



## "Forced" Conversion and (Hindu) Women's Agency in Sindh<sup>1</sup>

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KEYWORDS: CONVERSION, FORCED MARRIAGE, PAKISTAN, MEDIA,  
COUNTERPUBLIC

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### Introduction

This chapter deals with cases of alleged forced marriage (Urd. *jabri shadi*) or forced conversion (Urd. *jabran mazhab tabdili*; Sin. *dadh je bunyad te mazhab ji tabdili*) and the roles of Hindu women in Pakistan's society. Often, such incidents follow a similar narrative: a young Hindu woman disappears from her house or place of work for some days and reappears again as a married and newly converted Muslim. Since changing one's religion from Islam to any other faith would mean denying the Prophet Mohammad, apostasy in Pakistan is *mutatis mutandis*: an illegal act covered by the blasphemy laws (§295 Pakistan Penal Code). Beyond such legal issues, the street power of extreme religious groups is a significant factor.<sup>2</sup> Once a conversion has taken place and is publicised, it is almost impossible for the newly converted to revert to her former life—the acceptance of Islam in Pakistan is often a one-way street.

In recent years, incidents of alleged forced conversion have become highly charged topics of discussion within the Islamic Republic of Pakistan. The advent of social media has helped kindle national and international outrage, which also exacerbates and cements antagonism between Islamic groups and liberal representatives. Upon deeper scrutiny, however, cases of forced conversion reveal many layers of



complexity, which thwart simple mono-causal explanations offered by both sides—either the liberal groups or the religious right. This chapter is thus divided into three sections. An initial part will problematize the forced conversion narrative and its investigation. It will also show how the fate of non-Muslim women has recently turned into a matter of public concern and political leverage for Pakistan's minorities. The second section will present a couple of case studies which reveal the ways in which social and legal structures in Pakistan support a violent atmosphere against female agency. A final part will analyse, in detail, the case of Rinkle Kumari, an upper-class Hindu girl from Ghotki, whose alleged forced conversion has been appropriated by religious, liberal, and nationalistic actors alike.

### **Setting the scene**

Frictions caused by religious conversion have a long history in South Asia. Cases of Hindu women willingly—or unwillingly—converting to Christianity or Islam have occupied colonial courts and have repeatedly served as disruptive moments for communal harmony (Sen 2012). Allegations of kidnapping Hindu women levelled against Muslim men, too, are not a recent phenomenon; there were accusations, for example, in political mobilisation movements in Bengal before 1947 (ibid.: 105). Today, inter-community marriages are often perceived as a threat to the social fabric of Pakistani society, and relationships between people with different religious affiliations have in the past been proven to trigger violent reactions. But conversions have also been used as an effective way of achieving upward mobility for those at the bottom of society (Fernandes 1999). The act of changing one's religion has shaped the history of colonial and post-colonial South Asia in many ways.

In the context of this work, the notion of "forced marriage" implies the involuntary conversion and subsequent marriage of a Hindu woman to a Muslim man. In the cases analysed in this paper, marriage to a non-Muslim does not take place without a preceding conversion to Islam, and a conversion to Islam is followed by a subsequent marriage. Interfaith marriages are neither socially accepted in interior Sindh nor approved by certain readings of the Quran (cf. Surah 2.221). Therefore, a "forced marriage" involves a preceding conversion to Islam, and so the conversion and marriage are intrinsically linked. Thus, in the following discussion, I will use the term "forced conversion and marriage," shortened as FCM, to imply this chain of events.<sup>3</sup> It is



important to emphasise, however, that naming an incident "forced conversion and marriage" often denotes a political decision in itself.<sup>4</sup> Similar to this paper's title, the adjective "forced" in FCM implies a critical distance since not all cases labelled as such in the media are, in fact, instances of coercion.

The circumstances around FCM cases are usually highly opaque, and tracing the actual course of events in retrospect becomes extremely difficult. As hard and fast evidence for such cases is rare—though not entirely absent—it is necessary to problematize narratives of FCM based largely on four levels. First, cases of FCM often occur within a parochial feudal environment where culprits enjoy the support of a powerful landowning elite that controls the local police and media. Mobility within such areas is often restricted and acquiring information is difficult. Second, cases that gain broader and sometimes even national public interest tend to unify religious parties in opposition to the liberal media and human rights groups. The religious parties' rhetoric, which is a mixture of tribal codes and orthodox interpretations of Islam, together with their power to control the streets, limits the possibilities of a thorough investigation and makes FCM a highly charged issue. Third, concepts of honour (Sin./Urd. *ghairat*, *izzat*) blur facts, as relatives and even the victims might intentionally obscure the course of events in order to avoid social stigmatisation. Fourth, an increase in a global Islamophobic discourse links sedimented prejudice against Islam to localised stereotypes of Muslim men. This connection hinders a sober investigation, as liberal analysts often make out "Muslim savages" to be the main culprits right away. Examples abound.

Other observers have emphasised a failure of government institutions as the principle reason for the opacity of such events. Marvi Sirmed, a Pakistani social activist and journalist who has written extensively on women's rights in the Islamic Republic, locates this lack of transparency in the state's inability to offer suitable tools for dealing with FCM. In an interview in 2014, Sirmed said:

There are so many complex realities to think about [...]. What is the way to determine if a girl has been forced to convert? There is no way to determine if the conversion is forced or not. I am particularly talking about Hindu girls in the context of Sindh and Baluchistan; especially in Sindh, where young Hindu girls have been converted and the accusation is that they have been forcefully [sic] converted [...]. The reports of the fact and finding mission of the Human Rights Commission of Pakistan confirms



that forced conversions are there. So, what is the state's mechanism or the state's way of knowing if a certain conversion is forced or not? (cf. Schaflechner 2016: 8:37)

This unwillingness to produce appropriate strategies for the investigation of such incidents also implies that the state is unable to negotiate the rhetoric emerging in the aftermath of alleged FCM cases. This absence of a third-party mediator results in the production of two antagonistic narratives, where the accusing side (minority communities and human rights groups) usually states that the girl was snatched from her home and pressured into accepting Islam, while the defending side (usually the religious parties) generally claims that the girl had the desire to embrace Islam and wanted to leave her Hindu environment behind. More nuanced explanations that aim at disentangling the complexities behind such events and/or take Hindu women's agency into account are regularly absent from the mainstream discussion.

### **Media, public interest, and sensationalism**

Cases of FCM are undoubtedly politically sensitive issues. Naturally, the media plays an important role in describing and prescribing such incidents for the national as well as the international public. While on the one hand developments in communication have served the downtrodden in Pakistan to spread their demands, media reports, on the other hand, also follow a politics of reductionism, which often aims at sensationalist headlines coming at the expense of complex realities. The media in Pakistan—for good or for worse—has a significant impact on the perception of FCM and, therefore, its handling of such issues need to be scrutinised.

The Human Rights Commission of Pakistan (HRCP) documents a high number of FCM cases as being among Hindu girls in interior Sindh and southern Punjab (HRCP 2011: 82). The HRCP and other NGOs estimate that about 25 cases of forced conversions occur in Pakistan every month.<sup>5</sup> Frequently, women and young girls from disempowered communities, such as the Kohli, Bheel, or Meghvar, fall victim to such marriages, as they are often subjugated to the power of the local *vaderas* (Sin.), the landowning elite in Sindh, and members of other influential circles. The sheer quantity of incidents occurring in such a feudal environment suggests a broad nexus between rural structures and the abduction and subsequent conversion of Hindu women. This link will be analysed in detail in the following.



The Pakistan Hindu Council, a welfare organisation for Pakistan's Hindus, documented many such cases in the past and claims that incidents of the abduction and kidnapping of women have been increasing. Ramesh Vankwani, the head of the PHC, and currently a member of the National Assembly in the PML (N) government, commented on this trend in an interview with the monthly magazine, *The Herald*:

A decade ago, there would be one or two cases in a year but in the last few years the situation has drastically deteriorated. In 2010 and 2011, there were at least 50 reported cases of abduction and forced conversion [...]. We must remember that many families do not even report the abductions because they fear losing respect within the community.<sup>6</sup>

This assessment is confirmed when tracing FCM cases reported in the media. While in the period between 1992 and 1997, only two cases of forced conversion were reported, seven cases were documented in the time between September of 2013 and September of 2014 alone.<sup>7</sup>

Reports in the local and national press, however, do not necessarily depict a surge in incidents on the ground. As the Pakistani media itself underwent significant changes over the last three decades, these numbers might rather reflect an increased public interest in the fate of lower class, non-Muslim women. The lifting of censorship by the Pakistan People's Party government in 1988, and the further liberalisation of the television landscape during the time of Pervez Musharraf, saw an unprecedented increase in reporting. Furthermore, the use of social media—such as Facebook, Twitter, and Dailymotion—supports the spread of information about the downtrodden members of Pakistan's society and helps to produce public interest in the fate of non-Muslim women.

Concepts of private and public sphere(s) have been widely discussed within both academic and non-academic circles (c.f. Habermas 1990; Calhoun 1992; Bhandari 2006). A further surge of interest has been guided by developments in so-called online public spheres and platforms (cf. van Dijck 2013). At this point, it is important to briefly sketch out a few basic assumptions for the purpose of analysing representations of non-Muslim women in Pakistan. Nancy Fraser has convincingly argued in her seminal article, "Rethinking the public sphere," that borders separating the private from the public shift over time (1990). In other words, notions of what counts as a matter of private concern (without the necessity of including a broader public)



reveal their own history. This contingent foundation of both the concepts of private and public opens the door to move marginal demands—what Fraser calls a 'subaltern counterpublic' (ibid.: 68)—into a public debate. The feminist struggle to shift domestic violence from being a matter of private concern to public concern is but one example of such counterpublic spheres (ibid.: 71).

The capacity to dislocate the borders of public and private, however, rests on the possibility of participating in a politics of articulation (Hall 1992), i.e. on the ability to make one's voice heard. If demands are too subaltern and, therefore, cannot be articulated, marginalised groups cannot hope for public recognition. Oliver Marchart, a philosopher of the political, agrees with Fraser and rejects the possibility of a singular public sphere that is characterised as a pre-existing entity filled with a people's demands. Instead, Marchart's public spheres evolve as momentary areas which are created and recreated through conflict, protest, and public participation.<sup>8</sup> People's demands, therefore, do not speak to public spheres, but rather create them. In other words, public spheres are performatively produced through the act of naming them.

Keeping this in mind, a genealogy of public interest in FCM cases needs to be linked to two major events: the changes in Pakistan's media landscape, and the struggles of minorities and women's rights groups to gain recognition over recent decades. Recently, these and similar civil rights' movements have been able to utilise the notable changes in the construction of online and offline public spheres to make "subaltern counterpublic" demands increasingly heard. These achievements have shifted the role of low caste Hindu women from being a matter of private concern—particularly within the confined area of influential landlords—to becoming a matter of public interest. However, this shift does not preclude the possibility of an increase in religiously motivated acts of forced conversion, but suggests that changes in the concepts of private and public, with regard to how such incidents are reported, should be taken into account.

### **Populism of the precarious and "love jihad"**

As the following section will show, cases of abduction, forced conversion, and forced marriage are a real threat to non-Muslim women in Pakistan. The incidents I analyse in this next section cannot simply be dismissed as "Islamophobic propaganda", as may be the case in other parts of the world (Sian 2011). The information gathered



via personal interviews with victims and activists reveals the horrendous crimes committed against (Hindu) women in the name of tradition, culture, and religion, and, therefore, cases of FCM are better understood as "patriarchal opportunism" (Toor 2011). Without the liberalisation of the media and the subsequent possibility of producing "subaltern counterpublics," many crimes against women—no matter which religion they adhere to—would remain unreported, thus denying the victims any chance of justice. The aforementioned changes in the media, however, are also a mixed blessing, as they not only play a huge part in the noted liberalisation, but also in the commodification of the downtrodden in Pakistan.

Besides highlighting the day-to-day violence against women's bodies in Pakistan's patriarchal society, the media has also helped to project the non-Muslim woman as a token of male-dominated identity politics. Ignoring the myriad and intersecting forms of patriarchy, national and international journalism has helped to reduce women's suffering to the by-product of a crime which was ultimately inflicted by one male community on another male community. This means that notions of honour form the basis of many cases of FCM, and therefore, 'men' frequently emerge as the apparent victims of such incidents, while the fate of the women involved remains secondary.

Religious actors in Pakistan, for example, frame this narrative in a distinctly religious language. The Islamic conservative side will seldom admit that a Hindu woman actually wished to marry a Muslim man—out of love—and, thus, needed to convert to Islam. Instead, as free-will marriages contradict cultural notions of honour (see below), the conservative narrative frequently emphasises an attraction to religion that is followed by a wedding. This can be exemplified with a newspaper clipping from 2006 (Jang newspaper, n.d., image no. 1) that describes the conversion of a young woman in the following words: 'Influenced by the teachings of Islam, a young Hindu woman converted to Islam' (Urd. *Islami talimat se mutasr ho kar hindu khatun ne islam qabul kar liya*). This does not imply that Hindu women have never converted to Islam due to their attraction to the religion; an explanation considering other possible reasons is, however, conspicuously absent in the conservative narrative.



Img. 1: Jang newspaper, n.d.

Reports siding with the Hindu community are often not much different in their reductionist approach, and usually perpetuate what Anand has called "protonationalism" (2011). This latter discourse describes the Muslim "Other" as a "hypersexual masculine figure" with the aim to Islamise South Asia through the seduction of Hindu (and other non-Muslim) women (ibid.: 50). Such hysteria has, since 2009, been solidified in various "Hindutva" (literally Hin. Hindu nationalist) circles as the narrative of "love jihad" (ibid.: 66)—an organised effort, allegedly financed by the Middle East, with the intention of brainwashing young Hindu girls into accepting Islam. These and similar concepts rest on very thin evidentiary foundations and often merely serve to stir up communal anxiety. Cases of FCM in Pakistan, too, reveal traces of such discourses, not only brought forward by the Hindu minority, but also reiterated by liberal Muslim activists.<sup>9</sup> Critically engaging with such stereotypical discourses, while at the same time accepting the real structures of violence acting upon Hindu women, is the central concern of this study.

This reductionist media discourse, however, also enables minority groups to join forces with other similarly precarious communities and strengthen their protests. As discourses on FCM usually circle religious



communalism and the suppression of Pakistan's minorities, social activists and the liberal media outlets often overlook the many complexities within such cases. Instead, they adopt a neat victim-savage dichotomy as the FCM narrative, which is an asset for Hindu and other non-Muslim communities within the Islamic Republic. In the face of a common enemy—i.e. the indifferent state or the religious zealots—Hindu, Christian, and secular and human rights groups structure their demands in concert with one another. History, though, has shown how such "populism of the precarious" has the ability to change repressive laws in Pakistan. The following will exemplify this.

In 2012, a young Hindu woman from Ghotki, Rinkle Kumari, converted to Islam. The highly mediatised event attracted wide public interest and triggered discussions on the security and basic human rights of Pakistan's Hindu communities. Especially the absence of a legally-binding Hindu Marriage Act was linked to this and other cases of FCM (see Chandavati's case below), and widely criticised by social activists. Lawmakers reacted to these breaches and passed the Hindu Marriage Bill in the National Assembly in 2016. For the first time, Pakistani Hindus had the option of legally registering their marriage in the Islamic Republic.<sup>10</sup> Gaining wide national and international interest in the fate of Hindu women (which eventually helped to alter the law) was made possible through a unified protest by various precarious communities, such as Hindus, Christians, women's rights groups, liberal urban elites, and even Sindhi nationalists. These movements allied themselves along clear lines of good and evil, which often reduce the complexities of FCM cases for the sake of political impact. Since the victim-savage dichotomy is an essential tool for gaining wide public attention and making a powerful impact, the fetters of patriarchy are often ignored by both sides, landing the new "subaltern-counterpublic" in a predicament.

To conclude, the common discourse around FCM, in Pakistan and also internationally, approaches the phenomenon from either one of the two antagonistic sides: 1. Hindu women wish to embrace Islam due to its inherent attraction (the Muslim conservative side); or 2. Muslim predators aim to spread Islam through the forced conversion and marriage of minority women (liberal Pakistani media and Hindu nationalists). In other words, both sides tend towards a reductionist approach to the issue for the sake of confirming their respective ideological standpoints. However, these representations ignore how both ideological positions support patriarchal structures and their



suppression of female agency in Pakistan. The following section will exhibit this point with case studies from the Sindh province.

### **Case studies**

#### *Kasturi*

Kasturi, a girl from the Kohli Hindu community, was abducted in 2010 in the area of Tharparkar in Sindh. As the case developed, I had ample opportunity to talk to various social activists and employees of local NGOs in Sindh who were involved in investigating the incident. As is so often the case with such incidents, unfortunately, it was not possible to reach the victim or the alleged perpetrator for a statement. Voice recordings of communication between the victim's family and the police and local activists, however, supply a good picture of the situation.

Kasturi's kidnapping led to noteworthy coverage in local newspapers, which eventually caused some national papers to pick up the story, if only briefly. The incident itself happened in January of 2010, but the waves of protest and public outrage in Sindh continued into early Summer. Most of my informants were directly involved in the investigation process or worked closely with the media in Pakistan. Many held the opinion that this case was a brazen demonstration of the power of the local landowning class, and a sign of the devastating human rights situation for *haris* (Sin. landless tillers) in the area. The following discussion is a summary pieced together from newspaper articles, the original police and court files, and conversations with informants conducted in the Spring of 2010. Since none of the alleged culprits were prosecuted for the crime, their names have not been mentioned.

At the time of the incident, Kasturi Kohli was around 17 years old. She belongs to the Kohli caste, a community of disempowered peasants who live in the desert of Thar. According to her father, Kasturi was on her way to collect fodder from the fields when she was kidnapped by the son of a local landlord and his two associates. The three men took Kasturi to a nearby city where she was raped and kept hostage. According to the statement made by Kasturi's relatives, her family followed the abductors' car's tracks in the sand and found her in an apartment that belonged to a "local influential"<sup>11</sup>. Kasturi was found in a semi-conscious state, with her hands and legs tied. The community protested against this incident and eventually contacted the father of the culprit, who openly admitted that his son 'has



committed such [a] mistake'<sup>12</sup>. He suggested that his son and Kasturi be married once she had converted to Islam (ibid.). Her family members refused the offer and attempted to file a First Investigation Report (FIR) at the local police station.

However, the Station House Officer (SHO) did not accept the report in fear of the political influence of the accused's family. Kasturi's parents were also unable to obtain their daughter's medical report from the local hospital since the doctors, fearing the influence of the alleged culprits, refused to write a statement (Jinnah Institute Research Report 2011: 56). A couple of days later, a social worker from the same community, Veerji Kolhi, attempted to file the case with the police once again, but without any success. Meanwhile, the alleged culprit's father had given a statement in a local court claiming that Kasturi had come to his family in search of refuge. He reported that she considered herself a Muslim, but that her family and the village community did not allow her to follow her beliefs freely. He stated that he'd only intended to help the girl become a Muslim.<sup>13</sup>

At this stage, the vadero's family called a *jargah* (Urd.), a tribal assembly,<sup>14</sup> in which the social worker, Veerji Kohli, and members of Kasturi's family took part. The father of the alleged culprit once again demanded that Kasturi's parents hand her over to his family, to be married to one of his sons.<sup>15</sup> Kasturi's family refused again and took the case to the Sindh High Court instead, which eventually ordered the filing of a FIR on 17 February, 2010. Kasturi was kept in an undisclosed place until Summer of 2010. Due to a delay of several weeks after the incident, the medical report produced on 27 February found no evidence of abuse, and so no arrest could be made.

In 2012, I had the chance to follow up on the case, and I learned that Kasturi's family had eventually agreed to a financial settlement with the alleged rapists. Her family dropped all charges and accepted an unknown amount of money. Kasturi is now married to a man from her own community and lives somewhere in Sindh.

The case of Kasturi Kohli is characteristic of many incidents of forced conversion and marriage occurring in Sindh's feudal environment. The events were confirmed by various people and newspapers, which makes Kasturi's case—considering the feudal environment—relatively well documented and convincing. The young woman's account of the incident, recorded in letters and public interviews, reveals how conversion and marriage can be used to conceal sexual assault. This became evident here in the landlord's attempt to hush the incident by



involving a religious authority and offering to marry Kasturi into his tribe. Furthermore, the landlord aimed at giving the case a religious angle by stating in a local court that the girl was a victim of religious persecution and that her community did not allow her to express her Muslim identity.

These statements have two goals: firstly, a publicised conversion shifts the incident into the realm of religion, which can easily be exploited in rural Pakistan; secondly, an immediate marriage with one of the tribe's members confines the woman to her husband's control, which often isolates her from the outside world. Had Kasturi not been found and recovered by her family, she would not have been able to counter the allegations of conversion. As we will see in detail below, religious conversion among women often galvanises male honour with religious sentiments, turning female bodies into battlegrounds for identity politics. According to the Human Rights Commission of Pakistan, rescuing and sheltering rape victims is, in such instances, often the only way to keep women united with their families.

### **Chandavati**

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We understand that such marriages never take place in ordinary situation [sic] and involvement of criminal elements cannot be ruled out. (Chief Justice Iftikhar Muhammad Chaudhry, cited in Dawn, 27.03.12.)

The case of Chandavati, who was already married and the mother of two daughters and who was originally from the area around Ghotki in northern Sindh, is one of the few documented incidents in which a Hindu woman returned to her family after an alleged abduction.<sup>16</sup> Chandavati's statement is an important and rare first-hand account of an FCM case, and offers insight into the nexus of missing Hindu girls and human trafficking in Sindh.

According to Chandavati's personal statement, four armed men entered her husband's family's house at night and kidnapped her and her three-year-old daughter. The abduction appears to have been well planned, as the kidnappers arrived at a time when all men in the household were away to attend a religious function. The kidnappers forced Chandavati and her daughter into a car and drove off. One of her uncles stated that at first the family did not suspect abduction, and only after many days of Chandavati's and her daughter's absence did they attempt to file an FIR. This plan, however, was in vain, as the staff at the local police station refused to register the case. Two



months after Chandavati's disappearance, the police informed the family that Chandavati had converted to Islam and married. However, about six months later, Chandavati reappeared in Karachi, where she took shelter with one of her uncles.<sup>17</sup>

Some days after her return, Chandavati decided to make her story public and appeared at a press conference at the HRCP office in Karachi. There, she stated that she had been forcibly converted to Islam and married against her will to a man called Farooq\* who had held her hostage and attempted to force her into prostitution.<sup>18</sup> In all of her statements, Chandavati declares that, although Farooq repeatedly tried to force her into prostitution, she was able to ward off his attempts. The following is a paraphrased account given by Chandavati at the press conference in Karachi, and a personal interview conducted with her in spring 2015.<sup>19</sup>

It was night when four men came to our house and took my daughter and me away in a car. They had guns and threatened my daughter's life, so I needed to go with them.<sup>20</sup> They took us to Ranipur and kept us in a house. One man put the gun on my daughter's neck and told me to accept the nikah [and to marry Farooq\*]. Initially I refused and said, "I don't accept Islam, I have no clue about Islam. I am a Hindu; I don't know a word of the Quran." Then they beat my daughter and me, and separated us. But I could not accept Islam, I am already married! I have children and a husband, how can I become a Muslim? They threatened to beat me and they threatened to kill the men in my family, but I did not accept Islam. Only when they said they would kill my daughter did I agree. So they brought me to Amroth [Sharif, a place in Sindh where conversions are performed] where they took my fingerprints and my photo. They had all the papers ready. But they did not free my daughter. Instead, they took us back to the house, where I stayed with a man called Farooq\*. He drank all day and did not work. He used to lock me up in the house and disappear for the entire day. When he came home, he often beat me and ordered me around to do this and do that. He told me to treat him well, but I did not treat him well. I say it clearly, I did not treat him well. The back of the house had a brothel [Sin. caklo] and he used to keep prostitutes there. He had two sisters, who also worked as prostitutes [Sin. private halanu]. His mother was in the same business. He always threatened to sell my daughter to some other place. At one point, he had already fixed a price for her. Nobody in my family had come to save me, and it had already been six months, so when I saw a chance I fled to Karachi with her. I had some money from the stitching work I had done [in his house] and some jewellery. I left the house one day and went to Karachi. There I hired a lawyer to help me, but he did not bring



me justice. The lawyer took a lot of money and said that he would get me a divorce from Farooq, but I do not need a divorce! I am a Hindu, I am not a Muslim. I am not married [to him]! I was kidnapped! I don't accept Islam; I only want to go to my parents. I just want justice.

After Chandavati's escape from Farooq's house, she contacted a lawyer in Karachi, who filed a divorce petition instead of treating her case as an incident of FCM. Due to the absence of a Pakistani Hindu marriage law at the time, Chandavati's former marriage—from which she already had two daughters—could not be proven, and so Farooq, in turn, filed an FIR against Chandavati's family, accusing them of kidnapping his wife.<sup>21</sup> With the help of the HRCP and other organisations, Chandavati changed her lawyer and brought her abduction case to court, where it was still pending at the time of this writing (Spring of 2017). Today, Chandavati lives with her family in a small village on the fringes of Karachi.

Chandavati's kidnapping reveals a characteristic pattern: an abduction follows conversion and a legally binding marriage certificate, both of which are produced with the help of a local mullah. The marriage certificate serves as legitimate proof against an abduction case, if the women's relatives are able to file one. The absence of any laws regulating Hindu marriages in Pakistan prior to 2016 facilitated such incidents simply because Hindu women—even if wedlock had already produced children—possess no valid marriage certificate to prove their former (Hindu) marriage as legitimate.<sup>22</sup> Furthermore, women in rural Sindh are often considered to be part of a man's domestic or private sphere, and as long as a legitimate testimony of a marriage, i.e. a *nikah* (Urd.) can be produced, the law can seldom intervene. As interfaith marriages are not socially acceptable in rural Sindh, a religious conversion is an essential element of the procedure. As far as the law is concerned, Chandavati and Farooq\* are officially married, which gives the story another twist. The alleged kidnapper is, in turn, legally able to file a case against Chandavati's family for abducting his wife.<sup>23</sup>

Chandavati's statement provides rare evidence of a possible link between abduction, FCM, and human trafficking. Even though social workers in Pakistan repeatedly call attention to this nexus, no substantial proof has been produced so far, which could itself uncover organised crimes. This connection is a particularly sensitive topic to investigate because common allegations re-inscribe stereotypical discourses perpetrated by the Hindu religious right (Anand 2011). The



case presented here, however, is different in this regard, because the victim herself speaks out publicly. I have come across only one other incident where a Hindu woman openly talks about her plight of having been sold into prostitution after a fake marriage.<sup>24</sup>

These women's accounts can hardly be dismissed as Islamophobic propaganda, as their speaking out publicly brings them into an excruciating situation. Due to the notions of honour within Pakistani society, victims are often blamed for their circumstances, thus stigmatising them for life. In both cases, the women stood up against such social pressure, which often hushes such victims' demands for justice. Both women accepted a fate of social marginalisation for the sake of making their story heard. The crucial point is to avoid explaining the case simply through a religious *movens*, thereby galvanising the Hindu nationalist propaganda of the Muslim "Other" (Anand 2011) with global concepts of an Islamic threat. Such descriptions miss the point, as they ignore class and gender inequalities which make such hideous crimes possible.

Chandavati's statement does not prove a concrete link between FCM cases and organised human trafficking. It rather shows the alarming ease with which her kidnappers were able to abduct a Hindu woman and possibly trade her within Pakistan. Even though Chandavati escaped her fate as a prostitute, Farooq\* did intend to sell her and her three year old daughter. Instead of showing elaborate criminal structures, the incident reveals the horrific state of women's rights in rural Sindh, where females can be sold as slaves—apparently with little organisational effort.

Chandavati's account, however, also leaves many questions unanswered. While there is no reason to doubt the tragic events, social workers have questioned the family's delay in reacting to her disappearance. Furthermore, it is still not clear how Farooq\* and his men could have been so well informed about the time when Chandavati's male relatives would leave the house. Members of the HRCP who are familiar with this particular case and other such cases wondered if force was necessary to enter the house. They suggested that Chandavati might have left in compliance with Farooq\*—possibly following a promise for a better future with him. Perhaps confronted with the brute reality of her new environment, she regretted her decision and fled the scene. One member of the HRCP describes the conundrum in a personal conversation as such:



These girls are young, they are uneducated, and very poor. If any Muslim boy promises them food, better clothes, or maybe a house to live in, many will follow. Such people do not need to forcefully enter a house to abduct a woman. With some promises they might just come themselves. It is like fishing: you throw in the bait and the fish will come. The poor girl [*becari*] does not know what kind of situation she will face after leaving her family.

At this point, one can only speculate about the circumstances in which Chandavati left her home. It is important to note, however, that any reasons do not minimise the hardship she had to go through during this ordeal.

The quote above reveals that not every FCM case necessarily starts with an abduction. Hindu women might also willingly leave their homes in the hope of upward mobility. Large dowries and poor life circumstances of Sindh's low caste women, as well as a general dismissive atmosphere towards Hindus in Pakistan (Schaflechner 2016a), are only some of the reasons for young women to imagine a better future for themselves as part of the Muslim majority.<sup>25</sup> Once women have accepted Islam, though, they are at the mercy of their new environment and it is almost impossible for them to return to their families due to the stigma. Human traffickers can easily exploit such a situation. One member of the Pakistan Hindu Seva Trust, who researches FCM cases across Sindh, described the situation during a press conference in 2014:

It was [repeatedly] mentioned that girls also convert willingly. That is true; I believe that. We have coordinators in every district in Sindh. I oversee their work from Ghotki to Nagar Parkar. I personally report these cases on the spot. We don't say they don't leave happily—they do. That happens. [...] You say if [a Muslim boy and a Hindu girl, J.S.] are in love, then they should get married. Okay. But also in cases where they leave willingly [i.e. to get married to a Muslim boy], I swear to God, our reports found them soon begging and roaming in the streets. If you take a girl, then at least treat her with respect.

Besides serving as a cover-up for sexual assault against Hindu women, some instances where Hindu women willingly convert to Islam and happily marry into Muslim families are also framed by their relatives as incidents of forced conversion and marriage. The phenomenon reveals many planes of complexity, where lines of "good" and "evil" are more difficult to draw than the conservative *and* liberal media in Pakistan admit. To further disentangle this convolution, I will now hone in on another crucial sociological factor that plays a role in FCM cases in



Sindh, i.e. the notion of honour. Incidents of FCM need to be understood as embedded within a rigid social code which regulates female life in Sindh. Following this discussion, I will look at the publication of so-called "sworn affidavits" (Sin. *qasamu namo*), public declarations of free-will conversion and marriage, as examples of female (and male) agency in rural Sindh.

### **Honour killings and karo-kari**

Pakistan's rural Sindh remains a precarious place for women.<sup>26</sup> The HRCP estimates that 913 girls and women were killed in 2012 in the name of honour. Of these, 99 girls were minors, 604 were killed after accusations of illicit relationships with men, and 191 were murdered because they had married of their own will (HRCP 2012: 171).<sup>27</sup> The remaining 19 cases have not been defined.

Killings due to acts that are considered as transgressions of social conduct are called *karo-kari* in Sindhi. The two terms relate to the male and female inflections of the adjective "black" and can be respectively translated as "blackened man" and "blackened women."<sup>28</sup> Karo-kari is linked to the Sindhi proverb *muhun karo karanu*, which literally means to blacken someone's face and is used to imply the act of bringing shame on a person or, in proxy, to their whole family. Incidents of karo-kari often happen among the lower classes, but cases involving families with an educated background show that honour killings (Urd. *ghairat ka qatl*) are not only a class-related issue.<sup>29</sup> Honour killings are also not a recent phenomenon, as colonial reports have already described the practice amongst Baluch and Pathan tribes. These reports, however, mainly mention honour killings in cases of already married women who were accused of adultery (Warraich 2005, 80). Today, allegations of karo-kari can occur without any regard to the marital status of the accused.

Cases of karo-kari need to be understood within the context of Sindh's rigid patriarchal environment, where honour (Urd./Sin. *ghairat, izzat*) and, more importantly, an individual's or a tribe's "loss" of honour (Urd/Sin. *beghairati, beizzati*) dictate one's position in society. Honour emerges as a (primarily) male commodity that defines the status of men, or even a whole community, through the womenfolk's behaviour.<sup>30</sup> In short, if the common notion of appropriate female action, often paraphrased as *cadar aur car divari* (Urd. lit. veil and four walls), is transgressed, then the male community is forced to re-establish the overthrown order or face derision from the whole



community. Jafri writes that the opposite of *ghairat* is *tano* (Sin. ridicule, open taunt), a form of public insult, which the family or tribe faces in cases of female misdemeanour (2008: 75).

The murder of the transgressing couple or, more frequently, *kari*, the female counterpart, is a way to restore order. Even though men, too, are labelled as *karo*—i.e. as somebody who brought shame to the community—men's labour power, their mobility, or their access to financial capital often furnishes them with the ability to flee, or pay a high sum to the accusing party for remission. As women in Sindh are often unable to move freely or pay off such allegations of dishonour, being labelled as a *kari* almost certainly leads to their deaths (Patel & Gadit 2008: 684f.). This makes honour killings not only an issue of gender, but in the case of accused and disempowered men, also a question of financial capital.

The perpetrators of such homicides are frequently family members and close relatives.<sup>31</sup> Apart from extra-marital relationships, or a marriage that is not accepted by the family, small incidents—such as girls or women talking to men outside of their family—can trigger violence. This can be seen in an incident in Chiniot, a city in Punjab, where a man shot his two nieces because he suspected them of having an "inappropriate relationship" with two young men. He confessed the crime in court and stated that he had killed the girls to protect his family's honour (HRCP 2013: 181).

Notions of honour, or more specifically the loss of honour, are not specific to Muslim communities. Cases of *karo-kari* are also found amongst Pakistan's other religious groups, such as in Hindu and Christian communities. In their annual report, the Human Rights Commission of Pakistan recorded seven incidents amongst the Hindu and six cases amongst the Christian groups during 2012 (*ibid.*). Such findings support what Sadia Toor suggests in her study—namely, that Islam often has little to do with cases of honour killing. In her opinion, Islamic discourse is simply one tool invoked within what she calls "patriarchal opportunism." At one point, she explains:

Contrary to the mainstream discourse in the West, honor killings are not "Islamic" either in the sense of being sanctioned by Islamic law or being popularly understood as such by ordinary people. Moreover, as a practice it is neither limited to Muslim communities—being prevalent in parts of the world as disparate as Latin America, South Asia and parts of North Africa—nor is it remotely universal across the Muslim world. (2011: 170)



While Toor convincingly argues that honour killing is a phenomenon which is far too complex to be merely labelled as an Islamic practice, Pakistan, on the other hand, adheres to laws fabricated upon certain interpretations of the sharia which themselves support the interpretation of homicide (Urd. *qatl-e amd*) as being a matter of private concern. Especially the introduction of *qisas* (Urd. retaliation, retribution) and *diyat* (Urd. blood money) in the year 1990, as part of the Pakistan Penal Code (PPC §323), bolsters an atmosphere in which homicide is dealt with outside of a state court (Warraich 2005: 78). As family members, or kin, have the right to *qisas*,<sup>32</sup> they, in return, can also relinquish this right of retribution when a certain amount of money is paid. The sum for *diyat* is set by the Pakistan Penal Code and should not be less than the 'value of thirty thousand, six hundred and thirty grams of silver.' (ibid.)

Pakistan's finance division annually sets the price for this amount of silver in Pakistani Rupees for the respective year.<sup>33</sup> Such legislation diminishes the state's role as a prosecutor in murder cases; the case becomes secondary to the demands of the heirs. This implies two things. In the case of *kari*, the closest warden (Urd. *vali*) can decide how to proceed. Hence, the family—who often instigates the murder—disclaims their right to retribution or blood money. The case never reaches a court and murderers often go free. Second, such a law supports the rich and affluent of the society, who can, technically, be pardoned for murder, if the right amount of money is paid.<sup>34</sup>

Given the sociological and legal background of *karo-kari*, honour killings can also be utilised to conceal other crimes. Case studies abound. In the city of Jacobabad, for example, a man was shot due to the non-payment of a certain amount of money which he owed to the perpetrators. The HRCP's investigation revealed that a young woman was also killed along with him to frame the incident as *karo-kari*, and so distract attention from the actual crime (HRCP 2012: 172). This example shows that the impunity which murderers enjoy in cases of *karo-kari* stands in stark contrast to homicide where money may be the main motive. This makes honour killing an easy cop-out strategy adopted for assassins meaning to evade the law. Framing murder as *karo-kari* to evade capital or other severe punishments is a revealing example of how traditional codes of honour treat women. Pressuring the government into adapting a legal framework which is able to counter the nexus of tradition, patriarchy, and human rights violations that undergirds cases of *karo-kari* remains one of the main tasks to be accomplished by women's rights groups.



In relation to the broader argument presented in this paper, allegations of forced conversion, too, need to be scrutinised based on honour. As demonstrated above, in certain environments, women's lives are directly linked to male honour, regardless of the family's religious background. The moment women decide to break away from rigid patriarchal codes, families might conjure up some outside force to avoid shame and ridicule (Sin. *tano*). The notion of honour, therefore, needs to occupy a crucial place in the analysis of women's agency in Sindh, which, in the next step, leads me to the role of so-called "sworn affidavits" (Sin. *qasamu namos*) in Sindhi newspapers.

### **Qasamu namo**

Against the aforementioned background of ghairat, izzat, and karo-kari, so-called qasamu namos, appear as bold acts of agency by young women (and men), who risk their lives by publicly announcing their free-will marriages. Such qasamu namos can be commissioned in and around court buildings, where typists fill in the default forms to be certified by a notary or judicial institution. The Sindhi newspaper Kawish publishes between two to eight such affidavits on a daily basis under its "announcement" section. The paper keeps a record of the National Identity Card (NIC) numbers and also prints photographs to attest to the respective couple's—or sometimes only the women's—identities. Affidavits aim to refute possible allegations of kidnapping and serve as legal documents in court. Their influence, however, is limited at times, as lower court judges frequently do not accept them as proof. Local police stations, too, often do not take any kind of notice of such affidavits, and even if they do, they sometimes still proceed to file an FIR for kidnapping.<sup>35</sup> According to a lawyer working for "War Against Rape," a Karachi based NGO which particularly deals with sexual assault against women, the police's ignorance is intentional and often pertains to the strong kinship ties that link families to regional judges and police staff. As shown above, couples who publicly announce their free-will marriage risk retribution from their relatives (on both sides), and so they frequently use such public notices to request police protection. This is exemplified with a few case studies below.

Qasamu namos are by no means a new phenomenon. In an interview with the English newspaper *Dawn*, an editor for the Sindhi paper, the *Daily Ibrat*, stated that such affidavits have been published for the last three decades. She confirms a wide range of motives,



these covering the statements of young girls who refuse to be married to older men, women who flee to avoid being married off to someone due to their parents' financial interests, or even cases of already divorced women who want to remarry and fear retribution from their former husbands.<sup>36</sup> Muslim women commission the largest bulk of such affidavits; some of the notices, however, are put out by Hindu or Christian females who wish to declare their conversion to Islam and their free-will marriage to a Muslim man.<sup>37</sup> The following will offer a few samples from affidavits published in the Sindhi newspaper, *Kawish*. On 6 September 2014, for example, one article states:

I, Janat, daughter of Mahmud Ismail Samo, an adult Muslim, from Bhatti Colony PO Talko Kundri, district Umargota, live now in Hyderabad. I truthfully affirm, that I am a mature mind, that I am able to speak for myself, and that I can differentiate between good and bad in life. My relatives wanted to arrange my marriage against my will somewhere to an unknown house. I didn't want this, therefore I willingly left my family's house with only three pieces of clothing and I married Urs Mohammad Chandio, son of Shah Mohammad Chandio, from Vetal Got, called Shah Mohammad Girgez, PO Ghatan, in the District of Badin, who also lives in Hyderabad, on the 05.09.2014 according to the Sharia. No one misguided me and no one kidnapped me. If my relatives file an FIR against me, my husband, or against any of his relatives, then consider this as a false allegation. This statement should be recorded so that it might be useful some time. From: Musumat Janat wife of Urs Mohammad Chandio.

Affidavits usually follow a similar structure, as the *termini technici*—such as *qasamu sag* (testify), *aqal balagu* (sound mind/mature minded), or 'mun khe na kanhan varghlayo ahe' (nobody misguided me)—are given by default. Qasamu namos usually do not differ in their expressions and frequently only the names, locations, and motives are inserted. With respect to the wider topic of this paper, the following presents a couple of affidavits commissioned by Hindu women. For example, on 2 January 2014, a Kohli woman announced her marriage with a Hindu man.

I, Shrimati Jamna Di Masri Hindu Kohli, age 19, from the Galhan Colony in Mirpur Khas, truthfully affirm, that I am a mature mind, that I am able to speak for myself, and that I can differentiate between good and bad in life. My relatives had planned to arrange my marriage with a bad man and I did not like this. Therefore, I willingly left my family's house with only three pieces of clothing and married according to my own will and in agreement, Mr. Moti Ram, son of Keval. No one misguided me and no one kidnapped



me. If my relatives file an FIR against me, my husband, or against any of his relatives, then consider this as a false allegation. This statement should be recorded so that it might be useful some time. From: Shrimati Jamna wife of Moti Ram.

In another affidavit, this time dating 23 January 2014, a Hindu woman originating from the Bheel community announces her voluntary conversion to Islam and her subsequent marriage with a Muslim man.

I, Musmat Fatimah Di Badshah, from the Bheel caste, a new Muslim girl, age 25 from the village of Vazirabad municipality Lakhi, district Shikarpur, now living in Sukkur, truthfully affirm, that I am a mature mind, that I am able to speak for myself, and that I can differentiate between good and bad in my life. Before I was a part of the Hindu faith and my name was Rabia Bheel. I left my house with only three pieces of clothing; willingly and in agreement I became a Muslim with the help of the Sajjada Nashin Maulana Taj Mohammad Amruti in the *dargah* of Amrot Sharif and I was given the Muslim name Fatima. After this, I married Mr. Mohammad Hanif, son of Ata Mahmud Memnon, from Shikarpur now living in Sukkur on 20.01.2015 according to the sharia. No one misguided me and no one kidnapped me. If my relatives file an FIR against me, my husband, or against any of his relatives, then consider this as a false allegation. I appeal to all officials and officers that security should be provided. This statement should be recorded so that it might be useful some time. From: Musumat Fatima wife of Mohammad Hanif Memon.

As already shown, free-will marriages are often an affront to a family's honour and, in the worst cases, women are labelled kari and killed due to notions of ghairat. Some conservative voices blame modern technology as one of the reasons for the increasing cases of free-will marriages. Dr. Siddiqui, the speaker of the religious party Jamaat-e-Islami, describes his view on the current situation in Sindh in a personal interview in 2014:

I am convinced of values and I think that a system that has been in place for centuries should go on and that [marriage] should be performed in agreement with the elders and the parents. [...] But today the media influences Pakistan's society and it brings many things here that are actually against the basic values of Pakistani culture. The result is that the girls and boys get closer to each other. With the help of mobiles, it became possible to get into contact [...] this is against our values. This is also against the values of the Christians, or the Hindus [of Pakistan].

This statement is not a defence for murder, as Siddiqui repeatedly emphasised. It voices, however, a conservative mistrust towards the



effects of certain kinds of technology that support communication between unmarried boys and girls. Many conservative Pakistanis, notwithstanding their religious background, share this concern.

In relation to such anxieties, affidavits show how women navigate their decisions within a rigid patriarchal society, such as in the rural areas of Pakistan's Sindh province. Unfortunately, criminals and religious zealots also misuse such affidavits to avoid investigation and protest from women's families. Kinship ties with lawyers, judges, police, or local newspaper staff might help to hush protests and put an end to the civil society's pleas for justice. Hence, adding to motives such as the brute covering up of sexual assault, the ruthless behaviour of feudal landlords, and the religious striving of zealots, the engagement with cases of FCM also needs to leave room for "patriarchal opportunism" (Toor 2011) amongst minority communities in Pakistan. This opportunism utilises various planes of patriarchy in its attempt to control female agency in Sindh.

Voluntary or free-will marriages are rarely discussed within the general discourse on FCM. Families ignore their daughters' agency as a possible motivation for disappearance, as this would mean that she decided on her spouse herself, which transgresses traditional codes of honour. Their opinion is in concert with conservative Islamic interpretations of such cases, which only consider Islam to be the main attraction triggering Hindu women to leave their family homes. Families and activists admit a possible pre-existing relationship between the couple and a potential free-will marriage only off the record. In the public sphere, however, such incidents galvanise family honour with concepts of religious honour. Then, women do not only embody a family or a tribe's honour, but also stand in for a whole religious brotherhood. The wider implications of such cases are described in detail through the following case study.

### **Rinkle**

The case of Rinkle Kumari,<sup>38</sup> the daughter of a Hindu schoolteacher from Mirpur Mathelo in the district of Ghotki in Sindh, occupied the Pakistani public throughout the spring of 2012. The incident received an unprecedented amount of attention in the national and international media and subsequently triggered a wide discussion on the issue of forced marriages of Hindu women and girls in Pakistan. In retrospect, the case turned out to be a watershed moment which changed the public perception of FCM and helped shift the fate of Hindu women in



Sindh from the private into the public sphere. The huge media echo also laid the foundation for changes in Pakistan's legislation, ultimately leading to the passing of the *Hindu Marriage Bill* in 2016.

Rinkle Kumari's alleged FCM was widely documented in various national newspapers and TV programs. Political parties tried to gain some leverage from the issue and incorporated the story into their publicity work. The Sindhi nationalist parties, especially, used the case to publicise their work and frequently declared the Hindus of Sindh to be the real "sons of the soil", and Rinkle a daughter of Sindh.<sup>39</sup> This huge echo in the Pakistani media also eventually attracted international attention, and news agencies such as the *BBC* and *The New York Times* covered the events.<sup>40</sup> Due to many alternative narratives, the topic's political sensitivity and, not least, notions of honour, retracing the exact course of events of this case has become almost impossible. The following, however, attempts to give an overview of the happenings as they were portrayed in the media, and as I collected them from involved journalists and activists, from the Spring of 2012 onwards. Even after my repeated attempts to contact her, however, Rinkle Kumari was not available for comment.

### **Reconstructing the events**

Rinkle Kumari was allegedly abducted from her house on the morning of 24 February 2012. Rinkle's father, Nand Lal, claims that his daughter was drugged and forcibly dragged out of their family home in Mirpur Mathelo. He accuses the family of Mian Mitho, a local PPP politician and then active Minister of the National Assembly (MNA), for being responsible for the crime, and alleges that the politician is involved in human trafficking.<sup>41</sup> Mitho is a well-known *pir* (Urd. religious authority) in the area and the head of a local dargah, the Bharchundi Sharif, which is renowned as a centre for conversions of non-Muslims.<sup>42</sup>

Mian Mitho, however, tells another story about the events in question. He claims that Rinkle came on the aforesaid day to his house and asked the religious authorities there allow her to be converted to Islam.<sup>43</sup> His son, Mohammad Aslam, states that they contacted Rinkle's parents to inform them about their daughter's wish. As proof, Aslam made the list of calls from his mobile from that day public.<sup>44</sup> Mian Shaman, Mian Mitho's brother and the cleric at Bharchundi Sharif who converted Rinkle, confirms this, and said in a 2012 interview with the journalist Amar Guriro:



As a true Muslim, it's my duty to convert whoever approaches me; otherwise, I shall remain a Muslim no more. But when she came, I contacted her family and other Hindu elders, but none of them came to talk to her; so, after waiting for five hours, I converted her to Islam [...]<sup>45</sup>

According to Rinkle's parents, they received the calls, but turned down the invitation since they doubted that an unencumbered conversation with their daughter would be possible in the PPP leader's house. Furthermore, they were afraid of Mian Mitho's men.<sup>46</sup>

Yet another version of that day's events also exists, which was brought forward by a social worker and Human Rights activist from the area.

Rinkle had talked to Naveed from time to time and they exchanged text messages. They have known each other [...]. On one day, there was a wedding and Rinkle's family members had all gone there. Only the children stayed at home because they needed to go to school. But besides them there was no one at home. So when Rinkle had spoken to Naveed on that day, one of his friends said, "If she is alone at home, let's go and see her! Try to meet her in the street and kiss her!" So they both went to Rinkle's house. The boys had organized a car waiting for them. When Rinkle came outside, the car took them both away. They took her to a place where they knew that conversions and marriages are done, to Bharchundi Sharif. At the dargah there are always people present, so she couldn't leave anymore. When Rinkle realized that, she got scared and the people there frightened and pressured her. Then they called her parents and told them that she wants to become a Muslim and marry a boy. Now, nobody knows what exactly had happened between the two, but Rinkle was not ready for that. She was not prepared for getting married nor becoming a Muslim. The only thing was that she was young and she wanted to speak to another young boy whom she had met. That is all. Due to this affair, suddenly people started to become involved who make a business out of such conversions. Then the whole thing turned political.<sup>47</sup>

At this point, it is not possible to know if Rinkle already had a relationship with her future husband or not. Even though the family continuously denies it, many sources confirm that Rinkle had had contact with the boy in the past.<sup>48</sup> Her uncle admitted at one time, during a personal conversation, that both had exchanged text messages. Mian Mitho, however, rejects this statement and emphasised in an interview in 2015 that Rinkle had come to Bharchundi Sharif for the sake of becoming a Muslim. Only after her



conversion to Islam, Mitho claims, did he and his clan search for a suitable husband for her. It is still unclear if Rinkle left the house voluntarily, and with what intention, or if she was forced to go. The fact, though, is that only a few hours after she had disappeared from her home, she had converted to Islam and married Naveed Shah, which made it impossible for her to go back to her former life.<sup>49</sup>

After Rinkle's parents had discovered her whereabouts, they informed the Hindu community in Ghotki, which started protesting against Mian Mitho and his *biradari* (Urd. tribe). They responded to the protests and Rinkle was brought before the civil court of the Ghotki district on the following day, 25 February. According to various newspapers, Rinkle stated in the court that she had not been willing to convert to Islam and wanted to go back to live with her parents.<sup>50</sup> However, the court stated that Rinkle "was the victim of confusion"<sup>51</sup> and had to be kept in police custody until further decisions could be made. Raj Kumar, Rinkle's uncle, remembers this day in a private interview as such:

We went to the Ghotki court; there the judge asked Rinkle for her name and she answered with "Rinkle,"—her Hindu name—so we knew that she had not converted. The judge said that if she wants to meet with her parents then she could do it for an hour. After the meeting, they would decide. Mian Mitho's lawyer is an acquaintance of mine and he came up and congratulated me that the girl is going to be with us. After some time, the judge called me into his chamber and told me again that we will get the girl. So I went down and met the local police, I gave them some money and asked them to bring Rinkle to Sukkur, to a different district, so that Mitho's people would not be able to follow us. But one hour later the same judge told me that he won't give Rinkle to us, as Mian Mitho had threatened him [...]. The judge said: "I am a local myself, I have to take care of children. Sorry I will not give you the girl." So he gave the judgment that the girl will be in jail custody.

After this decision, Rinkle was taken to a woman's police station in Sukkur, where she was kept until the next hearing. Raj Kumar states that he and his family bribed the officers at the Sukkur Police station, and so they were able to speak to Rinkle that night. According to his statement, Rinkle told them that she had been forcibly abducted, and that she had received threats from Mitho via a policeman's phone. During this conversation, Mitho allegedly pressured her to change her statement. All of this is denied by Mitho.<sup>52</sup>



Throughout the second hearing on 27 February, according to some reports, Rinkle again expressed her wish to go home in front of the judicial magistrate of Mirpur Mathelo.<sup>53</sup> However, during this hearing, she allegedly also confirmed that she had accepted Islam.<sup>54</sup> One article published in the Pakistan State Times states that the magistrate's decision to send her with her new husband was made on the grounds that Rinkle herself had voiced the desire to go home. Since the court accepted her wedding as legitimate, it was ruled that, as a Muslim woman, her home was with her husband.<sup>55</sup> Rinkle's parents, meanwhile, were not allowed to be present at the hearing and were kept from entering the court by armed supporters of Mitho.<sup>56</sup> After the magistrate's decision confirming that Rinkle had converted to Islam and married Naveed, religious parties and Mitho's supporters were celebrating in the streets and parading the couple in the surrounding neighbourhoods.<sup>57</sup> According to Rinkle's uncle, Raj Kumar, Mitho's associates had at this point started to threaten the family to ensure that they not proceed in protesting the issue.<sup>58</sup> Marvi Sirmed, a Pakistani social activist, commented on this decision in the *Friday Times*:

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Not many would blame the poor magistrates considering the conditions in which they are trying to give a semblance of justice. In the absence of any security mechanism ensured for them, it was understandable when he told councils of Rinkle's family that had he given a decision otherwise, [sic] he and thousands of Hindus in Ghotki district would have been killed by religious extremists.<sup>59</sup>

On 3 March, Raj Kumar filed a petition at the Sindh High Court (SHC) challenging the magistrate's decision from 27 February. He also requested that Rinkle be taken away from her husband and sent to a government run shelter. Kumar additionally mentioned his doubts about the allegedly voluntary conversion to Islam noted in his niece's statement as given on 27 February.<sup>60</sup> The SHC decided to hear the case again on 12 March.

On 11 March, Rinkle appeared at a press conference in Karachi where she stated that she had willingly embraced Islam and married Naveed Shah. The event added to the whole controversy since Rinkle had been brought to the conference surrounded by armed man.<sup>61</sup> She was unable to answer the journalists' questions and apparently received notes from the Bharchundi Sharif staff with guidelines—i.e. the things she was supposed to say.<sup>62</sup> Other reports claim that Rinkle was told what to say through a Bluetooth mobile device.<sup>63</sup> During the



interview, Rinkle said she wanted to stay with her husband instead of going to a government shelter. When asked how long she had known Shah, she answered that she had not met Naveed Shah earlier, and had not seen him before her conversion.<sup>64</sup>

On 12 March, Rinkle appeared at the Sindh High Court in Karachi. However, the court did not record her statement due to the "charged atmosphere," as one paper observes.<sup>65</sup> The adjournment of the hearing was due to the massive attention the case had already received. Crowds of people had gathered in front of the Sindh High Court, including members of the Hindu community, Sindhi nationalists, and PPP supporters. One observant writes that religious parties and Mian Mitho's supporters were filling the air with chants of religious phrases.<sup>66</sup> On this day, the SHC decided that Rinkle should be sent into a government shelter until the hearing at the Supreme Court in Islamabad.

After two weeks, on 26 March, Rinkle Kumari was presented to the Supreme Court. She and another women, Lata Kumari, who had also allegedly been forcibly converted to Islam, appeared in front of the judge, "shaky and in a state of confusion."<sup>67</sup> The paper, *The News*, states that Rinkle affirmed to the Chief Justice that she wanted to live with her family.<sup>68</sup> The Chief Justice adjourned the hearing and decided to send Rinkle Kumari and Lata Kumari back to the shelter home in Karachi. They were asked to appear again at the High Court on 18 April. The board made this judgment with the justification that, 'the women would be outside the influence of their families and husbands—so that the decision they make would be their own.'<sup>69</sup> The former Jamaat-e Islami chief, Mohammad Hussain Mehanti, criticised this decision and stated in *Dawn* that it was against basic human rights to keep the women from their husbands. He added that, due to this decision they were 'compelled to revert to Hinduism.'<sup>70</sup>

At the final hearing on 18 April, the Supreme Court decided that the women were *sui juris* and thus should decide themselves where they wanted to live.<sup>71</sup> After an emotional outburst by relatives, the bench ordered all people to leave so that the women could give their statements. Both decided that they wanted to live with their husbands.<sup>72</sup> After the women's decisions, a shockwave ran through the Hindu community and the human rights groups withdrew their allegations of forced conversion.<sup>73</sup>

In the already mentioned interview from 2015, Mian Mitho describes Rinkle Kumari's case, in hindsight, as a conspiracy against him, and as



an intended effort to discredit his work as a member of the National Parliament. Mitho emphasises that Rinkle had come to Bharchundi Sharif with the sole intention of embracing Islam. Only due to social pressure, and the fact that a young woman is not able to live in his house alone, did he marry Rinkle off to Naveed Shah. For Mitho, Pakistan's then president, Asif Ali Zardari, and many rivals in the PPP were responsible for the media echo and the allegations against him. According to him, Zardari started conspiring with the Hindu community after Mitho had halted the selling of a company in Ghotki which had financially harmed Asif Zardari.<sup>74</sup>

At this point, it is impossible to say what led to Rinkle's disappearance—whether she was indeed forcibly abducted, wanted to embrace Islam at Bharchundi Sharif, or had engaged in an affair with Naveed. Her case, like many before hers, escalated due to the importance of religious denominations, and the impossibility of interfaith relationships between Muslims and non-Muslims in rural Sindh. Such engagements can have grave consequences and often involve a high emotional investment on the part of religious communities and religious parties. In such cases, the (female) non-Muslim party needs to accept the religion of the spouse in order to gain the approval of the society. Rinkle was not allowed to meet her parents, which understandably stirred up allegations of kidnapping and forceful conversion.

According to members of Mian Mitho's family, Rinkle Kumari (Faryal Shah) lives with her husband today in Mirpur Mathelo, where she works as a schoolteacher. It was not possible to meet her, or interview her, because, as I was told, she wished to live a normal and quiet life without any media attention.

### **The politics of "forced" conversion and marriage**

The allegations of abduction and forceful conversion against Mian Mitho sparked immediate protests in Mirpur Mathelo, where the Hindu communities control a significant part of the local business. In the subsequent days, protests and strikes organised together with human rights groups and nationalist parties supporting Rinkle spread all over Sindh and even spilled sporadically into Pakistan's bigger cities.<sup>75</sup> In response, the religious right organised various rallies and demonstrations. In Daharki, a city next to Mirpur Mathelo in the Ghotki district, for example, religious parties organised a protest by Muslim children from local neighbourhoods and madrassas. The children



paraded through the city's main centres and Hindu neighbourhoods demanding the release of Faryal Shah (Rinkle Kumari's Muslim name) from the shelter, and chanting slogans in support of her right to become a Muslim.<sup>76</sup> Most such demonstrations proceeded peacefully. At one time, however, a Barelvi religious group, the Sunni Tehreek, clashed with members of the Sindh Progressive Committee who were protesting in the city of Hyderabad against forced conversion and religious extremism.<sup>77</sup>

After Rinkle's press conference on 11 March, media attention gained momentum and many people started to comment publicly on the incident. Asif Zardari, head of the PPP and President of the Islamic Republic, for example, intervened in the case and supported Rinkle's transfer to a shelter home. His sister, Azra Fazal Pechuho, advocated for Rinkle's return to her family and spoke in the parliament in support of Pakistan's Hindu community.<sup>78</sup> Maulana Shirani, the head of the Council of Islamic Ideology, gave a statement in which he condemned forced conversions and said that Rinkle should be sent home to her family if she had been forced to convert.<sup>79</sup> Aside from such national interest, a U.S. democratic congressman, Brad Sherman, also got involved and wrote a letter to the Pakistani government, urging Rinkle's return to her family.

The incident opened up a rift in Pakistan's political landscape which separated those who "assumed" Rinkle had been kidnapped from those who "assumed" that she had wanted to convert to Islam. Supportive and dismissive campaigning was (mainly) distributed along already sedimented political lines. Left and Sindhi nationalist parties generally sided with the Hindu minority, while the right and religious groups supported Mian Mitho. The PPP was split internally on this issue, and while some supported Mitho—himself being a member of the PPP—others severely criticised him for his actions.

Such antagonistic politics produced an atmosphere in which an opinion on the Rinkle case had the power to determine one's position within the political landscape. This can be exemplified with the case of Ahmad Patafi, a PPP politician who was publicly denounced and excommunicated from Islam by Sindhi religious parties. Patafi had supported the Hindu communities by putting up posters favouring Rinkle in Dharaki, leading local mullahs and other religious figures to publicly urge him to marry again since, to them, he counted as a non-Muslim and hence his *nikah* (Urd. marriage) was invalid. This had all happened during an "all party conference," in which over a hundred



different religious parties were present.<sup>80</sup> The following is an article covering this incident in the Sindhi daily, *Kawish*:

The speakers of the rally stated that they are upset with the PPP MPA Ahmad Ali Khan Patafi, and they said that they would not meet him and will boycott him politically. They added that he had put up posters in the cities supporting the Hindus and after backing one side, he has expelled himself out of religion [din]. He should go and get a marriage [nikah] again. The speakers said that they have forgiven the people of Patafi's tribe for the snatching, kidnapping, and all other crimes, but on the issue of Rinkle they are not going to sit silent, therefore all Muslims must boycott Ahmad Ali Patafi.<sup>81</sup> [translation J.S.]

This might be mere rhetoric, and the actual impact of such a claim on Patafi's life might have been minimal. The example, however, shows how in those days one's opinion on the case became nothing short of a question of identity. The event ruptured former alliances and some religious authorities used it to redefine Muslimness.

But it was not only religious parties who utilised the heated atmosphere to their advantage. Sindh's nationalist parties, too, incorporated the event into their political program to draw attention to their broader demands. Many parties evoked Sindhi unity with the help of a variety of nationalistic signifiers such as Sufism, secularism, and the poetry of Shah Abdul Latif (cf. Verkaaik 2010). Such discourses elevate national identity above religious denomination; Hindus and Muslims, hence, are able to unite under a common Sindhi identity. During protests and public addresses, the province was repeatedly described as the land of the Sufis—void of any history of communal violence.<sup>82</sup> Incidents of abduction, therefore, could only be a "conspiracy" (Sin. *sazish*) coming from the outside.<sup>83</sup> A leader of the Jeay Sindh Taraqi Pasand Party expressed this nationalistic sentiment in a nutshell when he claimed that the case was the work of the establishment's agents who were aiming at dividing the Sindhis.<sup>84</sup> This kind of nationalist rhetoric declared Hindus to be the "true sons of the soil" who have been living in Sindh for over five thousand years.<sup>85</sup> Rinkle also was termed a "true daughter of the soil," and her kidnapping became a metaphor for the general Sindhi oppression in Pakistan. Slogans such as "Justice for Rinkle" and "Justice for Sindh" were chanted in the same breath,<sup>86</sup> ignoring the fact that the alleged culprits were themselves Sindhis.

This link between cases of FCM and nationalistic discourses in Sindh has also been apparent at other times. At a protest rally opposing the



alleged kidnapping of the Hindu girls Badal and Marvi in the year 2014, a Sindhi politician gave a speech recalling the aforementioned topics:

Who should be responsible for giving justice to these kidnapped girls? At 11 o'clock they get kidnapped, at 12 o'clock they are married off, at one o'clock they are presented in court [...]. It is the responsibility of those who give these people votes! Get them by their throats and tell them. 'You are oppressors! You cause us and our girls so much pain!' [...] This land [Sindh] is our mother; whoever lives here and demands their rights, should be supported. The suppressed must rise on their own. Today you dared to come [to this protest]; you did a great job! But more needs to be done! We need to think big if we want our rights. Talking to the Pakistani Government and asking them for our rights, [trying to] make them aware of the Human Rights, is as if you went to the cemetery to tell the dead: "Get up and pray!"

This excerpt from a public speech in Hyderabad (April 2014) shows clearly how events of alleged FCM are associated with topoi from Sindhi nationalist discourses. The speaker makes the federal government responsible for the province's problems and directly blames it for the human rights violations occurring in the country.

Much of the political rhetoric emerging after Rinkle Kumari's disappearance, and on both sides of the spectrum, the left and the right, was structured according to similar signifiers. Groups such as the Hindu community, the civil society, the left, and nationalist parties organised their protests around demands such as "justice," "freedom," or "human rights". The religious right, too, arranged their protests around the same issues. Mian Mitho, for example, explained in an interview with *The New York Times* that his actions were 'merely protecting her human rights.'<sup>87</sup> Maulvi Muhammad Yunus Mahar—a speaker at the above mentioned "all parties' conference"—demanded freedom for Rinkle, who had been unrightfully kept at the government shelter. Similarly, Mohammad Hussain Mehanti, head of the Jamaat-e Islami, stated that sending Rinkle to a shelter home was against her basic human rights, as she was forcibly kept away from her new husband.

### **Administering paternal justice**

Such a charged atmosphere, linking religious and nationalistic emotions, also puts the Supreme Court's decision into perspective. Mian Mitho, one of the main actors in this story, was once quoted in a Sindhi newspaper as saying that: 'If Rinkle goes back [to her parents],



then according to the sharia she has to be punished by death. But we won't take the law into our own hands.<sup>188</sup> Such inflammatory speech cannot be underestimated in an environment where the past has proven the readiness of religious fanatics and zealous nationalists to use violence against those accused of acting in opposition to their ideology. In this perspective, Mitho's statement can only be understood as an implicit threat for retaliation if his terms are not followed. If the board had ruled that Faryal Shah, a newly converted Muslim woman, should be sent back to her Hindu parents, violent reactions by the religious right needed to be anticipated. This volatile atmosphere, which became highly infused with concepts of religion, politics, and honour, needs to be considered when reflecting on the court's decision of declaring Rinkle (and the other two women) *sui juris*.

At the time of the final decision, Rinkle had been at the centre of national media attention for many weeks and found herself in the middle of a political debate. She had turned into a token of religious honour and political alignment. Hence, by declaring Rinkle *sui juris*, the High Court presented her with a doubtful freedom of choice. Even though the board fulfilled its obligation with respect to the law and the Pakistani constitution, it put Rinkle in a problematic situation: she had to choose between staying with her new husband and possible kidnapper, or going back to a world where she and her family might be declared 'vajib ul qatl' (Urd. ought to be killed)—a term that makes the killing of a person religiously acceptable.<sup>89</sup>

This confounding of free speech, however, could already be traced back to Rinkle's earlier public appearances. Beginning with her earliest public statement, all of the involved parties, the alleged culprits, the religious groups, the human rights activists, and also her relatives had already created an atmosphere in which it was impossible for Rinkle to speak "for herself".<sup>90</sup> Both parties utilised the idea of coercion and pressure, suspecting the other side of influencing Rinkle's decision. When she stated that she wanted to go home to her mother, she became a "victim of confusion" in the eyes of the court. Later, when Rinkle said in a TV interview that she "was very happy with her husband," her words were perceived as result of coercion by her alleged kidnappers.<sup>91</sup> Every word she said was not her own. As a token of honour, be it of nationalistic, religious, or secular honour, she had to give in and accept the last decision that was made for her: that she was *sui juris*, a woman able to decide for herself. Yet, whatever decision she could have made was eventually interpreted as the will of one of the involved parties.



The case of Rinkle Kumari demonstrates well how difficult it is to engage with mediated cases of FCM. Suggesting any kind of mono-causal explanation for such incidents often turns out to be a political decision in itself. When working on such cases, it is important to emphasise the second-class status that many members of the minority communities in Pakistan face every day. It is equally important, however, not to make premature decisions merely due to this 'underdog' position, because such blindness on the side of the liberal media easily plays into the hands of equally suppressive patriarchal structures. Marvi Sirmed makes this point in a 2014 interview:

I was there when Rinkle Kumari was asked: "Did you do that voluntarily?" She said: "Yes." The problem is that when Rinkle was asked what were the main things she liked about Islam she could not answer, besides a few words in Arabic. So what came out was basically that the whole Islam-thing was merely a thing on the surface, she had no relation to Islam. The actual problem was that she wanted to marry according to her own will, which was possible, as she is an adult. So the point is we cannot help the parents to inflict their will on their daughter in the garb of minority rights. [...] So I thought that I am playing into the hands of patriarchy if I go on with this case. [...] The point I want to make is that it is very complex and that you cannot simply judge this case only because she comes from a minority background.

Maybe Rinkle wanted to be Naveed's wife. She could just as easily have fallen in love as anything else, as many teenagers do. She could also have been attracted by Islam, or may have been tired of living as a second-class citizen and willing to sacrifice her family in order to become a part of the majority. Rinkle could also easily have been the victim of a crime—abducted, forcibly dragged out of her house, and married off at gunpoint; it is impossible to tell.

### **Conclusion**

The analysed cases show the myriad ways in which non-Muslim women are blatantly commodified within Pakistan's patriarchal society. Local influential elites, for example, might utilise religious sentiment and the irreversibility of a conversion to Islam as an insidious tool to cover up sexual harassment. A nikah namah is often additionally used to avoid further enquiry into such an incident. This link was most conspicuous in Kasturi's case, where an attempt has been made to use conversion and marriage to hush rape allegations. Chandavati's case, moreover, revealed how forcibly converting and marrying Hindu women can



effectively keep them confined indoors. Her flight and subsequent decision to make the story public, though, allows us to gain a glimpse into the effective link of abduction–conversion–marriage, and how it can be used to pressure women into prostitution in Sindh. Finally, the case of Rinkle has shown how publicised cases of FCM turn into male identity politics. The mediatisation of her conversion to Islam turned her body into a mute token of male honour, bereft of the ability to speak for herself.

These cases foreground the interdependence of honour and female agency when analysing FCM in Pakistan. Social workers in Sindh confirm that a portion of these incidents consist of women who willingly leave their homes to marry into Muslim families. Religious decorum and codes of honour in both religions, however, generally hinder contact with former family members, and so the fate of women who voluntarily leave is also unclear. This does not mean that any of these marriages are generally to be mistrusted; however, women who willingly leave their homes might become victims of abuse and human trafficking, as well.

The discussion of these few cases can only provide a short overview of a complex issue originating from a nexus of religion, politics, and honour. The cases introduced here prove that the wider phenomenon of forced conversion and marriage cannot be explained by one-dimensional narratives. Reductions on both sides—on the one hand labelling these incidents as clear proofs of an ongoing "love *jihad*," or, on the other, dismissing them as mere Islamophobia—are counterproductive, and distract from a critical engagement with patriarchal opportunism in both religions, Islam and Hinduism. Lawyers, human rights activists, and scholars need to understand that most of these cases are only possible due to a rigid moral authority which orchestrates female agency in Sindh.

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### Endnotes

<sup>1</sup> The research for this paper was conducted between 2010 and 2016. With the help of many activists, journalists and other residents in Sindh, I was able to gather information on over 30 cases which would all fall under this broad category of "forced conversion and marriage." Many of my informants asked to remain anonymous, and my gratitude goes out to all who helped in making this paper possible.

<sup>2</sup> At this point, it is useful to clarify what I mean by extreme or radical religious groups in this context: I intend to tackle a phenomenon here that is best described as "zealous nationalism" (Jewett & Wangerin 2008), a form of religious engagement that understands the world within a radical opposition of "us" against "them." Redemption within such a worldview is often found in



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an open confrontation with enemies, and an inclination towards violence against individuals, organisations, or the state is noticeable. Leaders of such groups often refer to religious scriptures and tend to interpret them in a way that justifies the use of force.

<sup>3</sup> Such cases, however, need to be distinguished from cases of forced marriage where the couple stems from the same, or at least very similar, religious or social backgrounds, as documented by Werbner (2005). I do not focus on the event of forced conversion of Hindu men in Sindh in this paper. Also, albeit a very rare phenomenon, I have documented a few cases in which men or whole families were forced into accepting Islam by either financial pressure or physical violence.

<sup>4</sup> The same holds true for the actual proper names of the women involved. Conversion to Islam in Pakistan often entails the changing of one's name to an Arabic name. Hence, the name with which women who are linked to FCM are addressed in the media—viz. their maiden (Hindu) name or the new Muslim name—already reveals the position taken by the news agency, or an author, with regard to the incident.

<sup>5</sup> *The News*, 30 March 2010., reports that around a thousand non-Muslim women (700 Christian and 300 Hindu) are kidnapped every year (*Dawn*, 08 April 2014). All the newspapers quoted in this article refer to their Karachi edition unless otherwise noted.

<sup>6</sup> *The Herald*. 2012, 16 Oct., <http://herald.dawn.com/2012/10/16/leap-of-faith-2.html> [retrieved February 2017]. This and all the other internet sources in this paper were last accessed in February 2017.

<sup>7</sup> The reports I analyse here date back to 1986 for English newspapers. The earliest Urdu and Sindhi reports I found in print date back only to 2009.

<sup>8</sup> Marchart, Oliver. 1998. Art, space and the public sphere(s): some basic observations on the difficult relation of public art, urbanism and political theory. *European Institute for Progressive Cultural Policies*, <http://eipcp.net/transversal/0102/marchart/en/print>.

<sup>9</sup> Compare here the interview with Rinkle Kumari's uncle, Raj Kumar, in Schaflechner 2016, 15:47.

<sup>10</sup> Formerly, Hindus in Pakistan had not been able to produce a legally valid marriage certificate in court. As will become obvious with the case of Chandavati below, an already married women could be legally remarried to a Muslim man due to the lack of a law recognising Hindu marriages. A clause in the Hindu Marriage Act, however, has invited criticism from social activists. The aforementioned clause states that a marriage is terminated at the moment when one party "has ceased to be Hindu by conversion to another religion" (12, iii). Essentially, this clause means that any Hindu woman, who might want to legally prove her marriage to a Hindu man, would suddenly find her Hindu marriage to be invalidated by FCM—in other words, when a Hindu woman needs the law in order to overcome the crime against her, it is suddenly useless to her.

*The Hindu Marriage Act 2016*, taken from [www.thelawsofpakistan.com](http://www.thelawsofpakistan.com), <http://www.lawsofpakistan.com/wp-content/uploads/2016/10/Hindu-Marriage-Act-2016.pdf>.

<sup>11</sup> *The News*, 01 March 2010.

<sup>12</sup> Letter written in the name of Kasturi (probably with the help of a lawyer) to the Chief Minister of Sindh, 09 March 2010.

<sup>13</sup> *The News*, 21 February 2010.

<sup>14</sup> In Pakistan, a 'jargah' is legally not allowed to give any sentence in such an issue. However, 'jargahs' are frequently held to decide on certain disputes. I witnessed the holding of a 'jargah' among a Sindhi community in the middle of Karachi about the dispute on a plot of land. When I asked the accuser why he would not consider going to court, he said that courts in Pakistan are



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too slow and that the decision in the 'jargah' can quickly establish peace. Many cases of land dispute in Karachi, however, appeal to both levels—a 'jargah' and a court, as well.

<sup>15</sup> From a personal conversation with Kohli in Spring of 2010.

<sup>16</sup> At the time of this writing, the case was still pending, so the name of the alleged culprit has been changed.

<sup>17</sup> The time of her disappearance varies in her statements, and while the family says she was absent for four months, Chandavati claims that she was absent for four to six months.

<sup>18</sup> In both interviews, Chandavati used the Sindhi expression *private halaṅu* (to go private) as a metaphor for what had happened.

<sup>19</sup> A visual representation of one of these interviews can be found in Schaflechner 2016, 57:45.

<sup>20</sup> During the HRCP press conference, Chandavati claimed that she had been unconscious during the kidnapping.

<sup>21</sup> In 2012, representatives of the leading party at the time, the PPP, promised to present the bill for Hindu marriages in the Sindh assembly, but did not proceed with it (The News, 14.08.2012). The bill had been drafted in 2008, but had been pending with the National Assembly Standing Committee on Justice and Law since 2011. According to *The Express Tribune*, this delay was caused by the differing demands of the various Hindu communities in Pakistan who could not reach a consensus (02.10.2012).

<sup>22</sup> Cf. *Dawn*, 27 February 2010; *The News*, 10 May 2010; *Dawn*, 19 May 2010. The International Report on Religious Freedom wrote in 2011: 'The registration of Hindu and Sikh marriages by the government has been a long-standing demand of these communities. The Scheduled Caste Rights Movement and other minority rights organisations demanded legislation for minority marriage registration. The minorities' representatives asserted that in the absence of Hindu and Sikh marriage registration, women faced difficulties in getting a share of their parents' and husbands' property, accessing health services, voting, obtaining a passport, and buying or selling property. The parliament was considering legislation that would legalize Hindu marriages.' This absence of marriage certificates was also against the basic human rights of Hindu women; they were not able to obtain a Computerized National Identity Card (CNIC), which meant that they were not entitled to vote. Cf. *The Express Tribune*, 01 April 2011, <http://tribune.com.pk/story/140805/hindus-demand-their-right-to-register-marriages/>.

<sup>23</sup> In Spring of 2015, Farooq\* had filed an FIR for the abduction of his wife against Chandavati's uncles who, when I met them, were out on bail.

<sup>24</sup> This was reported in the newspaper, *Dawn*, in August of 2015, <http://www.dawn.com/news/1197650>.

<sup>25</sup> I have encountered a few cases in which families claim to have been drugged, and where the kidnapers were able to break in easily. In a case in Samaro in the Umakot district, the girl's family claimed that they had been drugged and that their daughter had left with a significant amount of money and jewelry. The family reached out to some activists with whom I was in contact. Even though it was very obvious that the girl had left willingly to marry according to her own will, the family still pleaded with the social workers to help them bring her back.

<sup>26</sup> In fact, according to a survey by Thomas Reuters, Pakistan is the third most dangerous place for women, after Afghanistan and the Democratic Republic of Congo (Gauhar 2014: 17).

<sup>27</sup> The same report for 2013 states that 869 women were killed in relation to honor (HRCP 2013, 180). Another source claims that a total of 477 cases of honor killing were reported in Pakistan in 2014, (<http://tribune.com.pk/story/884092/another-moment-of-shame/>).



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<sup>28</sup> Similar compounds are found in the Punjabi, Pashtu, and Baluchi languages. Due to the limited scope of this article, I will mainly focus on the occurrence in a Sindhi context.

<sup>29</sup> This is shown in the case of Samia Sarwar, a Pakhtun woman, who was murdered by her family in Lahore when she visited her lawyers—the human rights activists, Asma Jahangir and Hila Jilani. Samia came from an affluent background and had suffered in an abusive marriage. Her parents consented to Samia leaving the abusive husband, but they did not allow her to get a divorce. When Samia met another man and left her home with the intention of getting a divorce, her parents hired an assassin who killed her. Samia's mother, a doctor from Peshawar, helped to get a weapon into the lawyer's office by feigning an injury. A man who was allegedly there to help her walk to the office pulled out a gun and shot Samia on the spot. No charges were pressed against the murderer, as Samia's father, her main kin, forgave the culprit (cf. Toor 2011).

<sup>30</sup> But honor, of course, also relates to capital, thus including symbolic forms of capital (Bourdieu 1990).

<sup>31</sup> Concerning the culprits, the HRCP writes: 'In 202 cases it was brothers of the victim, in 71 cases the father, in 209 the husband, in 61 in-laws, and in 138 cases other close relatives of the victim [sic]. Of the victims, at least 16 were raped and 13 gang-raped before being killed.' (HRCP 2012, 172).

<sup>32</sup> There are, however, cases in which *qisas* is not applicable; see PPC §302 (c).

<sup>33</sup> For the years 2014–15, this amount was fixed at 1,923,843, - Pakistani Rupees, <http://www.finance.gov.pk/circulars.html>.

<sup>34</sup> This part of Pakistani law was used against the religious right, in the case of Raymond Davis, a U.S. citizen, who, under mysterious circumstances, shot two Pakistanis on the streets of Lahore. Even though the religious right demanded the death penalty for Davis, they could not intervene when the heirs of the two men accepted a certain amount of money and let go of all their charges against Davis on the basis of Islamic law.

<sup>35</sup> <http://www.dawn.com/2011/09/02/sindhi-women-publicly-announce-free-will-marriages/>.

<sup>36</sup> Ibid.

<sup>37</sup> A survey of the newspaper *Kawish* shows that, on average, around seven cases appear per month in which Hindu women give such a statement. Most of them, however, state their free-will marriage with a Hindu man.

<sup>38</sup> Alternatively, this name is also written as "Rinkel" or "Rinkal."

<sup>39</sup> *Sindh TV*, 06 April 2012, [http://www.youtube.com/watch?v=PtZ\\_27r6h50](http://www.youtube.com/watch?v=PtZ_27r6h50), *Dawn Metro*, 05 March 2012.

<sup>40</sup> <http://www.bbc.co.uk/news/world-south-asia-17272943>, [http://www.nytimes.com/2012/04/19/world/asia/pakistani-judge-upholds-3-womens-choice-of-islam.html?\\_r=0](http://www.nytimes.com/2012/04/19/world/asia/pakistani-judge-upholds-3-womens-choice-of-islam.html?_r=0).

<sup>41</sup> Talking to the *Pakistan Times*, Nand Lal said, 'Mian Mitho is a terrorist and it is his business to kidnap Hindu girls; he keeps them at his house for sexual purposes and later sells them.', 10 April 2012, <http://www.pakistantoday.com.pk/2012/04/10/city/karachi/the-mystifying-case-of-rinkle-kumari/>.

<sup>42</sup> Mian Shaman, the cleric at Bharchundi Sharif, estimates that the shrine converts around 250 Hindus and Christians every year, <http://www.pakistantoday.com.pk/2012/04/10/city/karachi/the-mystifying-case-of-rinkle-kumari/>. Cf. *Newsline Magazine*,



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<http://www.newslinemagazine.com/2012/04/unholy-vows/>; *The News*, 25 March 2012; *Dawn*, 07 February 2013.

<sup>43</sup> From a personal conversation in September of 2015.

<sup>44</sup> Avam ke Samne, *CNBC Pakistan*, 12 April 2012, <http://www.youtube.com/watch?v=DA1ONW-hKo>.

<sup>45</sup> <http://www.pakistantoday.com.pk/2012/04/10/city/karachi/the-mystifying-case-of-rinkle-kumari/>.

<sup>46</sup> *Newsline Magazine*, <http://www.newslinemagazine.com/2012/04/unholy-vows/>.

<sup>47</sup> From a personal conversation in March of 2012.

<sup>48</sup> *Friday Times*, Lahore, 31 May 2012.

<sup>49</sup> [http://www.nytimes.com/2012/03/27/world/asia/no-quick-resolution-to-pakistani-case-of-Rinkle-kumari-conversion-to-islam.html?\\_r=2&](http://www.nytimes.com/2012/03/27/world/asia/no-quick-resolution-to-pakistani-case-of-Rinkle-kumari-conversion-to-islam.html?_r=2&).

<sup>50</sup> *The Pakistan State Times*, 02 March 2012; *The Express Tribune*, 09 March 2012; *Daily Times*, 02 March 2012; *Dawn*, 26 March 12; *Avam ke Samne* TV program at CNBC, 12 April 2012; *Dawn*, 26 March 2012.

<sup>51</sup> 'Vah abhi baukhlahat ka shikar hai', <http://urdu.dawn.com/2013/02/24/ek-aur-chaubees-february-amar-sindhu-aq/>.

<sup>52</sup> From a personal conversation in September of 2015.

<sup>53</sup> *Friday Times*, Lahore, 31 May 2012.

<sup>54</sup> *Kawish*, Hyderabad, 28.02.2012. The New York Times, 25.03.2012 (see: <http://www.nytimes.com/2012/03/26/world/asia/pakistani-hindus-say-womans-conversion-to-islam-was-coerced.html?pagewanted=all>).

<sup>55</sup> 02 March 2012.

<sup>56</sup> *Dawn*, 26 March 2012; *Dawn*, 22 March 2012.

<sup>57</sup> This was shown in the news on many TV channels, cf. Samaa TV on 06 March 2012, <http://www.youtube.com/watch?v=b3X0pU4N5jQ>.

<sup>58</sup> *Daily Times*, 02 March 2012; *Dawn Metro*, 05 March 2012.

<sup>59</sup> *Friday Times*, Lahore, 31 May 2012.

<sup>60</sup> *The News*, 07 March 2012.

<sup>61</sup> *Friday Times*, Lahore, 31 May 2012.

<sup>62</sup> *Dawn*, 12 March 2012.

<sup>63</sup> <http://marvisirmed.com/2012/05/25/rinkle-kumari-the-timeline-of-injustice/>.

<sup>64</sup> Ibid.

<sup>65</sup> *The News*, 25 March 2012.

<sup>66</sup> Ibid.

<sup>67</sup> *Dawn*, 27 March 2012.

<sup>68</sup> Cf. *The News*, 27 March 2012; *Friday Times*, Lahore, 31 May 2012; *Dawn*, 27 March 2012.

<sup>69</sup> Cf. *The News*, 19 April 12 or <http://www.thenews.com.pk/Todays-News-4-103711-Hindu-community-distressed>.



<sup>70</sup> *Dawn*, 22 March 2012.

<sup>71</sup> *The News*, 19 April 2012.

<sup>72</sup> *Ibid.*

<sup>73</sup> *The Tribune*, 19 April 2012.

<sup>74</sup> Mitho had also publicly stated that the case was a conspiracy against him during an earlier press conference. See Schaflechner 2016, 18:05.

<sup>75</sup> Cf. *Kawish*, 02 March 2012.

<sup>76</sup> *The Tribune*, 19 April 2012.

<sup>77</sup> *The Express Tribune*, 18 April 2012, <http://tribune.com.pk/story/366193/forced-conversions-as-leftists-protest-st-takes-offence/>.

<sup>78</sup> [http://www.nytimes.com/2012/03/26/world/asia/pakistani-hindus-say-womans-conversion-to-islam-was-coerced.html?\\_r=0](http://www.nytimes.com/2012/03/26/world/asia/pakistani-hindus-say-womans-conversion-to-islam-was-coerced.html?_r=0).

<sup>79</sup> <http://www.thefridaytimes.com/beta2/tft/article.php?issue=20120413&page=9>.

<sup>80</sup> *Awami Avaz*, 16 March 2012.

<sup>81</sup> *Ibid.*

<sup>82</sup> *Daily Aftab*, 11 March 2012 (Quetta).

<sup>83</sup> *Awami Awaz*, 22 March 2012.

<sup>84</sup> *Dawn Metro*, 05 March 2012.

<sup>85</sup> *Dawn*, 26 March 2012.

<sup>86</sup> *Awami Avaz*, 18 April 2012.

<sup>87</sup> <http://www.nytimes.com/2012/03/26/world/asia/pakistani-hindus-say-womans-conversion-to-islam-was-coerced.html?pagewanted=all>.

<sup>88</sup> "Rinkal vapas va'e tah sharyat me sandas saza-e qatl ahe, par qanun hath me nah kanandasin" *Kawish*, 16 March 2012.

<sup>89</sup> *The News*, 26 March 2012.

<sup>90</sup> At a rally of various religious parties, it was announced that if Rinkle stated that she wanted to stay a Hindu, the statement would be understood as emerging out of pressure. *Kawish*, 16 March 2012.

<sup>91</sup> Compare here the statement of Maulana Izhaq Laghari, member of the Jamat Ulema-e Islami, '[...] if Faryal Bibi [Rinkle's Muslim name] will change her statement in the Supreme Court then [we] assume that Faryal Bibi has been pressurized to change her statement' (*Awami Avaz*, 16 March 2012), with a statement by Mangal Sharma, the head of the Pak-Hindu Welfare Organization, who claims that: 'our girls are being brainwashed' (*The Express Tribune*, 20 March 2012).

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