

## **CHAPTER VI**

### **Women's Organizations and the Struggle for Gender Equality**

## CHAPTER VI

### WOMEN'S ORGANIZATIONS AND THE STRUGGLE FOR GENDER EQUALITY

Women in Pakistan had been fighting back for the protection of women's rights and liberties, and in their pursuit for gender equality, they have repeatedly engaged with the state, the religious establishment and the civil society. Women's movement have expectedly been led and organized by educated women, but their programmes and policies have been inclusive and broad-based, concerned not only with the women of their class, but even the illiterate, poverty-stricken women living in remote villages all over Pakistan. Attempts had been made to seek an improvement in the position of women in Pakistan.

The foundation of the women's movement in Pakistan had origin in pre-independence time when the women of upper class comprised a vocal aspect in the anti-colonial resistant as well as in the Pakistan movement. After independence, influential Muslim women in Pakistan constantly campaigned for women's political empowerment through legal reorganization and they also came ahead and carry out charitable work, primarily rehabilitation of refugees. Begum Raana Liaqut Ali Khan, begun mobilizing women for a long drawn fight and which resulted in Muslim Personal Law of *Shari'a* in 1948, which identify women's rights to inherit all forms of property.

To organize women many women's organization have come up in Pakistan, and All Pakistan Women's Association (APWA) is one of the earliest organization, a non-political organization whose fundamental aim has been to secure to see the moral, social and economic welfare of the women and children in Pakistan. APWA was an organization of upper class women providing services for women of socio-economic strata.<sup>1</sup> Earlier APWA's concentration was on charitable activities but it became conscious on the necessity of finances, planning, and building, which gradually changed it from charitable works to that of self-help.<sup>2</sup> APWA struggled for the promulgation of the Muslim Family Law Ordinance, 1961. After the news of Muhammad Ali Bogra's second marriage in 1955, while still married to his wife,

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<sup>1</sup> Mumtaz and Shaeed, '*Women of Pakistan*', p. 51

<sup>2</sup> Ruth Woodsmall, '*Women and the New Middle East*', (Washington DC, 1960), pp. 131-32

forced APWA to convene a conference on the issue of status of women and passed resolutions calling for reforms. APWA's protest wasn't limited to the press statement or passage of resolution but they also took out processions and demonstrated on the streets.<sup>3</sup> The Karachi branch of APWA formed league for the rights of women, which had a major contribution in the formation of Family laws Commission by the government. The extremist religious forces made several attempts to repeal the Muslim Family laws but APWA actively and successfully downcast all their efforts inside and outside parliament.<sup>4</sup> It performed innumerable services in the advancement and welfare of the women of Pakistan. Well, at the same time government's support and the addition of assistance to APWA was seen as 'the state's keenness to support women's rights activists willing to work inside the set limits.'<sup>5</sup> Furthermore government's assurance to APWA was as well perceived as the political practicality rather than a support to 'female empowerment'.<sup>6</sup>

Another organization emerged during those days was *Anujuman-e Jamhooriyat Pasand Khawateen* also known as Democratic Women's Association, was set up in 1948 at Lahore. The members of Democratic Women's Association belonged to the diverse sections and the organization was quite active in political field.<sup>7</sup> It was the only women's organization of that time which had Marxist ideology. It concentrated on factory workers, railway workers and women in fisheries industry. It campaigned for equal pay for equal work, educational opportunities for girls and better employment prospects for women. Association ignored the religious-cultural composition of Pakistani society, and resembling communist movement in Pakistan, it also doomed to fail.<sup>8</sup>

During the military reign of Ayub Khan,<sup>9</sup> two noteworthy women's organization came forward; The *Behbud* Association and the Soroptomist Club. *Behbud* association was formed in 1967 as a social welfare association that sought to

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<sup>3</sup> Gardezi, Nationalism and State Formation, p. 101

<sup>4</sup> Sylvia A. Chipp, 'The Role of Women Elite in a Modernizing Country: The All Pakistan Women's Association', (Michigan, 1970), p. 165.

<sup>5</sup> Jalal, *Women And State of Pakistan*, p.90

<sup>6</sup> *Ibid*

<sup>7</sup> Mumtaz and Shaeed, *Women of Pakistan*, pp. 61-62

<sup>8</sup> Shahnaz J. Rouse, 'Women's Movement in Pakistan: State, Class, Gender', in Dossier No. 3, (June-July 1988), p.11

<sup>9</sup> Hasan Askari Rizvi, 'The Military and Politics in Pakistan: 1947-86', (Lahore, 1987), p.108

inculcate a spirit of self-reliance and self-respect amongst under privileged by helping them earn a respectable livelihood.<sup>10</sup> It lay down industrial home for women, arranged classes in which women can learn typing and also provides medical and financial help to women in need. The Soroptomist Club was founded in 1967 at Lahore and was connected with Soroptomist International Association. The Club's membership was opened to women only above twenty five years of age, and who were in higher and responsible professional and administrative place. The purpose of the club was the expansion of the role and condition of women in economic and social life, education and cultural activities and abolition of discrimination in employment and occupations. Its major activity was however the yearly seminar where papers on diverse problems relating to women were presented. It arranges seminars on education, professional training, and livelihood for women, but the club remains restricted to Lahore and carry on to have limited membership.

From 1947-70, the women's movement was controlled by the reformist women's associations. These organizations were functioning for the encroachment of the status and role of women in economic and social life, advancement of education and abolition of inequity in employment and occupation. They were approaching for improvement without altering the existing structure of state, society and production relations.

The late sixties and early seventies viewed some noteworthy trends. There came into view of grass root political association and amalgamation of women various professions, although the numbers remain rather small, they made a noteworthy contribution. Even though in many instance women's rights are recognized at theoretical level, action at the personal and institutional levels leave to a large extent to be desired. In late sixties Pakistan for the first time saw the emergence and development of a populist movement by Zulfikar Ali Bhutto. The noteworthy impact of Bhutto's movement and the general election held on the basis of universal adult franchise was the politicization of people from all spheres of life, including women.<sup>11</sup> Bhutto's populist movement and organization of masses aggravated women to take part in the political affairs at grass root stage. The Constitution of 1973 which

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<sup>10</sup> Mumtaz and Shaeed, *Women of Pakistan*, p.61

<sup>11</sup> Khalid B. Syeed, '*Politics in Pakistan: The Nature and Direction of Change*', (New York, 1980), p. 86

was put into effect by Zulfikar Bhutto includes equality before law, right to education for all and gives safeguards for women by specifying that no discrimination shall be made on the basis of sex. It was for the first time that all government jobs were opened for women. The period saw various women's groups and associations in the professions, trade unions and students grouping.

Several progressive and left-oriented women students of University of Punjab, Lahore, produced a new union called Women's Front in 1974-75, which embody the extreme left of the Pakistan's politics of that time. The Front resisted for the equality in society, acknowledgment of women's work and equal pay for equal work. They publicize their point of view through seminars, lectures and discussions. Members of the women's front belonged to lower middle class. It articulates women's self-awareness and considered the liberation of women as achievable with radical alter in the social and economic system. Nevertheless, the Front vanished within a couple of years.<sup>12</sup>

One of the most noteworthy women's organization was *Aurat* founded by left-oriented university teachers, students and other working women in 1976-77 at Islamabad. Aurat is a civil society organization committed to women's empowerment in the society. The Foundation sees this empowerment in the context of women's participation in governance at all levels, which seeks to increase their knowledge, share in resources and role in management of institutions. The women's effective role in governance is linked to political and social framework that facilitates a more active role for citizens in the affairs of the country. The Foundation also works with civil society organizations to undertake advocacy and action on areas of concern to women and for creating a suitable environment for citizens' participation in governance.<sup>13</sup> Established in Pakistan in February 1986, AF is registered with the government under the Societies Registration Act, 1860, as non-profit society. With headquarters in Lahore, and five regional offices in the federal and the provincial capitals, the organization has an outreach extending to 97 to Pakistan's 121 districts. It has over 120 employees, with 65 professionals and an annual budget of over Rs. 2.75 million. The Foundation has recognition nationally and internationally as a major institution

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<sup>12</sup> Mumtaz and Shaeed, *women of Pakistan*, p.65

<sup>13</sup> Shahla Haeri, '*No Shame for the Sun: Lives of Professional Pakistani Women*', (Pakistan, 2004), p.

for women's development in the country. Over the last 14 years, the Foundation has emerged as a major support organization for civil society organizations working for bringing about social change at the community level. The Foundation has set up a network of information focal points for community level women in over 1000 rural and urban communities across Pakistan. It has developed and is strengthening its network of civil society organizations in 50 districts for citizens' participation in good governance; and it is catalyzing critical groups in society to influence policy, legislation and programs for women's greater economic and political power in society. *Aurat* focused on the troubles of low income women and put an effort to organize them and worked for the harmony of all women in Pakistan. A newsletter names *Aurat* is also published, which concentrate on the women of dejected or depressed class. *Aurat* had done significant work on need of women and their status. Nigar Ahmad, co-founder of *Aurat* and then executive director of *Aurat* publication. According to Nigar Ahmad, the association had mobilized women to participate in elections and generates debate and discussions across the world trade organization and the controversial issue of intellectual property rights.<sup>14</sup>

Another organization was *Shirkat Gah*-women resource centre, which indicated the appearance of feminism in Pakistan. It came into existence in 1970s and later played a crucial role in the formation of Women Action Forum (WAF) in 1981. *Shirkat Gah* has an essential role in the promotion of Pakistani women's rights and stays actively involved in women's question in Pakistan. The chief leaders of *shirkat gah* were women who had been educated at western educational institutes and were not satisfied with kind of women's position in Pakistan. The primary aim of the organization was to persuade women play a full and equivalent role in society and enthusiastically campaigned for education and right to work for women. *Shirkat Gah* conceded out awareness raising and do research on women as well provided legal and medical support to women.<sup>15</sup> *Shirkat Gah* strongly re-emerged in 1979 at Karachi and along with WAF protested against the gender-discriminatory laws of Zia-ul haq. It's now a big women's resource centre with a strong infrastructure working on various projects all over the Pakistan. It brought women out of home; created institutions though limited but has influenced and also run several programmes on education,

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<sup>14</sup> Based on personal interview with Nigar Ahmed in June 2013 at Lahore

<sup>15</sup> Jacqueline K. Barret, '*Encyclopedia of Women's Organisations Worldwide*', (Washington, 1993), p. 80

legal aid empowerment in Khyber Pakhtun and Baluchistan areas also. It also bring women in straight politics guided many women to discover that they themselves should fight back and that there was a necessity for an autonomous self-sufficient women's organization.

When in 1977 General Zia, bring down the government of Bhutto and propagated martial law and brought a reversal position for women. In his 'alleged Isalmization' programme, in which he appeared with the *zina* huddod ordinance, taking down the position of women as mere belongings in the hand of patriarchy. Zia aggressively used state power against women. His programme of Islamization was designed to restrict the women's participation from walks of life through subverting women's rights and diminishing their public visibility by advocating the concept of *chadar and chardivari*.<sup>16</sup> This period saw an unparalleled mass mobilization of women in Pakistan to challenge these discriminatory laws against women. A number of women's organizations came into existence during this period but the most significant was Women Action Forum or *Khawateen Mahaz-e-Amal* in 1981. It quickly became popular front for many women's associations within the women's movement.<sup>17</sup> Initially created by professional middle class women of the Karachi, it was acknowledged by several women groups like *Tehrik-e-Niswan*, *Anjuman Jamhooriyat Pasand Khawateen*, Business and Professional Women's Club, *Behbud Association* to name only some. The leadership of the organization from the educated, elite women who saw the imposition of the discriminatory laws as a pretext to subjugate women. The decisions in the WAF were well discussed and jointly taken. Women Action Forum was stated as lobby-cum pressure group intended for mobilizing support for all the matters regarding women and to accomplish goals through consciousness raising among the women. Forum had a central role in exposing the misinterpretations by Zia. It led public protest against the military government and its Islamization campaign. It campaigned against Hudood Ordinance, *Qanun-e shahdat* and *Qisas* and *Diyat* Laws in mid 1980s. WAF organizes several major countryside movements, deploying aside variety of resistance techniques which

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<sup>16</sup> Myron Weiner and Ali Banuazizi, 'The State and the Restructuring of Society in India, Pakistan and Afghanistan', (Syracuse, 1993), pp.437-38

<sup>17</sup> Nighat Said Khan and Rubina Saigol, 'Women's Action Forum: Debates and Contradictions', in Nighat Said Khan, (ed.), 'Up Against the State: Military rule and the Women's Resistance', (Lahore, 2004), p. 159.

includes; street agitations, press campaigns, pamphlet warfare, dharna, protest marches and non-cooperation.<sup>18</sup>

The creation of Women Action Forum was different from the previous organizations in Pakistan as the previous one did not challenged the basic social norms and secure rights for women within the marriage and the existing framework.<sup>19</sup> WAF took disagreement with the customary social traditions that for centuries have been apprehended in the sub-continent. The regime of Zia created such an environment against women that the action was essential.

Women's rights were never such a serious issue, as it was after 1979 when it punches on the national scene after Zia-ul haq passed Hudood Ordinance which without a doubt worked to the disadvantage and inconvenience of women more than man. The repercussion of *zina* hudood ordinance came into open when a session judge in 1981 find guilty a woman and a man for adultery and ordered the women to be given 100 lashes under Hudood ordinance, the case Fehmida and Allah Bux verses the state aroused women into forming a pressure group to counter the anti-women policies of the state.<sup>20</sup> Amongst the educated section of society, the sentence ammoniated to an annoyance. It was felt that there now its high time to have a platform which would stand for most of the women's organizations and persons as feasible and that the existing tendency to refute or rescind women's rights and liberties might only be countered by a co-ordinate effort of all women's organization and WAF proved to be that platform.<sup>21</sup> The women came mostly from elitist locale; however there were numerous politically motivated women from the left-wing political grouping and trade unions, also. The movement increased broadly to take in women from diverse professions and classes which include teachers, nurses, medical professionals, lawyers and even ordinary, illiterate women.

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<sup>18</sup> *Ibid*, p.162-63

<sup>19</sup> Amina Jamal, 'Feminist selves and feminism's others: feminist representations of Jamaat-e-Islami women in Pakistan', *Feminist Review*, No. 1, (2005).

<sup>20</sup> The case of Allah and Fehmida Bux (1981) attracted widespread attention and became a catalyst for activism. The couple's valid marriage was challenged by the woman's father under the Hudood Ordinance of Zina (abduction/adultery). Her pregnancy was determined to have begun before their nikah (wedding contract), and was admitted as proof of fornication; hence, it was considered to be proof of their guilt of zina (fornication outside of marriage). The husband was convicted to stoning to death (rajm) and the wife to 100 public lashes.

<sup>21</sup> Mumtaz and Shaheed, *Women of Pakistan*, p. 74



The debate on the role and status of women was triggered off in 1982, when the government issued a series of directives to wear *chadar* and campaign against obscenity and pornography. It was around this point of time that a controversy take place over the verdict of Dr. Israr Ahmad, who expressed the view that every working women should be retire and pensioned off.<sup>22</sup> This statement aroused a fuming protest from women. The Islamabad chapter of WAF raises the matter and also issued statement regarding it. Remonstrance against this statement WAF staged a protest outside Karachi Television Station. A resolution was approved against Dr. Israr's statement. Government's proposal for a separate women's university was discarded by WAF and APWA. WAF initiated a signature campaign against it.<sup>23</sup>

The athlete women of Pakistan were not allowed to go to Japan to take part in First Asian Games in August 1981, under the pressure of religious forces. Participation of women in spectator games regarded as un-Islamic. Women could participate in sports but all the spectators should be female. It was for the first time since 1947 that women were out from the sports. It was not only from the national games held in Peshawar in April 1982 but also from Women's National Hockey Championship that was terminated that year. WAF lists its disapproval openly. 200 women including a number of sportswomen staged a demonstration at Lahore Airport, on November 13, 1982.<sup>24</sup>

Further, Zia's gender-discriminatory laws legalized the position of women into secondary citizen.<sup>25</sup> The early Islamization measures like the Hudood Ordinance and the policies confining women within the private world went by almost without any public reaction by women, intellectuals and progressive political parties. Even the Women Action Forum was created after the *Zina* Hudood Ordinance, 1979. Therefore, considering the injustice inherent in these laws, WAF started active campaign against these laws. It started active campaign by holding meetings and rally's, passed resolution, holding *jalsa*, performing theatrical skits, recital poems and songs in meetings against these laws and stating their refusal to acknowledge these measures which is reducing women to lower status. Larger number of women and men express sympathy with the women's struggle but their support cannot be easily

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<sup>22</sup> Dr. Israr, a religious preacher said this in an interview with Urdu daily *Jang*

<sup>23</sup> Gardezi, *Nationalism and State Formation*, p. 91

<sup>24</sup> *The Muslim*, November 14, 1982.

<sup>25</sup> These laws were the Hudood Ordinance, Law of Evidence and proposed law of *Qisas* and *Diyat*.

quantified.<sup>26</sup> If WAF has set rise to the number of expectations, many of which it has not been able to fulfill, it cannot be denied that it has achieved more in terms of increasing consciousness than can be asserted by any other association or group.<sup>27</sup> Like any other organization, WAF has been moulded by the activists who formed and developed it, which in turn has affected both its methods of works and out reach capacity. WAF was initiated by urban professional women generally belonging to the middle and upper class. Since most of WAF's activists were professional working women, the younger women were naturally excluded who have as yet to enter the urban working force. WAF's chapter in Karachi had a better affinity to pick up issues not specially related to women, such as the school teachers strike for better pay, where the WAF actively out in the support of teachers. Unlike the other two chapters, Karachi did not feel particularly obliged to make its statements on the basis of Islam and had no qualms about holding meetings mixed audience, where input by gender-sensitive men were equally welcome, hi contrast the chapter in Lahore, Punjab's capital city closed doors to men in all its functions except its seminars, and did considerable homework on what was actually contained in the Qur'an and what was mere distortion or interpretation on the part of those devising the laws. While its statements were far less radical than those of Karachi, Lahore was by far more action-oriented, and had a much larger support base. In Peshawar, chapter never really got off the ground.

Until February, 1983, when WAF, Lahore, made considerable changes in its strategies, WAF used the press to its full advantage. Its definition of itself as a non-political body meant that the restrictions in the press which applied to political parties did not apply to WAF. Its statements and resolutions on all issues were printed in the press and given due prominence. Thus press was used by WAF both as a consciousness raising device and a mobilization technique. Other methods used by WAF included meetings, seminars and panel discussions on wide ranging topics. But after February 1983, WAF radically changed its mobilization tactics.<sup>28</sup> By this time,

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<sup>26</sup> Fareeda Shaheed, 'The other side of the Discourse: Women's Experiences of Identity, Religion, and Activism in Pakistan', in Patricia Jeffery and Amrita Basu (ed.), *Resisting the Sacred and the Secular: Women's Activism and Politicized Religion in South Asia*, (New Delhi, 1999), p.156

<sup>27</sup> Mumtaz and Shaheed, *Women of Pakistan*, p. 123

<sup>28</sup> *The Muslim*, December 23, 1983.

both law of evidence and the proposed<sup>29</sup> law of *Qisas* and *Diyat* were there threatening to reduce further the rights of women. In February 12, 1983, the PWLA called for a demonstration; its aim was to walk down the Mall Road in Lahore to the High Court to present a petition of protest to the chief justice.<sup>30</sup> The WAF rallied its forces in response to the call from PWLA and the formidable demonstration was brutally suppressed by the state, but it gave WAF national and international publicity. From this time, WAF Lahore regularly took to the streets; holding protest marches and picketing the Governor's House. During 1983 and 1984, WAF kept up a steady barrage of activism to maintain pressure on the government.<sup>31</sup>

WAF Karachi and Islamabad did not take to street protest in the way the WAF Lahore did. In Karachi demonstrations were 'silent' and 'peaceful'. Under the pressure of WAF, the Law of Evidence Bill was initially deferred, and when it was finally passed in 1984, it was less discriminatory than the original bill. Even *Qisas* and *Diyat* Bill were similarly shelved and never became a law. Without doubt it could be said that much credit of these victories belong to WAF for its campaign against these laws.

After Women Action Forum came into being and took up the issues of women, there were controversies and debates that arose within the movement on various issues of ideology, strategy and beliefs. Women of different ideologies came together on a common platform and this led to debates which were divisive at one level, and enriching at another. The most contested issue within Women's Action Forum was whether to work within an Islamic framework, or to work outside it WAF was unable to take a clear stand on the use of religion in its struggle to uplift oppressed women; women activists did not altogether reject the use of Islam while defining the role and status of women. They disagreed with the religious groups on a number of issues and refused to accept their monopoly over interpretation, but still saw religion as an important cultural resource for women. The religiously-inclined in WAF rejected the secularist view that women's rights should be seen as human rights outside the parameters of religion; and they also rejected the universal human rights

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<sup>29</sup> The law was drafted in December 1980 by the Council of Islamic Ideology. After ten years, during Benazir Bhutto's first tenure, it was introduced by the way of the criminal Amendment Ordinance Viii of 1990. It became an act on April 4, 1997 as the Criminal Amendment Act of 1997 after debated and passed by the parliament.

<sup>30</sup> *The Muslim*, February 13, 1983.

<sup>31</sup> Said khan and Saigol, '*Women's Action Forum*', p. 163

agenda adopted by the United Nations, of which Pakistan is a signatory, and which has the support of civil/citizen's rights groups.<sup>32</sup>

WAF did not have a predetermined position regarding Islam, and the importance accorded it varied from chapter to chapter. Each chapter evolved its own position, shaped by the social environment in which it operated and also by its own assessment and perception of the overall social and political atmosphere. Accused by the right-wing elements of being an anti-Islamic group of westernized women out to destroy the moral fabric of society, WAF was, at places like Lahore, deeply reverential to Islam.<sup>33</sup>

Pakistani's relationship with Islam is a curious one. Since a separate Muslim identity was employed by leaders of the Pakistan movement. By rendering Islam as the marker of national identity, Pakistan aspired to efface ethnic identities within a centralized nation-state. For, WAF, the need to work within the national culture also meant working within a broad Islamic framework, and while it recognized the need to educate people about what was truly Islamic and what was mere customs being justified under the pretence of Islam, WAF also recognized that cultural imperatives can neither be radically altered nor discarded over night in its desire to raise consciousness in the wider society.

In the beginning, WAF refrained from a critique of Islam, but attempted to prove that Islam was liberal and progressive and gave women many rights. *Maulvis* were invited to public meetings and scholars were encouraged to reinterpret Islam in a manner that was compatible with women's progress. The cultural gap between different sectors of the urban population was highlighted in a WAF meeting in Lahore on 8<sup>th</sup> March, 1983.

The WAF decided that 8th March, would be the day of protest against the Law of Evidence. Because the law was the main issue, WAF had invited two *alims* (religious scholars) to address the meeting. In their speeches both *alims* opposed the law passed by the *Majlis* as being un-Islamic and said that women's evidence was admissible on equal basis as that of men. At the end of the meeting the gathering was sharply divided between those who saw the presence of *alims* as a regressive and an

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<sup>32</sup> Davis yuval, Nira and Prina Werbner, (eds.), 'Women, Citizenship and Difference', (London, 1992), pp.18-19

<sup>33</sup> Mumtaz and Shaeed, *Women of Pakistan*, pp. 130-131

obscurantist act and those who saw their presence as necessary in fulfilling the objectives of WAF.

WAF opposed the Hudood ordinance and the Law of Evidence. These women activists faced Martial Law authorities on the streets, were tear gassed and lathi-charged by the police.<sup>34</sup> Though picketing demonstrations, letters, telegram and print media campaigns, WAF carried on a sustained campaign against the state's discriminatory laws, and took up the issue of women's right to participate in spectator sports, work, stand for public office and have equality in all spheres of public and private life.

Despite working within an Islamic framework, WAF activists were often perceived as propagating alien and western ideologies. Some of the members began to realize that the use of Islam was not producing the desired result and enlarging the membership base of the organization. They started questioning WAF's ideology and this led to sustained debates among them in three chapters, that is, Lahore, Islamabad and Karachi. While Lahore and Islamabad had taken the position of working within an Islamic framework, WAF Karachi maintained the position taken by its chapter in 1982. Lahore WAF while argued that women had nothing to fear from Islamic laws but only from their official interpretations. The reasons for the difference between the chapters lie basically in the characters of their city of origin and the composition of the working committee of each chapter. While Karachi is a major cosmopolitan city with a large migrant population to whom the ethnic identity is more central than the religious one, whereas the situation in Lahore is different and ethnic identity is less of a marker than faith.<sup>35</sup>

WAF's impact could be judged by the fact that it has provided a model for other women's organizations. It has brought various women's organization under one umbrella on issues concerning women. Through the joint effort of WAF and other women's organizations other sections of society, such as the trade unions and professional groups started acknowledging the rights of women, as well. While WAF might have failed in reversing the Islamization of the state, and the accompanying marginalization of women, it has played a hugely significant role in bringing the

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<sup>34</sup> From personal conversation with prof. Khawar Mumtaz

<sup>35</sup> *Dawn*, July 10, 1986

issues concerning women, and the civil and political rights of women, to the core of the national politics.

## **Appendix VI (A)**

### **Charter of Women's Action Forum, Pakistan**

**Principles and Aims of WAF:** Women's Action Forum (WAF) or *Khawateen Mahaz-e Amal* is a consciousness raising group aimed at enabling women to fight for their rights. It is also a lobby cum pressure group committed to protecting and promoting the rights of women by countering all forms of oppression. It is non hierarchical, nongovernmental, and non-political. It seeks to bring together individuals and organizations on a common platform for women's rights.

- WAF believes: Women have the right to life, liberty, and dignity, freedom of movement and security of person.
- Women are equal partners in the development of the country and should be recognized as such.
- Women have the right to determine their lives according to their own aspirations.
- Women have the right to education, to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment and the right to equal pay for equal work.
- Women have the right to participate in recreational activities, sports and all aspects of cultural life.
- WAF does not believe in the principle of enforced segregation.

#### **Methods for realizing the aims of WAF**

WAF seeks to achieve its objectives through the following means:

**Through Consciousness Raising.** By consciousness raising WAF means creating an awareness, primarily among women: (a) of their existing rights and rights which are their due, (b) of their equal status in society and their contribution to it, (c) of the legal, economic, social, cultural and familial discrimination against them.

**Through Lobbying.** By WAF means (a) to mobilize support for WAF stand on all issues concerning women, (b) to persuade all policy making bodies, organizations, groups, and individuals to uphold and promote the rights of women, (c) to counter adverse propaganda against women.

Through the Media, meetings, seminars, workshops, signature, campaigns, distribution of relevant information, and all other appropriate means.

**Amendment:**

An amendment to the charter with only goes into force after it has been approved by all valid WAF chapters at a national convention. Amendments can be proposed by the working committee of any chapter, but must be passed by 2/3 members of each working committee.

**Organizational Framework of WAF:**

- The activities of WAF are open to all women and women's organizations interested in supporting and promoting women's rights regardless of whether or not they are members of WAF.
- The individual membership of WAF is only open to those women actively working for WAF (each chapter can work out its own criteria)
- The policy making body of WAF is the working committee to be elected by and from its membership (each chapter will determine the modalities of the elections).
- WAF will have a consultative body comprising of representatives of women's organizations and the WAF working committee. The purpose of the consultative body is for all like minded organizations of women to discuss issues on which joint action is possible and to devise strategies towards this end.



**Appendix VI (B)**  
**WAF on Law of Evidence**

**Position paper- January 1982:**

The proposed law of evidence is coming up in the next session of the *Majlis-i-Shoora*. This law proposes to equate the evidence of two women with one man, thus reducing the status of a woman to half that of a man. Women's Action Forum takes strong exception to the proposed law as it has grave implications for women and their status and rose in society. Not only is this law discriminatory it also finds no support from any Quranic injunction.

The Holy Quran addresses equally both men and women and lays down principles of equality. The Prophet said "They (Muslim) are equal as the teeth on a comb. There is no claim of merit of an Arab over a non-Arab, or of a white over a black person, or of a male over a female. Only

God fearing people merit preference with God." (*Islamic view of Women and the Family* by Dr. Abdul Rauf, Director Islamic Centre, Washington DC). Then also,

"For Muslim men and women  
For believing men and women.  
For devout men and women.  
For true men and women.  
For men and women who are patient and constant.  
For men and women who humble themselves.  
For men and women who give.  
In charity, for men and women  
Who fast (and deny themselves).  
For men and women who  
Guard their chastity, and  
For men and women who  
Engage much in God's praise  
Forgiveness and great reward." (S-33-35)

From the above it is clear that the Quran has prescribed duties and obligations on both men and women the fulfillment of which leads to equal rewards for both and the violations to equal punishments. The principle of equality between believing men and women is thus clearly established.

The most important witness ever given in Islamic history was of Hazrat Khatija who was the first to testify to the truth of the Prophet's revelation. She pointed out that the same angel who appeared to Moses had appeared to him as well with '*wahi*' from God. The Prophet accepted her testimony without corroboration and she became the first convert to Islam (Ibn Hisham: Biographer of the Prophet).

It was also on the testimony of a single woman, Hazrat Aisha that so many of the authentic traditions of the Prophet have passed on to us.

Thus a single woman's testimony not only changed the entire course of history but was also instrumental in convincing the Prophet of the truth of his revelation.

Nowhere in Quran is a single woman disqualified from bearing testimony. God calls forth all the believers, obviously both men and women, to bear witness and depose the truth. (*Sur Al- Nisa*, vrs 135). There is therefore, no justification for interpreting other *Aiyats* of the Quran in such a way as to relegate the evidence of women to a secondary position. The use of the word (amongst you male gender) is relied upon for disqualifying women from bearing testimony in certain cases i.e., *Hudood*, and totally excluding the evidence of a single woman. The male gender is used in many places in the Quran where the direction given applies generally to all believers both men and women. The male gender is used in a generic sense and not in a discriminatory way. Thus unwarranted a rigid interpretations in fact excludes women from being believers and would have very serious consequences.

The only *Aiyat* that specifically mentions the evidence of one man and two women is found in *Sura Al-Baqra* (vrs: 282) and is related to business transaction only. Even here man and women are seen as equal witnesses, the role of the second woman being only that of a reminder and not as a primary witness. The works of *Fiqh* especially by *Hidaya*, however, lays down that evidence is founded upon three circumstances namely sight, memory and capability of communication, and these entire woman. A woman today by virtue of her experience and exposure is certainly capable of giving evidence in all matters.

In a case (August 1982) brought before the Federal Shariat Court the appointment of women as *Qazis* was being challenged. The Attorney General quoted extensively from Ibne Jorir and Hanafi School of thought proving that there was no bar in *Qura'n* and *Sunna* against the appointment of judges on the basis of sex, age or *pardah*. The obvious conclusion derived from this is that if woman can be appointed as *Qazis* they can also give evidence in their own right.

Since the message of Islam is peace and equality, any laws formulated which do not conform to the spirit of Islam will weaken the moral fibre of society and result in dissatisfaction and frustration amongst the people. It is repugnant to the spirit of Islam to exclude one half of the believing population from the equal status and position that is the right granted to them by Islam. Any move to introduce the law which institutionalizes a reduced status of women would expose women to injustices and leave them entirely unprotected from any offence committed against them. The council of Islamic ideology has recommended that a woman's witness may not be accepted in *Hudood* cases, although all the companions of the Prophet accepted the evidence of Hazrat Naila the wife of Hazrat Osman, the only eye witness to his martyrdom.