CHAPTER III

WOMEN'S ORGANIZATIONS IN PAKISTAN

Women in Pakistan have been struggling for the protection of women's rights, and in their quest for gender equality, they have often 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. To mobilize women many women's organization have arisen in Pakistan, but 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 founded by Begum Ra'ana Laqiat Ali Khan, the wife of Pakistan's first Prime-minister in 1949. Its objectives were to set out to be:

- The welfare of Pakistan's women
- Creating educational, social and cultural consciousness among them
- And improving opportunities for participation in economic development.¹

When the APWA was established in 1949, there was a great deal of enthusiasm among women, mainly middle and upper class urban women who joined it in large numbers.

Anjuman Jamhooriyat Pasand Khawateen also known as Democratic Women's Association (DWA) was another important women's organization. It was set up in Lahore (1948) and it had its branch in Karachi in 1969. It was the only women's political organization at that time which was influenced by Marxist ideology. Given its Marxist Orientation, DWA focused on the poor and working class women. The leadership came from middle and upper middle class, but the Anjuman 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 opportunities for women.²

¹ Gardezi, Nationalism and State Formation, p.101
² Mumtaz and Shaheed, Women of Pakistan, pp.61-62
The Karachi Business and Professional Women’s Club (BPW) was established in 1954 to bring professional women together on a shared platform. The major objective of the organization was to identify problems facing professional women and to work towards overcoming them.3

United Front for Women’s Rights was another important women’s organization that was established in 1955 by women political activists. The front concentrated on pushing for reforms in legislative field.

Among the other organizations that were formed during early years of independence were the Family Planning Association of Pakistan, The Pakistan Child Welfare Council, The Pakistan Red Cross, The Pakistan Nurses Federation, The House Wives Association, Girl Guide’s Association, and International Women’s Club.

One of the significant organizations to have come into existence in Pakistan was the Behbud Association. This association was formed in 1967 as a social welfare association that sought to inculcate a spirit of self-

3 Ibid., p. 54.
reliance and self respect among the under privileged by helping them earn
a respectable living.4

The Soroptomist Club was established in January 1967 in Lahore, and was associated with Soroptomist International Association. Its membership was open to women over 25 years of age who were in senior and responsible professional and administrative positions. The objectives of club were the advancement of the status and role of women in economic and social life, education and cultural activities and elimination of discrimination in employment and occupations. The main activity was however the annual seminar where papers on various problems relating to women were presented. It organized seminars on education, vocational training, and careers for women, but the club remained limited to Lahore and continues to have restricted membership.5

Similar other organizations, such as the Women's Front, Aurat and Shirkat Gah, mark the emergence of feminist consciousness in Pakistan.

The Women's Front was established in 1974-75 by a group of left-wing women students, of the University of Punjab, Lahore. It campaigned

4 Ibid. p. 61
5 Ibid.
for gender equality and the equal rights of women. It called upon students and working women to identify the reasons for women’s subordinate position and to struggle for equal rights. It regularly organized seminars, lectures and discussions to propagate their point of view. Members of the women’s front belonged to the lower middle class.⁶

_Aurat_ was started in 1976-77 by left-oriented university teachers, students and other working women in Islamabad. It focused on the problems of women and worked for the solidarity of all women in Pakistan. A significant activity of _Aurat_ was its newsletter, which was addressed to the women of depressed classes. It spoke of oppression of women and the need for women to have their own organization.⁷

_Shirkat Gah_ was the most significant organization during this period. It came into existence in 1970s and later played an important role in the formation of Women Action Forum (WAF) in 1981. The chief leaders of Shirkat were young women who had been educated at western educational institutions and were dissatisfied with structure of women’s position in Pakistan. The fundamental goal of the association was to

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⁶ Ibid. p. 65-66

⁷ Shahla Haeri, _No Shame for the Sun: Lives of Professional Pakistani Women_, (Pakistan, 2004), p. 6
encourage women to play a full and equal role in her society and vigoursly
campaigned for women's education and right to work.8

Pakistan Women’s Lawyers Association (PAWLA) was founded in 1980 and in 1985 it was registered with national authorities. It has been providing services of legal aid, legal awareness, law reforms and combating violence and rehabilitating women.

PAWLA was established by professional women lawyers and activist leaders. It has, since its inception, been playing an active role in pressuring the Legislature to draft laws and ordinances that protect women. It also provides valuable legal aid to helpless women, in particular, women suffering from domestic violence.9

Punjab Women Lawyer’s Association was formed in 1982, and has since been playing an important role in highlighting the major problems confronting women in the area of law. The membership of the association comprises of women lawyers and law graduates. The association was the

8 Shahnaz Iqbal, ‘Widening the base of the Feminist Movement in Pakistan’
9 Rashida Patel, Woman versus Man: Socio-Legal Gender Inequality in Pakistan, (New York, 2003), p.xii
founder member of the Women’s Action Forum, an organization actively working for rights of women.\textsuperscript{10}

When General Zia-ul Haq, the army chief overthrew the government of Bhutto in July 1977 and imposed martial law, he brought in the so called ‘Islamization’ Program. The modest game that women had made in previous governments was taken away under Zia’s Islamization program initiated in 1979. There were protests from women against the policies of Zia, and women’s resistance finally resulted in the formation of Women Action Forum (WAF) in 1981. The leadership of WAF came from educated, elite women who saw the imposition of Shari’at Laws as a pretext for subjugating women. The WAF played a central role in exposing the abuse of religion under the Zia regime, and presented progressive, women-centered interpretation of Islam, as alternatives to Zia-ul-Haq’s Shariat laws. Its members led public protests in mid 1980s against the law of evidence. The WAF launched public protest against the martial law and Islamization campaign of Zia-ul-Haq and campaigned against the Hudood Ordinance, the law of Evidence and the Qisas and Diyat Laws. WAF

\textsuperscript{10} Mumtaz and Shaheed, Women of Pakistan, pp. 104, 146.
became one of the main forum of women's struggle against Zia-ul-Haq's Islamization politics.\textsuperscript{11}

The 1980s saw an unprecedented mass mobilization of women in Pakistan to challenge gender-discriminatory laws introduced by Zia-ul-Haq. Numerous women's organizations came into existence in this period, the chief ones being existed such as APWA, Business and Professional Women's Club, Anjuman Jomhooriyat Pasad Khawateen, Behbood Association and WAF (Women Action Forum). Of these Organizations, WAF was, indeed the most significant, organizing several major countryside movements, deploying a side variety of resistance techniques—street agitations, press campaigns, pamphlet warfare, dharna and non-cooperation.

The denial of human rights to women was strongly identified with the period of military rule under the dictatorship of General Zia-ul-Haq. The oppression of women appeared to be a part of the overall political strategy of the regime, which wished to perpetuate the rule of the orthodox section of society. Indeed, as has been argued by the imposition

of Shari'at laws and the accompanying marginalization of women were politically expedient measures, and had little to do with religious beliefs.\textsuperscript{12}

In order to stay in power, Zia needed the goodwill of the West, in particular USA, and he served their interests by rendering Pakistan a frontline state in countering the Soviet influence and presence in Afghanistan. In order to consolidate his power, Zia-ul-Haq relied on the orthodox and conservative reactions in society. The success of the Pakistan's intervention in Afghanistan crucially depended on the support of these gaps. Zia also used these groups in Pakistan to strengthen his political base in domestic politics. In order to placate them he introduced the 'Shari'at Laws' and, under the pretext of serving the faith he throttled the right of women, pushed them out of public spaces and imposed the regime of seclusion and domesticity on them. Curiously, the West turned a blind eye to the anti-women policies of the government.\textsuperscript{13} Such policies negated the concept of equal citizenship rights of women outlined in the 1973 constitution. The state actually went further; it fostered an atmosphere where women remained vulnerable to persecution.

\textsuperscript{12} Gardezi, 'Nationalism and State Formation', p. 101

\textsuperscript{13} Old Roads New Highways- Fifty years of Pakistan, (ed.) by Victoria Schofield, (1997, Published by Ameens Saiyid)
Until 1979 women's rights were never a critical issue. They only hit the national agenda, when in 1979, General Zia-ul Haq passed the Hudood Ordinance which undoubtedly worked to the disadvantage of women more than man. The ordinance covers adultery, fornication, rape and prostitution (zina), bearing false testimony (qazf), theft and drinking alcoholic beverages. The implications of this ordinance came to light when a session judge in 1981 convicted a man and a woman for adultery and ordered the women to be given 100 lashes under the Hudood ordinance the case, Fehmida and Allah Bux versus the state galvanized women into forming a pressure group to counter the anti-women policies of the state. Amongst the educated section of society, the sentence ammoniated to an outrage. It was felt that there was a need to have a platform which would represent as many women's organizations and individuals as possible and that the existing trend to deny or rescind women's rights could only be countered by a co-ordinated effort of all women's organization. Certain meetings were held with women's organization and activist women and the result of these meetings was the formation of Khawateen Mahaz-e Amal (Women's Action Forum). Women Action Forum was intended to serve as a platform and forum for women and women's organizations. These

14 Mumtaz and Shaheed, Women of Pakistan, p. 74
women came mainly from urban elitist background; and there were several politically-motivated women from the left-wing political groups and trade unions, as well. The movement spread widely to include women from different professions and classes; lawyers, teachers, nurses, medical professionals, and even ordinary, illiterate women, as well.

Although the constitution of Pakistan guarantees equality and prohibits discrimination on the basis of sex, family laws presume that women must stay within the seclusion of the home, while the man must be the leader of the family and bear the financial burden.

The debate on the role and status of women was triggered off in March of 1982 and coincided with the directives to wear chadar. It was around this time that a major controversy occurred over the pronouncements of Dr. Israr Ahmad, who in an interview with the Urdu language daily Jang, expressed the opinion that all working women should be retired and pensioned off.

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15 Dr. Israr Ahmad, a religious preacher who regularly gave Qur'anic sermons on television in programme called Al-Hida
Although many Maulvis\textsuperscript{16} had expressed similar reactionary views, this statement provoked an angry outcry from women. Women in WAF took up cudgels against the Maulvis and the state, and campaigned against efforts to confine women to domestic spaces. They actively campaigned for establishment of a separate women's university, women's participation in spectator sports.\textsuperscript{17}

In 1978, General Zia set up 'Shariat Benches' of the High Courts of each of the provinces of Pakistan. They consisted of three High court judges and several ulema. These courts had the power to strike out any law which they believed was not in conformity with the Qur'an and Sunnah. Muslim personal laws, family laws and fiscal matters were excluded from the jurisdiction of the Shariat Benches. In 1988, when General Zia was solely in power, the Shariat Ordinance was promulgated, which brought fiscal and personal laws under the jurisdiction of the High Court, but did not give the High Court the power to strike out laws considered repugnant to the Shariat; rather, it gave the High Court the power to give a reasoned

\textsuperscript{16} Muslim equivalent of Priest

\textsuperscript{17} Gardezi, ‘Nationonalism and State Formation’, p. 91
opinion as to the repugnance of a particular law. The decision would then have the status only of a recommendation.\textsuperscript{18}

It was with the promulgation of the Hudood Ordinances in 1979 that legal reduction of Women's position began with full force. The second legal provision that reduced the status of women was the Law of Evidence.

While women suffered gross iniquities through such measures, the most obvious, and publicized, discrimination against women became evident in the application of \textit{zina} (the Hudood Ordinance). After 1979, the year that this law was promulgated, prisons, which have traditionally had a small number of female inmates, were crowded with women charged or sentenced under \textit{zina} ordinance.\textsuperscript{19} The ordinance was misused by men, mostly women's husbands and other family members who, for various reasons, wanted to punish the women.\textsuperscript{20}

There were growing incidents of violent crimes against women in this period, for the law. The Ansari Report in 1983 by the head of the

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\textsuperscript{18} The ordinance lapsed because it was not placed before the National Assembly.
\textsuperscript{19} Hina Jilani and Eman M. Ahmad, 'Violence Against Women: The Legal System and Institutional Responses in Pakistan', in Savitri Goonesekere (ed.), \textit{Violence Law and Women's Rights in South Asia}, (New Delhi, 2004), p. 171
\textsuperscript{20} Said Khan and Saigol, 'Women's Action Forum', p. 156
\end{flushleft}
Council for Islamic ideology stated that women's participation in political activity should be limited to the nomination of women over the age of fifty into the Majlis-e Shoora and this too after the consent of the women's husband.21

While considering the impact of Islamisation on women, it is important to distinguish between the urban and rural women and between the different classes to which the women belonged. Indeed, women are divided by class, and the impact of Zia's policies varied among women of different classes. Perhaps middle and upper class women had more to lose through the Islamisation policy. For the first time in Pakistan's history, men of any class presumed the right to pass judgment on the dress and behavior of upper class Women. Resistance to Islamisation measures, therefore, arose primarily from this class, particularly among professional women whose means of livelihood were threatened.

The emphasis in General Zia's Islamisation policies on women was due to several reasons. Firstly, women's issues tend to evoke a strongly

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21 The Ansari Commission was appointed by General Zia on 10 July 1983 and was assigned the task of examining the recommendations made by previously formed committees and to submit proposals regarding the system of government. It composed of 19 members beside the chairman. It submitted its report on 4 August.
emotional response in the public since they are connected to the notion of izzat (honour); secondly, it is far easier to place restrictions on women in order to be able to claim the Islamisation of society than to make substantial changes in the social class structure; and thirdly, since women had generally not united, they were a weaker section of society than other groups.22

There was no coordinated response among women to Zia’s Islamisation policies. There were several Women’s Organizations, in particular, APWA, Business and women’s club, Behbood Association and many others, but there was a lack of unity and coordination among them. It was against the scenario of violent state measures against women that WAF was born in 1981. It was largely due to WAF, that the women’s question was finally brought at the national level. It is true that the number of active supporters willing to take to the streets in martial law is limited, but few other organizations or lobbies have managed to even equal the record of WAF, and certainly none has taken to the streets as frequently as WAF. The women supported the WAF in other ways or forms such as the

jalsas and meetings and signature campaigns. Larger number of women and men sympathized with the women's struggle but their support, cannot be easily quantified.\textsuperscript{23}

If WAF has given rise to a number of expectations, many of which it has not been able to fulfill, it cannot be denied that it has accomplished more in terms of raising consciousness than can be claimed by any other organization or group. The role of WAF could be demonstrated by the fact that in 1979, despite the existence of feminist groups and individuals, the Hudood Ordinance was passed without a protest.\textsuperscript{24} By its charter, WAF defined itself as being a non-political, non-hierarchical lobby-cum pressure group, whose main objective was to raise consciousness and to promote and protect the rights of women in Pakistan. It sought to overcome the weakness resulting from the disunity among women that made them victims of the Islamisation process. WAF also aimed to raise consciousness primarily among women about their rights, status and the discriminatory laws, instituted to weaken them further legally and socially. The methods

\begin{itemize}
\item Mumtaz and Shaheed, Women of Pakistan, p. 123
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by which these aims were realized included consciousness-raising, workshops, meetings, seminars and through the media, lobbying with policy-making bodies. 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 greater tendency 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. In 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

25 Pakistan’s largest city and far more cosmopolitan than the rest of the country.
26 Mumtaz and Shaheed, Women of Pakistan, p.126
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. By this time, both law of evidence and the Qisās and Diyāt bill 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. 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.

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 Qisās and Diyāt 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

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27 Said Khan and Saigol, 'Women’s Action Forum', p. 163
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 agenda adopted by the United Nations, of which Pakistan is a signatory, and which has the support of civil/citizen’s rights groups.28

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


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moral fabric of society. WAF was, at places like Lahore, deeply reverential to Islam.29

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 centralizes 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

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29 Mumtaz and Shaheed, *Women of Pakistan*, pp. 130-131
urban population was highlighted in a WAF meeting in Lahore on 8th 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 ʿalims (religious scholars) to address the meeting. In their speeches both ʿalims 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 ʿalims as a regressive and an obscurantist act and those who saw their presence as necessary in fulfilling the objectives of WAF.30

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. 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,

30 Ibid., p. 132
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.

31 Dawn, 10/7/86
WAF's impact could be judged by the fact that it has provided a mode 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 issues concerning women, and the civil and political rights of women, to the core of the national politics.
APPENDIX III.1

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, non-governmental, and non-political. It seeks to bring together individuals and organizations on a common platform for women’s rights.

1. WAF believes: Women have the right to life, liberty, and dignity, freedom of movement and security of person.

2. Women are equal partners in the development of the country and should be recognized as such.

3. Women have the right to determine their lives according to their own aspirations.

4. 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.

5. Women have the right to participate in recreational activities, sports and all aspects of cultural life.

6. 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:

1. 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.

2. The individual membership of WAF is only open to those women actively working for WAF (each chapter can work out its own criteria)

3. 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).
4. 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 3.2

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 dawn principles of equality. The Prophet said “They (Muslim) are equal as the teeth on a comb. There is no claim if 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 Ayats 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 any 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 transition 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 Fiqah especially by Hidayat, 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 Qâzis was being challenged. The Attorney General quoted extensively from Ibne Jorir and Hanafi School of thought proving that there was no bar in Qur’ân and Sunna against the appointment of judges on the basis of sex, age or purdah. The obvious conclusion derived from this is that if woman can be appointed as Qâzis 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.