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## Often At Odds With The State: Aims, Methods, Ideologies, Class And Regional Locations — A Critical Analysis Of The Women's Rights Movement

*By Rubina Saigol*

It is somewhat erroneous to speak of the women's movement in Pakistan because, historically, Pakistan has witnessed a multiplicity of movements with different aims, methods, ideologies, and class and regional locations. Some of these include organisations such as Voluntary Women's Service, Business and Professional Women's Association, Democratic Women's Association, All-Pakistan Women's Association (APWA), Sindhiani Tehreek, and Women's Action Forum. Apart from these, most political parties have their women's wings.

Some organisations, like APWA, focused on women's welfare work along with legal reforms. Begum Raa'na Liaqat Ali Khan and APWA played a central role in the passage of the Family Laws Ordinance of 1961. This ordinance ensured women's rights in marriage, divorce, and cases of custody, and made the second marriage of a man contingent upon the permission of the first one. The decade of the 1960s was characterised by a relationship of mutual accommodation between the mainstream women's movement, represented by APWA, and the state.



A similar relationship of cooperation and accommodation prevailed during the first tenure of the Pakistan People's Party, from 1972 to 1977. Begum Nusrat Bhutto attended the First World Conference on Women in Mexico in 1975, and the government committed itself to supporting women's rights. In 1973, the PPP government gave a new constitution to the country, and Article 25 (a) in the fundamental rights section of the constitution ensured that there would be no discrimination on the basis of sex alone. Even though the freedoms of speech, expression, movement, and residence were granted, the rights of women were circumscribed by the norms and values practised in the family and supported by the society at large.

After the illegal overthrow of the PPP government in 1977, the relationship between the women's movement and the state underwent a radical transformation — from accommodation to

confrontation. An illegal military government needed to legitimise its rule and used a facile Islamisation to justify its takeover. While the economy and other sectors connected with the global system were exempted from the effects of some of the so-called Islamic measures, the judiciary, education and the media were subjected to radical changes to conform to the official version of Islam.

A series of discriminatory laws were passed that targeted the rights and equality of Pakistani women. These included the infamous Hudood Ordinances of 1979, passed in the same year that the United Nations General Assembly formed the Committee on the Elimination of Discrimination against Women (CEDAW). The Zina Ordinance equated rape with adultery and made the conditions of proving rape so difficult that women reporting rape were accused of having committed adultery. The Qisas and Diyat Ordinance was proposed but deferred as it would have prevented the hanging of Zulfikar Bhutto. It was passed in the 1990s and is the main law that enables fathers, brothers, husbands, sons, and uncles to escape punishment after murdering women on the pretext of 'honour.'



In 1984, the repressive government of General Zia passed the Law of Evidence which equated the testimony of two women with that of one man in a court of law, thus legally rendering women unequal and reducing their citizenship status.

A series of other measures to curtail women's rights, such as preventing the women's hockey team from proceeding abroad to play, were a sign of an oppressive regime hand in glove with an obscurantist lobby of self-styled, self-serving religious zealots. Women's right to work, to participate in sports, to appear in media were threatened. Vigilante groups wielding guns and sticks believed it to be their duty to make society 'pious' and 'virtuous' by resorting to armed violence, threats, and intimidation.

In the midst of this suffocating atmosphere, the WAF movement was born — in 1981. The Fehmida-Allah Bux Hudood case resulted in women finally mobilising to stop the advance of retrogressive laws. The relationship with the state now became openly confrontational. The more the state imposed its ideological agenda to prove its Islamic credentials, the more women spoke out openly against it. Women poets, writers, singers, dancers, actors, lawyers and academics all rose up in revolt and condemned the regime.

WAF became the most prominent and internationally recognised face of the women's movement. In spite of its primarily middle class origins, the issues WAF raised were those that affected women from the dispossessed classes. Most of the women languishing in jails under the Zina Ordinance belonged to poor and rural households and were raped by their employers or feudal

landlords and then put behind bars on the charge of adultery. Most women killed in the name of so-called 'honour' did not belong to the elite classes but to the middle and lower classes.

While WAF's approach remained primarily liberal, the Democratic Women's Association (DWA) was deeply concerned with class and socio-economic issues of women. A left-oriented organisation, its bent was not on welfare of the poor; rather it espoused a political economy approach and emphasised structural change in the class system along with change in patriarchal structures.



Sindhiani Tehreek was another response to the oppressive Zia era and was based in Thatta and Badin. Although it represented the women's wing of the Awami Tehreek, Sindhiani Tehreek was a vibrant rural women's movement against patriarchal structures as well as the despotic state. Its radical, action-oriented approach was premised on real, material change in women's lives.

With the advent of the democratic decade between 1989 and 1999, the relationship between the women's movements and the state was less frictional but also more ambivalent. Benazir Bhutto was supportive of women's rights and attended the Fourth World Conference on Women in Beijing in 1995. During the periods of Nawaz Sharif, however, there was much greater ambivalence, particularly when he tried to get the Shariat Bill (15th amendment) passed. This amendment would have made him an absolute dictator, as the government would have the right to define virtue and vice and identify who represents each.

Nevertheless, it was also during Sharif's second stint in power that the National Plan of Action, based on the Beijing Platform, was endorsed in 1998. In spite of a two-thirds majority in parliament, the PML-N government did not remove the 8th amendment which protects all of the discriminatory laws, measures, and orders formulated in Zia's regime.

By the 1990s, non-governmental organisations had become a reality, and a large number of women's organisations were established. At this point, the political approach of WAF and DWA gave way to a more technocratic, specialised, and professional approach. Paid activism blunted the political edge of earlier years, but donor funding ensured that issues could be taken up more easily. Some women's organisations ended up working with the Musharraf regime at the donors' behest. The peasant uprising of the Anjuman-e-Mazareen in Punjab during Musharraf's time, in which the women peasants played a leading role, was not taken up by the women's movement in a significant way. While there was support from individual women and organisations, there was no direct and lasting involvement.

The pressure created by the women's movement led to the passage of the Women Protection Act of 2006 which diluted the Zina Ordinance and allowed rape to be investigated according to the Pakistan Penal Code. However, in December 2010, the Council of Islamic Ideology, created during Ayub Khan's time, declared the Women Protection Act against Islam. This showed that women's empowerment could not be taken for granted as it was not a linear phenomenon — rights can be reversed and lost as easily as they are granted.



In contemporary times, civil society organisations seem to have taken over. Some of these organisations have done excellent work in getting favourable laws passed, such as the law against sexual harassment in the workplace, law against anti-women practices to deny women's inheritance rights, and the Act of Parliament to create the National Commission on the Status of Women. The passage of these laws is commendable, and the Women's Parliamentary Caucus and the Standing Committee on Women have worked tirelessly with women's organisations to bring about legal change.

However, the women's movements have to consider moving beyond the realms of law and legal structures, to socio-economic and structural change. Without the latter, transformations in law remain futile because the majority of poor women with little means cannot access legal remedies. Women's movements, therefore, need to focus on issues such as land reforms and redistribution of wealth, in order for laws to be implemented and better laws to be framed by assemblies that do not overwhelmingly represent the feudal and moneyed elite.

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