



Workplace Harassment of Women in Pakistan: An Analytical Study in Islamic Perspective

Sadia Gulzar

Assistant Prof, Institute of Islamic Studies,
Punjab University, Lahore, Pakistan

Abstract

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Islamic perspective asserts that a woman plays an important role in economic development of a nation. Nevertheless, in Pakistan, women face various types of harassment at workplace. Harassment is an offensive behavior which makes an environment painfully unfriendly. In the Pakistani society, women face personal harassment which includes the use of inappropriate language and bullying at workplace. The victim may be subjected to unwanted and insulting remarks. Harassment may be both psychological and sexual in nature. There are many reasons of harassment such as male dominated society, lack of women power and unfavorable working environment. Harassment makes a woman's job more difficult and undermines her potential to contribute in the economic development of her country. Holy Prophet (SAW) detested insult, degradation and sexual harassment. Rather, He (SAW) bestowed upon women the rights of ownership, dignity, protection and liberty which encourage women to participate in economic activities vigorously. The purpose of writing this research paper is to describe the workplace harassment of women in Pakistan, its reasons and eradication in the light of teachings of Islam. This research paper follows content analysis method.

Introduction:

In contemporary world, a society cannot prosper without the development of women's socio-economic status. The positive outcomes of their education and economic contribution reduces poverty, ensures equality and good governance in implementation of socio-economic policies and productivity of families and societies. Pakistani women constitute almost 50% of total population. According to Pakistan Economic Survey, "in FY2015 labor force was 61.04 percent of total population. It increased in FY2018 and touched to 65.50 percent. In FY 2015 and FY 2018, females constituted 14.66 and 14.76 percent of labor force respectively, whereas, males constituted 46.38 and 50.74 percent of labor force in FY2015 and FY 2018 respectively. In FY 2015 total employed labor force was 57.42 percent (Male 44.07 percent and Female 13.54 percent). In FY 2018 it was 61.71 percent (Male 48.17 percent and Female 13.54 percent)."¹ "Female share in the labor market is falling continuously. Female participation in labor market was 15.8 percent in FY 2015 and 14.5 percent in FY 2018. The Labor Force Survey 2017-18 shows that women have a share of 67 percent in agriculture, 16 percent in manufacturing and 14.6 percent in community and personal services."²

Women serve nation with passion and devotion by their versatile contributions as legislators, educationists, engineers, doctors, barristers, journalists, pilots, and social workers etc. Nevertheless, insecurity at workplace is a serious hurdle for women to participate in economic activities. They deserve an environment that respects their prestige, confidence and self-esteem. It would help women to enhance their performance and accelerate country's progress.

Definitions of Harassment:

The word harassment is defined in Cambridge Dictionary as:
Any illegal behavior that makes a person mentally or emotionally disturbed, it may include repeated, purposeless, unreasonable and undesired contacts, touching, threat, insult or use of offensive language.³

According to the Canadian Human Rights Commission:

Harassment is another name of discrimination. It may include an undesired physical or oral behavior that may seem to be offensive or humiliating.⁴

Harassment is described in law as,

Any verbal or written communication, unwelcome advance, attitude, request, favor or physical conduct that is of a sexual

nature or sexually demeaning, and which intimidates, causes work interference or disrupts the performance or makes work environment offensive or hostile. It may also include an attempt to punish the complainant against the refusal to compliance to such requests or making this a condition for employment.⁵

Harassment is an unethical and illegal behavior that becomes the cause of mental and emotional suffering of harassed one.

Harassment of Women at Workplace in Pakistan:

Pakistan is facing the issue of harassment of women. "In 2018, the world's ten most dangerous countries for women were India, Afghanistan, Syria, Somalia, Saudi Arabia, Pakistan, Democratic Republic of Congo, Yemen, Nigeria and USA.⁶ Pakistan has been placed 7th among top ten countries due to rape of women cases, their lack of access to justice in these accidents, sexual harassment and duress into sex as form of corruption."⁷

Dawn newspaper published a report about harassment of women at workplace. Razeshta Sethna and her fellows collected data from three hundred working women from different professions and industries of Islamabad, Peshawar, Lahore, Karachi and Quetta. They asked women whether they were compelled to remain silent about workplace harassment or not. In response, 35 percent women said that their colleagues and managers advised them to remain quiet, 61 percent said that they were not forced. They were asked whether workplaces have anti-sexual harassment policies or not. Only 17 percent harassed women approached internal inquiry committees of their organizations. Even though 59 percent of the women said that their organization took cases of harassment quite seriously, they also showed concern that executives of their organizations would not sanction harassers. Therefore, their working environment will not change.⁸ According to a report "fifty to seventy percent women consult psychiatrists annually. They just want to deal with being sexually harassed."⁹

Causes of Women Harassment at Workplace:

There are several causes of harassment of women at workplace and they have to suffer in silence. Firstly, due to lack of justice in society. Secondly, parents and siblings incite to remain silent. Thirdly, they have

fear that their case would be highlighted which will affect the reputation of their families. Such women fall victims to mental and psychological issues and some of them even try to commit suicide.

In bullying, mostly same gender harassment cases are noted. National Centre against Bullying defines: In a relationship, bullying is an incessant and intentional abuse of power, used by a person or a group, verbally, physically or socially through repeated behaviors intended to cause social, physical, or psychological harm to a person or a group which cannot resist it.¹⁰ There are many factors of bullying such as jealousy, personal clashes, psychological issues, family issues and lack of moral values in society. Sāra Rizvī Ja'frī narrates the reasons of women harassment at workplace in these words:

“To compound the problem, women from the lower classes face even greater inequality and violence at the workplace, are given inferior social classifications, and are unable to mobilize support for justice. Women will always remain an easier target in Pakistan given the regressive cultural norms which legitimize violence against the weaker gender. Structural failures coupled with an inherently patriarchal organizational cultural in Pakistan have resulted in inequality and subjugation for working women.”¹¹

Eradication of Women Harassment at Workplace in Islamic Perspective:

Islam grants women a respectful place in society. Islam eradicates the harassment by ethical values and law. The teachings of Holy Prophet (SAW) direct a man to perform his professional duties in an optimum way. Generous behavior and cooperation with subordinates and colleagues is also essential for a good professional atmosphere and it eradicates harassment at work place. Islam develops harmony and tolerance among its followers. Holy Prophet (SAW) said: “Muslims are like a single body. If the head aches, the whole body suffers this pain and fever.”¹² “A true Muslim is like a building for another true Muslim whose one part strengthens the other.”¹³

Holy Prophet (SAW) prohibited bullying. The victim may be subjected to unwanted and insulting remarks. Sometimes, harassment may be of a psychological nature. In bullying, same gender cases are also noted as women may dishonor other women. *Amīn Aḥsan Iṣlahī* describes that women who are full of pride of their family, financial superiority and beauty humiliate other women whom they consider inferior. Dignity is not based on race, lineage, family, community, nation, tribe and wealth. Dignity is based on religion and piety.¹⁴

The Holy Prophet (SAW) was asked, “Who is the best Muslim? The Holy Prophet (SAW) said: The one who does not harm anyone with his tongue or hand.”¹⁵ “A person utters a word for the pleasure of Allah Almighty and does not pay any heed to it and thus Allah Almighty raises his position. Another person utters something and considers it insignificant and thus Allah Almighty gets displeased with him and he is led to hell.”¹⁶ “Holy Prophet (SAW) was asked which act will lead a lot of people to paradise. He (SAW) said: fear of Allah and good morals.” Then he (SAW) was asked which thing will take a lot of people to hell? He (SAW) said: “Tongue and private parts.”¹⁷ The above narration indicates that a Muslim should not harm his brother with tongue or hand. Hurting someone displeases Allah Almighty and leads a Muslim to hell.

Allah Almighty forbids from considering others inferior. Allah Almighty commands in Holy Quran:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرْ قَوْمٌ مِّن قَوْمٍ عَسَىٰ أَن يَكُونُوا خَيْرًا مِّنْهُمْ وَلَا نِسَاءٌ مِّن نِّسَاءٍ

عَسَىٰ أَن يَكُنَّ خَيْرًا مِّنْهُنَّ﴾¹⁸

“O believers! No group must scoff at another, the latter may be better than the former. And women don’t scoff at other women, the latter may be better than the former.”

Allah Almighty prohibits all the deeds that harm the dignity of other Muslims.

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اجْتَنِبُوا كَثِيرًا مِّنَ الظَّنِّ إِنَّ بَعْضَ الظَّنِّ إِثْمٌ وَلَا تَجَسَّسُوا وَلَا يَغْتَبِ بَعْضُكُم بَعْضًا أَيُحِبُّ أَحَدُكُمْ أَن يَأْكُلَ لَحْمَ أَخِيهِ مَيْتًا فَكَرِهْتُمُوهُ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ تَوَّابٌ رَّحِيمٌ﴾¹⁹

“O believers! Don’t be over suspicious; verily, at times, it’s a sin to be suspicious. And don’t backbite one-another. Who, amongst you, would like eating the flesh of his dead brother? You all would detest it. And fear Allah. Verily, Allah, the One, forgives and accepts compunction, the Most Merciful.”

Holy Prophet (SAW) forbade jealousy, deceit, grudge, and enmity among Muslims. He advised Muslims, servants of Allah, to be brethren. A Muslim is the brother of another Muslim. He neither oppresses him nor humiliates him nor despises him. It is a sin for a man to despise his Muslim brother. All the things of Muslims have been prohibited for other Muslims such as blood, wealth, honor and dignity.²⁰

Holy Prophet (SAW) advised Muslims that they should work for the welfare of their Muslim brothers. “Whoever brought his (Muslim) brother out of a discomfort, Allah Almighty will bring him out of the discomfort on the Day of Judgment. Whoever screened a Muslim, Allah will screen him on the Day of Judgment.”²¹ It has been derived from above mention ahadīth Nabvi (SAW) that women must be given respect at workplace. They must not be considered inferior. Avoiding social evils such as verbal abuse, humiliation and insult of the women, may decrease the number of cases of women’s harassment at workplace. In this way, women would perform their duties in a peaceful environment.

Islam lays emphasis on modesty of men and women equally. Holy Prophet (SAW) said: (“Modesty is the part of faith من الايمان”).²² This includes the modesty in their dress, communication and actions. Nevertheless, Allah Almighty first commands men to be modest:

﴿قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ-ذَلِكَ أَزكى لَهُمْ-إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ- وَ قُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا﴾²³

“Order Muslim man to lower their gaze and to safeguard their private parts (for) this is much clean for them. Verily Allah

knows what they (Muslim men) do. Order Muslim women to lower their gaze and to safeguard their private parts and not to reveal their adornment but what is revealed by itself.”

Allah Almighty commands believers to lower their gaze and guard their modesty. Islam demands Muslim men not to look at women for their pleasure and self-satisfaction. They must keep in mind Divine boundaries. If men and women want to communicate they have to follow certain restrictions of Islam. In a modest Islamic society, a man is assumed not to humiliate women and women should cover themselves (use Hijāb). A God-fearing Muslim would follow the limitations of Islam and he will never displease Allah Almighty. Holy Prophet (SAW) said, “Seven kinds of people will be sheltered by Allah Almighty. One of them is he who remembers Allah in isolation and his eyes start shedding tears.”²⁴ In such a society, harassment cases would come to an end.

Sexual harassment and rape of women is prohibited in Islam. Relation without Nikāh is unlawful and its punishment has been declared in Holy Qur’ān and ahādīth Nabvi (SAW). Punishment of adultery in sharia, in order to form a virtuous society, is: if married then death by stoning²⁵ and if unmarried, then hundred lashes.²⁶ It can be deduced from this narration that the culprits involved in such loathsome crimes should be punished publicly in order to create a fear in the sinful and to wipe out this devilish act of crime.

Legal Efforts to Eradicate Women Harassment at Workplace in Pakistan:

In Pakistan “The Protection against Harassment of Women at Workplace Act 2010” was enacted on March 9, 2010. Its main objectives are to protect women at workplace from harassment, to redress their grievance about sexual harassment and to provide help against acts of harassment. Under section 509 of Pakistan Penal Code, insulting the modesty of women or sexually harassing them is a crime.

Victim that is the one being harassed would submit a written complaint to internal inquiry committee of workplace organization which will identify the harasser and explain the harassing incident. If a harassed woman lodges a complaint to her organization that is to “Inquiry

Committee”, two types of punishment will be given to the harasser. The Competent Authority would impose one or more of the following punishments, on the recommendations of inquiry committee- “minor penalties will be such as “a. censure, b. withholding increment or promotion for a specific period of time, c. stopping at an efficiency bar in timescale, for a specific period of time and d. recovering compensation from pay or any other source of guilty person (this compensation has to be paid to victim). Major penalties are: a. reduction to a lower post or lower time-scale, b. compulsory retirement, c. removal from services, d. dismissal from service e. fine.”²⁷

“If the harassed one lodges the complaint directly to the police, the accused may be subject to imprisonment of three years or to a fine of half million rupees or both. Nonetheless, the legislation comes with limitations and is poorly implemented. A formal complaint would be lodged to the office of ombudsperson. It will conduct an inquiry of harassment according to the rules of Harassment Act. If the harassed one does not have an ombudsperson in his/her city, he/she could file a complaint in the court. The federal ombudsperson for sexual harassment will take up cases within his jurisdiction.”²⁸ After the implementation of this law the statistics were collected. “Only 98 complaints had been received by the office of the ombudsperson during period of 2014-2017. Almost up to 38 percent were later withdrawn. It shows that a very few women get legal way out of harassment. It is also an issue that in Punjab, the ombudsperson has no offices outside Lahore, even at the district level.”²⁹

Conclusion:

Women participation is significant in the economic growth of Pakistan. Pakistani women are talented and hardworking. They are performing in different sectors. However, they are facing a serious issue of harassment. It discourages them and affects their economic participation. Sometimes, due to harassment cases, harassed ones leave the job. Pakistan stands on 7th among the top ten countries in sexual harassment. A legal struggle has been made in 2010 in the form of passing Harassment Act 2010 in the parliament. Yet, harassment cases must be controlled in accordance with the teachings of Islam.

Recommendations:

To eliminate sexual harassment at workplace following steps must be taken:

- Parents, teachers and society must work to develop respect towards women.
- Dignity and respect must be given to women employed at workplace.
- Workplace-environment must be made secure.
- Family and society must support harassed ones.
- Harassment act must be adapted to bring it in accordance with the teachings of Islam.
- Harasser must be punished.

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