



Socio-Political Changes in Muslim Women of the British Punjab during 1849-1947

Dr. Sara Gul¹, Dr. Muhammad Rashid²

¹ Assistant professor, Department of Pakistan Studies, the Islamia University of Bahawalpur, Rahim Yar Khan Campus

Email: Sara.gul@iub.edu.pk

² Assistant professor, Department of Pakistan Studies, The Islamia University of Bahawalpur, Baghdad ul Jadeed Campus, Bahawalpur

Email: rashid.sardar@iub.edu.pk

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Corresponding author:

Sara.gul@iub.edu.pk

ABSTRACT

The present study which covers the era of 1849 to 1947, attempts to fulfil the gap. Punjab's socio-political setup has been subjected to many changes in the past. After passing the Punjab Law Act in 1872, which established customary law as the personal law of the province, the British government in Punjab eventually withdrew from India and partitioned the province of Punjab into Pakistan and India. Socio-political changes in the status of Muslim women of Punjab in the era of 1849 to 1947 were due to two factors; by Government Legislation and by the activity of the Indigenous opinion makers. The article emphasis is on the apparent sequence of the events in the slow but steady emancipation of Muslim women in Punjab from the last quarter of the 19th century to the time of independence. The legal system that the Muslim women were placed in, western education which created an educated class along with the public participation of Muslim women in politics brought many of them out of isolation. This article is concerned with the study of Shurafia (elite) Muslim women only, who had a strong respectable family background was cultured and educated because great were the cultural differences between the Shurafia and the people at large.

Introduction

Punjab was annexed by the British in 1849 and was one of the eight major provinces of British India. Its boundaries stretched from Afghan frontier to Delhi from 1849 to 1892. At that time the British government tried to tame the tribal area of frontier region attached with Afghanistan and failed to administer under their government. Whereas N.W.F.P. was also a region of Punjab comprising five districts: Peshawar, Kohaat, Dera Ismail Khan, Bannu, and Hunza. The N.W.F.P. (North West Frontier Province) was separated from Punjab to constitute a separate province in 1901¹, whereas in 1947 its total area was 136,330 sq. miles with an estimated population of 28,418, 819². It was a non-regulation province, where the rules and regulations of the provinces of the British Indian Empire did not apply. The regulations and law of the Presidencies had become too complicated. They served only as guidelines, and the Punjab was administered by executive orders³. The executive and judicial administration was concentrated in the hands of the district officials, in the beginning the province was governed by a three member Board of Administration. The British rule in Punjab very early on came to rest on the village proprietors⁴. The British colonial state tied its administration to tribal kinship, as it could not claim legitimacy on the basis of religion⁵. The

¹ Tom G. Kessinger, Vilyatpur, 1868-1968 Berkeley: University of California Press, 1974, p. 9

² Nripendra Nath Mitra, "The Indian Annual Register", The Annual Register Office (Calcutta). Vol. I, (Jan-June 1947), p. 3

³ Supplement to the Gazette of India, 6 April 1872 (Calcutta: Government Printing Press), p. 303

⁴ P. H. M. wan des Dungen, The Punjabi Tradition, (London: George Allen and Unwin Ltd., 1972), p. 11

⁵ David Gilmartin, Customary Law and Shariat in British Punjab, in Katherine P. Ewing (ed.), Shariat and Ambiguity in South Asian Islam (Berkeley: University of California Press, 1988), p. 45

local units of administration consisted of ten to forty villages which were held together by extended kinship to which British government referred as tribes.

Local Customs of Punjab

In order to understand the local customs of Punjab, it is necessary to understand the principles of social organization from which the customs had developed.⁶ The British Government built a complicated legal system in India, for while they based public law on the principles of a free market and the British concept of private property, they based personal law on the local customs and religion. Whereas in the rest of they made religion the basis of personal law but in the Punjab they based on the local customs. In trying to explain the foundations of customary law C.L.Tupper (an administrator) drew up a “compendium of Customary law” found the institution of the tribe to be central to understanding it: while the nature and constitution of the tribe varied in different parts of India. The tribe was a “race of origin” and influenced the customs practiced on the basis of the memory of the common ancestor.⁷ Sir Denzil Ibbetson (who carried out the Punjab Census of 1881) described the tribe as far more permanent and indestructible than the caste⁸. His interpretation of the nature of Punjab society dominated British understanding of the area right up to 1947. He held the immense influence exercised by Muslims in Punjab to be responsible for the supersession of Brahminism and its caste restrictions. Denzil declared that as a result the restriction on marriage with another caste was replaced and what became important was the tribe. When a family or a caste rose or sank in the social scale, it might change the name of its caste but restrained its tribal name. He also explained that it was difficult to make the distinction between tribe and clan, for when a clan moved to a different territory it became a new tribe for all practical purposes. It was only when it was occupying the same territory and was subjected to a common tribal authority that it became a clan⁸. It was also argued by the C.L.Tupper that the basis of the Punjabi customs was the cohesion of the tribe, the family and the village, and not the sanction of religious law⁹. A prime example of the primacy given to custom in the Punjabi village was over the issue of inheritance of land. Since control of land continued to be the main source of authority and status, and daughters were married outside the clan but within the tribe, they did not inherit land, as that would have meant land passing outside the close-knit clan¹⁰.

By adopting customary law the British Government had opted to protect the tribal structure of Punjabi society, and base their rule on a social organization that they considered to be central to it. The alternative would have been base their legal system on religion, as the Mughals had done, but C.L.Tupper argued in that respect the British Government were at a disadvantage., since they did not belong to any of the religious practices by the Punjabis¹¹. By basing British rule in Punjab on the protection and maintenance of tribal structure, they hoped to preserve the kind of stability that the province had shown in 1857. Following the risk of disrupting the tribes' social order and established order in 1857, the British administration was hesitant to implement religion law as personal law in Punjab, contrary to their practice across India. In that year widespread uprising against British rule took place, often referred to as the sepoy mutiny by the British Government, especially in the area from Delhi through Gangetic plain. After the cataclysmic events of 1857, British Government was aware that Punjab had not only remained loyal, but had also supplied troops to quell the uprising in northern India. By 1860, Canning had declared on a policy of conciliation of the landlord class, not only in Oudh, but also in the Bengal Presidency and in the Punjab. He pursued a policy of combining property with authority among the aristocracy and felt that their separation was not desirable¹². He reversed the policy which had been followed in the last ten years of reducing the power of the large landed families.

Muslims made up 56 per cent of the population, and were concentrated in the western part of the province, but did not benefit from sufficient monsoonal rains for settled agriculture to flourish. Since the main source of income for the government was from agricultural revenue, they increased agricultural production by canal colonization, which began after 1885 and based on a network of canals which extended from the rivers and spread over the mostly uncultivated plains of western Punjab.¹³ British policy was to colonize the canal areas by castes which ranked high in economic position and social status in their home districts. Fifty acres or more were allocated to large landlords or the raist. The non-landed poor, who were either of the menial or service castes, didn't get any land, whereas the middle class Muslim were involved in professions

⁶ David Washbrook, :Law, State and Agrarian Society in Colonial India”, *Modern Asian Studies*, 15:3 (1981), p. 14

⁷ Ibid, p. 15

⁸ Denzil Ibbetson, *Punjab Caste* (Delhi: Low Price Publications, 1993), p. 16

⁹ C.L.Tupper, *Punjab Customary Law* (Calcutta: Government Printing Press. 1881),Vol. II. p. 78

¹⁰ David Gilmartin, *Empire and Islam*, (Berkeley: University of California Press, 1988), p.5

¹¹ Ibid, p. 16

¹² Thomas Metcalf, *The Aftermath of Revolt*, (Princeton: Princeton University Press, 1964), p. 162

¹³ David Gilmartin, *Empire and Islam*, p. 8

and small businesses. The most powerful class amongst the Muslims was that of the large landlords. Since most Muslims lived in rural areas of western Punjab.

The present article is concerned with the study of the shurafia (it was a term which came to be used in Mughal India for those people had respectable family backgrounds, were cultured and educated) Muslim women only.¹⁴¹⁵

Customary Law for the women of Punjab

Punjab was annexed to the British Empire in India in 1849 but it was a non-regulation province, where the rules and regulations of the order provinces of the British Indian Empire did not apply. The Regulations and Laws of the Presidencies had become too complicated. Their function was merely advisory, and Punjab was governed through executive orders, with executive and administrative responsibilities vested in district authorities. In beginning the Punjab province was governed by a three member board of Administration with the Chief Commissioner as a head¹⁶. In 1854, under John Lawrence the Chief Commissioner, given the task to Richard Temple to compile the Punjab Civil Code, which he was to carry out the under the supervision of Montgomery, the Judicial Commissioner and member of the Board. Before the writing of the Punjab Code, all issues of dispute concerning native law were referred back to the native law officers. The code, however, attempted to prescribe the principal maxims of Hindu and Muslim Law¹⁷. The Punjab Laws Code laid down that the Muhammadan or Hindu law, or the Lex Locii, or any other system of law might be followed, if it was not opposed to morality, public policy or positive law.¹⁸

Relating to Muslim women's social and legal standing in Punjab(CL) customary law, Tupper said that in Muhammadan Law, Muslim Women having attained puberty could enter a marriage contract with whomever she wanted to and her guardian could not interfere, that he quoted the Punjab Civil Code as saying that only the guardians or parents could make a marriage contract for the woman¹⁹ within Punjab there were variations of age at which marriage took place. According to G.C. Walker, there was no age restriction to marriage, while in Arains and Rajputs, the age of marriage varied anywhere between six to sixteen for the former, and six to twenty for the latter,²⁰ whereas the Punjab Civil Code stated that infant marriages which had not been consummated could be annulled and the child could marry again but the Code had made allowances for native customs, and declared that both the parents and the child could be such for dangers of the marriage vow's were broken²¹ On the subject of divorce, Tupper writes that there was two forms of Muslim divorce, (talak) is the arbitrary act of the husband, while khula is where the wife gives the husband consideration to be released from the marriage tie: as for maintenance the divorced Muslim woman was only eligible for such dower as remained unpaid by her husband, nor was the amount of dower recoverable to exceed the amount considered reasonable with reference to husband's income. The amount stipulated in the contract could be ignored on this ground²². The legal status of women in Punjab was reflected in the fact that the concept of women's property rarely existed, woman was totally dependent on her husband and subject to the husband and subject to his will, and after his death she became dependent on the made on his male relatives²³. According to Macnaghten, the husband had the power to use the woman's private property when he was in financial difficulties. She was under his control even in regard to her own property. The male-oriented nature of inheritance was reflected in the fact that if a woman had sons, she could not give the property she had earned by her own labour to someone else. However, this was the Rivaj-i-Am (customary law) and not the Muslim law.²⁴

Legislation for the Women of Punjab

The social reform movement of the 19th century took a different from in Punjab from the rest of India. In 1829 Lord William Bentinck was appointed as new governor general of India, and filled with the zeal of the Utilitarians, decided that sati was too

¹⁴ David Lelyveld, *Aligarh's First Generation*, (Princeton: Princeton University Press, 1978), p. 30

¹⁶ Supplement to the Gazette of India, 6 April 1872 (Calcutta: Government Printing Press), p. 303

¹⁷ Richard Temple, *Men and Events of My Time in India*, (London: John Murray, 1882), p. 87

¹⁸ Report on the Punjab Codification of Customary Law Conference, September 1915 (Lahore: Government Printing, Punjab, 1915) Appendix – I, p. 52

¹⁹ Tupper, *Customary Law in the Punja*, Vol. II. p. 6

²⁰ G.C. Walker, *Customary Law of the Main tribes in the Lahore District*, (Lahore: Government Printing Press, 1894), Vol. XIII, p. 5

²¹ Ibid, p. 13

²² Ibid, p. 21

²³ Ibid, p. 101

²⁴ Ibid, p. 103

big crime and took the calculated risk of banning it²⁵. During the early 19th century, the British government carried out legislation to deal with social practices which they found too outrageous and very often these concerned the plight of women in India. Different social and religious matters dealt with in chronological order like sati, ill-treatment of widows (the ban on widow's remarriage or second marriage), polygamy, child marriage and denial of property rights to women²⁶. However, following 1857, the British administration resolved against enacting any legislation that might disrupt religious practices and customs as a matter of policy. Majority of inhuman norms, customs and values practiced in India concerned women, and government policy of non-interference left the status of native women unchanged²⁷. Religious reform movement in the Punjab were foreign in origin, the Brahmo Samaj movement of the 1860s and 1870s was led by Bengalis, while Swami Dayananda, the founder of the Arya Samaj movement, which spread in the 1880s and 1890s, hailed from Maharashtra.

Both these religious reform movements called for widow remarriage and an end to child marriage, whereas the Arya Samaj stressed education for all, especially for women and outcasts²⁸. Arya Samaj, moreover put down roots amongst the educated Punjabi Hindus the way Brahmos had been unable to do. In Punjab it was within this larger religious reformist message that the social issues were discussed. Sayeed Mumtaz Ali's interest in the emancipation and education of Muslim women was also to a large extent a response to the manazaras (conversation between two or more groups) he witnessed between the Christians and Muslims in Lahore of the 1890s.²⁹ Since one of the main objects of the criticism of the Christian missionaries was the treatment meted out to women by both Hindus and Muslims, the religious reform movements also focused on the issues pertaining to women and called for a change in their conditions. If for Hindus the issues were widow remarriage and child marriage, whereas for Muslims it was the education of women, the nature of purdah and child marriage also.

There was other legislation, too, which more indirectly changed the social environment in which men and women interact. The British government set out to eliminate societal evils, and infanticide was one of them. Over time, the Settlement officers recognized entire villages with either no daughters or a much lower number of daughters compared to sons. For the 1870 session of the Governor General of India's council, Strachey introduced the Female Infanticide Bill.³⁰ This was almost eighty years after the crime had first come to notice of the British administrator in Banaras. When introducing the Bill, Strachey said that infanticide had been practiced for a long time in India especially northern India, mostly by Rajput tribes but also by some Hindu tribes and even by some Muslims. That's why a couple of regulations had been passed by the government in 1795 and 1804, but they had no lasting effect. When Punjab was annexed in 1849, John Lawrence found the crime being practiced there mostly amongst the Rajput tribes but also among the Bedis, a class of Sikhs. It is interesting that the Bill when passed applied only to the Punjab, through other provincial governments could apply it within their domain after notification in the official Gazette but the government had taken time in passing legislation against infanticide but like sati it was a crime that they could not ignore for long.

Registration of nonreligious marriages was first made possible by the special marriage Act of 1872. The couple have a civil marriage as long as the man was eighteen years of age or older, and the woman fourteen years or older, but only after the consent of father or guardian. However if both were twenty-one years or older, then they would not need anybody's consent provided that they did not profess the Christian, Buddhist, Parsi, Hindu, Sikh, Jaina or Muslim faith. The other provision was that no such law or custom as to consanguinity or affinity shall prevent them from marrying.³¹ Shariat Act was passed in 1937. Mr. Jinnah played an active role in the passing of Act. This act was demanded by the Muslims of Punjab and by the Muslims of other parts of India where the personal law was the customary law and the Shariat did not apply. This desire to live in accordance with the Shariat reflected the increasing awareness of their identity amongst the Muslims of the Indian Sub-continent. The extent of the support and sympathy for the Shariat found expression in the Punjab Legislative Council in 1931, when Sir Umar Hyat Khan Tiwana of Shahpur district moved a bill for the legal impartibility of his estate.³² According to the customary law rule of primogeniture applied to the distribution of the property, but Tiwana wanted the Legislative Council to give it official sanction. Eventually the Council passed the bill but not before it had met a lot of resistance from the Muslim

²⁵ Stanley Wolpert, *A New History of India* (Oxford: Oxford University Press, 1989), p. 212

²⁶ B. R. Nanda (ed), *Indian Women from Purdah to Modernity* (New Delhi: Vikas, 1976), p. 48

²⁷ Philip Mason, *The Men Who Ruled India* (Reading: Pan Books, 1987), p. 124

²⁸ Kenneth Jones, *Arya Dharm*, (Berkeley: university of California press, 1976), p.8

²⁹ Gail Minault, Sayeed Mumtaz Ali and Tahzib-un-Niswan: *Women's Rights in Islam and women's Journalism in Urdu*, in Kenneth W. Jones (ed.) *Religious Controversy in British India: Dialogues in South Asian Languages* (Albany: State University of New York Press, 1992), p. 181

³⁰ Abstract of the proceedings of the Council of the Governor General of India, 1870 (Calcutta: Government Printing, 1871), VOL. IX, p.5

³¹ Special Marriage Act No III of 1872, II: p.63

³² Gilmartin, *Customary Law and Shariat in British Punjab*, in *Shariat and Ambiguity in South Asian Islam*, p.53

members of the Council who did not want to pass any legislation which went against the Shariat. Child Marriage Act was passed in 1929, whereas Dissolution of Muslim Marriage Act was passed in 1939. This Act of 1939 made divorce for Muslim women much easier by legalizing the concept of Khula which existed in Shariat but had fallen into disuse. It was the Muslim women in Punjab who experienced the most radical transformation in their legal rights. The Shariat Act was responsible for liberating them from the debilitating constraints of customary law.

Education in a changing Environment for the women of Punjab

In late 19th century, it was the campaign for the education of women which challenged and changed the traditional role of women in Muslim society of Punjab. Once the movement to educate women got under way, the limited role of the women as a result of strict seclusion within the homes increasingly came to be questioned. Majority of Muslim women observed purdah and lived in seclusion from men. The movement to educate women has to face difficulties and their education (either religious or concerned with teaching the basic skills for managing the household activities like doing the accounts or being able to correspond with family members) was restricted to their homes.³³ In 1884, according to the report of Punjab government, mostly in Muhammadan families little girls generally learn to read the Quran by rote, and sometimes easy books of instruction on morality and religious observances.³⁴ The same pattern was also adopted by the whole section of Indian society, particularly the Muslims, who were satisfied with the traditional form of education for women, and were vehemently against changing it in favour of education in government schools. But the main objection of the Muslims to send their daughters to schools was principally on two counts, firstly they have objected to the curriculum that was secular with no religious content, and secondly the concept of the girls venturing out of the house every day to studying which was unacceptable for them. Because they thought that the very act of leaving the protection of the house diminished the effectiveness of purdah as it had been used and practiced in Indian Muslim's families for so many centuries.³⁵

Sir Syed Ahmad Khan was one of the most important Muslim reformers whose influence on the attitude of Muslims towards education and English language was far reaching and profound, was a conservative when it came to women education. He founded different schools and MAO College at Aligarh in 1877, which was to combine western education with Islamic theology, because he had an opinion that women education should take place only after the Muslim men had been educated. He also argued that women of respectable Muslim families were educated to a moderate degree at home because he admitted that although the shurafia women were educated but as a whole the education of Muslim women was wanting and far from satisfactory.³⁶ On his visit to Punjab Sir Syed Ahmad Khan expressed his concern at the movement among the Muslim themselves to open schools for Muslim girls, which was finding expression in the efforts of the Anjuman-e-Himayat-e-Islam. It was as a result of inspiration from Sir Syed's reform movement the Anjuman-e-Himayat-e-Islam started opening neighborhood schools for girls in Lahore in the mid- 1880s. Although it was despite a great deal of opposition by the more conservative section of the Muslim society, who were opposed to purdah observing girls out of their homes to get knowledge.³⁷ About the curriculum of Muslim girls he said that the Muslim girls of India could not be taught what the girls in Europe and America were studying, because the economic and social conditions there were entirely different because education in those countries prepared girls for employment as post-masters or as members of parliament, whereas India was not likely to have those conditions for a long time to come.³⁸ G.W. Leitner (an eminent educationalist of German origin, who lived in Punjab for many years and made an important contribution in establishing the Government College and Punjab University) shares his observation about women education, from the time of annexation of Punjab in 1849 to 1882; he said that it needed revival rather than development. He said the Punjabi woman has, however, not only been always more or less educated herself, but she has also been an educator of others.³⁹

Muslim interest in women education in the Punjab, as in the rest of India was to a large extent a response to the attacks by Christian missionaries on the treatment and status of Muslim women in India. The more conscious and thinking Muslims

³³ Jahan Ara Shahnawaz, *Father and Daughter* (Lahore: Nigarishat, 1971), p. 12

³⁴ Report by the Punjab Provincial Committee (Calcutta: Government Printing, 1884), p.60

³⁵ Tehzib-e-Niswan, 6 December 1908 (Lahore: Punjab steam press) p. 578

³⁶ Gail Minault, *Purdah's Progress: the Beginnings of School Education for Indian Muslim Women*, in Jagdish. P. Sharma (ed.), *Individual and Ideas in Modern India* (Calcutta: firma KLM, 1982) p. 77

³⁷ Speech Sir Sayyid Nisbet Aik Resolution Key Jo Vastey Taaed Talim-e-Niswan Key Pesh Kia Gea Tha, Teesra Ijlas Ba Muqam Lahore, in Munshi Mohammed Siraj-ud-Din (ed.) *Sir Syed Ahmad Khan Key Lekcharon Ka Majmua* (Lahore: Bazar Kashmiri, 1890), p. 29

³⁸ Ibid., p.229

³⁹ G.W. Leitner, *History of the Indigenous Education in the Punjab Since Annexation and in 1882* (Lahore: Republican Books, 1991), pp. 97-98

were quick to realize that the position of Indian Muslim women was deplorable and out of step with the progress that women had made in other societies, including other Muslim countries. From the 1880s through the 1890s, religious reform organizations emerged as a response to the growing concern among different religious communities over the apparent official backing of Christian missionaries. That's why in late 19th century different American and British missionary societies were the first to open schools for girls⁴⁰ but in this situation Muslims were reluctant to send their daughters outside their homes as it affected the practice of purdah, they initiated the practice of Zenana (female) teaching. The missionary women would go door-to-door, instructing women who expressed an interest in education while they were still in their homes. This system of teaching was found much more acceptable to the Muslims of the Punjab.⁴¹

It would be a mistake to discount the impact that Christian missionaries had on Punjab's Hindu and Muslim populations. The 1st Christian mission in the Punjab had been established as early as 1839 in Ludhiana. In 1846 a mission was established in Jullundur, and in 1849, in Lahore. They introduced the first printing press in the Punjab and with it they launched an onslaught of pamphlets, tracts and religious newspapers.⁴² In the 1880s the Anjuman-e-Himayat-e-Islam set up a few female schools in Lahore, but the school administration have to face opposition to girls going to school. Nevertheless the number of these schools increased from five in 1885 to fifteen by 1894⁴³ and the syllabus consisted of elementary religious education and the teaching of the Holy Quran. By 1936, one of these schools had been elevated to the level of a high school and by 1939 one had become a degree college for women.⁴⁴ The contribution of the Anjuman-e-Himayat-e-Islam to Muslim girls' education was qualitative; it successfully removed the taboo which was attached to the education of girls outside their homes. It was significant that Anjuman had influential patrons not only in Punjab but also amongst the Muslims of the rest of India.⁴⁵

Purdah and Emancipation for the women of Punjab

Purdah was a cultural and religious norm in the Muslim women in sub-continent, purdah which begins at puberty, limits the interaction between males and females of the Punjab, although amongst the Muslims this taboo does not apply to males of the immediate family.⁴⁶ Purdah as practiced on the Indian sub-continent is basically of two kinds, one which physically confines them within the house, and the other, which allows them to move about but only after donning a cloak- like garb which covers the whole body and face with a net over the eyes for visibility known as burqa. Although the form and severity of purdah practiced all over northern India was same and Punjab was no exception to this. After the 1857 insurrection failed, demoralization and self-questioning set in, and only then did the traditional Muslim community and its cultural standards in India face a threat. Any illusion that the Muslims might have had that their traditional education in Urdu, Persian and the religious sciences would equip them employment were destroyed.⁴⁷ The debate about the value of purdah as practiced by Indian Muslim women, Sir Syed Ahmad Khan clarify his position on the issue for the benefit of those gentlemen who were advocating the elimination of this custom, he said that men should first prove themselves worthy of interaction with the British before trying to bring their women out of purdah and it being observed by Muslim women as a very good thing.⁴⁸ In 1905 Khwaja Altaf Hussain (Hali) wrote the poem "Chup ki Dad" for reformist journal Khatun, the poet shows an awareness of women's problems which is very modern with little of the 19th century in it and highly developed sensitivity to the plight of the shurafia women.

At the All India Women's Conference that the Begum of Bhopal conducted in March 1918 in Bhopal, there was a long discussion about purdah, which shows how important it was to the women's liberation movement. The resolution said that this society is of the opinion that for the education of women and general welfare of society the severity of the purdah observed should be modified but not done away with. Muslim women in particular should only have to observe purdah to the extent required by their religion. It is obvious from this resolution that the opinion was gaining ground that the kind of

⁴⁰ Michelle Maskielll, Social Change and Social Control; College Educated Punjabi Women, 1913-1960, *Modern Asian studies*, 19:1 (1985), P. 60

⁴¹ Minault, *Purdah's Progress*, p 84

⁴² Kenneth W. Jones, Communalism in the Punjab, *Journal of Asian studies*, XXVIII: 1 (November 1968), p. 43

⁴³ Anjuman-e-Himayat-e-Islam, Lahore , *Risala*, VII: 6 (February, 1891), pp. 20-24; VIII: 7 (February, 1892), pp. 21-22; XI: 2(February, 1894), pp. 15-16; XV: 2(February, 1898), pp. 7-8

⁴⁴ S. Razi Wasti, Anjuman-e-Himayat-e-Islam, Lahore- A Brief History, *Journal of the Research Society of Pakistan*, III: 1 & 2 (January & April 1966), p. 69

⁴⁵ *Ibid.*, p. 66

⁴⁶ Hanna Papanek, *Purdah: Separate Worlds and Symbolic Shelter*, *Comparative Studies in Society and History*, XV (1973), p. 289

⁴⁷ P. Hardy, *The Muslims of British India* (Cambridge: Cambridge University Press, 1972), p. 61

⁴⁸ Sir Syed Ahmad Khan, *Purdah*, in *Maqalat-e-Sir Syed* (Lahore: Majlise Taraqqi Adab, 1962), p. 186

purdah observed by Muslim women in India far exceeded any demand that religion made on them.⁴⁹ Nazir Ahmad (1836-1912) in his novels strongly advocates the idea of educating women but only within the four walls of the house. He does not see any correlation at all between the lack of interest in education among women and their confinement at home. Till the second decade of the 20th century that purdah itself came under fire, by then different feminist movements were developing led by activists such as Sarojni Naidu and the Begum of Bhopal. Women's journals were instrumental in bringing about such activism. Punjab was changing as was reflected in the elite's beginning to send their daughters to English medium schools. This new generation of women who were being exposed to western education, culture and values were not willing to sit at home and procreate only. Jahanara Shah Nawaz was one of the first women Muslim political leaders of the Punjab. It was this same first generation of women who went out to study in schools who later got involved in the nationalist struggle of India, and became political activists, shedding the remaining vestiges of purdah.

Political Activism for the women of Punjab

Political activism for the Muslim women of the Punjab marked a new stage in their struggle for emancipation. From being passive spectators of national events from the seclusion of their homes, they emerged as major players in the events that shaped the future of their country. Individual political activism of Indian women dates back to 1889 when 10 women attended the fourth session of the Indian National Congress.⁵⁰ Same as many women take part in the popular movement against the partition of Bengal in 1905, although the movement was confined to Bengal and Hindus only, but during the home rule agitation from 1914 to 1917, and with the entry of Annie Besant into Indian politics, women's participation in politics grew. Annie Besant was the first woman elected to be the President of the Indian National Congress in 1917. When she presided over the Congress session she was flanked on the Congress platform by Sarojni Naidu and Bi Amman, the latter being the first Muslim women to shed seclusion but not purdah, and participate in mass politics. In 1920, the Non-Cooperation Movement launched by Gandhi to generate a following among the mass of women folk and led to their increased political participation.

In 1917, the first women's association was formed with the name of India Women's Association. The main purpose of this organization was public service and branches were formed in some of the major cities of India but not in Punjab.⁵¹ By 1929 all the provinces, except Bihar and Orissa had given women the right of vote but with a property qualification. Shah Nawaz, a member of the mian family of Lahore (who was elected to the Punjab Legislative Assembly in 1921) played an important role in securing franchise rights for women in Punjab. However the size of the electorate of women in Punjab remained almost negligible because of the property qualification, as most of the Punjabi women did not inherit property. The formation of Anjuman-e-Khuddam-e-Kaaba and the Kanpur Mosque incident in 1913 were landmarks in the history of Muslim women's emergence on national political scene. One another important organization was formed with the name of Anjuman-e-Khawateen-e-Islam. It has many branches all over the country and the women of the Sir Muhammad Shafi family organized the one in Lahore, Baji Rashida, Saeeda and Fatima Begum (daughter of Maulvi Mehboob Alam, the editor of the daily Paisa Akhbar and the women's fortnightly, Sharif Bibi) had approached Begum Shafi and asked her help in forming this organization, primarily concerned with the spread of education and social reforms for Muslim women of Punjab.⁵²

In 1930, the government called a Round Table Conference was called to discuss constitutional reforms; two women represented the women of India, one from Punjab and the other from Madras. Begum Jahanara Shahnawaz prominent Muslim Leader from Lahore made a speech at conference about the need to improve the political status of women in India.⁵³ It was only through the Muslim League that the Muslim women of Punjab got involved in political activity on any significant scale. The political participation of Indian women which had been going on since the second decade of the 20th century seemed to have bypassed Punjab. It was Madras, Bombay, and Bengal which had provided the lead and even UP had only followed later during the Khilafat movement. Since 1935 two women's wing of Muslim League had existed in Punjab. Lady Fazl-e-Hussain had been elected its president and Begum Qalandar Khan its general secretary; later on Begum Shah Nawaz took her place.⁵⁴ In 1937 when the Unionist Party swept the elections in Punjab Jahanara Shah Nawaz was appointed parliamentary secretary in Sir Sikander Hayat's government to deal with education, medical and health departments. This

⁴⁹ Begum Sayed Humayun Mirza, Debate on Purdah at the All India Ladies Conference, 15 June 1918. P. 383

⁵⁰ Aparna Basu, The Role of Women in the Indian Struggle for Freedom, in B. R. Nanda (ed.) Indian Women from Purdah to Modernity (New Delhi: Vikas Pvt. Ltd, 1976), p. 16

⁵¹ Margaret E. Cousins, Indian Womanhood Today (Allahabad: Kitabistan, 1941), p.26

⁵² Ibid., Shahnawaz, Father and Daughter, pp. 24-25

⁵³ Ibid., pp. 107- 108

⁵⁴ Inqilab, 27 March 1935, 24 and 29 May 1936, 19 December 1940

was the first time in the history of Punjab politics that a woman had held such a high political office and it was recognition of the increasing role that women were beginning to play in the politics of the province.⁵⁵

Conclusion

It is concluded that the second half of the 19th century was a period of reform in the Punjab. The Muslim women in Punjab underwent a rapid change in their status from 1872 to 1947, when the British government took the decision in 1872 to adopt customary law as the personal law of the province (one objection to adopting customs as law was that customs were not able to evolve, once they were made into law). For Muslim women this decision did not bode well, for under Muslim religious law, because the Shariat they had incomparably greater rights than the customs of Punjab allowed, including the right to inherit property and the right of marriage and divorce. Since Shariat was the personal law of Muslims in the rest of India, Muslim women in Punjab had fewer rights than those in other provinces (over more than a century later, it is still quite common amongst Punjabi muslims for daughters not to inherit property, and for the sons to inherit it all). At that time the new generation Muslim writers and thinkers such as Nazir Ahmad (1836- 1912) called for Muslim women's education, Altaaf Hussain Hali (1837-1914) wrote about their oppression, Sayyid Mumtaz Ali brought out women's journals highlighted all discourse on the emancipation of muslim women , and Sir Syed Ahmad Khan (1817-1898) categorically declared that the issue of Muslim women's education was secondary to that of Muslim men and would follow once that of the Muslim men had been improve. These writers created an intellectual climate which made Muslim women's emancipation central to the contemporary debate and discussion on social issues. Initially the male writers were the instruments of change at that time as there was no significant presence of Muslim women writers in late 20th century in Punjab it is also concluded that education and the institution of purdah were the two main issues around which all discourse on the emancipation of Muslim women in Punjab was centred. In this process of change Punjabi Muslim women were helped by the legislation of the British government in India. Introduction of western education through schools and colleges for girls and participation in political movements all helped Punjabi women to emerge from their homes as partners of men in shaping the future of their newly emerging country.

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