered a right, a social custom, part of our culture. Parliamentarians actually stood up after one incident and said that I was corrupting the minds of the youth and I was against culture, and called me a foreign element who should be thrown in the Arabian Sea. And now the same parliamentarians dare not justify honor killings. So there has been a change.

Why? Because there was spontaneous protests and picketing across the country, even in small towns. And politicians look where their vote is. Politicians want nothing else except votes. They eat, dream and think of votes. When they feel that wind is blowing to the other side, they change courses very quickly. They're not doing this out of principles.

These things have changed in Pakistan. But to say that women in Pakistan are better off than women in other countries in South Asia, no. We still have very low visibility. We still have traditional thinking. There's a lot of violence, and violence is one thing that drives women inside the homes.

I believe we have a long way to go. I believe also that as our society becomes more and more a politically democratic system, more women will come out and more women will get opportunities. But once we go back to dictatorship then the advancement of women will also suffer, like the advancement of all other fundamental rights.

**Q: I'm interested in your insight into what we're seeing in Saudi Arabia in terms of women pushing for more and more rights, the right to drive being the main one now.**

A: I don't belong to that society so I don't know it that well except for what I have read. And I wouldn't want to be in it. I think Pakistan is bad enough. But what I've seen or read or heard from friends, I wouldn't want to be a woman in Saudi Arabia. But again, women's rights cannot be a single compartment that is going full-speed in a train. It has to go with the whole train.

I believe that when women are fighting for their rights, they have to join the mainstream of movements that are fighting for people's rights. It will go hand-in-hand eventually. You may get the right to drive, but then you will then get your separate lanes for driving, and only if you can afford it.

I'm not saying that my society is great. Believe me, I am a bitter critic of my society. But the rule of law is simply not respected in Saudi Arabia. We don't respect it either, but we pretend to at least. The ban on driving is a symptom of something deeper. I do think — and this is my very humble opinion as I said I do not know your society well — that you need to build more bridges with women across the globe, not just in the West but Pakistan, Bangladesh, etc.

When that woman tried to drive, that event that took place very recently, we were really cheering for her in Pakistan. We were hoping that we could have some contact with women in Saudi Arabia, so that we could go outside the Saudi embassy and honk our cars. If you do that networking, then your embassy will also feel that they are not alone, that they have friends outside.

Believe me, our 12th of February procession told us something: It was the military dictator who took us to the police station, kept us there — and released us. And one of the reasons for our release was because there was a strong reaction from women sitting in Washington. At that time, the U.S. had leverage with our dictator, and he could not afford to annoy the U.S. government. And the U.S. government did not know how to deal with these women in Washington who were saying, "What kind of dictator are you supporting?"

I think when all the women in Muslim countries come out and support you — which you can arrange and if you cannot please tell me and I'll do it for you — from Bangladesh, from Pakistan, from Malaysia, then you will have a wider support system and pressure group on your own government.

**Q: I have two questions. Do you believe that Salafism has been growing since the Arab Spring? And what was the impact of Benazir Bhutto's assassination on women in Pakistan and on women activists like you?**

A: Benazir's assassination was a message not just for women. It was for everyone who could undermine the military in Pakistan. It was an assassination where every Pakistani, with maybe a few exceptions, had wet eyes, whether they agreed with her politics or not. She was a very brave woman, very courageous. You may disagree with her politics, but she was humane. I myself had a very special bond with her, and I miss her — as a women's activist, as a human rights activist.

I sometimes feel that we did not give her the kind of courtesy that we could have. The kind of humiliation that she got no other leader in Pakistan has had. She was called all kinds of names. Nude photographs were displayed, with another body but her head on it. Yet she lived her life with great dignity. She died with even greater dignity. Pakistan has lost a great leader. That's what I can say about her. I do miss her. She was deep-down a person who understood what liberal ideas were, and she had an aversion to dictatorships of all kinds.

As far as the Salafi movement is concerned, we have all kinds of movements in Pakistan. If you talk about diversity of militant Islam, you will find it in Pakistan. Has it grown since the Arab Spring? No, I would say it hasn't grown. It may begin to solidify again. But even in the Arab Spring, when you have dictatorships for so long, the only place for politics remains in the mosque. How would

you not expect the only alternate organized civil society to take over like they did in Egypt? They certainly didn't start the revolution. But they were organized enough to take it over.

The same thing has happened in Pakistan several times. We are fortunate enough that we have political parties, and our political parties have survived despite the fact that our military tried very hard for political leaders to be banished, to run away. There are a number of atrocities that the political worker in Pakistan has had to go through; it is unbelievable. No one has ever written about it, but I've seen footage of boys being hung in prison, women being beaten up, young men being tortured to the extent that they can have no sexual life anymore. And they continue to still believe in a free world. They are my heroes. If they can live there, that is why I think people like us must stay with them.

**Q: How would you advise young women in developing countries who don't really know their rights or maybe don't have access to education? How do we connect women to increase their potential as a power base?**

A: It's a very tough question. All feminists are looking for answers. If we had them we'd do it better. Every woman has a dream, whether she's educated or uneducated. You have to touch her with the message. The message must go across. They are the best recipients of recognizing that there is unfairness and resisting it in their own way. We have to leave how they resist it to them and to their circumstances. We can't force every woman to come on the streets. We can't tell every woman to give up her marriage. We can't tell every woman that if her husband beats her up it's a sin for her to stay with him.

I have come across several women in my practice — we do something like 500 cases a year and most of them are women — and some of my colleagues will say, "Tell her to divorce!" I can't tell her to divorce. She has to tell me that she wants to divorce and I will assist her. But it is her decision. If we believe in a woman's right to make a decision, we have to leave that decision with her.

Of course, I will say to her, "He should not have beaten you." She will say sometimes, "But he tells me under Islam you can beat up your wife." I said to her, "He will next tell you that under Islam the children belong to the father. Will you give them to him?" She says no. "Under Islam he is supposed to pay you every bit of money for your upkeep. Does he do that?" "No." And I said, "Then he is using religion for his own purposes." You can have that talk with them.

You also can't have dependency. You can't tell them, "OK, now depend on me. I'll take you through this alley." They have to find their own alleys. In our law firm, for example, we have a legal aid section and we train paralegals. We train 150 women per year who work with us through the year. Then these women work with other women in the community through the year as well. Through this we have 14 outlets in the city. These are little offices where women get together. To me it has been a learning experience.

One of the requests that came was to get a newspaper. I said, "Newspaper? Is that a priority?" But there is a grab for the newspaper in the mornings in those legal aid centers. They have learned arbitration there. They watch Indian films there. One of the persons who was running this program said to me, "This is not a film club." I said, "Let it be a film club. They need recreation." So we started selecting films that give a message of women, and they see these films and then have a

discussion. If in between they watch a romantic film or something, what is the big deal? At least they are away from their homes.

So these paralegal centers have become very popular, to the extent that if we want we could open 100 of them. But we simply don't have the capacity to do it, not enough human resources to oversee it. In other cities other NGOs are following this pattern.

When we used to go in the streets in the '80s and '90s, it was women like myself — very much identified as upper-class Western women. One of the reasons that people have stopped calling us that is that now the face has changed. It has changed because of this paralegal training. After one year, it's voluntary for them. They still come.

Many of them have joined NGOs. Many of them joined theater groups. Many of them contested elections and became councilors, and then when they become councilors they come back and say, "We need a training workshop for councilors." We arrange for lawyers to train them, and they become empowered with the knowledge. We believe that knowledge is empowerment.

We have another thing that they like very much. Radio is very powerful in our country, where you have music and in between you have a program and people call in to ask questions. The [paralegals] take the decision on who is going to be the questioner for that week. There are five of them and they have their prepared questions on women's issues, current ones. "Did you read the news about this woman who was violated? What do you think about it?" If the host has not read the news, then the caller says, "OK, let me tell you about it." So they're constantly on the telephone and on the radio. One of them has become so popular that people say, "Oh, this one is very good who calls up all the time."

This is how you can do it. Media is a great medium. I think the women journalists have done a great job. Some of them are really good. Not only just television but print media as well. So all these things slowly, gradually, make a difference.

Whatever else you may say about the People's Party government, they are a women-friendly government. When you go there, there are all kinds of women talking different languages, different accents. And that is the beauty of this party that Benazir made. Because she was a woman she attracted more women, and they're there. You go to the other parties, you see all men with white, starched shalwarkameez and black boots. I always make fun of them, "You look like brothers in arms." Mind you, when it comes near elections they all talk about women's rights.

Many years ago we did something but we continue it. We made little pamphlets encouraging women to vote. Now we've gone a step forward. We get them into groups and tell them to go and talk to the candidate. "What are you going to do for women?" So even if he has not thought about it, he will have to think about it.

There are certain places where all the parties make a contract that women won't come to vote. We told the election commission that if there is less than a 10 percent turnout of women voters, cancel that election. And I read in the newspaper today that yes, they are going to send this bill to the parliament. They will have to get the women out [to vote]. If they don't get the women out, that election will be terminated.

These are little, little drops in the ocean. I know that it's still a little spring, but one day maybe an ocean.

**Q: Can you talk to us about the need for human rights activists to be media friendly?**

*Media is a very powerful tool. We have to use it as well as anybody else. I think that the mentality we are up against use it extremely well and consistently.*

A: I was fortunate that when I was elected secretary general of the Human Rights Commission of Pakistan (this was 1986) one of our founding members was the president of the journalists' union. We had to go and do a press conference, and I had never done a press conference in my life. He gave me a four-hour lecture of how to hold a press conference.

There are certain things I still remember that he said. He said that when you write a press release, when in doubt leave it out. Secondly he told me that if there's a difficult question — now I'm giving out home secrets — please ask them to repeat the question; it gives you time to think of the answer.

Never say, "I reserve my comments." Never say, "No comment." If you have to say something, say, "I could comment on it, but I don't think this is the appropriate time for it." Or "I could comment on it if your question was a bit more comprehensive." Then you must immediately make your last point. Don't drag the press conference out too long. Just say, "Thank you," and be very firm with your hand so they know that that certainly is the end of the press conference.

I realize that many of my colleagues have never had that opportunity. When I started off there was another journalist who was running the organization. He told me how to write my press statements, how they have to be brief. Your press statement has to be such that you should decide what the press should clue on, not that they should decide. These are things that will come with experience and with writing. It has always happened that the press wants bites. You decide what bite you want to give them, so you prepare your bite well.

Media is a very powerful tool. We have to use it as well as anybody else. I think that the mentality we are up against use it extremely well and consistently. You can't be monotonous on the media. You can't come out giving moralistic lectures, because people don't enjoy it. If they want a moralistic lecture, they'll have it from the mullah. Why should they have it from you?

People watching television can see how sincere you are. That's the beauty of television. So don't try and give them an answer which you don't believe in yourself. These are a few things that I have learned with media. I've also learned that the media can make you but also break you. Therefore, you have to give yourself breaks. If you go too often, you are old news. You have to be very careful with what it is, when it is and how often you have to go. This is what I've learned from my older colleagues.

**Q: What advice would you have for someone coming from the outside who would like to join the efforts to promote women's rights? How do they balance this tension of respecting the culture and tradition of the society but also work to advance women's rights?**

A: Let me first of all say that when I say "culture" and "tradition," I certainly don't condone the bad traditions. I wouldn't say to a woman, "Your husband is beating you up. That's good. Stay on." I would say, "It is awful. But it is your decision to stay on." Or if somebody is saying that it's culture to accept honor killings, I would not accept it.

However, I also know that to have a law which says, "Ban all domestic violence" — which has become law in our country and it's very good that it is law — I also know that it's not going to get implemented unless you change mindsets.

Now, what is culture and tradition? If we are so rooted to culture and tradition, we should all be on horseback. Electronics have changed our culture and tradition: You can see a mullah with a big beard and a mobile phone. The same mullah who said that television is anti-Islamic is now on the television for 24 hours. I think it's a mindset. Who conditions these mindsets? Individuals condition mindsets. So to change that mindset is very important.

If you're coming from outside, you have to help us find more creative ways of changing mindsets. Give us ideas, not just resources. For example, how do you run a better radio station? Can you have a women's radio station? How do you link up with Saudi women? Certainly you cannot do it in Saudi Arabia, and they probably won't come to Pakistan. So you facilitate that.

I think that there are many things. But let me put it in this way: Where something is not harming you, leave it alone. If I take parda, it doesn't offend you. So why should you tell me to take it off and wear trousers? That is counterproductive. But if I am carrying a sword which I draw out every few minutes and say it's my culture, you will certainly say, "I don't accept that culture." And I will say I don't accept that culture either.

There is this discussion on head scarves all over the world. Honestly I'm quite amused by this discussion. I don't know what is so precious about Muslim women's hair that everybody is so involved in it.

But suppose there is a woman who says, "It is my right to culture and I will cover my face and drive a taxi," I certainly don't want to be a passenger. But if she has just a little bit over her head, it really does nothing to me as long as I am sure she is not being forced to do it. And if she's being forced to do it, I don't snatch it away. I empower her so that she can take the decision to say she doesn't want it. But empowering somebody is a different technique, and difficult if she is so intrinsically part of her community that if she rebels she thinks of herself as a traitor to that community.

The complexities of a minority community are something we must appreciate. For example, when we are dealing with the Hindu community in Pakistan, I know their family laws are archaic. But I also know that they are very jealously guarding it. They don't want to become like Muslims. So you have to be able to take them with you, especially the women who should be the ones to say, "Sorry, we don't want it." Rather than us coming and saying to them, "Don't take it."

There is a way of helping. Suppose you came to Pakistan and said, "Why are you having this dinner where there are only men?" People will think that you really have no respect for their culture. But if you brought your wife along and said, "Do you mind if your wife also met my wife?" that is a way of drawing people out. All these things need very delicate hands.

**WELCOME**

**Necla Tschirgi, Ph.D.**  
**Professor of Practice in Human Security and Peacebuilding**  
**Joan B. Kroc School of Peace Studies**

Good evening. I am delighted to welcome all of you to this evening's lecture by our distinguished guest, Asma Jahangir.

Before we move to the formal lecture I would like to recognize several groups that are with us tonight. First, I welcome all the speakers and delegates who are attending the three-day working conference, "Breaking Barriers: What it will take to achieve security, justice and peace."<sup>4</sup>



I would like to extend a special welcome to the Women PeaceMakers from around the world who have returned for a summit celebrating the 10th anniversary of the Women PeaceMakers Program. I have had the pleasure of meeting many of the Women PeaceMakers and reading the remarkable narratives that were developed during their stay at the institute. As a professor of practice I have benefitted greatly from the rich lessons that are captured in their stories. I am confident that these rich narratives will continue to serve as a rich reservoir for scholars, students and peacebuilders in the years to come.

I would like to welcome our 2012-2013 master's students in peace and justice studies who are also attending. They are of course the peacebuilders of tomorrow. Finally, I have the distinct pleasure and honor to introduce our new dean at the Joan B. Kroc School of Peace Studies, Professor Edward Luck. Dean Luck comes to USD with a distinguished record as the president of the UNA-USA for many years, as a professor and director of the U.N. program at Columbia University's School for International and Public Affairs, and as the senior vice president at the International Peace Institute in New York. Most recently he was a special advisor to U.N. Secretary-General Ban Ki-moon and assistant secretary-general in charge of the responsibility to protect agenda.

It is our great fortune that Professor Luck comes to the Kroc School with the commitment to build on his wealth of knowledge and experience to promote what he has termed a human protection agenda: how to put people at the center of international efforts to promote security, peace, justice and development.

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<sup>4</sup> Jahangir's lecture was the keynote address for the international conference. For more information, see [http://peace.sandiego.edu/breaking\\_barriers](http://peace.sandiego.edu/breaking_barriers).

## **INTRODUCTION**

**Edward C. Luck, Ph.D.**  
**Dean, Joan B. Kroc School of Peace Studies**

Thank you very much, Necla. It's been a great pleasure to be here. Let me welcome one more time all the Women PeaceMakers. They have brought great lift and vitality to this institution in the last 10 years and we hope for many more in the future.

I would say that the woman I'm about to introduce is not only a peacemaker but also a justice-maker. I think that combination is quite extraordinary, and I know that many of you work on justice and peace at the same time as well.

I thought it was going to be a fairly simple matter to introduce Asma Jahangir because she's someone I've admired for many, many years. She's obviously a very courageous, dedicated, determined, principled spokesperson, lawyer and advocate for human rights, whether it's women's rights, the rights of children, freedom of worship, the emphasis on parliamentary democracy over military dictatorship. She has fought big battles for many years, and fought them with extraordinary courage.



So I thought, OK, I can introduce this outspoken person who challenges the establishment, who never backs down and who is not part of central politics in Pakistan. But then I realized there is another Asma Jahangir who has been widely recognized, including in Pakistan, as an extraordinarily successful lawyer and public figure. She's managed to do both, which I think is an enormous compliment and not an easy thing to do.

Let me first introduce the outspoken advocate and public defender, and that she certainly is. For over 40 years no one has ever doubted where she stood. She has stood for principle over convenience and politics. She comes from a family which was politically active: a father who also had his brush with the authority from time to time and a sister who has joined her in a legal practice — the first all-women's legal practice in Pakistan — and who is also a very strong human rights defender.

Asma is someone who knows what the inside of a jail looks like. She knows what house arrest means. She has been roughed up by the authorities from time to time. She has been threatened more than a few times by people who unfortunately have some credibility when they threaten human rights activists. But she has never wavered in terms of her determination.

Let me cite the other record which is really extraordinary as well: her public positions. She served two terms, not one, as chair of the Human Rights Commission of Pakistan. She was the first woman to serve as president of the Supreme Court Bar Association of Pakistan.

She has done more than a little on the international scene, including at the United Nations. For 12 years she has been a special rapporteur for the United Nations. First from 1998 to 2004 as U.N. special rapporteur on extrajudicial, arbitrary or summary executions; this was for the U.N.

Commission on Human Rights. That body was reformed (we hope) and became the U.N. Human Rights Council, and for the council she served from 2004 to 2010 as the U.N. special rapporteur on freedom of religion or belief.

She has also fought to change a particularly odious legislation, the Hudood Ordinance, which blames rape victims for what has happened to them. And she led it to its successful reform in 2006.

She has received more prizes than one could ever list and I'm sure there are more to come. But among them are the Ramon Magsaysay Award, which some people describe as the Asian Nobel Prize; from UNIFEM she won the Millennium Peace Prize; the Freedom of Worship medal; in Pakistan the Hilal-i-Imtiaz award; and in 2010 the UNESCO Bilbao Prize.

I know, in addition to the posts that she has served in the United Nations, that several Secretaries-General want her to serve additional posts, but she doesn't fit the bureaucratic mode. She tells me that she's not all that keen to spending all her time in New York headquarters, which I can certainly understand — she's so much of an activist.

I am very eager to see what the next chapters of her illustrious life will look like. She has more to tell us and we have more to learn from her than almost anyone I can think of. I feel very, very fortunate coming into this job only seven weeks ago and that one of my early tasks is introducing her to you. She is going to speak tonight about walking together for freedom. Please join me in welcoming Asma Jahangir.

## *Walking Together for Freedom*

Asma Jahangir

Thank you very much, Dean Edward Luck, for those wonderful words. I thought you were speaking about someone else. And thank you very much, Professor Tschirgi. I want to recognize my sisters here, the peacebuilders, and all the delegates who are here for peace and justice. I think that when we talk about breaking barriers, we are talking about breaking barriers and moving on to a work that has true freedom. That is why we thought that the topic, walking together for freedom, was very appropriate.

It is also appropriate to invite someone like me because I come from a country which is at war with itself. It has internal tensions and external hostilities which have perpetually threatened the country. In turn, those who are masters of our country threaten the public with the possibilities of the external hostilities and make that into an excuse for usurping our rights. On the one hand, they are fighting for our security; on the other hand, they are taking away our security and our very dignity.

*Peace and justice must go hand in hand. We have to accelerate it. We have to widen the peace movement in all directions.*

One would ask, what is there to be done in Pakistan? I know several of my colleagues have said to me, "Well, let's give up. It's just too complicated and complex for us." The first time I went to prison, my daughter — who was very young at that time — was very upset that I had gone to jail and said to me, "Why do you do this? Why do you continuously keep going to police stations and jails? I can assure you that if you didn't do it, women's rights will come without you. With you they may come only an hour earlier. So why do you have to leave us?"

But I think we are all fighting for that hour earlier. And I believe that we cannot give up.

I also know that simply a lack of violence is not peace, and the presence of violence itself does not mean we are at war. We have no option but to address these global phenomena of hostilities and violence and polarization to rejuvenate the peace movements. Peace and justice must go hand in hand. We have to accelerate it. We have to widen the peace movement in all directions.

I say again that peace and justice must go hand in hand. We heard several times in Pakistan that when the Taliban were in Afghanistan, at least the people had peace. I recall one of the politicians coming to the television station and saying that yes, it is a peace, but it is the peace of the graveyard. And we do not want the peace of the graveyard.

There were all the signs. The warning signs were there that it was going to erupt, that that horrible, silent peace was going to erupt. It was going to make the world a nosier, more disruptive world. But what happened to the leaders of the world? Why were preventative measures not taken? These are the questions that we as peacemakers have to put to the leadership of the world. These are the questions that we have to shake them up with.

No longer will old sanctions and the regime of sanctions work. It has to be smart sanctions where people do not suffer; but those that violate peace must suffer. I know that there are many tools in the hands of governments; there are many initiatives that they can take, even softer ones on those who are perpetrators against peace. But those so far have not been taken.

It is important for us to understand that we are living in an interconnected world. If the U.S. is not at peace, I will not be at peace in Pakistan. If the U.S. is following an agenda for security, that agenda will be followed by other countries as well. And if there is not peace in Rwanda, there will be no peace in Africa. And if there is not peace in Africa, there will be no peace in Asia. So none of us can be complacent.



I want to explain some of the initiatives that we took, women from India and Pakistan — particularly because Women PeaceMakers are here. We've always thought that negotiating tables, wars and peace are for men and they are men's domain. But I feel more and more that women have a significant role to play in peacebuilding.

I recall that when India detonated its atom bomb, [Pakistan] followed suit and all borders were closed, telephone lines were cut. But through the Internet we communicated with each other and condemned the detonation of the atom bomb. That was one of the first times that young peacemakers got together from India and Pakistan.

We have been to war several times, but during the last war — which was a terrible war, a useless senseless war where the military stepped in and removed the civilian, elected leader — there was such hostility between India and Pakistan. People had stopped going to the other country. Trains had stopped running between the two countries; even flights were not operating between the two countries. And it was at that time that women decided that they must break that silence, that horrible cold war which was eating up our societies.

I brought a clip for you to see how women from both sides of the border are peacemakers — and not just women. Men came on board and were there to help us. It shows how in very difficult circumstances we have extended our hands to each other and given a message so that policymakers begin to understand that people-to-people dialogue and people-to-people meeting and people-to-people understanding has gone so far, has developed to a depth where they will not sit quiet if one army is fighting against the people of the other country.

## Video Quote

*"Freedom must be enjoyed universally. And there can be no freedom without peace, internal or external. Pakistan is a prime example where wings of freedom are hostage to forces of hatred and hostility. India and Pakistan have lived as two warring neighbors. This has affected the flourishing of freedom in both countries. India's democracy and secularism have been consistently undermined by the religious rightwing, who would justify anti-Muslim sentiments on the plea that they remain emotionally loyal to Pakistan. Pakistan remained a security state on the plea of hostilities at the border. Peacebuilders of Pakistan and India, including women, led the movement for people-to-people contact. This forced the hand of both governments to peace negotiations. These often are abruptly discontinued after some violent incident.*

*"Pakistan and India had gone to war three times before the conflict in Kargil and the peace movement took a severe setback. It was the women of both countries who broke the cycle of disengagement. A bus full of Indian women peace activists visited Pakistan amidst a hostile climate at home. In return two buses of Pakistani women peace activists visited India to call for dialogue. It renewed interaction and the medium of culture was used as an instrument for bonding. It shows that the people of both countries welcome the initiatives for the promotion of peace. The doves outnumber the hawks. There is also a realization that human rights can thrive alongside peace. Democracy cannot deepen in an atmosphere of conflict. Issues cannot be resolved through silence and disengagement."*

What they missed showing here, which I regret very much, is the singing in which women on both sides sang to each other. One of the most popular songs was "Look, sisters are coming, having broken all their bonds. They will bring in a new change. They will bring in peace."

At one point there was a theater group performing at the border. There was a time when we were beaten up when we went to the border. The 14th of August is our Independence Day; the 15th of August is India's Independence Day. We used to take candles and meet there, facing each other. And we were beaten up badly.

The next time we went, we took a play with us that was critical of militarization, that was critical of war. This theater group performed while the army looked on absolutely horrified at what we were doing. We had to keep telling them, "It is just about to end," and it ended 20 minutes later.

I believe that peace activists and human rights activists have to continually push the envelope. Nobody is going to give us opportunities on a platter.

## ***Defamation of Religion***

We have very recently witnessed tensions between countries in the West and, particularly, my country and Libya. I believe it is important to talk about because it has polarized society. We have seen that the role of non-state actors has increased, and they can in fact play either a very positive or very destructive role: either putting societies together and making them closer or bringing them apart.

The video that was displayed on YouTube,<sup>5</sup> which I have not seen, was reportedly derogatory to the holy Prophet Mohammed and exhibited with the purpose of wounding the sentiments of Muslims. The outrage in some instances was violent and counterproductive.

This has brought the debate into the public sphere, but the debate about vicious acts [in the name of religion] and how to avoid them in the future has been going on for a decade in the United Nations. Those were difficult times when I was U.N. Special Rapporteur on Freedom of Religion. The OIC [Organization of the Islamic Conference] insisted that every country should have a law against the defamation of religion and that [preventing the] defamation of religion should be expected as a human right.

Now, my position on that was very clear. I think religions don't have rights; it is people who have rights. And I also believe that when you make [preventing the] defamation of religion into a human right, you actually dent the whole human rights framework. You asphyxiate debate and research. You continuously see that domestic legislation exists not as defamation of religion but as forms of anti-conversion laws or blasphemy laws. They exist in my country, but they also exist in many mature democracies.

*Religions don't have rights; it is people who have rights.*

Once you make a law in the name of religion, it takes decades and generations to get rid of that law. Witness, for example, the law in the U.K. on blasphemy. It took many decades to undo that law even though no one ever used it. It was considered almost blasphemy to undo that law.

Now, we realize that people always mix up religion and ethnicity. In the laws that I studied, Sikhism was considered to be an ethnic and racial designation rather than a religious one. After a lot of arguments, I put forward in my reports that the test of racism, how it is different to religion, is that you cannot change your color and your race or your ethnicity, but you can change your religion. It's a very simple test.

But it was very difficult for people in the West to make the distinction between religious rights and racial rights. One is a spiritual kind of adherence which you can criticize if you wish to and the other is a physical one, which if you criticize you are actually criticizing somebody's physique. I think that criticism of religion can be done.

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<sup>5</sup> The film "Innocence of Muslims" created outrage in many predominantly Muslim countries, such as Libya, Egypt, Afghanistan and Pakistan.

In the U.N. when this debate was going on, they had a few experts — I was one of them — sit together and give recommendations. There were three. The first one was that we believe very much that [preventing] the defamation of religion cannot become a human rights law.

The second one was that a law on the incitement of violence in the name of religion is necessary in many societies. Naturally, the threshold of what is incitement will depend from one society to another. But we recommended that the threshold should be higher rather than lower.

And thirdly, we said that none of these laws should be discriminatory. For example, in Pakistan, only Islam is protected while other religions are not protected. I believe that the protection has to be of people. We have to be able to come to some common ground on these issues.

I think the violence that occurred only proved the point of the people who made the film. And the filmmakers only helped to give religious right-wing extremists in our countries a cause which was missing for them for many years. Both ways they empowered the right-wing rather than the liberals, who should have been up front [saying] that both are wrong and nothing justifies violence.

*Incitement to violence is something that cannot be considered freedom of expression and has to be stopped through legislation.*

You see now in the General Assembly this debate. From the Human Rights Council it has gone up to the General Assembly and I hope that it will play itself out in a more sensible way. We do not want to dent the whole human rights regime just because some people believe they can loot and plunder because some obnoxious character feels they can hurt the feelings of Muslims in a very vicious video.

There have been arguments that have been made, for example, that freedom of speech is absolute. I believe in freedom of speech, I believe in freedom of expression, but I also am aware of the fact that when the genocide took place in Rwanda it was expression on radio that triggered it. Therefore, when these discussions took place, we felt that incitement to violence is something that cannot be considered freedom of expression and has to be stopped through legislation.

I am speaking about this because I believe that when we are all for the same cause and we are all struggling to build peace, we must all do it with the same kind of mindset. There has to be a meeting of minds among peacebuilders. If I am building peace with a mindset, and you are building peace with a different mindset, there is no totality to what we are doing and the effectiveness will somehow be lost in breaking those barriers.

### ***Movements and Mindsets***

I heard yesterday and the day before a number of my younger colleagues say, "What is it that I can do? I want to do something, but what can I do? Is it going to be of any consequence or any significance or not?"

Let me say from my experience that in a movement that you are asking for justice, asking for rights, where you are building up peace, you need the front-liners. You need the communicators. You need the grassroots workers. You need the civil society policymakers. You need creative thinking. You need people who connect each other. You need people who form networks. You need people

whose voices are heard. And you need to pool all these resources. Unless this is done no single individual, no single group, no single mind, no single pair of hands can bring peace or justice in this world.

We have to strategize. And we have to recognize the fact that each one of us harbors prejudices. I would be the first to say that I had a number of prejudices. You have to fight those prejudices within yourself. I am ashamed to tell you this here. I went to South Africa as an election observer when their first election was held. We were stuck in a homeland for two weeks.<sup>6</sup> We were in a hotel where you get the same menu to eat morning day or night.

One day I thought, *Well, I am not going to sit in this lobby all day.* There was a little club next door so I thought maybe I'd go there and talk to a few people. I was sitting on my stool and a man came and sat next to me. Just unconsciously, I took my bag and put it on my lap. And this man says to me, "I may be black but I don't have an eye on your bag, ma'am." I realized, *What have I done?* I didn't mean to but I have done something involuntary because subconsciously I have a prejudice.



That was when I really began to say, "Security or no security, I must go out. I must be seen talking to people." You have to get these prejudices out of your system. This is what we have to address. Who forms these mindsets? Where do they come from? How is it that my mindset is very different from your mindset? We may live in the same country. We may live in the same city. We may live in the same vicinity, see the same television. We may have the same education. But my mindset is formed through experiences, through talking to people, and through education.

How is it that mindsets of nations begin to be formed differently? This is the greatest challenge for an activist who is fighting for justice.

### ***What is Justice?***

What is justice? Is justice written in our law books? For example, in my country we had an argument just a few days ago. In our constitution [according to Articles 62 and 63], a parliamentarian has to be a person who is absolutely truthful, and if the person is a Muslim, must say all their five prayers, fast, be sagacious.

If you apply all those standards to every member of the parliament there would be no parliament. Our judges decided to disqualify one parliamentarian. I'm sure he needed to be disqualified, but they used those very articles. I had to argue that the highest integrity of any institution must be the judiciary because they are not elected; they're appointed. One of the criteria of their appointment is their high integrity. I'm sure if you applied [Articles 62 and 63] to the judges there would be no benches. Our judges have taken oaths under military governments. They have given military governments the power to amend the constitution.

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<sup>6</sup> During apartheid in South Africa, 10 "homelands" were created to divide Black Africans according to their ethnic identity.

But the counter argument is that they have done justice according to the book. Yes, that is correct. But according to the laws in Pakistan you can also punish people by stoning to death. According to the laws of our country, you can also amputate hands. You can also whip people, but that has fortunately not happened. Why? Because we know that there would be outrage in society.

Again, because these laws are made in the name of religion nobody can remove them. And in my view, if they actually applied amputation of hands for the embezzlement of money, half the upper class of Pakistan would lose their hands. But what the laws are for and what justice is are things that we must recognize. Justice is not what laws are about. Justice is where people must live with dignity. Justice is where everyone must have equal rights. Justice is to recognize that people cannot be tortured. All the values of human rights, if they are not ingrained in justice then what is written in our books is not justice.

*...precisely because you and your governments have supported our dictators for so long, there have been no political movements in our countries.*

When we are talking about justice we have to talk about international justice, justice for all. Not just justice for those societies that have developed economically and politically. One of your right-wingers was saying Muslims cannot have democracy. Let me explain to you that precisely because you and your governments have supported our dictators for so long, there have been no political movements in our countries. The only political activity that was allowed and could not be taken away was in the mosque. The only organized civil society was that of the clergy and their followers.

What do you expect after 22 years of dictators who sit there guarding the interests of the U.S., not allowing political parties to flourish, not allowing civil societies to organize themselves? And when civil societies, like in Egypt, shake it up, it will be the most sectional society that will take the lead. So there will be a cycle where you will have more religious parties coming into office.

Fortunately that is not the case in Pakistan. We have had a movement, which was against first the British and then for our own country. No dictator has stayed more than 10 years. The other side of Pakistan no one has seen: We have a vibrant civil society. Political parties have been there, besides the fact that political leadership has been hung, assassinated, thrown out of the country. But there have consistently been movements for democracy, labor movements, movements for freedom of press, movements for the rule of law.

That is why in Pakistan whenever there is a rule by the ballot, the right-wingers resist it because they know that they will never come in through the ballot. They will always come in through the bullet. That is the reason why this country I come from is different. There is always a fear that we may go back not to democracy but to anarchy, and then we will have another dictator coming in and saying that the country has gone into anarchy and "I am the only savior for these 130 million people and please acknowledge me and be grateful to me because I am here to lead you into peace." But that is not the kind of peace we want because it gives us no justice.

## ***Women's Rights***

I want to take you to the other side of how peace is not only for only one section of society. If peace and justice are to be the hallmark of progress in society, women must not only fight for it but be recipients of it as well. In Pakistan, women's rights were not words known until the 1980s. There were all these little women's organizations who believed that if you gave every woman a sewing machine you would empower her.

Now, that concept has come to an end in Pakistan. It came to an end when the more emancipated world was backing General Zia ul-Haq because they needed him for the war in Afghanistan.<sup>7</sup> He wanted support inside Pakistan; he was kowtowing to his right-wing constituency and there were laws upon laws which were being made that were anti-women. This was when women came out in the streets and not only challenged the spurious Islamization of Zia ul-Haq, but also dictatorship.

*If peace and justice are to be the hallmark of progress in society, women must not only fight for it but be recipients of it as well.*

They were stunned that these women dared to come out. We were badly beaten. Since I am short, I was not as beaten as my tall colleagues. We were hauled up and taken to the police station. But it was the anger and the resolve inside the women. We were much, much younger at that time. These were women who had never seen a police station from outside let alone from inside. But they were there, and when they were told to leave they said, "We will not leave. We will not leave until we hear an apology from the government over the radio. Give us a radio set."

There was no place in the police station to keep so many women. But we decided that we will stay there, and that is networking. We had the lawyers in the city bring us food. They were standing outside the gates. They were raising slogans, we were responding to those slogans. More and more people started to collect outside. It was amazing for that city to have so many women being so happy inside a police station. Finally at 10 o'clock the apology came over the radio.

We went home only to encounter the next day the mullah who had said that all the women who were out there in the streets, their marriages have been now dissolved. One of the mullahs came to my father-in-law and said, "We have dissolved your son's marriage and we have given a fatwa." And my poor father-in-law was a businessman and really scared of what would happen. So he said, "I'll meet you at her father's house." My father was quite complacent and said, "Let him come."

So the mullah came and said, "You know, Mr. So-and-So, we have given a fatwa. The marriage of your daughter has been dissolved." My father said, "I think my son-in-law has bribed you." And the mullah didn't know where to look. He said "Mr. Mullah, what have I and my friend here done? We can give you the same bribe. Please get rid of our wives as well." So the mullah really couldn't go very far.

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<sup>7</sup> General Muhammad Zia ul-Haq was president of Pakistan from 1978 to 1988.

This continued for many years. We were later picked up, house arrested, followed. And what were we being followed for? Because we were meeting female friends. They were following us because we were meeting women activists. One of the women who used to run a cooking class said that she was holding a cake demonstration on Sunday, and she was picked up and taken to the police station and asked what kind of demonstration it was.

*...we have been patronized enough. We want genuine respect. We want genuine dignity that we deserve.*

That is the kind of fear that the men who bear arms have about women, because they don't know what we are, they don't know where we come from. They don't know what kind of mold they have to put us in. Because we were meeting and plotting and planning, we were picked up. I was picked up just driving in the street. Taken to prison. Threatened that I'll never be released. That my children will never see my face. Court martialled.

There were 15 of us in the prison. There was never a dull moment in the prison. We made life miserable for the superintendent. Finally, because we were so many and we had created such a mess, they released us.

We were all ages: my age, older women, a much older woman. A woman about the age that I am now, 60, was there with us and she would pretend to have a heart attack in the middle of the night and then call the superintendent and say, "Maybe it's gas. All I want is a bottle of coke." Every day, every midnight, she would get the whole staff up.

I believe that when we as women are fighting for our rights, we must command respect not to be patronized — because we have been patronized enough. We want genuine respect. We want genuine dignity that we deserve.

### ***Justice for Minorities***

I think that when we are talking about justice, we are also talking about justice to minorities, not just religious minorities but ethnic minorities. People who are lesbians and gays, they must have their rights too. And this is somewhere where the buck stops. When I was Special Rapporteur on Extrajudicial Killings, I was talking about many of the gays who were extrajudicially shot and killed by police in Brazil and the impunity. But there was an uproar in the General Assembly. I was told from many of the countries, including my own, "What rights are you talking about? There are no gays in Pakistan." So I said, "Well, if there are no gays in Pakistan, it shouldn't affect you." At least half the countries were absolutely convinced that there were no gays in their countries.

We need to tell our governments that people no longer are simple — people have information, and far more knowledge than governments have. They have to recognize the fact that the world is not simplistic, and that we must give people — regardless of where they come from — their rights.

In our country, we had a system of separate electorates: Muslims vote for Muslims, Christians vote for Christians, Parsis vote for Parsis. The result was a complete division, so nobody cared about what the non-Muslim was saying. It took us many years to contest and fight and make people realize that this was an unfair system.

First we had to convince the non-Muslims themselves that this was unfair to them. There were obviously a few grandstanders who felt like they would win elections every time, so why was this election being taken away from them? But the rest of the non-Muslim population suffered. Now, that is almost abolished.

I also had a problem looking at anti-conversion laws when I was Special Rapporteur on Freedom of Religion. People would say that they can convert to my religion, but if they convert to the other religion then they have committed a crime. Well, you say that they can convert to yours but you can't convert out? They say, "Yes, that's our belief."

But that's not their belief. I have to say that I then realized that there are certain religions that do not go out to try to convert. For them it is very painful when aggressive conversion is done to members of their religions. For example, Parsis and Buddhists do not believe in proselytization, whereas Muslims and Christians do. So where are we going to create that balance? Surely it cannot be done by law. It has to be done by better understanding.

### **Activism**

I am going to end very briefly now, but I want to make two or three points on activism. The first point I want to make is that when you are an activist — and I have learned a lot from my senior colleagues — you have to be more strategic. You have to plan and you have to build support. Advocacy has to be continuous.

*But unless you have a political mind, you can never be a good human rights advocate.*

But when you take a particular case you must be sure that that case is a genuine case, that the case is a case that stands above the other cases. Your timing is also something of consequence. I say this because in the field we have a problem. Sometimes nongovernmental organizations, international ones or international institutions, pick up a particular case and take it out of context and blow it out of all proportion, which becomes a problem for us when we are in the field because we know they have got the facts wrong.

I can give you some hilarious examples of it, of institutes in the West that we really do respect, but that have made some colossal mistakes of picking up cases which are blatantly fraudulent. We have had to sit there defending knowing fully well that the person has made a huge mistake. So it is important to verify.

Secondly, I think that nongovernmental organizations have certain lessons to learn, and this is something that we are learning ourselves. We are all on the learning curve. Many of us begin to feel that we are a replacement for political parties. We believe that politics is a dirty word, that politics itself is dirty. But unless you have a political mind, you can never be a good human rights advocate. You must be politically aware of what is happening, and then you have to build linkages. If you are doing advocacy to abolish capital punishment, then abolition of capital punishment is linked with rule of law, and rule of law is linked with lobbying parliamentarians. You cannot do it all by yourself.

I have noticed that in my country, if a particular issue has cropped up and it has gained some kind of attention for the time being, everybody gets onto that issue and dumps whatever they are doing. So there have been times where I have had to, like other people, address the same topic five times in

the same month. And then two years later, that topic is gone. So consistency is something that we must retain, and we have to understand that we cannot do it all. We have to do it in partnership with each other.



We must learn to use the mainstream media more effectively because I notice that the right-wing — those people and those lobbies that do not believe in a democratic culture, those lobbies that do not believe in peaceful coexistence — use the media very effectively. We must have superior knowledge of what we are doing, because if we are doing something which we say we are experts on, we must be able to have the facts on our fingertips. Credibility is an issue with NGOs around the world. We must make ourselves so credible that the constituency takes ownership of what we are doing. If people begin to say, “The human rights committee said it and we believe them,” that means that you have credibility.

And we have to have respect for the target group — respect their privacy, their confidentiality. I say this because we run a shelter for women. We have enormous demands on us, [people] asking whether they can interview these women. There have been times when women have been interviewed [on film] out there without knowing it and their clips have been used, which I think is not fair to them.

Finally, I would like to say that I am certain that if we all walk together to gain freedom, I am certain we can get there. And it will not be an hour earlier, it will be many decades earlier. Thank you.

## **QUESTIONS AND ANSWERS**

*The audience submitted questions which were read by Professor Tschirgi.*

**Q: Thank you very much. I think you gave us an incredibly uplifting and even a humorous discussion of some very difficult topics. I want to thank you personally because, as you know, I come from Turkey originally and every time there are troubles in our part of the world, people say, "Where are the moderate voices? Where are the liberal voices? Who are the spokespeople for the region?" I think you have demonstrated that we have great voices. They're not being heard here, but they are in the countries and that's what really matters. Thank you for bringing this voice to our campus and to our part of the world where we most need it at the moment.**



**Let me ask you a question that you started with in your lecture: the security question, both at the national level and international level. There are those who would argue that it would be really difficult for a country like Pakistan that is facing substantial security issues to deal with gender justice and human rights issues. How would you respond to that?**

A: This is a constant argument. But I believe that if they don't address those issues, the cycle of violence will not end. And this is not my belief; we have seen that through experience. For example, there was a question of security in one of our provinces called Balochistan where there was a kind of insurgency. Now it has become worse and worse because human rights were not respected there.

Similarly, if you look at the question of women: If you will not respect the rights of women, obviously you are not there for their security then. I saw that in the IDP [internally displaced peoples] camps. The women had come from so far to the IDP camps, and it was the most horrible of all sights. They were not allowed to come out of the camps because they were supposed to observe purdah. The single women were exploited no end by security [forces]. So I think that if that is security for women or for populations, it would be a really contrary argument in that way.

**Q: How do you punish or address national leaders who spew hate?**

A: You have to because you cannot give impunity to national leaders who spew hate. There cannot be impunity for anyone including national leaders who spew hate, and that is why justice is important for all. Let me just give you one example of what happened in Pakistan very recently. One of our parliamentarians put money on the head of whomever it was who made the film.<sup>8</sup>

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<sup>8</sup> The "Innocence of Muslims," the film discussed earlier in the lecture.

I was asked this question on television and I said, "Well, why is he giving head money? Why doesn't he do it himself? He'll save his money, and as he said that God will give you a reward. So why doesn't he take God's reward himself?"

It's very easy to exploit people. It's very easy to get on the bandwagon of religiosity, but you have seen what has happened when national leaders spew hate; you have seen from history what has happened. World wars have happened. Genocide and crimes against humanity have taken place. That is why we have now the International Criminal Court, which has been selective, but we must continue to pressure that more and more people in authority who have committed crimes against humanity must be brought before the International Criminal Court.

**Q: You stated that we should have a meeting of minds among peacebuilders. Could you speak to how that could be achieved in practical terms?**

A: I think what you are doing here in the last two days was a meeting of minds. But now that we have all this social media as well, that is where we can link up. We should at least be able to come up, particularly in difficult times of polarization, to say that this is the way out.

**Q: I have a very difficult question but I have to ask it. How have you avoided being targeted like Benazir Bhutto?**

A: Because I am not as popular as her.

**Q: Would a referendum on Kashmir lead to more stable peace between Pakistan and India?**



A: There is a problem when you talk about referendum and peace in Kashmir. A U.N. resolution is a plebiscite. That means that you say you want to go with Pakistan or you want to go with India. But the voices that we hear on the ground are that they don't want to go with either. So should we go by what Pakistan and India want or should we go by what the Kashmiris want?

There is not one part of Kashmir. There is the Pakistan side of Kashmir called Azad Kashmir, which means free Kashmir. It is anything but that. Then there is Indian-held Kashmir where the majority of the Muslims live in the valley and the majority of the Hindus live in Jammu, and then Ladakh is where the Buddhists live. Jammu and Ladakh do not want to go with the valley.

It is a more complicated issue than that. I believe that there are formulas which have been presented of making some parts of it autonomous and some parts can come along — like Gilgit-Baltistan can come with Pakistan, Jammu can go with India, and the valley can become autonomous on that side and have soft borders with Kashmir on our side.

After all, there are solutions to these problems. But they don't want solutions because, believe me, there is something called the industry of war. The industry of war prospers to a point that it makes peace impossible. That is the barrier you will have to address and look at. This industry of war has very powerful allies.

**Q: What progress has been made in Pakistan regarding honor killings? Are you hopeful?**

A: I can never say that we are hopeful because this is murder. Down-right murder. For years and years we fought against honor killings. It is an issue that I started taking up very early on in the '80s. What the case law says is that if a woman has been killed because of honor, the person was provoked into it and he killed her; therefore, the punishment is for one month only or eight days.

After I read a paper and gave judgments [on the issue], the chief justice, whose a very nice man otherwise, said to me, "I don't know what your grouse is all about. He did get punished." His wife fortunately was also at this conference, and she understood. She said, "Yes, barely." We had to really explain to the judges what provocation is. You really have to come down to examples. If my brother ran away with a girl, and I got really unhappy about it and went and murdered my brother, would you call it provocation? He said no.

I said, "So what you're saying is that I have no honor but he has more honor than I have. So what you're attributing is that the men can have honor, we can have no honor. Well, if I'm marrying someone, it should be me who should be honored or dishonored. Why is someone else being honored or dishonored by my marriage or my running away?"

It took a long while and then the issue became one of public debate, because there was a girl who wanted a divorce and she had come to our office. Her mother brought the murderer along and killed her in our office. We protested in Islamabad. I'd never seen 1,000 women protest outside the parliament. There was a resolution in the senate which condemned honor killing. And would you believe it, that rather than pass that resolution, senators got up and abused all of us by name: how we were corrupting the mind of the youth, how we were friends of runaway girls.

*Where there is a conflict then religion should be interpreted liberally so that the rights of women are protected, so that women's rights develop whether the clergy likes it or not.*

But we continued our struggle. And to our utter surprise there were spontaneous protests even in small towns. People felt that honor killing, rightly, was murder and that what parliamentarians had done was very shameful. There were huge posters against these parliamentarians. They then had to apologize, but they didn't really mean it. Never forget that for politicians, everything is about votes. If you can demonstrate to them that you have a few in your pockets, they will make an illegitimate thing legitimate and any legitimate thing illegitimate.

But the public opinion changed. So today, though honor killings do take place, the laws are stricter, public opinion is against it, courts are more sensitive. Unfortunately, we have not been able to take everybody along and this horrible crime does exist in our country — not to the extent that it did earlier and not with the same kind of self-righteousness that it did earlier, but it does exist.

**Q: What recommendation would you give to women's movements that are trying to reinterpret Sharia law to get equal rights for men and women?**

A: Let me share with you our experiences. We started what is called the Women's Action Forum in 1980, and then came 1983 when we went out to this protest that we talked about. After that we split

precisely on this issue [of Sharia law]. There were some who wanted to get rights through an interpretation of Islam. There were others like us who felt that when we are talking about women, it is Christian women, Hindu women, it is every woman.

Secondly, our argument was, don't fight them on their own wicket because you'll never win. And thirdly, because we have blasphemy laws in our country, suppose we try and give our own interpretation. Somebody can call us blasphemous, so why should we take that risk?

Lastly, I believe that the yardstick is fundamental, basic human rights. It does not come from religions. I am sorry to say that no religion gives women equal rights. Where there is a conflict then religion should be interpreted liberally so that the rights of women are protected, so that women's rights develop whether the clergy likes it or not.

**Q: How can women in the Western world lend support to women's movements in Pakistan without being accused of projecting our agenda upon them?**

A: Well, there are many ways. Build equal partnerships, and that means that you can help us and we can help you. When we went out in 1983, women protested in Washington, and that was the first time that the U.S. government realized that they were supporting a dictator after half a decade. But that was the first time they became sensitive about it. There was a case of a blind girl who was given punishment for extramarital sex, and there was so much pressure by the U.S. embassy on our dictator that he finally told the judge — who told me himself — "Please take this case and acquit the girl because these women are going berserk."

I think that you can help us very much and we need every support. But we must also help each other by looking at the bigger picture. Not just I am a woman in Pakistan, but I am also a citizen of Pakistan. If your government will support my military, then I will suffer because of lack of democracy there. Women's rights cannot be divorced from the overall rights that people enjoy.

**Q: That's a wonderful opening to the next question: Can you comment on U.S. drone policy in Pakistan?**

A: I can comment because I think that my successor at the U.N. has very precisely written about it, saying that it is against international law. That scares me that somebody sitting so far away can use this technology. Tomorrow, you can have this technology with Turkey or Iran or Pakistan or Venezuela or wherever. It is a very dangerous technology.

At the same time, I am also mindful of the fact that where drones are being used in Pakistan, the writ of our government is not there. So the answer is that our government must take control of its own territory so that this will not take place. Lastly, I think we have to also look at the people who live there. We do not get the facts. The facts sometimes say that there are a lot of civilian casualties, but people who live there believe that there are fewer civilian casualties. But the principle is that it is against international law.

**Q: One more question. Would you comment on the recent Pakistani case of the young Christian child accused of disrespect of Islam?**

A: This is the first case of blasphemy that I have seen where the government has acted swiftly, where the person who tried to frame her was arrested and put in jail and is going to be tried. The child is out of jail now. I think that this was also very strategic, that more liberal civil society watched from behind. They played a role behind the scenes to encourage some of the more decent religious leaders to do something about it.

My friend is here, Rubina.<sup>9</sup> Many years ago I took a case of a 9-year-old Christian boy and two of his colleagues and one of Rubina's uncles as well. One of them was shot before trial. First they were given the death penalty. On appeal they were acquitted, but the tension in the courtroom was so tremendous that there were people standing outside chanting religious slogans and coming toward the court. You could hear them pounding on the courtroom door. I was on my feet arguing and I thought the door was going to burst and these people were going to come in. I saw the judges half[way] get up and tell each other, "Should we get up or not?" But one of the judges said, "No, we're not going to get up."

They acquitted them because there was no evidence against them. The judge who acquitted was murdered. There were two judges. The second one locked himself up where he lived, and he was forever afterwards under protection. My house was attacked. First my car was attacked while I was standing there. My house was attacked. My sister and my brother's children were taken hostage. People got arrested. Then a policeman came to attack me. It was all because of that one incident. But I think that society has come to its senses, but after a lot of pain to others.



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<sup>9</sup>Rubina Feroze Bhatti was a Woman PeaceMaker at the IPJ in 2009. Her story of working with Asma Jahangir to free an uncle, who was accused of blasphemy, can be found in Kaitlin Barker's work, "Harmony in the Garden" (Joan B. Kroc Institute for Peace & Justice, San Diego, 2009).

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