

The situation of women in India, Bangladesh, Nepal, and Pakistan, is similar in many respects. For instance, statistics show that women in most countries of the world, including developing countries in Africa, South America and South-east Asia have a longer life expectancy than do men, except in Bangladesh, India, Pakistan and Nepal. In these countries mortality rate of girls is much higher than that of boys in the 0-5 age group. This has led to a deficit of females in the total population. Women form only 47 per cent of the total population in Pakistan, that is, at present for every 1,000 women there are 1,129 men in the population. As in India the majority of the people live in villages. 70 per cent of the people in Pakistan live in rural areas, and a very large proportion of them live below the poverty line.

Again, though the Pakistani constitution, like its Indian counterpart, guarantees that there shall be no discrimination on the basis of sex, and also provides special safeguards against discrimination in services, a wide gap exists between law and reality, in both countries. There are 10.8 male literates in Pakistan as compared to 3.1 female literates. In 1975, only 9.4 per cent of primary schoolchildren were girls and 7.3 per cent of primary school teachers were women. The following figures for 1975-76 show the gap between male and female education in Pakistan.

	Male	Female
No. of Primary schools	37,360	16,012
No. of middle schools	3,650	1,309
No. of high schools	2,043	784

Source: Planning division of Government of Pakistan

With regard to employment, out of a total labour force of 22 million, women comprise a mere 1.7 million. The female participation in the civilian labour force is one of the lowest in the world. In 1973 only 1.3 per cent of central government employees were women. 70 per cent of employed women are in the agricultural sector. In managerial, administrative and clerical occupations only 1.42 per cent of

## Some Facts And Figures About Women's Situation In Pakistan

jobs are held by women though a few among these have managed to secure high posts such as a woman vice-chancellor of one university.

The committee appointed by the Pakistani government in 1975, international women's year, prepared a report on the status of women in Pakistan, in which it pointed out various lacunae in the laws, and recommended the following changes.

1. One major legal discrimination is visible in divorce legislation. All divorce matters in Pakistan are dealt with by family courts which were instituted in 1964. The law lays down that the presiding officer of the family courts shall make two efforts to bring about a reconciliation between husband and wife—one before and one after recording evidence. The committee noticed that “a suit for dissolution of marriage, when instituted by a Muslim wife, takes too long a time to arrive at a final decision...This delay in legislation initiated by the wife not only leaves her in a state of uncertainty but also sometimes ruins her completely. The husband, by following the simpler procedure of issuing a notice to the wife, with a copy to the chairman of the family court, can put an end to the matrimonial tie within a period of 90 days.” The committee pointed out that Muslim law entitles a woman to divorce by *khula*, under which, if she dislikes her husband for any reason whatever, and does not wish to live with him, she is free to leave him on the ground that “she cannot live with him, observing the limits prescribed by Allah.” She must offer him compensation by returning the dower or whatever he had given her at the time of marriage. The committee quoted a “well-known *hadis*”

wherein a woman called Jamila had come before the prophet Mohammed and told him that she disliked her husband Thabit because of his ugliness. The prophet asked her to return the dower, and told Thabit to release her by divorcing her, which he did. The committee said that the words “ransom herself” or “get herself released” in the Quran connote an independent right of the wife, therefore a wife should be entitled to *khula* divorce without the intervention of the court : “There is no reason why the wife should be compelled to go before a court...the right to seek separation from a husband by *khula* is available to her under Muslim law and it is time this right is given legal recognition.” The committee recommended that the woman should be able to give notice to the court saying that she wishes for divorce, and the court should then decide the amount to be paid to the husband. If conciliation fails, the marriage should stand dissolved after 90 days. In other words, the committee pointed out that there is Quranic basis for a woman's right to divorce, which in procedure is very similar to the *talaq* rights of the husband.

2. The committee pointed out that many men, when they are on their deathbed, use the *talaq* right to divorce and disinherit their wives, especially when childless. At present, a divorced woman is entitled to maintenance only during the period of *iddat*. There have been cases where, after 20 years of marriage, a woman is divorced and rendered propertyless and without means of financial support. The committee recommended that a man who gives *talaq* to his wife should be required to support her for a period calculated at one month for each year of married life, in addition to

the *iddat*. A man who divorces his wife is also supposed to pay her dower (*mehr*) and return the dowry, but many men fail to do this and go unpunished, so the committee recommended that a man who defaults should be liable to punishment of three months' imprisonment or fine.

3. While divorce proceedings are underway, the husband should have to deposit money every month as interim relief for the woman.

4. The meaning of the term "cruelty" as ground for divorce should be extended to include the following: "When the husband or his relatives wilfully prevent the wife from meeting her parents, children, brothers or sisters, it should be made an

offence punishable with imprisonment which may extend to three months or fine or both.

5. Abortion should be made available to women in cases where it is necessary for their "physical or mental health." At present, it is legal only when the woman's life is medically certified to be endangered by the pregnancy.

6. Since not a single woman has ever been returned from a general constituency to any legislature in Pakistan, and women are returned only to the few seats reserved for them in the national assembly and the provincial assemblies, it should be obligatory on any political party putting up more than 10 candidates in an election,

that at least 10 per cent of them should be women. 25 per cent of the total membership of every local government institution should be reserved for women.

7. Since women are entitled to a share in inheritance under Muslim law, but in actual practice are deprived of their share by male heirs, or are made to sign it away in favour of the men in the family, no statement of relinquishment of share in property by a woman should be accepted unless it is attested by a civil judge.

8. A permanent commission on the status of women should be appointed by the government to look into the problems of women and make suggestions for the solution of these problems. □

## The Women's Action Forum

In September 1981 a *shariat* court in Karachi pronounced sentence of 100 lashes on Fehmida, a 21 year old woman, and of stoning to death on her husband Allah Baksh, a bus driver. These two had eloped and got married, but the marriage was considered not adequately proved since there was some discrepancy amongst the witnesses as to the exact time of the marriage. The couple were therefore accused of committing adultery and sentenced under

The forum took up the *zina* case and sought to gain public support for the couple. Women wrote in the press, taking the stand that nobody is justified in passing such inhuman sentences on anyone. About 12,000 signatures were collected on a statement containing five demands—that the ban on women's spectator sports be lifted, the ban on women's participation in cultural activities be lifted, the family laws be repealed, Islamic punishments be disallowed, and segregation



the *zina* ordinances. The extreme severity of the sentence angered many women who felt the need to meet and discuss the case. A meeting was held at Shirkat Gah on September 5, 1981. It was felt that though this case was the burning issue of the moment, there was also an urgent need to fight the prevailing repression and persecution of women all over the country. Accordingly, a lobby-cum-pressure group called women's action forum was formed, to act as a platform for women's organizations and concerned individuals to meet, discuss and plan strategy on Pakistani women's issues.

not be enforced. The forum enlisted the free help of some lawyers and filed a petition in the *shariat* court. The sentence is now to be reconsidered by a special bench.

The forum has also set up a publicity cell which runs a newsletter. The organizations represented in the forum are All Pakistan Women's Association, Federation of Business and Professional Women, Business and Professional Women's Club, Tehrik-e-niswan, Anjuman-e-Jamhooriyat Pasand, Khwateen Behbud and Shirkat Gah.

(from the forum newsletter)

## Our Identification

*We...  
We who call everyone good,  
How shall we identify ourselves?  
By our pale faces,  
Our eyes, amazed  
That this agonizing drama  
Is being enacted before us  
And we are powerless to say a word.  
Listen, this is a man-made society  
Obey the orders of your men.  
One man wants to bury you alive  
, Another wants  
To transport you to heights of fame  
A third wants to see you liberated,  
A fourth wants  
To show you the right path,  
And a fifth  
To defeat you with his love.  
In any case,  
Can the slave disobey the master?  
He loves you, he cannot respect you.  
If you want to earn respect,  
Sit at home  
And after you have presented to him  
The case for women's liberation  
When you are trapped  
In his emotions,  
You will exchange one slavery,  
One degradation for another.  
How will you be identified then?  
As a slave to many masters?  
And what can you do  
But flutter  
Like a helpless bird to whom  
The path of flight has been shown  
But whose wings have been clipped ?*

—Shaista Habib

(translated from Urdu by Manushi)