

For The Human Rights of Women

—The Work of Muslim Satyashodhak Samaj

On March 13, 1986, Syed Bhai, general secretary of the Muslim Satyashodhak Samaj, an organisation devoted to reform and to the rights of Muslim women, and Anwar Rajan, a member of the same organisation, visited to Manushi office. We reproduce here, translated from Hindi, extracts from an interview with them.

Could you tell us about and aims of the Samaj ?

The Muslim Satyashodhak Samaj was founded in Pune on March 22, 1970. For about five 10 years before that, Hamid Dalwai had been trying to get forward looking Muslims together. We used to arrange meetings in different

In 1970, we held the first Muslim social conference in Pune. About 55 people from Maharashtra attended most of them men. There were about half a dozen women. We began to conduct a signature campaign amongst Muslims, to demand a common civil code. About 2,000 signatures were collected. The



A Samaj demonstration: Syed Bhai, standing, right

people's houses to discuss various issues like marriage and divorce. We found that different people came to every meeting. We then formed the Samaj, and punted a manifesto, saying that we would agitate for a uniform civil code. At that time, we were about 25 people.

memorandum was sent to the chief minister of Maharashtra and to the prime minister.

In December 1970, All India; Muslim Forward Looking Conference was held at Delhi. About 100 people came from Maharashtra, including 35 women. We

discussed what the religious attitudes of Indian Muslims should be. We formed an all India committee but it remained ineffective. Later, we formed a Maharashtra committee which was active. In December 1971, we held the first Muslim women's conference in Pune. It was attended by 225 Muslim women of whom 200 were from Maharashtra. The Muslim conservatives were very upset. They said we were either Hindus or Muslims who had sold out. At this conference, we demanded the basic human rights of women.

In reaction against our activities, some Muslim reactionaries formed an All India Muslim Personal Law Protection Committee. They began to hold closed, secluded meetings of women at various places, and passed resolutions saying: "We have no problems with the personal laws. These are our religious rules." They began to say: "Islam is in danger."

We then held women's conferences at various places like Kolhapur, and Sholapur. In Amraoti, we held the first conference of divorced women in 1976. It was attended by 800 divorced women. There were 113 women from Pune. There was no man on the stage. The women conducted proceedings. Instead of speechmaking, those women whose homes had been broken spoke, and related how they were managing to live. Even those who had come there to oppose us were moved. Some of them who were lawyers went so far as to offer to give legal aid to the women. We said: "Women do not have a legal right to maintenance. First, we must get that right. Only then will legal aid be of use." *Could you describe the day to day work of the Samaj ?*

We have a centre to help Muslim women. It is open for visitors from 5.30 to 7.30 p.m. We also run a dispensary. Follow up work goes on till late at night. We have no full time activist. All of us have other jobs so we can work only after office hours.

Divorced women know that the Samaj stands for their rights. When a woman complains that she is being maltreated, we write to her husband to come and

meet us. If he does not come, a group of men and women volunteers goes to his house. We do not go inside. We stand on the street outside and call him out. We want the neighbours to know that this man maltreats his wife. In this way, he feels pressurised. We ask him why he maltreated her. We make him give a written assurance he won't repeat it. We have managed to do this in about 100 to 150 cases.

Do you make the woman also sign an agreement ?

We hear the man's version. One common complaint of husbands is: "She goes to visit her parents too often and stays too long there." We explain to him that, after all, she is their daughter, she cannot be stop-ped from meeting them. But we also tell the woman not to go too frequently. Men come up with this complaint because they cannot think of any other pretext to accuse their wives. They also raise other trivial issues such as "She does not give me food on time in the morning and I get late at work." The wife will say that she always gives him food but sometimes, when she is unwell, it gets delayed.

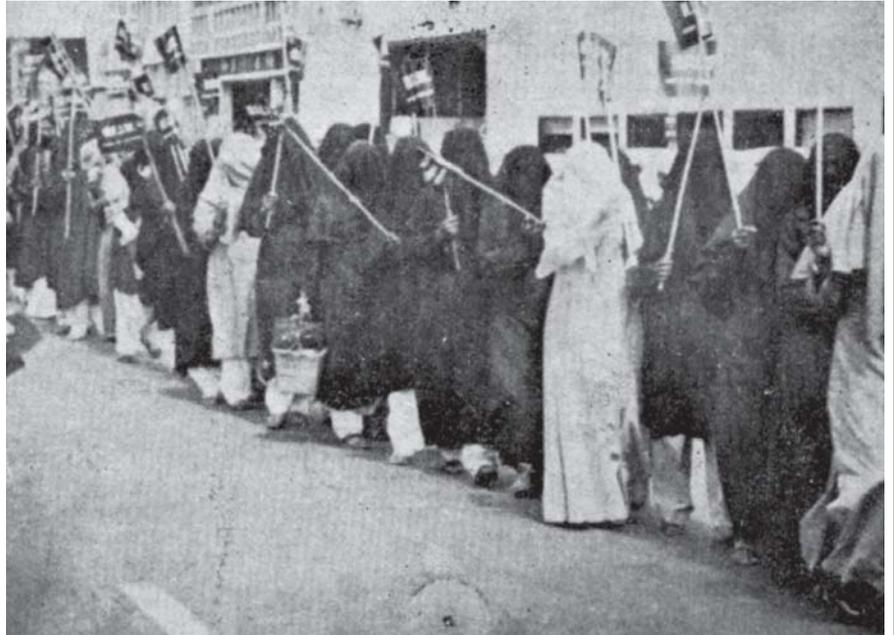
Does the written settlement succeed in improving the situation ?

Not always. But the success rate is more than 80 percent. Of course, it is not a revolutionary solution. The woman remains in the house. It remains an exploitative situation. But the harassment can be reduced. Our main point is that in no case should a woman be beaten.

If the man does not improve his behaviour, we take the case to court and give the woman free legal aid. We have obtained maintenance for many divorced women. In one case, recently, a 14 year old girl from Pune was married in Sangli. There were about a dozen people in her in-laws' house. She was terribly overworked. If she made a mistake, she would be tortured. They burnt her hands with iron rods. We called both the parties, and the father-in-law promised that she would not be ill treated again. But the girl refused to go back. We too realised that the oppression there was top much.

So the marriage was broken.

In another case, the man was a truck driver. He used to have affairs with other women. His wife returned to her parents. They had two children. The man gave a written assurance on a Rs 5 stamped paper that he would behave, himself, would not have affairs and? would give her money to rah the house. But, unfortunately, within four or five months,



he started his affairs again. So the marriage had to break. There are some cases of failure, like this.

Do the men ever resist your intervention?

Oh yes, some of them turn violent. We have been beaten up at times. In one recent case, we called the man to come and meet us. He turned up at our office, dead drunk, and demanded: "Who is Syed ? Who is Anwar ?" When we came forward he took out a knife and theatedned us. He was a well known ruffian of the area. He was so notorious that whenever there was any disturbance in the town, police used to put him under preventive arrest. His wife wanted a divorce because he was a dangerous man and she was afraid of him. He said to us: "Who are you to interfere ?" We carried on negotiations with him. We met him many times. He was very suspicious of us. He would ask :

"How much money has the government given you to do this work. How much money has my wife given you ?" After many months of interaction with us, he realised nature of .our work. He felt ashamed of himself and agreed to a divorce? We said to him : "If your sister is ever in trouble, you can come to us."

Many times, our opponents have

been compelled to realise the value of our work. There is one Karim Contractor. Whenever he met us. he would say : "O, Syed Bhai, traitors like you should be cut in pieces with a sword. Verbal divorce is our religious right." We used to answer: "When this right falls like a sword on your head, we will be the only ones to come to your rescue," One day, he came to our office. He sat there, holding his head in his hands and an hour, he could not speak. Then he told us that he had got his daughter married to a boy in Satara, and had spent Rs 50,000 on the wedding. Within three months, the husband threw her out because his demand for Rs 10,000 more was not promptly met.

She came to her parents' house. She got a registered letter from her husband, saying that she was sickly and unfit for his family so he was divorcing A similar notice appeared in the papers.

I said: "Where is the sword to kill me?"

He said: "I am ruined. My daughter has been buried in her lifetime." We filed a case for re-turn of dowry. We got the dowry back. But what will happen to his daughter? That is why we say that no man should have the right to divorce his wife while sitting at home, even if she is at fault. Divorce should be decided in court, after hearing both parties.

How is the Samaj financed?

By donations and our own contributions from our salaries. We face a lot of financial problems But we keep on working. We have made this work our life's aim.

How did you get inspired to do this work, Syed Bhai?

I saw my own sister's suffering. She was my younger sister, Khadija Bi. Her husband tried to burn her and threw her out along with her two children, and he got married again. She came home to us. I was a young boy. We are seven "brothers and sisters. We were a poor family. I used to believe that religion has an answer to every question. I used to visit the mosque very day. I asked the *maulvi*: "Why do such things happen?" He said: "If her husband has been unjust, he will certainly go to hell and she will go to heaven."

I said: "My sister is burning in hell right now." No one was ready to marry her. As you know, in our society, a man has to propose marriage. She had to live a wounded life, for no fault of her own.

I am now 50 years old. Ever since the age of 10, I have been working in a pencil factory, where I am still working. I have not had much formal education. But I have read a lot, on my own. I say: "May not even my enemy see the hard times that I have seen."

And what about you, Anwar Bhai?

No such incident happened in my family but I did see such things happen in the area where I lived. My father had taken part in the national movement. He was interested in social work although he was no longer active. He used to take me along with him to political meetings.

When I was a student, I worked with



political parties but that work did not give me satisfaction. So I became involved in this work. My wife, Aruna Tiwari, is from a Hindu Marwari family. She works in a bank. We had a civil marriage with no religious ceremony.

Did your families oppose the marriage?

My father did object but I overcame his resistance. Aruna has no father. Her mother did object but later, she agreed, although not wholeheartedly. There was a lot of objection from the local community. They complained to the police. This was at the time when the Bhiwandi riots had just taken place, so they complained that our marriage might spark off a disturbance. The police called us and advised us to postpone our marriage.

Aruna gave them a good talking to. She said If we postpone it by two months, can you guarantee there will be no disturbance later? Your job is to protect us, not to frighten us." Finally,

the police agreed. But the community has ostracised her family in Jalgaon. Her family is not invited to any birth or death function.

What is your opinion on the divorce and maintenance law?

We say that divorce must be egalitarian. If a man wants a divorce, he should have to go to court just as a woman has to. If that cannot be, then let a woman too get a divorce just by sitting at home and demanding it. A woman is not a thing to be used and discarded by a man.

In certain cases, we have insisted that if a woman wants a divorce, her husband must agree to it, without dragging her through the courts. For instance, there was one Yunus, a ladies' tailor. His third wife, Anisa, was a factory worker. He wanted to marry a fourth time. She wanted a divorce; but he refused. He wanted to keep all four wives. We went to, his house with a lawyer and said to him: "Look, Anisa is not ready to live with you. She wants a divorce, you must give her a divorce." He refused and said "Let her go to court." We said: "The legal procedure will take a very long time. Her life will be ruined. You can give her a verbal divorce." He asked for eight days' time to think it over.

A month passed and he made no move. We then went to his house, stood on the street outside and shouted loudly: "Unless you come by tomorrow evening to the Muslim Women's Assistance Centre and write out a divorce notice, we will be forced to enter your house and get you to write it."

Well, now an opinion has begun to grow in the Muslim community that polygamy is not desirable. Our Samaj is also quite well known. So he felt pressurised by our action. He came the next day and signed the divorce papers. *What is your plan of action on the Muslim Women's Divorce Bill?*

We organised a Talaq Mukti Morcha which toured several districts of Maharashtra (see *Manushi* No. 32). On March 8, we organised a rally of divorced women. On February 22, a group of us, including about a dozen divorced women,

went to meet Rajiv Gandhi to discuss the matter with him. He said : "If you do not want verbal divorce, you can get married under the Special Marriage Act." We said : "Then why don't you make it compulsory? How many men will be willing to marry under this Act if it is optional ? Women are weak and the law should protect the weak."

The divorced women cross-questioned Rajiv Gandhi. He was quite perturbed and had no answer to their questions. They asked : "Do you not consider us citizens of this country ? Then why should the laws treat us differently ?" He said : "This is your law. What can we do ? It is a good law."

We pointed out that all Quranic injunctions are not incorporated into the law of the land. Every religion has its own morality but this is in the nature of guidelines, not laws. If religious laws are sufficient, then why should the government frame laws at all ?

We pointed out that in the Quran, god made one Adam and one Eve, not one Adam and four Eves.' Rajiv Gandhi said that there were cases in ancient history of one woman having five husbands. He seemed to be referring to Draupadi and the Pandavas. We pointed out that the custom of polyandry had been abolished by law so why should polygamy not be abolished too ? Our protest campaign against the bill continues.

Have you taken action to get any other laws changed ?

In 1984, we filed a petition in the supreme court demanding that Muslims be allowed to adopt children. Notice was issued to the government but their reply has not yet been filed so the case is pending.

This came about through my own (Syed Bhai's) case. I have no children. My wife went through many medical check ups and tests. Finally I felt this was unfair to her. Why should she go through so many tests ? She is not a stone to be repeatedly cut and polished like a pearl.

So, 10 years ago, I adopted a five month old child. We named him Asim.

The adoption could not be legalised because Muslims are not allowed to adopt by law. When the child was to be admitted to school, I gave my own name as his father but the father's name in his birth certificate was different. I could not produce an adoption certificate. The teachers got perturbed and refused to admit him. I decided to make this a social issue.

I don't believe that people should be so obsessed with having their own



biological issue, that if a woman does not have a child, she should be subjected to all kinds of tests and made to feel faulty or defective. If she can't have a child, why get agitated ? Adopt a child, if you want one. No child is defective. The defect lies in our perception. It is we who discriminate : This is my child, this is not my child." I think one can love and foster any child.

Many men use the pretext of a wife's childlessness to abandon her and remarry. In one case, a man threw out his wife, calling her barren, within six months of marriage. The petition was filed in my wife's name. She pointed out that if at any time her husband changes his attitude and decides to remarry, her adopted child will lose his rights in the property because the adoption is not legalised. In this way, the petition raises many issues of legal discrimination

against women.

Is your wife active in Samaj work, Syed Bhai ?

She supports my work 101 percent. But she cannot be active in everyday work because I have old parents to be looked after. She takes the whole responsibility of the family, thus leaving me free to do Samaj work. She comes for Samaj functions and helps in any way she can. She entertains and looks after Samaj workers who come to stay at our house. In these ways, she contributes a lot.

Is there widespread opposition to your work ?

There is opposition, but there is also support. We have formed branches of the Samaj in many places—in Andhra, Kerala, Gujarat. We want a national platform. We want a dialogue with those who oppose us. For instance, when we heard that a group called Naujawan Muslim Tanjim (young Muslim forum) was prohibiting women from going to the cinema, we went to meet them. We found some elderly men over 60 years of age in the office. We asked "Where are the young people ?" They replied : "We are the people. We are working for young people."

We said : "If you think cinema is bad, don't go. Who is compelling you to go ? Why don't you stop men from going to the cinema ?"

They replied : "Men won't obey us."

In fact, Islam forbids many things which Muslim men practise, such as usury. Do not men have bank accounts and life insurance policies ? Men do not want any restrictions on their behaviour so they forget those religious laws which lay restrictions on them. But they want to preserve only those injunctions which give men privileges. They remember religion only in order to put fetters on women.

Men enslave women in ways that are not laid down in the Quran. The Quran says that women should wear a veil covering the head and shoulders to preserve themselves from the evil eyes of men. Has men's vision deteriorated so much that today women must wear

burkah, veiling themselves from head to foot? If men's vision is why cover up women?

Today's issues cannot be dealt with by any religious book. In a secular state, the more powerful party should not be given more rights. According to law, if two men have a dispute, both are free to go to court. But if a man has a dispute with his wife, he can unilaterally discard her. He does not have to prove anything against her. The Muslim woman has no legal protection.

In Pakistan, a marriage has to be registered. If a man wants to remarry, he has to get his first wife's consent. Even if she gives consent, she is called by a committee and questioned as to why she is giving consent. Our country is

supposed to be a secular one. We want a civil law based on principles of social justice and equality.

The opposition to granting of maintenance to divorced Muslim women is partly due to men's selfishness and partly due to misleading propaganda by certain reactionary elements. For instance, in Bombay, people were told that Islam was in danger, Islamic law was about to be altered, Muslims would be compelled to change their names, burial of the dead would be forcibly replaced by cremation, Muslims would be forced to worship idols and mosques would be destroyed. A little earlier, Calcutta high court had admitted a petition that sought to get the Quran banned. That was used as a pretext to inflame people's

imagination. The issues were totally confused. The ordinary Muslim was misled.

Today, we need to change men, first of all. The devil must be changed first of all. How can we expect a woman who has been denied education and kept in *parda* to suddenly come on to the streets in defence of her rights? If she was in a position to do so, the laws would not be needed at all.

After all, even to end Sati, it was men who took the initiative. How many women were able to come out and protest? Rajiv Gandhi also told us that very few Muslim women objected to the bill. But they are silenced by their circumstances, not because they agree with the Bill.



Mina Swaminathan, *Who Cares? A Study Of Childcare Facilities For Low Income Working Women in India*, Centre For Women's Development Studies, 1985.

Case studies of creches in coal mines, plantations and those organised by voluntary agencies, overview of the great need for childcare, based on census data. By a Mobile Creches activist.

Flavia, *My Story...Our Story Of Rebuilding Broken Lives*, Women's Centre, Bombay 1984.

Personal account by a founder of the centre of her own struggle against her violent husband, and success in winning autonomy for herself.

Women: A World Report, Methuen, London, 1985.

Analysis of women's situation in 10 countries, with emphasis on the areas of the family, work, education, politics, sex, health. Contributors include Angela Davis, Nawal el Saadawi, Anita Desai, Marilyn French. Lively writing, but adopts the technique of a woman from one country writing

Book Received

about another, so tends to be an outsider's view.

Hilary Homans, edited, *The Sexual Politics Of Re-production*, Gower Publishing Co., London, 1950, \$ 13.50.

Mainly UK based sociological essays on how the power of men, of the medical profession, and of the state, is built into seemingly spontaneous sexual relationships and is used to control women's fertility. Looks at menstruation, contraception, abortion, amniocentesis.

Louise Michele Newman, *Men's Ideas, Women's Realities Popular Science, 1870-1915* Pergamon Press, Canada, 1984. \$ 13.50.

Selection of essays from late nineteenth and early twentieth century issues of *Popular Science Monthly*; by feminists and their opponents, on such issues as votes for women, how far women should be educated, whether housewives should work for wages, whether all women should be mothers and so on.

Gives an idea of how much antiwomen ideology prevalent in the third world today has actually been exported from the west.

Helen Benedict, *Recovery —How To Survive Sexual Assault*, Doubleday & Co., 1985, \$ 15.95.

Written with care and concern; exposes through case studies prevalent myths about rapists and rape victims; provides advice on survival and struggle strategies. US based.

Birgit Brock-Utne, *Educating For Peace*, Pergamon Press, 1985.

Women's role in antimilitarism movements, mainly in Europe.

Narendra Nath Kalia, *From Sexism To Equality : A Handbook On How To Eliminate Sexist Bias From Our Textbooks And Other Writings*, New India Publications, New Delhi, Rs 125.

Analyses antiwomen language and concepts in NCERT textbooks, and suggests classroom activities and exercises to combat them.

Shamima Islam, Jakia Begum, *Women : Victims of Violence, 1975-1984*, BRAG Printers, Dhaka, \$ 3.

Surveys police and newspaper reports of violence against women, summarises law in Bangladesh.

Vasantha Surya, *The Stalk Of Time*, with an introduction by Kaa Naa Subramanyam. Madras, 1985, Rs 16.

Collection of 28 poems on urban themes, many of them related to women's experience.

Sorting Out The Mail Sorting Divison

On March 11, 1986, **Manushi** workers sat on hunger strike at the CPS section of the post office at ITO, New Delhi. We were protesting against years of harassment by postal department staff. On March 10, postal staff had refused to accept copies of **Manushi** No. 32, at the correct rate of 25 paise each, saying they were overweight, whereas in fact, each copy as usual weighed 100 grams. On March 10, we spontaneously staged a sit-in protest and next day, after submitting a memorandum to the staff, began our hunger strike.

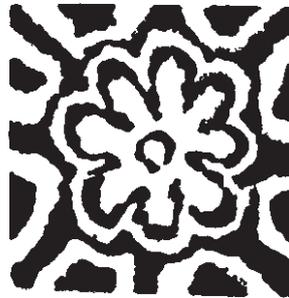
In the memorandum, we detailed the various kinds of harassment we have consistently faced from the postal department ever since **Manushi** began to be published in 1979. Postal workers are unfamiliar with the rules of their department and arbitrarily invent rules on the spur of the moment. Often, different post offices will quote different rates, and different workers in the same post office will also quote different rates.

Whenever we take the magazine for bulk mailing, the staff complain that we are making extra work for them. Each time, they raise a fresh objection—to the size of the envelope, the way it is closed, the weight, the time of our arrival at the post office, even the contents of the magazine. We have often been told that payment of bribes can solve these problems. We have also seen much bigger consignments than ours being accented after the fixed hours, when ours has been refused.

Very often, we are compelled to bring back the whole consignment. We have

to waste a lot of time, energy and money going from one post office to another till somebody accepts the magazines. What should be a routine affair becomes a humiliating ordeal. Once the copies are mailed, dozens of them get lost or defaced en route due to mishandling by postal department staff.

When we staged our protest, a number of small newspaper people contacted us to support our action, saying that their experience at the post office has been very similar to ours. Several employees of the post office also



approached us individually and told us that a handful of staff members are involved in racketeering and victimise anyone who does not toe their line.

We found that the staff's reaction to our protest was to disown all responsibility and to refer us to "higher authorities." We insisted that we wanted the problem solved at the level at which it regularly arose. We asked in our memorandum that the staff give us a written assurance that they would familiarise themselves with the rules, get their weighing scales checked, display all rates and rules in the post office, tell us at what rate **Manushi** would be posted

and in future not demand a higher rate unless rates in general were raised or the magazine's size changed.

We wanted this assurance not from any higher authority but from the staff who deal with us. The tendency to shift all responsibility to authorities breeds slavish attitudes and makes citizens behave like petitioners for what should be their basic rights.

Finally, after much discussion, a written assurance was given to us. Assistant postmaster general, Delhi circle, Mr R. D. Madan, who came to help settle the matter, apologised to us. On March 12, the magazines were mailed at the correct rate.

Since the matter had been amicably settled, we were surprised to see, a few days later, a statement by Mr Madan in the press saying that we had wanted on the 10th to mail **Manushi** with less postage, and, on being refused, had reduced its weight by "cutting the envelope and removing the address stickers" where upon the post office had accepted it on the 11th. We issued a statement pointing out that this story had no basis in fact.

Our experience suggests that unless citizens are constantly vigilant they will be defrauded of their right to use public services. Apart from those with contacts in the right places, average citizens can get very little done without paying bribes. The purpose of our protest was only to ask that government employees follow their own rules and give us the service that is our rightful due

—**Manushi**