
Zina, Transnational Feminism,
and the Moral Regulation of
Pakistani Women

Shahnaz Khan

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Important Dates

- 1947 British India is divided into India and Pakistan.
- 1948 Mohammad Ali Jinnah, the founder of Pakistan, dies.
- 1951 Liaquat Ali Khan, first prime minister of Pakistan, is assassinated.
- 1958-69 First martial law regime of General Mohammad Ayub Khan.
- 1969-71 Second martial law regime of General Yahya Khan.
- 1977-88 Third martial law regime of General Zia-ul-Haq.
- 1979 General Zia embarks on a process of Islamization; the Zina Ordinance is part of this process.
- 1999-present Fourth martial law regime of General Pervez Musharraf.

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Acronyms

AI	Amnesty International
BBC	British Broadcasting Corporation
CIA	Central Intelligence Agency
CIW	Commission of Inquiry on the Status of Women
HRCP	Human Rights Commission of Pakistan
HRW	Human Rights Watch
UNDP	United Nations Development Program
USDS	United States Department of State

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Introduction

A short time ago, I attended a lecture by Noam Chomsky at which he spoke out against the racism faced by Arabs and muslims.¹ As part of his presentation, Chomsky pointed out that Pakistan, from which I immigrated to Canada many years ago, has the freest press in Asia. After the lecture, I got a ride home with a colleague who, like myself, teaches at an Ontario university. During our return, it became apparent that Chomsky's comments had been lost on my colleague, for he proceeded to inform me that I was fortunate to be living in Canada, where I can read whatever I like and where I am not forced to veil. He then went on to recommend that I educate myself about how muslim women are treated, suggesting the writings of Bangladeshi writer Taslima Nasrin as the best place to start. That I am a muslim and also have some first-hand knowledge of this matter didn't occur to him.

Nasrin is best known for her book *Lajja*, which examines the plight of a hindu family in Bangladesh in the wake of communal violence against hindus in Dhaka. This violence, Nasrin is quick to point out, was directly connected to the 1992 destruction of the Babri mosque in India. Despite Nasrin's attempts to challenge communal violence, Habiba Zaman (1999) notes that her work has been used by the state as well as by fundamentalist forces in both India and Bangladesh in ways that contribute to communal divisiveness. At the same time, Zaman argues, Nasrin is seen in the West as the sole feminist voice in Bangladesh who speaks out against women's oppression and against fundamentalism. What is dismissed in this scenario is the active women's movement in Bangladesh, a movement of which Nasrin has never been a part. Her story floats without a context and, as Shamsul Alam's (1998) analysis suggests, needs to be situated as occurring in an environment that is not only suffering the effects of neocolonialism and capitalism, but also facing the global trend of rising fundamentalism. However, Nasrin's

decontextualized writing, like forced veiling, has become a battering ram for those unwilling to be more informed on the issues.

My colleague directed me to Nasrin's work as a way to become more informed about my own life as an unveiled muslim woman in Canada. To him and to others like him, I say: the veil was never an issue for me when I lived in Pakistan. It became an issue when I moved to Canada, particularly so when I was and am confronted with views like his. Furthermore, I have never had limits placed on my reading, in Pakistan or in Canada. I could not tell him so on that particularly cold and wintry night: I was afraid of the violence in his voice. His comments suggest an overt paternalism that also exists in a more latent form in other more "polite" remarks directed at me, such as, "a muslim woman teaching women's studies, wow, that is a first" or "a muslim feminist, isn't that an oxymoron?" These remarks attribute my agency to my living in the West and suggest that I should be properly grateful. Such comments remind me that I live in a context where the binary between Islam and the West has vigorously reasserted itself. Racism against muslims and Arabs often goes unchallenged. Instead, representations of muslims and Arabs as barbaric and cruel to women are common knowledge and used to justify war.

The recent bombing of Afghanistan by American-led forces provides an example. Statements by politicians that Afghan women need to be saved preceded American military action. Popular images of, as well as commentary on, veiled and confined Afghan women helped to construct a justification for the invasion of the country. The invasion of Afghanistan did indeed help to dislodge the oppressive Taliban regime from power; however, the situation of Afghan women is still bleak. True, the veil is no longer mandatory, but there is little employment, and violence on the street has increased since Taliban times. I fear that my examination of *zina* might similarly be used to build consensus for a military campaign against Pakistan. Not that I believe George W. Bush, or any other US president, will mount a military campaign to liberate Pakistani women. But if the world's only superpower decides that it is timely or opportune to bomb Pakistan, the plight of Pakistani women will help to convince American voters that these women need to be liberated from which ever regime is in power at the time.

Narratives of the imprisoned Pakistani women interviewed for this study might be used to confirm the position of third-world women and muslim women as victims in popular articulations. Stereotypes in everyday conversations, on television, and in films perpetuate fear and elicit laughter, more so since 11 September 2001. Stereotypes also help to

sustain policies through which muslim and Arab men are identified as the uncivilized other and routinely rounded up and detained for suspicion of terrorist activity. They do not need to be charged or brought before the court. Their wives, mothers, and daughters are left to secure their release. The Mahar Arar case speaks to such a process at work in both Canada and the United States. Arar, a Canadian citizen, was deported to Syria, from where he had immigrated to Canada in 1988 at the age of seventeen. Popular reports suggest that both the American and Canadian intelligence agencies collaborated in his removal to Syria, where he was confined and tortured over a period of one year. Only through the relentless efforts of his wife, Monia Magizh, was Arar able to return to Canada. A public inquiry is underway at the time of this writing to look into the matter.

During my 1998 research trip to Pakistan, I was warned about the ramifications of the textual and visual accounts that my findings might produce. Neelam Hussain (1998), the coordinator of the women's activist group Simorgh commented:

I am very aware that what I say against the Hadood and other laws can be twisted by western representations. CNN and Sixty-Minutes have been in touch with us at Simorgh that they want to come and look at zina and will we help them ... So one is caught ... here is another opportunity to create pressure on the government but we don't want to perpetuate more stereotypes. So at this point I am [left] thinking: Does [sic] the Hadood Ordinances provide another reason [for Westerners] to bomb us out of existence and into obedience? It is infuriating.

And I was also warned by Rehana Yasmin (1998), the female superintendent of Kot Lakpat prison in Lahore, who was present throughout the interviews that I conducted with the women incarcerated there under the Zina Ordinance (also referred to as the zina laws). Yasmin was concerned that I will use the women's stories to write something that would defame Pakistan to the outside world. Yasmin's point is well taken. I, too, am wary about how my findings will be read.

How then do I speak about the Zina Ordinance within such a context, an ordinance through which over one million zina cases were filed with the police and 300,00 heard by the courts during the period 1979-95 (USDS 2000, 10). This astounding statistic is made doubly sinister by the fact that the women are largely innocent and locked up on trumped up charges. How do I know that they are innocent? I know because their acquittal rate is 95 percent. The victims, who range in age from

children as young as twelve years to elderly women, can spend up to five years in jail before they are acquitted and released. Many of these women are illiterate and do not know under what law they have been charged. These are the “lucky” victims of the Zina Ordinance. I say “lucky” because as impoverished women, they are able to find sanctuary in the prison from the wrath of their families and former husbands. I interviewed such women for this study.

While the Zina Ordinance has the potential to affect all women in Pakistan, this investigation does not examine how more affluent women are affected or how they comply with and resist family wishes. It is generally assumed that they are vulnerable to honour killings, which are illegal but nevertheless practised in Pakistan. Indeed, one such woman was killed recently in her lawyer’s chambers when she came out of hiding to meet with her mother (AI 2002), who had brought with her the thug who gunned her daughter down and had helped to orchestrate her daughter’s murder. The perspectives of the men incarcerated due to zina will also likely be of great significance to understanding how women charged with zina bargain with patriarchy. However, such an examination is also not the subject of this investigation but remains an important area of research for future studies.

Many of these middle-class women under threat of zina charges are seeking refuge in the West, and I have found myself positioned as the expert witness in some of their asylum cases. Several women have benefited from my testimony and have indeed been granted asylum. The limited format of the affidavits that I have to write on their behalf, however, makes it almost impossible to produce a historically grounded account of the Zina Ordinance and its effects. Instead, there is a risk that my affidavits will sensationalize the lives of women in Pakistan as oppressed by Islam. It is extremely difficult to produce these documents. I know that immigration judges will read them, and I know that my work will help to further their bias against other muslims, particularly men, seeking asylum or visas.

Stereotypes and the discursive strategies that such practices sustain coexist along with possibilities for different kinds of conversations that move us beyond the binary thinking of savage muslims versus civilized Westerners. Instead, we can begin to speak about how our lives are intertwined and hybrid in the diasporic space of North America. It is also a time when the antiglobalization movements allow for a multiplicity of alliances between members of diverse groups – for example, the environmental movement, human rights groups, organized labour, the gay and lesbian rights movement, and of course, the women’s movement.

These alliances allow various regional and national groups to march in transnational solidarity toward a more just society.

Through such a paradigm, the local and global remain linked discursively. As I examine the local milieu, which produced and continues to sustain the Zina Ordinance, I also connect it to a larger international frame within which Pakistani patriarchies function. I am also interested in how the local and global interact to produce the conditions that women both resist and comply with in Pakistan. However, I am not content with these linkages; I push this analysis over yet another boundary. I want to remind women in the West that what happens in Pakistan is connected to how their own concerns are increasingly being marginalized. And I argue that racist determinations of women *over there* as distinct from what happens *over here* will keep interlinked global issues separate and thus work against transnational feminist solidarity. To minimize against this atomization, I look beyond connecting the local and the global and ask additional questions in this investigation: How are investigations of events connected to their representation and their reading? How can my own location as native informant help to produce a critical analysis not only for a first-world audience, but also for a third-world one?² As we move forward into the twenty-first century, I believe that these are crucial questions for building and sustaining feminist solidarity.

It is within such conversations that I wish to locate my analysis of the Zina Ordinance and its effects. At this point, I turn to explaining what the Zina Ordinance is and discuss its legal implications.

The Zina Ordinance

The Pakistani Constitutions of 1962 and 1973 called for the appointment of a Council of Islamic Ideology to bring existing laws into conformity with Islam. The military regime of General Zia-ul-Haq (1977-88) took this mandate more seriously than had any of his predecessors (Carroll 1982) and, in 1979, promulgated the Haddood Ordinances as a first step toward the process of Islamization. The Haddood Ordinances include the Zina Ordinance, the law governing theft, consumption of alcohol, and Qazaf (giving false testimony) (HRCP 1997; Jahangir and Jilani 1988). The Zina Ordinance censures “illicit sex” and prescribes predetermined punishment for the offenders based on particular readings of *sura* (chapter) 24, verse 2, of the Qur’an: “The woman and the man. Guilty of fornication. Flog each of them. With a hundred stripes” (Ali 1938). Conventional scholarship on legal understandings of the Sunna (the body of traditional Islamic law) interpreted this verse to mean

that the punishment of one hundred stripes was to be applied only to those persons who were *not* married. For married persons guilty of fornication, the traditional view was that they should be stoned to death.

Even though prior penal laws gave secondary status to women, these laws offered them some protection (Sardar Ali 2000). Previously, adultery had come under the purview of the Pakistani Penal Code, which allowed a husband to revoke a complaint against his wife at any time. Very few cases of adultery were recorded before 1979. This changed with the promulgation of the Haddood Ordinances. The number of incidents has reached the hundreds of thousands, and the ordinances have become a tool in the hands of those who wish to exploit women (CIW 1997).

With the proclamation of the Zina Ordinance, for the first time in Pakistan's history, fornication and adultery became a crime against the state as opposed to individual husbands, fathers, or other men. Both fornication and adultery became noncompoundable, nonbailable, and punishable by death (HRW 1992, 34). A noncompoundable offence is one that the police or government may continue to investigate and prosecute even if the original complainant withdraws his or her statement implicating the accused. Individuals prosecuted on nonbailable charges are not eligible for the right of release pending trial by posting bond. Bail is left to the discretion of the judge.

Moreover, the term "zina" conflates two practices: adultery among the married and fornication among the unmarried. At the same time, the legal definition of zina blurs the lines between adultery, fornication, and rape. For the purpose of the ordinance, there is a further distinction. "Zina" is defined as sexual intercourse without being validly married, while "*zina-bil-jaber*," rape, is defined as sexual intercourse without being validly married when it occurs without consent. Legally, this means that if it cannot be proved that sex occurred without consent (rape), then the act of sex itself becomes a crime against the state (Jilani 1998). Although the structure of the laws and the nature of evidence required to establish guilt make the lesser punishment of *tazir* (see below) more likely, if a defendant is convicted, *hadd* (or the maximum sentence) is mandatory. A person's sentence varies according to the religion and marital status of both the accused and the witness as well as the evidence on which the conviction rests (Jahangir and Jilani 1988). In the case of fornication and adultery, provided that the accused is a muslim, if (1) he or she confesses, (2) there are four adult, "pious," male, muslim witnesses to the act of sexual penetration (four female witnesses' testimony will not suffice for *hadd* punishment), and (3) the accused is

married, then he or she *must* be sentenced to death by stoning. If a nonmuslim or unmarried accused (1) confesses and (2) the crime is witnessed as described above, then the accused must be sentenced to one hundred lashes with a whip. The maximum hadd punishment for fornication, adultery, or rape is identical (except in the case cited above as [3]). Although hadd punishments have been imposed, none have been carried out to date.

If the evidence falls short of what is required for maximum punishment, but the case is still proven, then the accused is charged under a lesser class of punishment, known as tazir. Here, unlike in the case of hadd, women may testify on their own behalf if the judge should so allow it. The tazir punishment for adultery or fornication is up to ten years in prison, thirty lashes with a whip, and a fine of an indeterminate amount. The tazir punishment for rape is up to twenty-five years in prison and thirty lashes. The terms of punishment are left to the discretion of the judge. For the purposes of tazir, no distinction is made between a married and unmarried offender. Insufficient evidence to impose a hadd punishment may still result in conviction under tazir. That is, when women are unable to prove rape under hadd or even tazir, they can be charged with illicit sex under tazir.

With the hadood laws, rape is now subsumed under the category zina, so if coercion cannot be proved, the victim becomes an offender who has enjoyed illicit sexual activity. At the same time, the rape victim has no right to testify on her own behalf. Because the Pakistani state has faced national and international pressure regarding hadd punishment, no woman convicted under these laws has been stoned to death. However, women are frequently found guilty of the lesser offence of tazir and prescribed public whippings as punishment, according to human rights lawyers and activists Asma Jahangir and Hina Jilani (1988).

The Zina Ordinance is a contested issue in Pakistan. Indeed, stoning to death for married persons as hadd punishment was challenged as early as 1981.³ Carroll (1982) notes that in a four-to-one decision, the Federal Shariat Court (the special court where hadood and other religious cases are heard) held that the Sunna cannot alter the clear wording of the Qur'an, which calls for one hundred stripes as punishment for zina. Thus, in the opinion of the court, the maximum punishment for married as well as unmarried offenders ought to be one hundred stripes. "The Ordinance, [to] the extent that it imposed the death penalty for [*z*]ina, was thus held repugnant to the injunctions of Islam" (Carroll 1982, 72). Pressure from those who disagreed with this decision no doubt influenced General Zia, for he altered the composition of the

Federal Shariat Court within weeks of the decision and added three *ulema* (religious scholars) in an attempt to tip the balance for a more conservative reading of the law.

What is the basis of the Zina Ordinance? Is it religion, culture, or politics? Katherine Ewing (1988) identifies a tension between the codes of behaviour derived from Islam and those influenced by other sources, such as local traditions. I argue that the Zina Ordinance is located within this tension. The ordinance is against not only the Constitution of Pakistan, but also, as many have argued, the spirit of Islam. At the same time, the Zina Ordinance does provide more powerful members of families with a mechanism to control and intimidate others, especially women, resulting in incarceration for those who rebel against family wishes. In so doing, it creates new traditions capable of generating income for impoverished families and of cementing alliances by means of marriages between interested parties. Through the practices associated with zina charges, a potentially lucrative but exploitative economics gets transferred into symbolic idioms of sexuality and morality. For many women, zina is operationalized in ways that connect the process of intimidation and incarceration to monetary exchanges, highlighting the material predicaments of their families and suggesting that their economic situation is driving them to take recourse to repressive zina laws. Moreover, it leads us to speculate that control of morality and sexuality through zina might be used as a façade for material sustenance through new forms of income-generating schemes for many impoverished families, as many women's narratives suggest later on in this discussion.

The Zina Ordinance was promulgated as a means to ensure a "moral" and just society in Pakistan. However, the definition of "morality" in the zina laws is ambiguous, and the state's control over its citizens is not absolute. Thus both the reading of the law and its effects are uneven in that they are mitigated by class and gender. Women's narratives reveal that they are jailed for all kinds of "offences" that have little connection to illicit sex. Many of the women charged with zina, as I will demonstrate, have not even been accused of fornication or adultery. Indeed, many of them have been identified as accomplices to runaways. Others cite poverty, family violence, and police corruption for their plight. Impoverished and illiterate women who are unaware of the process of law and/or unable to mount a legal defence are particularly affected.

Their accounts suggest that poverty provokes many parents to marry off their daughters in exchange for money. Moreover, their stories identify deeper issues, such as corruption, poverty, drug abuse, alcohol abuse, and male violence, and point to the women's commodification by more

powerful members of their families. They point to factors that place women, especially poor women, at risk. Their stories identify a society where police corruption and violence go unpunished, male violence against women has little legal sanction, and the majority of the population is increasingly impoverished. Moreover, the legal system is so backlogged that often an incarcerated person awaiting trial is held for a period longer than the sentence that he or she would receive if convicted (USDS 2000, 20). Incarceration for zina is a form of disciplinary power that Michel Foucault (1979) reminds us helps to create docile bodies. My investigation suggests that in Pakistan, women's families and the state collude in this process.

In this discussion, I argue that zina laws evoke a desire for moral purity in a context of societal corruption. They examine and identify an embodied morality that focuses on illicit sexuality. Crucially, notions of embodied purity and the absence of illicit sex render invisible the societal impurity of the nation. This impurity comes out of the economic and political corruption of the state. However, the moral regulation of impoverished women through zina laws rhetorically cleanses the symbolic impurity of the country. Although recent court proceedings have largely ruled in favour of the zina victims, these decisions reinforce class and gender relations. Women who are incarcerated in prison or more informally in the *darul amans* (women's shelters) cannot claim constitutional rights of liberty, equality, and citizenship. They are granted these rights through the judicial process, which is dominated largely by middle- and upper-class males.⁴

Although the ordinance allows families to draw on the power of the state to help regulate the sexuality of their women, this discussion will suggest that the women are not helpless victims. Instead, they often negotiate these spaces with tremendous courage and tenacity. While women charged by their families for adultery and fornication are indeed incarcerated by the state, the places of incarceration and refuge (in state-sponsored shelters) also become "safe" spaces for women fleeing the wrath of their families.

Perhaps Deniz Kandiyoti's (1991) comments about what she calls "classical patriarchy" might help us to understand how women and some men challenge injustice in China, the Middle East, India, and Pakistan. These challenges reveal a variety of ways that they accommodate and acquiesce to as well as contest and renegotiate community and familial rules. Kandiyoti notes that classical patriarchy is based on male authority backed by a material base. Women will be protected if they adhere to the feminine ideals of submissiveness and docility. This myth is under

siege. Increasing immiseration of families under globalization appears to shake a similar base in Pakistan. As women's contribution to the family economy becomes increasingly essential, there is potential for them to renegotiate their status within the family and to have a greater say in family affairs. The threat of zina charges works to neutralize women's voice in the family and renders questioning patriarchal authority a very dangerous enterprise. My data suggest that in the contradictory space of prisons and the state-sponsored shelters, women are able to pose stronger challenges to familial authority and to make more effective bargains with patriarchy.

Despite a general lack of awareness about the ordinance, the narratives of the women whom I interviewed are a testimony to their endurance in the face of tremendous odds. Their narratives suggest that they know that Islam allows them to choose their own marriage partners. Yet, paradoxically, they are also socialized to accept familial authority over their choices. They attempt to reconcile these tensions by maintaining their faith in Islam. Still, women reject the interpretation of Islam that subjects them to abuse at the hands of their families and brings them into contact with a corrupt and inefficient criminal justice system. The process politicizes many of the women, and they question the fundamental principles of their socialization, particularly obedience to their families. The incarcerated women frequently desire greater independence from their families and express a need for self-sufficiency. Indeed, many take advantage of the educational and skill-development programs available to them in prison.

General Zia, the military dictator who promulgated the Zina Ordinance, expressed a desire to streamline access to the law. He believed that the judiciary and its bureaucracy did not provide cheap and speedy justice to the average Pakistani ("Editorial," *Dawn Overseas Weekly* 1978). He promised to appoint learned, pious, and muslim men to deal with cases arising out of the Hadood Ordinances. However, as narratives of the women interviewed for this study indicate, his policies made the situation worse for impoverished women. Moreover, Zia's understanding of *sharia* (Islamic religious law) suggests a one-dimensional perception of the legal process on which it is based and gestures to a larger problem, as I argue later on in this discussion, of undemocratic regimes using Islam to back up their power base. When questioned about how differing interpretations of Islam would be handled within his Islamization program, Zia replied, "We are not getting into that debate. We are going to the basic laws. *Qur'an* and *Sunnah*. We are not going into various schools of thought" ("Editorial," *Dawn Overseas Weekly*

1978). By focusing on the “fundamentals” of Islam, Zia’s vision denied not only the complexities of Islamic traditions, but also the complexities of the Pakistani context, with its deep cleavages based on gender, class, and religion.

Paradoxically, people in the Canadian context also often focus on the fundamentals of Islam and reproduce decontextualized accounts of muslim women and other third-world women, which my colleague so forcefully projected onto me. His comments remind me of my political quandary. I have found that speaking about the injustices that women suffer because of the Zina Ordinance is an interesting exercise in Pakistan. Many of the activists and jurists whom I have met are against the laws, and they, too, speak out against the suffering that the laws are causing. At the same time, young Pakistani women are getting messages from films and advertisements that create and reinforce symbols and metaphors of both the good and bad woman. The former, through her docility and chastity, is able to escape male violence, while the latter, who actually acts on her desire, is not (Sher 1996). Furthermore, popular accounts of zina victims in local tabloids suggest that they are loose women with suspect morals who deserve to be charged and incarcerated for not having the requisite feminine attributes of docility and obedience.

Speaking in Canada is another matter. Here I find myself confronted with the popular perception that all muslim women are oppressed by Islam. I am in a bind. On the one hand, speaking out against the injustice of the Zina Ordinance is important. At the same time, I fear that my critique of the conditions in Pakistan risks reinforcing dominant stereotypes about third-world women and muslim women.

Chapter 1 examines this quandary. I locate myself as a native informant who is producing knowledge about Pakistani women for a Western audience. I argue for a feminist analysis that reflects on the practices of textual production and that requires the researcher to be responsive to issues arising both from her location and from the location of the people whom she is researching.

Earlier in this Introduction, I described the legal implications of the Zina Ordinance. However, if the ordinance remains decontextualized, my account threatens to reinforce stereotypes of muslims and third-world peoples as barbaric and uncivilized, similar to the stereotypes that have accompanied conventional readings of many writings by Taslima Nasrin. In Chapter 2, therefore, I turn my attention to providing a context for the Zina Ordinance. I investigate the historical association of religion with the forces of power in Pakistan and also with the international powerbrokers in the region. I argue that religion remains connected

to nationalism in Pakistan and that politicians have used these linkages for short-term gain.

Chapter 3 examines the spaces and conditions of women incarcerated for zina. I also identify the circumstances under which I was given access to women in prison and in the state-sponsored women's shelter, or *darul aman*, at Lahore.

In Chapter 4, I argue that the majority of the women have been sent to jail by their families for not obeying family wishes. Yet the women's narratives suggest that they are not helpless victims of their relatives. Instead, the process of incarceration politicizes many of the women, and they frequently use their spaces of confinement to upgrade their literacy and income-generating skills as they equip themselves to negotiate better bargains with patriarchy.

Chapter 5 examines how the feminist women's movement consolidated to challenge the antiwoman aspects of Zia's Islamization. I identify the current conditions that continue to sustain the antiwoman laws in Pakistan. I argue that, in view of the corruption of the state, introducing morality has become a major issue for Pakistani politicians. The state, however, has little power to regulate the moral behaviour of any but the most vulnerable citizens – illiterate and impoverished women – through its regimes of discipline. These women suffer the most under the zina laws.

Chapter 6 challenges liberal feminist voices that promote a cultural-relativist position of examining the third-world woman *over there*. Instead, through a reconfigured native informing, I aim to identify and work toward the destruction of the power relations that sustain native informing. Such a process connects conversations about the woman *over there* to the woman *over here*. In so doing, I (re)locate the zina laws as an issue not only for the third world, but also for transnational feminism.

1

Native Informing on the Zina Ordinance

Locating the Problem

In a recent article entitled “‘Under Western Eyes’ Revisited: Feminist Solidarity through Anticapitalist Struggles,” Chandra Mohanty (2003b) revisits her earlier critique (1991) of liberal feminism and its tendency to produce sensational accounts about third-world women as the oppressed other. Mohanty once again argues for a reading of women’s oppression in ways that show the local and global not only as simultaneous, but also as constitutive of each other. Mohanty’s analysis contributes to an examination of my location as a native who informs on the Zina Ordinance for a Western audience. In so doing, I reconfigure conversations about the native so that she is positioned to inform not only on the Zina Ordinance in Pakistan but also on its reading in the West.

The Zina Ordinance is an extremely oppressive, controversial, and contested piece of legislation in Pakistan. I am able to voice my criticism to Pakistani government officials who frequently agree with me and to activists there who are working to secure the release of women imprisoned for zina. Most people I have spoken to agree that, no matter how many safeguards the *ulema* (religious leaders) have put in place to mitigate the consequences of false accusations, the effects of the Zina Ordinance on the lives of its victims are devastating. Moreover, the hundreds of thousands of cases to which it gives rise use up scarce resources in the incarceration of under-trial prisoners, an incarceration that can sometimes be as long as several years. At the same time, Pakistan’s overloaded justice system is further backlogged. These are general issues that many human rights lawyers, jurists, feminists, and other progressive people discuss with each other in Pakistan. I, too, have been a part of these conversations.

Voicing my criticisms of the Zina Ordinance in Canada is another matter. Speaking of its excesses and wanting to bring about social change situates me and other Pakistani women who live in the West in a theoretical and political double bind. As Marie-Aimée Helie-Lucas (1999, 278) suggests in another context, we are silenced by the fear of being accused of betrayal by members of our own communities. Here I specifically refer to the diasporic communities in the West, where idealized notions of home circulate freely. And we are also aware that criticism of third-world cultures often serves to further demonize and stereotype third-world peoples, reinforcing a view that seeks to free brown women from brown men (Spivak 1989). Yet, after hearing the voices of the incarcerated women, I must speak. I do not, however, want to present a decontextualized account of the Zina Ordinance. Drawing on the notion of the native informant, I want to explore how geography, politics, and racialized culture help to shape the debate on the zina laws in Pakistan and their reading in the West. Speaking about the Zina Ordinance in the West positions me as a native informant, a person who informs or explains the rituals or traditions of her people for the researcher, the explorer, the outsider. It is a process, Trinh Min-ha (1989, 59) reminds us, through which the natives, as subjects of research, are “the handicapped who cannot represent themselves and have to either be represented or learn how to represent themselves.”

An unproblematic use of this role in the process of knowledge production has been critiqued in recent years (e.g., Narayan 1997; Spivak 1995; Visweswaran 1994). Akhil Gupta and James Ferguson (1997, 37) have called for a continued rethinking and revitalization of anthropological fieldwork so that we move toward “a sense of a mode of study that cares about, and pays attention to, the interlocking of multiple social-political sites and locations.” Gupta and Ferguson further suggest that we identify and examine places, peoples, and predicaments through more dynamic ethnographical studies that are able to take advantage of the opportunities generated by such flexibility. The predicament of the third-world researcher living and working in the first-world yet whose field of research is a third-world site provides an example of a study with creative and dynamic potential.

With more researchers from other parts of the world living in and writing from Western diasporic locations, the one who researches *over there* may not be white or male. She may be, like myself, a racialized woman who is not seen as part of the first world despite living and working there. Thus she is not only on the perimeters of a male academy, but also on the fringes of liberal feminism. Perhaps she is an ex-colonial

critical of continued colonialism in its new forms. Marta Savigliano (1995, 11) has noted that colonial discourse works to keep such an insubordinate ex-colonial in her place. My analysis challenges this process, as it extends the idea of the “field” so that it includes not only the site *over there*, where I search for answers to research questions, but also a second site *over here*, where my research will be read.

Traditionally, comments by native informants have reinforced stereotypes of the third-world woman and the muslim woman. I am interested in conversations that help to reconfigure the native informant’s role by making visible and challenging the power relations that sustain it. I particularly want to challenge the notion of neutral knowledge and help to generate some accountability in the process of writing and its reading.

Challenging Neutrality

In recent years, social theorists Trinh Min-ha (1989), Gayatri Spivak (1999), and Uma Narayan (1997) have begun to shake the ground of neutrality and argue that knowledge is socially produced through a process in which the producer and reader are thoroughly implicated. Drawing on these arguments, I grapple with the following questions in this discussion: How does my location both in Canada and in Pakistan help to determine the type of work that I do with women in Pakistan? To what extent do I help to reinforce stereotypes about the Pakistani, the muslim, and the third-world woman? Am I forever doomed to strengthen racism when I challenge the sexism of antiwoman laws in Pakistan? How might I mitigate these effects?

Such questions allow me to move beyond relativist perspectives that present ahistorical accounts or problematic cultural and religious explanations for events. They facilitate debates that provide context by identifying the social and political circumstances surrounding the issues. Of particular significance is an examination of re-presentation and editing practices through which events are retold as they travel from the third-world to the first. Homi Bhabha (1994a) reminds us, however, that the context does not travel as well as the stereotypes do that sustain sensational stories. I also question why certain issues such as female genital mutilation and forced veiling cross over readily, while others like malnutrition and lack of clean water and housing do not. A conventional examination of zina laws would suggest regulation of the Pakistani female’s sexuality, evoking images of the other woman caught in illicit sex and jailed by her fundamentalist culture. Testimonies of women suffering under zina laws might reinforce both variants of Orientalism:¹ denied and available sexuality. Accounts of how the Hadood Ordinances

and, in particular, the zina laws have impacted Pakistani women's lives have tremendous potential to become yet another sensationalized third-world women's issue.

My project challenges liberal frameworks that, Spivak (1999, 352) claims, enable the native informant to present true accounts from a position of fixed identity. Such problematic frameworks would perhaps generate desire among some to liberate Pakistani women from the oppressive forces of Islam and local patriarchs. In her article "Do Muslim Women Need Saving," Lila Abu Loughad (2002) examines such paternalism and maternalism. Although I challenge similar sentiments directed toward Pakistani women, I do not want to deny that Pakistani culture includes state-sanctioned laws that help families to socially and sexually control "their" women. I do, however, argue for a contested notion of culture as a more appropriate view within which to understand the Zina Ordinance. In so doing, I complicate notions of identity and culture based on Orientalist stereotypes that result in simplistic descriptions of Muslims and, in this case, Pakistanis. Moreover, I recommend an integration of *here* and *there* and reidentify intertwined histories of home and location, origin and diaspora, that complicate the production and reception of knowledge. Such analysis, and accompanying strategies of action, might examine the role of national and global struggles in defining and constituting the "sacred" in Pakistan.

Reading the Zina Ordinance in the West

My concerns about how my research on the Zina Ordinance might be received in Canada are well illustrated through a British Broadcasting Corporation (BBC) documentary entitled "Murder in Purdah," which aired on the Canadian Broadcasting Corporation (CBC) in January 1999 on the *National Magazine*. The opening segment begins with the words "Women are jailed on the rumour of adultery in Pakistan and men kill their wives to protect their honour." Moreover, commentator Brian Stewart warns us that some of the scenes we are about to see may be disturbing. The text goes on to inform us that "Riffat and Ahson marry without parental permission and Karachi exploded." The juxtaposition of text and images is dominated by a narrative of the rise in Islamic fundamentalism and connected to eruptions of violence. Scenes depict terrifying images of armed male Pakistanis rioting in the streets, burning, shooting, and looting. None of this mayhem in Karachi is shown to be related to further devaluation of the rupee and the resulting rise in food and fuel prices or to the lack of employment opportunities, growing poverty, and degradation connected to globalization. Neither is the

massive influx of arms from Afghanistan given any mention. There is no evidence of investigative reporting on the easy availability of fire-arms, a legacy of the Afghan war, in which the Pakistani government under General Zia-ul-Haq, with financial and moral encouragement from the United States and Saudi Arabia, aided and abetted the Afghan rebels.

Instead, the presentation suggests that the people of Karachi, the financial capital of Pakistan and a major seaport on international trade routes, have nothing better to do than worry about who marries whom. Moreover, the only hope of survival that Riffat and Ahson have is to find asylum in the West. In simplistic terms, the couple are seen as victims of their society, culture, and religion whose salvation lies in escape to the West. The scenario of West as best and West as the place of civilization where all must go to be saved has repeated itself once again. Yet another scenario has repeated itself as well. In her analysis of the politics of imperial wars and benevolent interventions, Sedef Arat-Koc (2002) suggests that people who were interested in saving Afghan women from the Taliban are usually critical of feminist concerns in their own country. There is nothing new in this situation. Eugene Cromer, the head of the British colonial administration in Egypt from 1885 to 1907, had similar sentiments. On the one hand, as Leila Ahmed noted (1992) he wanted to save Egyptian women from Egyptian men; on the other hand, he was one of the founding members of the antisuffragette movement in England.

Conventional visual and textual imagery on the third-world woman suggests that the Eastern woman is a victim and that the Western woman is liberated. Such comparisons minimize and make more difficult critiques of violence and other structural inequalities that women face under Western patriarchies. These views also help to mystify and disarm women in North America and Europe by pointing out that their lot is better than that of those *over there*. How, then, do I proceed? And what are the implications of performing a critique of the zina laws for a largely white audience?

A descriptive presentation of the zina victims might recall Stanlie James' (1998) warning about the invisibility of progressive struggles in popular Western conceptions about the third world while provoking strong reactions similar to those evoked by the practices of *sati* and female genital mutilation.² Victims of zina laws might become the new hot topic, generating countless student assignments and magazine articles and perhaps providing, as did accounts of the victims of Taliban atrocities, the impetus for consciousness raising about the issues. Such consciousness raising is important not only for generating awareness, but also as

a tool for pressuring local and international powerbrokers. Yet it is not without a price. My staging of Pakistani culture will likely support Eurocentric views of the other as barbaric and, as Coco Fusco (1998, 367) has pointed out in another context, confirm popular racial stereotypes while building support for repressive domestic and foreign policies. Clearly, practices through which particular subjects inform on the natives are harmful and must be situated as arising out of unequal social and political relations. It is to this process that I now turn.

Locating the Native Informant

It would seem that writing about the repressive zina laws is an easy thing to do. But it is not so simple. As a “third-world” feminist and a postcolonial subject, I am ambivalently positioned within an identity that invites me to speak both as the victim and as a subject who, as Uma Narayan (1997, 3) points out, “often feels forced to give an account of itself.” Literary, cultural, and political pressures position me as a unitary subject, a third-world native informant (re)producing the voice of alterity. Situated in the West and producing accounts of zina laws through the voice of the other woman, I am damned if I do and damned if I don’t. For, as Trinh Min-ha (1989, 80) comments, “You try to and keep on trying to unsay it, for if you don’t, they will not fail to fill in the blanks on your behalf, and you will be said.” As a native informant, I realize my no-win situation, and I am silenced. I struggle to recover my voice and wonder if I can do ethical research. Daphne Patai (1991, 150) reminds us, however, that “in an unethical world we cannot do truly ethical research.” I accept Patai’s statement.

But there is more. The first and third worlds are discursive and material divisions based on power and wealth. The disparities that accompany these divisions place me, a person who lives in Canada and does research in Pakistan, in a contradictory position. These contradictions arise partly because of the inequalities between *here* (the first world) and *there* (the third world), but also because I (a middle-class academic) am researching “down” by focusing on impoverished and imprisoned women. Given that the contradictions cannot be resolved, at least in the foreseeable future, I strive for transparency and reflexivity in the process of research itself.³ Moreover, I turn my attention away from trying to resolve the contradictions and toward furthering the discussion of the native informant. I focus instead on repositioning, refiguring, and reconceptualizing conversations about the role of the native informant.⁴ In making these connections, I recover my voice. But first I must disrupt the conflation of the other woman *over there* and the one who

speaks for her *here*. Although the two women are situated differently, they have intertwined histories. Interrogating these histories allows us to understand how the production of knowledge is related to its reception and how my account of the zina laws and their effects is connected to my ambivalent positioning within the academy.

The Native Informant *Over Here*

The forces of neocolonialism and globalization have helped to trigger economic, ecological, and military disasters. Many people, particularly from the third world, have been displaced because of these conditions. Millions of refugees, immigrants, temporary workers, and “illegal immigrants” or undocumented workers have come to the first world as part of the diasporic gatherings of people in North America and Europe. I, too, have come to the so called new world to find justice and economic welfare in a capitalist society. And I find that, as a third-world feminist, I am positioned as the native informant within the academy. A native informant, as Spivak (1999) reminds us, identifies the struggle between identity and difference (both *over there* and *here*), as she is situated to present a totalizing account of her nation and her community. She is the authentic insider who, Narayan (1997) points out, is recruited into a role where she is pressured to perform her authenticity. Notions of what is authentic do not allow for creative and independent thought and action but channel us to conform in particular ways and are extremely oppressive.

In the imagination of the nation that I call home, Canada, I, too, am present only at the fringes and discover, as Spivak (1999, 398) suggests, that white capitalist culture accepts native informants to the extent that we “museumize” or exoticize our national origin. At the same time, powerful texts of the master discourse appropriate my voice, while stereotypical images of muslim women suggest fixed static identities. Stereotypes are, as Homi Bhabha (1990, 70-1) reminds us, the fixed static constructions of the other, which, although already known, are constantly repeated. These repetitions include the usual commentary about the third-world woman as passive, emotional, oppressed, victimized, and subservient to her men. In the case of muslim women, the list also suggests that she is veiled, exotic, and oppressed by Islam (Alloula 1986; L. Ahmed 1992).

Positioned as a third-world academic, I am channelled into doing research on third-world women either in Canada or in the third world whether I want to or not. Coded as a third-world woman, I frequently face unwritten expectations that I will research topics that deal with

third-world women's issues. Comments made by a journalist who had investigated a variety of topics both in Pakistan and in the Middle East support my position. She indicated that in Canada she was considered competent to write only about issues dealing with third-world women or muslim women. Disillusioned by this process, she has given up journalism. I, too, believe that my choice of research topic stems as much from external pressures as from my own interest in the topic. I am also aware that my investigation of the zina laws will likely confirm the popular myth that, as a racialized woman, I cannot and do not work on the issues of "normal" or "regular" people, who Richard Dyer (1997) reminds us are what white people often think themselves to be. Racialized people are expected to take up the issues of race because it is considered their issue. Well-meaning, progressive white academics, on the other hand, will routinely ignore the fact that they, too, are racialized (as white), commenting that they are not familiar with race literature or that it is not a field that they have chosen to examine. Yet, is not understanding difference and its effects a shared responsibility?

My body bears the markers of race and gender; as a result, I am considered the "expert" in this area. This categorization accompanies an expectation that a large segment of my course curricula will be on race and gender. Often racialized women find that only they are teaching these issues, a situation that has repercussions. As bell hooks (1994) reminds us, studies in race and gender often entail a considerable amount of unlearning that is painful and that at times produces a reaction among students. This reaction, with its accompanying anger, is often projected onto racialized women by otherwise well-meaning students. Performing the native can be a stressful rite.

A related aspect of the stereotypical categorization concerns the determinants of the types of work that I do. In previous research, I chose to investigate the lives of muslim women in Canada, but in a sense the work also chose me. It stemmed from my own contradictory positioning in Canada around the time of the Gulf War. I found that I had no place from which to speak that did not take me toward an Orientalist rejection of myself as muslim or an uncritical embrace of religion. My subsequent research and analysis contributed to an understanding that women's lives cannot be constrained within predetermined boundaries.⁵ Instead, I drew on women's narratives to examine the in-between hybrid lives within diasporic space in the West. Similarly, my work on imprisoned women in Pakistan, although informed by a desire to help bring about changes, is also to some extent an artefact of my contradictory positioning in Canada. Both my projects – my examinations of

muslim women's lives in Canada and of women's experiences of the Zina Ordinance – are investigations of women's narratives. As I bring their voices into the larger conversation about women's issues, I am particularly interested in identifying how my respondents deal with the complexities of their lives.

Although I speak of identity as complex, contested, and socially determined, in Canada my work risks being co-opted by ethnic studies or multicultural studies. Such programs often define the research and scholarly activities of myself and other women of colour through which we perform our versions of authenticity and difference. Although these spaces do provide us with anchors to our identity and at times access to funds allocated for minority studies, they are also problematic. With its emphasis on examinations of events within predetermined cultural and national borders, ethnic studies exacerbate binaries that reinforce views of Orientalism and as two sides of the same coin (Chow 1997, 6). Such a process not only reduces third world societies into denigrated and exotic others but also identifies each difference in authentic terms; animalistic Africans provides an example while terrorist muslims provides another. At the same time it discourages an examination of the West and East as interconnected in favour of an examination of the two as ontological absolutes. Within this paradigm, performing a critique of the Zina Ordinance and speaking of its excesses would constitute a first-class sensational spectacle commanding attention as I, the authentic feminist voice of Pakistan generate a text that appears to condemn all Pakistanis, muslims, and other such people. Or even worse, Pakistani women's struggles might be further co-opted and appropriated within liberal discourse so that we become, as Trinh Min-ha (1989, 82) reminds us, someone's private zoo. The depoliticization that accompanies such ghettoization and appropriation allows for, as critical theorists have pointed out (e.g., Rattansi 1992; Gilroy 1987), a containment of ethnicity that does not provide space for examining what is at stake in terms of local and international contestations and hierarchies.

Gayatri Spivak's comments support these views. She argues that the native informant's voice is often appropriated, rendering her complicit in knowledge production about the third-world other. Living in a diasporic space in the West, my voice, too, risks being appropriated, and I likewise become complicit in producing knowledge about the muslim. My complicity shatters any attempts to evoke "true" knowledge. Within such a location, Spivak does not recommend that I attempt to produce true accounts. Instead, she argues, the native informant should remain a reminder of alterity. As I struggle toward a strategically

effective method of looking at the complexities and contestations of speaking to the excesses of the zina laws, I realize that no matter how I present the situation, to a certain extent my account will reinforce the view of Pakistan and the third world as a violent and uncivilized place for a substantial portion of the readers. I accept this as a limitation of my work.

There is yet another aspect of native informing. While my colleagues in Canada expect me to do research on Pakistani or other third-world women, in Pakistan I was considered not Pakistani enough. Gayatri Spivak (1995, 149) has written about this “continuous testing of the expatriate by the locals.” While on recent research trips to Pakistan, I was welcomed as a Pakistani. But local activists also continuously reminded me that I was not one of them: “For an outsider you seem to know quite a bit about what is going on here,” one Pakistani journalist commented after she had read my work. Others argued that I was not a stakeholder in negotiating the issues in the same sense that they were, as I did not share their risks. I was positioned differently. Some remarked, “You will go back to your academy and write your research and we will have to continue to deal with the Hadood and other repressive laws,” while others commented that “After all, this law does not really affect you; you are an outsider, you come and go.” These comments led me to ask myself whether I was somehow seen as a traitor or unworthy because I had left.

How then do I respond to the idea that I may not be authentic enough to be taken seriously by Pakistani activists and feminists? It is true that I am located differently from Pakistani activists. I am not subject to the coercive power of the state in the same way that they are, although, as a former Pakistani national and now a visitor to Pakistan, I am subject to all Pakistani laws, including the zina laws, while in the country. I can, however, unlike activists in Pakistan, return to my home and my academic position in Canada. It is likely that Pakistani feminists are leery about committing energy to relationships with researchers who, they say, “come and go.” After an absence of over thirty years, I am new to the Pakistani scene. Nevertheless, my continued commitment to the issues in Pakistan will, I believe, help me to build solidarity with local feminists.

Feminist discourse, however, both *here* and *there* is marginal to mainstream debates. I am an outsider to marginalized feminist debates in Canada because I am not white and, in Pakistan, because I do not live there. Situated as an other of the other, I am reminded that the position of native informant has to be continuously negotiated. The native informant is an authority on third-world women. Yet, as Spivak (1999) has argued, I, too, believe that the authority of my claims is continuously

deferred to the Western academy for legitimization, identifying once again my complicity in reproducing the master narrative about third-world people. This concern is echoed in the continuing challenges that I face by the locals in Pakistan whose comments indicate that I am not one of them and have been somehow tainted by years of living in the West. Such views suggest that my research is not relevant to Pakistani struggles.

Although some feminists and activists in Pakistan may determine that my work there is inconsequential, I do not accept that my work is irrelevant. As a feminist committed to change, I believe that patriarchy in the West helps to prop up patriarchy in the third world, including Pakistan. As feminists come together in international collaborative projects, they can identify the ways that patriarchy and capitalism work across national borders. Through this understanding, we can imagine and forge more internationally based resistance.⁶

In a sense, the woman-of-colour native informant is positioned within academia with a preset script. She performs the other, the model member of her group, and does not upset the status quo. Such a process suggests an appropriation of her body and voice. Within academia, the native informant has become commodified, her body and voice bought and sold. Upon hiring her, in a sense the university “buys” representations of the person, rendering her ethical position for sale. Similarly, publishers “buy” the texts she produces, frequently to identify themselves as inclusive. Granted the academy is normally not welcoming to feminists; however, these comments are particularly valid in the case of women of colour. What kind of choice does the native informant have? If she does not perform her role or performs it in ways that suggest resistance, she will likely be censured. Chances are that no one will publish her work. What happens if she gets out of line? Likely, she will be fired or be silenced in other ways, such as through isolation and exclusion. It seems that the native informant has to behave.

Not only is the subject position of the native informant problematic, but Spivak (1989, 269) raises a cautionary voice about “making false claims to alternative histories.” She suggests that we closely examine the social and historical process that has created particular people as native informants who are at once an object of analysis as well as the subject of a particular form of knowledge. Such a process conflates the indigenous elite woman in local sites with the diasporic intellectual turned native informant. Spivak reminds us that both are products of colonial and neocolonial education and complicit in the production of knowledge about the gendered subaltern whom they claim to represent.

Writing about zina places me in a complicated struggle, which Aijaz Ahmed (1992, 84) identifies as that of a particular privileged class that often has access to Western forms of education both in the metropole and in the colony. I, too, am a product of colonial education in Pakistan and of its liberal version in the West and am complicit in this process.

The Native Informant *Over There*

In my reconfiguring of the native informant, I want to recognize the third-world woman *over there* who is also so positioned. As she speaks her truth in countless oral and pictorial testimonies for Western consumption, hierarchies between the researcher (often first-world) and the researched (often third-world) are rendered invisible. Particularly relevant are Daphne Patai's (1991, 137) comments that research itself depends on a subject-object split through which the objectification of the object of research and her exploitation for the research agenda are integral to the design of the project. This danger increases, Patai warns us, "when the researcher is interviewing 'down,' that is, among those less powerful (economically, politically, socially) than the researcher herself."

While interviewing the women, I was constantly reminded of inequalities between us. There was I, employed, professional, academic, free, while they were unemployed, often illiterate, and imprisoned. Not only was the interaction asymmetrical, but I am also not sure what our conversations meant to the women. Did they willingly recite their stories to me or because the prison officials had asked them to? Did they think that I might be able to help them to get released from prison? Frequently, they had anecdotes that they wanted me to include in my writing. "I am against judges, write about that please," one woman commented. Did they think that the report (as they called it) that I was writing would help to change their circumstances? Or did they speak to me because they had found someone who appeared sympathetic and was willing to listen to their narratives of sorrow and resistance? Was their encounter with me merely a diversion from the routine of prison life? Walking away from the prison to write my "report" in the form of another academic paper for which I would receive professional recognition, I was uneasy. Our interactions did not appear to translate into a tangible and immediate benefit for them.

There is another aspect to native informing. Conventional accounts present a view of the woman *over there* as monolithic. Such views also render invisible indigenous hierarchies and contestations. For example, the third-world woman is largely presented as oppressed and voiceless,

leaving those activists who are struggling for human rights and women's rights largely invisible (James 1998; Mani 1990). In Pakistan impoverished women face zina charges and imprisonment. Middle-class women activists as well as others who are trying to secure their release are confronted with the sexism and corruption of government officials. They also have to deal with being labelled "Westernized" partly in response to the foreign funding that their nongovernmental organizations (NGOs) receive. But there is another reason as well. The NGOs frequently identify themselves as "secular," a designation that puts them at odds with the increasingly fundamentalist rhetoric of the state. As the weak Pakistani state moves toward closer alignment with fundamentalist forces, many secular activists have commented to me that the space for their social and political action feels increasingly narrow. Indeed, many claim that they are able to negotiate the system safely only because of their personal and family connections. Additionally, faith-based organizations and the secular NGOs frequently do not work well together. Speaking about women in domestic abuse situations, one activist working with a women's rights NGO claimed, "We do not have the same vision of women's role in the family. The faith-based organizations want family unifications at all cost, while we want to present other options to her. They want the woman to be literate in order to read the Qur'an. We want her to be able to read and write and to know her rights under the law."

Moreover, the secular activists are susceptible to charges that they are Westernized and therefore irrelevant to local struggles. Attempts to dismiss feminism as a Western import have been persuasively challenged by Narayan (1997), who argues that charges of Westernization are connected to a desire to uphold the East-West binary that sustains an inability to view issues as interlinked in an international frame for resistance. Third-world feminists' concerns are generated from issues arising in their own national contexts and fuelled by a history grounded in women's resistance to subordination (Anzaldúa 1987; Narayan 1997). Although these concerns are similar to those put forward in feminist agendas, it is likely that many women in the third world, as in the first, frequently see these concerns as personal and advocate change at an individual level. Feminist responses to women's subordination, on the other hand, as Narayan points out, will include analysis of women's subordination as systemic and requiring collective action. Furthermore, Narayan argues, the label "Westernized" is unevenly applied. Paradoxically, World Bank funds used to buy arms are not Western, but if funds from the same source are used to organize against antiwoman laws, the label "Western

import” is often applied. “Westernized” thus becomes a label used to devalue and chastize individuals and organizations who are asking for change.

I too have been labelled “Westernized” both *there* (because I did not stay) and *here* (because I am not authentic enough). As I produce knowledge for the Western academy about the Pakistani other, I too am complicit in perpetuating the hierarchies between the researcher and researched. Yet my complicity does not come from a place of stability. Rather, I face, as Himani Bannerji (2000, 65) puts it, “the paradox of both belonging and non-belonging.” To the Pakistani activist who accused me of not sharing her risk, I say, “Yes I do not face personal risks like the activists in Pakistan. I face other risks.”

I do not want to suggest a hierarchy of risk, however, that seeks to determine whose risk is greater – that of the woman *over there* or that of the woman *over here*. Both have the unfortunate position of the native informant whose agency is constantly under threat. While the woman in Pakistan risks the coercive power of the state and a corrupt police force, my textualizations risk generating myriad accounts replete with oral and pictorial examples of incarcerated women. No doubt such accounts would sensationalize women’s lives as once again oppressed by Islam. Through these accounts, the other issues that Pakistani women face, issues that make them more vulnerable to the zina laws, fade into the background. Indeed, as I will show in Chapter 4, sex is only one of the reasons for women’s imprisonment. Moreover, sex workers do not remain in prison for long. They have the resources to secure bail. For the majority of the women in prison, poverty appears to be a much larger issue. Moreover, their poverty is connected to lack of employment, education, and housing as well as to lack of state protection against the many forms of violence that they face. In Pakistan and elsewhere, such conditions frequently accompany debt restructuring at the dictates of international agencies such as the World Bank and the International Monetary Fund.

What the Native Informs

There appears to be a visibility of native informants: they/we are everywhere speaking their/our monolithic truth, which conforms to the truth of Western Orientalism and perpetuates the dominance of Western forms of knowledge. At a gathering in the university where I taught until recently, Nepalese women spoke about poverty and violence in the lives of women in their country. Their remarks generated support and solidarity from the audience, but also promoted a cultural relativism. The

violence was attributed to a problematic culture *over there*. The discussion that followed allowed Nepalese culture to be pathologized, demonized, and measured, if silently, against the “proper” treatment of women, read as Western treatment of women. What remained unexamined in the ensuing debate were the struggles that women and other activists are waging in Nepal. Also not identified was how the country’s positioning within international relations of inequality helped to fuel poverty and contributed to the violence.

As native informants are invited to speak about oppressions that women face in the third world, indigenous and racialized women’s concerns in the West are minimized. Moreover, people forget that women earn 70 cents to the dollar that men earn or that they come up against a glass ceiling when seeking career advancement. They do not remember that thousands of women in the first world face physical, emotional, and sexualized violence every day. Through these omissions, frequently lost is the opportunity to examine how oppression in diverse contexts is interconnected. Instead, the narratives of native informants are often given special space as the authentic voice of the violated other. Often, not individuals but spectacular stories (like female genital mutilation and the veil) are picked as representative of native informants, and then people are found whose lives are mutilated to conform to the desired spectacle. What is at stake in this process? Who gains and who loses? By drawing on the native informant’s voice, the dominant groups maintain their position of privilege and label themselves the “good guys” who have benevolently given space to the native informant and have included her in their projects. This inclusion is a whitewash for the appropriation of voice and the commodification of the native informant.

Roland Barthes (1972) has spoken of the use of symbols in spectacles. Bodies and events are emptied of their history and embedded with new meaning. Barthes’ comments remind me that my subject position has been slotted into Islam. As I perform the native and speak about the zina laws, I am once again inviting the viewer to the familiar view that Islam is crushing women. I am therefore suspect. I am suspect to myself: can I do ethical research? Others are also suspicious of me: is she authentic enough; will she betray us? Although the good native means a different person to each of these positions, they all want to know whether I am going to be a good girl. This is my triple bind, and I risk alienating one or all each time I speak. For me this is a politically paralyzing position. How then do I resist this subject position? How can I produce an account of the zina laws that can fuel feminist collective action? How might I write in ways that challenge Orientalism and are

also responsive to local conditions? I believe that I can move out of the triple bind by initiating several conversations about native informing. One of the conversations concerns an emphasis on accountability and transparency, while yet another conversation reinforces the need for transnational feminist solidarity. Chapter 3 of this manuscript deals with the former conversation, and Chapter 6 deals with the latter. Transnational feminist solidarity links local and global practices. Such links help to determine the interconnectedness of our lives as well as the most effective kinds of action needed for change. Contextualizing the issue is an essential part of the path to transnational solidarity. It is to a discussion of the context that spawned and continues to sustain the Zina Ordinance that I now turn.

Women who become active participants in her classes claim she transforms their understanding of Islam and inspires them to change their lives. My analysis highlights the central role of social relationships and the interactions that Al-Huda students and teachers have with each other which convert them into Hashmi's committed followers. Khan Shahnaz Zina Transnational Feminist and the Moral Regulation of Pakistani from HIS 152 at Hunter College, CUNY. A Transnational Community of Pakistani Muslim Women: Narratives of Rights, Honor, and Wisdom in a Women's Education Project. Anthropology and Education Quarterly 43 (2012): 235-52. Lee, Matt. "Memories of a Sorcerer": Notes on Gilles Deleuze and Felix Guattari, Austin Osman Spare and Anomalous Sorceries. Razorsmile.org (blog). Quist-Arcton, Ofeibea. "Young Pakistan Activist Urges Nigeria to Do More for Kidnapped Girls." Morning Edition, July 16, 2014, transcript, NPR Online. <http://www.npr.org/2014/07/16/331899955/young-pakistani-activist-urges-nigeria-to-do-more-for-kidnapped-girls>. Rudisill, Emily. "Girl Power: Shiza Shahid of the Malala Fund."