

The Curse of *Swara*

Tehreem HASAN (Pakistan)

In the North West Frontier Province of Pakistan, *Pukhtunwali* is the code of life followed by the pukhtuns living there. These people are hospitable, following *Melmastiya* (hospitality) and *Nanawatay* (forgiveness). Along with such typical characteristics of their race, other hideous practices also prevail. In this report I would like to mention *Swara*—a cultural practice where minor girls are given away in marriage as part of the peace making arrangements between two disputing parties.

The Pakhtuns settle their scores by *badla* (revenge) to maintain their honour. Daughters and sisters are given to resolve conflicts and prevent further bloodshed. For the *jirga* (an informal tribal village elders' council), *Swara* is an accepted dispute resolution mechanism. This custom is not peculiar to the Pakhtuns alone. In the provinces of Balochistan, Central Punjab and Sindh, nearly identical customs are presently called by the names of *khoon baha*, *vani*, and *sang chatti*.

In May 2006, in Shikarpur, Sindh, a jirga ordered a father Mohammad Ramzan, to hand over two daughters-aged nine and one—as compensation for money owed to a local feudal lord for three buffaloes. The father consented in writing. Luckily for the girls, the Sindh High court intervened and barred the transaction.

What happens if the family does not have girls to be used as *swara*. Afsar Ali, alternatively, bought 13 year old Bibi Jan in a market place in Peshawar for PKS 53,000 (approx USD680).

Even in the cities, females are sacrificed to settle disputes. Recently the father of a teenage girl filed a missing report of his daughter and wife. He had agreed to marry his daughter to a 50 year old, uneducated man due to ulterior-business motives. Can anyone judge why the females are missing? Their helplessness is sad.

This attitude stands in stark contrast to what our religion commands. Islam is a religion of peace, love, harmony, tolerance and kindness starting from the immediate family, relatives, country and the world at large—even to other forms of creation.

Women have a venerated place in Islam. From the Quran, it is abundantly clear that both men and women are promised the same reward for good deeds and the same punishment for misconduct. The Prophet (PBUH) necessitated the pursuit of knowledge for both Muslim men and women equally. In Islam there is indeed absolutely no difference between men and women as far as their relationship to Allah is concerned. Woman is recognized by Islam as a full and equal partner of man in the procreation of humankind. By this partnership, she has an equal contribution in every facet of this process. She undertakes equal

responsibilities and is, therefore, entitled to equal rights. In her are as many qualities and as much humanity as there are in her partner. The Quran says:

"And their Lord has accepted (their prayers) and answered them (saying):

'Never will I cause to be lost the work of any of you, be he male or female; you are members, one of another.' (3:195).

The status of woman is clearly given in the following Quranic injunction:

"And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage as in some cases of inheritance) over them" (2:228).

This degree is not a license of superiority or an authorization of brutal governance over her. It is to match with the extra responsibilities of man and give him some compensation for his many responsibilities. It is these extra responsibilities that give man a degree over woman in some economic aspects. It is not a higher degree in humanity or in character. Nor is it a dominance of one over the other.

Man made laws too guarantee equality of both sexes. Both the UN Convention on the Elimination of All Forms of Discrimination against Women, and the Pakistani constitution clearly, emphatically and unambiguously guarantee equality on grounds of sex.

What is happening in Pakistani society? A lot of good work is being done but still we are a male dominated culture where the male mentality is heads-you-lose-tails-I-win, situation for the Pakistani female.

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