SOCIAL POLICY AND WOMEN IN PAKISTAN

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Based on the work, presentation and through understanding, we recommend her for the award of PhD degree in Social Work

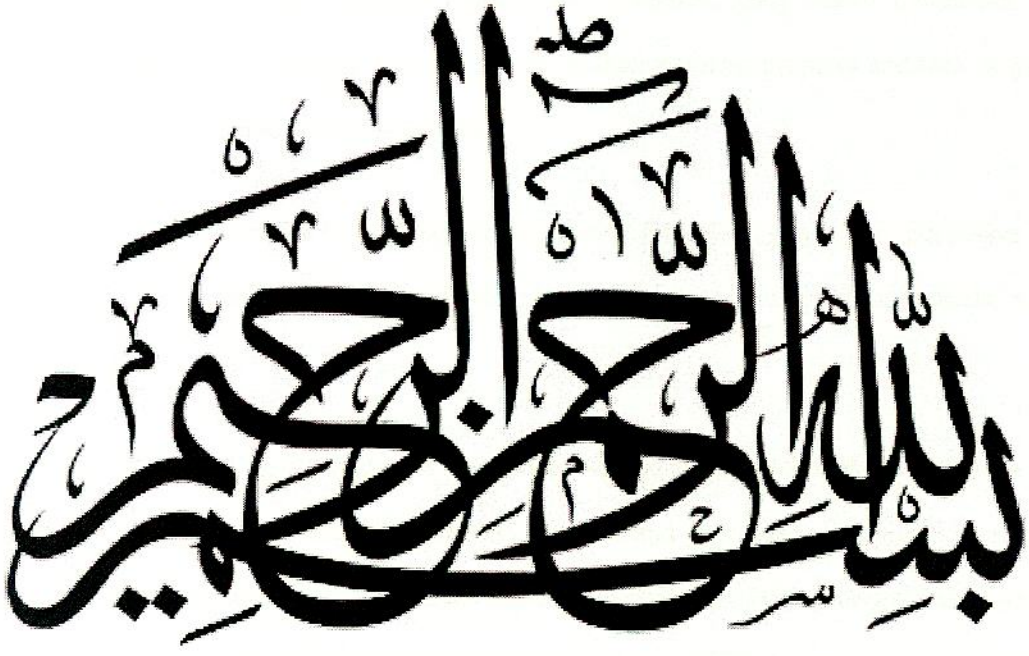
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ABSTARCT

This research work is related to Social Policy and Women in Pakistan. Woman status is a critical issue all over the world, especially in developing countries. Main features of women's lower status include poor health, illiteracy, poverty, violence by family members, and economic dependency. They face discrimination in all walks of life since childhood providing asubordinate status in the society.

Major issues of women like legal safeguards, violence, poor health conditions, illiteracy, economic dependency, poverty, disinheritance by their parents' property and lack of government and state support are discussed in this study.

Primary data were collected through a structured interview guide and purposive sampling. Secondary data (qualitative and quantitative) were collected through books, journals, national and international reports.

The results showed that despite the constitutional and legal safeguards available to women in Pakistan, they face violence, dispossessed, insulted and deformed. The law is unable to secure them as it is not in accordance with their socio-cultural values. Socio-cultural values are emerging from Islamic Law but state laws are in contrast to it, resulting in women poor status. Women's health conditions are very poor because of inefficient health delivery services and women mobility to avail the facility. Non-availability of female schools tosome extent and poverty add to the female illiteracy. Economically, they are dependent, not allowed to earn and no proper system of social security available to woman in Pakistan. So it is concluded that the existing laws, the state's lack of will towards women's issues and poverty are the major cause of their lower status in Pakistani society.

Dedicated To

My Parents

Ijaz Ahmed Butt, Rashida Ijaz

And

My Beloved Son, ShaheerAhmed

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ACRONYMES

ADB	Asian development Bank
ADBP	Agriculture Development Bank of Pakistan
APWA	All Pakistan Women Association
BHU	Basic Health Unit
BISP	Benazir Income Support Program
CIDA	Canada International Development Agency
CII	Council of Islamic Ideology
DBGRA	Dowry and Bridal Gifts Restriction Act
DFID	Department of Foreign and International Development
DHQ	District Head Quarters
EmOC	Emergency Obstractical Care
GDP	Gross Domestic Product
LHV	Lady Health Visitor
MCH	Maternal and Child Health
MDGs	Millennium Development Goals
MFLO	Muslim Family Law Ordinance
MHDC	Mahboobul Haq Human Development Center
MMR	Maternal Mortality Rate
NCSW	National Commission on the Status of Women
NGOs	Non-Government Organizations
PIDE	Pakistan Institute of Development Economics

PWA	Protection of Women Act
RHC	Rural Health Centers
RVF	Recto-Vaginal Fistula
SIDA	Swedish International Development Authority
TBA	Traditional Birth Attendants
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations International Children's Emergency Fund
USAID	United State's Agency for International Development
VAW	Violence against Women
VVF	Vesico-Vaginal Fistula
WHO	World Health Organization

CHAPTER-1: INTRODUCTION

1.1. Pakistan Introduced

Pakistan is situated in the north-west corner of the Indian Ocean, South Asia, between 24 and 37 North latitude and 62 and 75 East latitude. It constitutes an area of about 530,000 square miles (796,000 square kilometers). It is bordered by India to the east, Iran and Afghanistan to the west, China and Russia to the north. In the south it is bordered by the Arabian Sea[1]

Administratively, Pakistan is divided into, now, five provinces (the Punjab, Sindh, Baluchistan, Khyber Pukhtoon Khwa and the Gilgit and Baltistan carved out of the previously FANA, or Federally administered Northern Areas in 2011), a federally administered tribal area (FATA) which comprise of the seven tribal agencies, along the border with Afghanistan (a flash point after the 9/11), and the federal capital territory area or Islamabad district (see map).

Other than in times of martial law or political crisis, the provinces are under the administration of a provincial governor, and an independent elected provincial legislature led by an elected Chief Minister and his cabinet. The tribal area is situated within Khyber Pukhtun Khwa or KPK, but due to their distinct politico-legal status, tribal people the direct subjects of the federal government. Pakistan Penal code and other laws do not apply to them, but hundred years old laws of the colonial era are applied to the area. Accordingly, the political administration acts virtually as a divine

[1] The World Economic Facts Book, Euro-monitor: London, 1996.

administration, with the people powerless and utterly helpless at the mercy of the political administration. In theory, they live as an independent people with their own laws known as *Pukhtoon Wali,* unwritten laws based on customs and traditions; but in practice they are subjected to every political misdeed of the God-like officers. The Federal capital territory area is a small area within the Punjab province, but, being the location of the federal capital of the country, is, as occur in, for example, Australia (with Canberra) and Malaysia (with Kuala Lumpur) named after it, and given special status.

The estimated population for the year 2012 as on 1st July, (no census of the population could be conducted after 1998) is about 180.7[2] million with an estimated annual growth rate of 2.03 % (official figures but independent observers claim it to be more than 2.5%).

Out of this population, the Punjab accounts for 57.6%, Sindh 21.6%, KPK and the tribal areas, 16.8%, and Baluchistan although the largest province in terms of area, only 3.8%. The Federal capital territory contains about 0.4% of the total population. In theory national resources are distributed according to the population of the provinces, but this has never materialized in reality.

Economically, Pakistan has been a poor country for the last 65 years since her birth in 1947. Economic indicators have shown very little improvement since then. Overall, Pakistan economy is underdeveloped, and the country struggles under an external and

[2]Government of Pakistan, *Economic Survey of Pakistan, 2010-11* (Islamabad: Federal Board of Revenue, 2012), p.162. Table, 12.1.

internal debt of over 126 billion US dollars; more than the GNP of the country. There is a big gap between the 'haves' and the 'have not'. There exists extreme poverty.

The major factor of these economic maladies is the state sponsored 'corruption' where 20-30 % "kickbacks" on all state contracts are not only legal but are institutionalized. Loan sharking and siphoning of national wealth by those at the helm of affairs in their offshore accounts is an order of the day. Ordinary men witness bribery among the state servants and amassing immoral wealth by the politicians with utter helplessness. The abuse of state resources by a 'few' blue blood and 'Sacred Cows', is a part of the culture in Pakistan. Nepotism and bribes are culturally and institutionally comprehensible in Pakistan, visible in the political culture, where it is not considered shameful to give or receive bribes and kickbacks, (and now horse trading, a term commonly used for the political prostitution of the members of parliament to sell their loyalty to join or support the ruling oligarchy and easy load a term used for the purchase of a job) in spite of the legal and religious laws which may prohibit them. So very little is left for spending on public services.

According to 2009, UNDP report, Pakistan Human Development Index (HDI) was 0.572as compared to 0.612 of India[3]. According to the report, 63.3% population in Pakistan earned less than US $ 2 a day[4] and 22.6% lived under US $1 a day[5].

The process of social change has been very slow in Pakistan. The most depressing feature of this stagnation is the poor performance in the education sector. According to the

[3] Mahbub ul Haq Human Development Centre, *Human Development in Asia 2007: A Ten Year Review* (Islamabad: Oxford University Press, 2009), p.98.
[4] Ibid.
[5] Ibid.

government statistics the literacy figures for the years 2011 is 58%; 69 for males and 46 for females. Regional disparities in education exist and Province wise data suggest that literacy in Punjab is more than the rest of the country, standing at 60%, in Sindh it is 59%, KPK 50% and Baluchistan 41 %[6].

Rural- urban disparity in education is the main hurdle as the figures stands 48% in rural areas and 74% for urban areas. The gender and rural-urban discrimination is much more visible, which mar the quality of life for females. We will say more in chapter –III about this situation.

In health too, Pakistan lags behinds in health indicators as compared to other neighboring countries. Pakistan faces major challenges. A somewhat redeeming feature of Pakistan's social progress is life expectancy at birth (66 years) slightly above the rate of other low income countries in the region. Pakistan has a population growth rate of 2.03 % per annum with an infant mortality rate of 63.26 /1000 live birth and with an under five child mortality rate of 86.5/ 1000, particularly among female children[7]. This is due to Gender discrimination in health which starts even before birth in the form of female Feticide or infanticide and continues in nutritional intake and healthcare practices. Gender discrimination is also visible in access to health care services. Many women even do not avail or cannot avail health care services due to the cultural practices and the culture of poverty. There is only one doctor for 1,206 persons, one dentist for 16,446 persons and one hospital bed available for 1,665 persons[8]. The availability of these beds depends

[6] Government of Pakistan, *Economic Survey of Pakistan 2011* (Islamabad: Federal Board of Revenue, 2012), p.138.table.10-1.
[7] Ibid.
[8] Ibid.

upon the purchase power of the patient if he/she attends the doctor's private clinic and pay his/her fee and completes the un-required but prescribed tests in a private laboratory. The overall input in the health sector is only 0.27% of the GDP. These expenditures also include the overseas treatment of the politicians and bureaucrats in the advanced countries of the west, an understandable part of the corrupt political culture in Pakistan.

1.2. The Current Research

This study is a descriptive, explanatory effort to know about the status of women in an Islamic democratic country, Pakistan. It is claimed loudly that Pakistan is an Islamic ideological country based on the ideals of Islam, but the actual culture and religious practices go against women, to whom religion, Islam has accorded immense importance and respect as a mother, as a sister, as a wife and as a daughter. The state laws also proclaim these things but actually the state practices are more discriminatory towards women than men. The entire study revolves around the state policies in the various fields like education, health, welfare, economy etc. towards women

In this first chapter I have introduced the key aspects of woman's social life in the third world in general and Pakistan in particular and demonstrate that women suffer due to a multiplicity of factors including poverty, being a woman, the state's cold response towards women, the harsh culture of women's exclusion and many others. I shall argue that the socio-economic condition of a woman is strongly associated with her status in the contemporary world. On the other hand the 'poverty of politics' and 'politics of poverty' also make suffer the women in Pakistan.

I shall also show that rural-urban divide also make suffer the women in rural areas. In Pakistan, more than 60% population resides in the rural areas, but the minority in the urban areas has many facilities than the former one. Over the years, though the ratio of urban population is on increase, it is still far behind the rural proportion. According to recent estimates 23 % of the population is below the poverty line. This ratio is about 39.5 for rural areas and about 23% for urban areas indicating the concentration of poverty in the rural areas.

So while it is beyond my scope, beyond – indeed, the scope of more extensive studies than this one, to offer a comprehensive and refutable theory of women lower status, applicable the world over, I shall identify the factors which, both individually, and interactively affect the policy towards women in Pakistan.

1.3. Social Stratification or Gender Discrimination

Baby birth is a beautiful event of a woman's life. But before any kind of celebrationof this beautiful event, the question is always asked to her whether the child is a boy or a girl. This question presents a picture of social stratification in a society and divides a society into the two worlds of men and women. When this social stratification turns into social discrimination, society faces the worst form of inequalities. Usually role and status description of men and women might be different in a society, but allotting a lower status to any of the one sex is discrimination. Although in principle people should perhaps be equal, in reality they are not. Indeed, societies are multilayered, and all groups in a society are not equally valued and equally powerful, with some groups deferring to others. The fact of the matter is that the amount of power you can accrue is highly

dependent upon the class into which you are born. Furthermore, female by virtue of their femaleness are born into a lower class than are males. In other words, societies are gender stratified[9]. From time immoral, women have been seen as inferior to men in most societies[10]. Male's dominion over women is seen in different parts of the world which contributes in lowering the status of women. They are considered lower in getting equal health facilities, education attainment, legal safety, economic empowerment, political participation and decision making power. In third world countries, women face stratification in different walks of life. They are accepted as an inferior human being in the society. Although, they run the household successfully or do job outside the house, they are inferior to men in the society.

In many third world countries, women are less healthy than men, get less education than men and have less skilled jobs, with lower status of pay, than men[11]. The highest degree of stratification and patriarchal setup is found in different societies of the world. North Africa, the Middle East and South East Asia are reported as patriarchal societies.

Moghadham[12] argues that patriarchies have set out restrictive codes of behavior for women. He argues that in patriarchal societies, public arena is distinguished from the private one. The distinguished public sphere includes male members as household head and private sphere is formally ruled by a patriarch. It presents a two dimensional social stratification for women.One dimension encompasses the two nuclei of household and

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[9] S. M. Burn, *Women Across Cultures: A Global Perspective* (California: Mayfield Publishing Company, 2000),p. 2.
[10] R. Fine, *Troubled Women: Roles and Realities in Psychoanalytical Perspective* (San Francisco: Jossey-Bass Publishers, 1992), p.1.
[11] J. Hynes, *Third World Politics: A Concise Introduction* (Oxford: Blackwell Publishers Ltd, 1996), p.17.
[12] V. M. Moghadam, *Modernizing Women: Gender and Social Change* (Delhi: Viva Books Pvt. Limited, 2005), p. 120.

male supremacy. The second dimension includes whateveramalgamation of public stratification nuclei (classes, military elites) is present in a particular society. The latter dimension was attached to the former in that public power-groups were entirely the sum of household heads. But other than this aggregation, these two dimensions were separated from each other.

In most of the developing countries, women live in a circle of patriarch. They are unable to break it or cross it, but are compelled to move around it and find no way to escape. Here lineage moves from the patriarch, so they are the head of a family, have decision authority and decide about women by their own authority and will. This creates an atmosphere of patriarch within the family and society.

The patriarchy is a historic creation that took over 2500 years to develop and male dominance is a historic which is based on "biologically determined situation" and turned into "culturally created and enforced structure" over time[13].

Experts like Burn gives another reason of women's lower status in developing nations, as many of the countries in the south spent years as colonies of northern countries, some well into this century. As colonies, these countries were exploited as sources of cheap labor and resources. Typically, profits were not shared with the natives. Such kind of colonial experiences modified cultural patterns. For instance, it influenced language, financial system and lowered women's status. Colonizers often defended their behavior on the grounds that they were doing native cultures a favor remaking them in the Western image. The result, of course, was the loss of many native traditions and suspicions of

[13] G. Lerner, *The Creation of Patriarchy*, Vol.1 (.New York: Oxford, 1986), Cf. S. M. Burn, *Women Across Cultures: A Global Perspective* (California: Mayfield Publishing Company, 2000),pp.40-1

Western intervention. Consequently, efforts to influence the gender equality are often resisted with the charge of Western cultural imperialism[14].

1.4. Women and Work

Men are indulged in labor outside the home since centuries and women were indulged in doing house chores and child rearing. These activities are linked with gender roles in a society and different types of societies depict different gender roles.

As the agrarian society developed, women were separated from the agriculture works. It demonstrated the need of women for home based works like care for a large family, which epitomize agriculture when compared to labor-intensive economics. Gender roles changed rapidly with industrial expansion and industrialism in Europe and United States. After industrialization, behavior towards work changed regarding gender, class and zone. For the heavy physical labor, there was the replacement of machines, and women were no more desirable for physical work[15].

With the passage of time, earning was taken as high rank and prestigious work and doing house works was considered as inferior work. So by giving importance and preference to men-work over women-work made patriarchal roots deeper and stronger and continuously lowering women's status.

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[14] S.M. Burn, *Op. Cit.* p. 135.
[15] A. H. Malik, Sociology *of Gender Relations* (Multan: Teachers Students Welfare Forum, 2005),p. 46.

Within the family structure where there is a *bread winner and a home maker*[16]; women undoubtedly work as a homemaker. They perform the household duties of child care, housework, subsistence farming, remunerated employment and health care[17].

Women work 14 to 16 hours a day in their homes, which include work on the land, for the community towards improving local living conditions and nursing the old and sick[18].

Women have to do all the household works, having facilities like electricity or gas or electric devices or not. They do the cooking, dish washing, kitchen cleaning, pickle making, food storage, clothes washing, ironing, sewing and stitching, mopping, twenty four hours child and aged care and even water fetching, agriculture labor and wood collection for fire in rural areas, yet she is inferior and unproductive. In real sense she works as a homemaker, but she is not a home owner. These are the only male members of the family who own everything. No matter, she is doing job outside the home, she has to perform all these household duties along with the job without any relaxation from male members of the family.

Employed women also perform household labor world widely. But women house work is not accounted in the national statistics in the third world developing countries. According to ILO, in 1994 approximately 45 percent women between the 15 and 64 years of age were economically active world widely[19]. Marilyn Waring, a New Zealand economist argues that

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[16] John Baldock et al., *Social Policy* (Oxford: Oxford University Press, 2003), p. 165.
[17] L. Brydon & S. H. Chant, *Women in the Third World: Gender Issues in Urban and Rural Areas* (Rutgers: Rutgers
University Press, 1989),p. 1.
[18] M. L. Narasaiah, *Women and Development* (Delhi: Discovery Publishing House, 2006),p. 13.
[19] International Labor Organization, 1995, <*www.essential .org/ilo/press_releases/ilo1.html*> (1 January 2010).

much of women's labor is left out of governments' system of economic accounting[20]. Actually, women work is not accurately measured by the government. If women household were calculated as productive activities in national accounting, the value of the world's GDP would increase by 25 to 30 percent[21].

According to UN's International Research and Training Institute for the Advancement of women (INSTRAW), measurement of women's unpaid labor would make clear the value of household production to economies worldwide[22].

One must think the reason of unaccounted women's work. Actually, women work is thought of as the only duty of a woman by birth. In developing countries, women spend more working hours in a day as compared to men. This value or custom is observed in South Asian countries where household duties are defined even in young age which is dependent upon gender behavior. Here young girls perform household duties as an assistant with their mothers and grandmothers, in their doll playing age; they help with kitchen and look after their younger siblings. From this onward they are given the responsibility of cooking, washing clothes, mopping, fetching water and collecting woods in their teenage. This is not the end of their duties, rather the start of their lifetime duties. Once they are able to do household duties, they have to perform these all till their death day.

As men perform the most prestigious work, i.e. earning outside the house and a woman takes care of the house and the child for which is considered unproductive. Mother's

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[20] M. Waring, *If Women Counted: A New Feminist Economics* (New York: Harper & Row, 1988), Cf S.M. Burn. *Op.Cit*, p. 98.
[21] International Labor Organization, *Op.Cit.*
[22] International Research and Training Institute for the Advancement of Women (INSTRAW), *Measuring Women's Unpaid Work. Women's International Network New 2,* 1995 Cf. S.M. Burns,*Op. Cit* p.100.

extreme love is associated with child care. Mother and child care is a universal fact, but feeding, pampering, bathing and giving special care to a child require 18 hours a day. Even some mothers cannot sleep more than 5 hours a day with a newborn child. Still, she is unproductive in the family.

Even doing unpaid labor ranging from 31 to 42 hours per week[23], a woman has a secondary position in the family. She has lower status at home than men and her household duties are not accounted, she lacks decision making authority and she lacks power in domestic affairs.

Chaftz[24] has created a link between women economic unproductively and her low status inside and outside the home. She says that men enjoy "micro" and "Macro" levels of power. Micro power (in domestic sphere) reveals men's greater power in the home and he can avoid all those household labors which the women do as an unpaid laborer. They can also use their micro power as decision making authority, e.g. they can forbid women to enter intothe labor market. She further argues that even women are paid laborers; their men's (husband's) micro power is not totally eliminated. Men also enjoy macro power (in the public sphere). They hold a strong position in the labor market, provide low-paid jobs for women, and restrict them from getting higher education and skill required for better jobs. The Chaftez's model suggests that society's behavior towards "household labor" as "women work" can remove her low status position inside families and achievement of higher paying work in the labor market.

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[23]International Labor Organization,"Women Swell Ranks of Working Poor, Says ILO", 1996, <www.ilo.org/public/english/235press/pr/96-25.htm> (2nd February 2010).
[24]J. S. Chaftz, "The Gender Division of Labor and the Reproduction of Female Disadvantage: Towards an Integrated Theory" in R.L. Blumberg, ed., *Gender, Family and Economy: the Triple Overlap* (Newbury Park, CA: Sage publications, 1991), Pp. 74-96.

There is another explanation of the lower female status, which argues that the traditional divisions of household labor may also perpetuate the lower status of females. It is apparent to the child that the person who works all day and who must then come home and cook and clean is of lower status than the one who works all day and does not have these duties when he returns home. Children may infer that females must really be inferior, or they wouldn't have this lower status[25].

Women earning for the well-being of their family also face discriminatory behavior in earning opportunities. The women earning opportunities usually include sewing, embroidery and handicrafts which are low profitable in comparison with men's skills. Sometimes women skills have no market and they lag behind in economic scenario. All this add in the lower status of women inside and outside the home.

1.5. Women Health Issues

Women's health is a critical issue across the world. But poor health statistics are observed regarding maternal health across the world, especially in developing countries.

According to United Nations, women's unequal economic position, inferior social status and reproductive function represent them to high health dangers, resulting in torment conditions and deaths. By improving reproductive health care strategies maternal mortality can be controlled;still high levels of maternal mortality are reported.

While reporting the least developed countries, maternal mortality rates may be over 400 and as high as 1800 per 100,000 live births. In the industrialized countries, it is

[25] S.M.Burns, *Op.Cit* pp. 128-9.

reportedless than 10 per 100,000 live births. It is the result of the poor general health status of women, including education, age of fertility, the previous number of births, the time and space between pregnancies, anemia and poor nutritional status, and lack of adequate facilities and standards of the health delivery system[26].

The primary health care needs of women are integrally related to family structure and their multiple roles. A woman's role is associated with social and physical care of the family members including children and parents. Sometimes they forget to exercise their self-care that is necessary for their personal health[27].

They and their health issues are often ignored by the family. When a family member is sick, she is there to look after for the whole day and night. But when she is sick, she awakes the whole night alone with her pain.

In addition to her social status, gender discrimination in many parts of the world combined with poverty means that women and girls are more likely to be malnourished. Some 'traditions' force women and girls last and least, consuming what is left over the men and boys are finished. Relying on this poor diet, women have to bear sever vitamin and mineral deficiencies, which leads them to severe health conditions, comprising maternal and infant mortality, and high maternal morbidity[28].

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[26] T. H. Tulchinsky & E. Varivikova, *The New Public Health* (Burlington: Elsevier Academic Press, 2009),p. 219.

[27] D. E. Lyon, "Women as Individuals", in J. A. Lewis and J. Bernstein (ed), *Women's Health: a Relational Perspective Across the Life Cycle* (Toronto: Jones and Bartlet Publishers,1996),p. 268.

[28] *Millennium Development goals: Improve Maternal Health*, <www.unicef.org/mdg/maternal.html> (2 June, 2011).

Women health and nutrition in different families are affected by repeated pregnancies, pregnancy in teenage, long working hours, poor diet and very limited access to basic health facilities. These factors are not ignorable as women's health affects the next generation and her poor health status and diseases are transferred to the next generations. Women poor health is a determinant of her poor social status. She lacks the authority to cook and intake food of her own choice, has no decision powering case of the number of children and cannot access to health facilities by her own will. The only time she needs some care is on her child delivery. Burt that is also dependent on untrained TBAs present in the locality which contributes in her mortality and morbidity rate. In South Asia region, culturally sons are preferred in giving nutritious and healthy diet, while daughters are not. It's a myth that men have to go into labor and he needs more calories so she is given least food. But it's not the reality, women also need a very healthy diet as she has to give birth and nurse a child also. They also need more iron because of menstruation and delivery. Socially, women are preferred to marry as soon as possible in the teenage while "*by about the age of 22 years physical growth is nearly complete*"[29]. But researches show that most deliveries take place in teenage in developing countries, which contributes in their morbidity rate.

Talking about the reproductive health of women in Bangladesh, Brazil, Nigeria and Uganda, reproductive troubles are responsible for more than 50 percent of deaths of women during childbearing years[30].

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[29] Phipps, *Shafer's Medical Surgical Nursing, 7/e* (New Delhi: B.I. Publications Pvt. Ltd, 1980), p. 22.
[30] J. L Jacobson. "Women's Reproductive Health: The Silent Emergency", in *New Frontiers in Education No.* 22 (1992), Pp. 1-54.

According to a UNICEF estimate, more than 60 million women between 20-24 years of age were married before18 year's old- approximately 34 percent of all women in that age group belonged to the developing world. As a result adolescent pregnancies are reported and involve greater risk for the mother's health, who is physicallyimmature.[31].

An additional reproductive health problem faced by women is female genital mutilation (FGM) reported across the different countries of the world. The population of girls who have gone through FGM ranges from 80 and 114 million and every year another 2 million girls are forced to submit to it[32].

FGM is practiced throughout Africa and in parts of Malaysia and Indonesia. Most cases occur in eastern and western Africa in the countries of Djibouti, Mali, Sierra Leone, Somalia, Ethiopia, Egypt and the Sudan. FGM also occurs in Europe and in the United States among immigrants from those countries where it is customary. However, Australia, Canada, France, Ghana, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom and the United States all have laws prohibiting FGM. Most Islamic countries do not practice FGM[33].

The major intention of FGM is to obliterate a young women's sexual sensation in order to avert her from enjoying sexual excitement after marriage. Upon marriage, if a woman is uncircumcised, her husband may divorce her or insist upon proper circumcision. Even,

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[31] United Nations, *Progress for Children: A Report Card on Maternal Mortality*,(New York: UNICEF, 2008),p. 14.
[32] American Medical Association Council Report. "Female Genital Mutilation", *Journal of the American Medicine 274* (1995), Pp. 1714-1716.
[33]UNIFEM, 1998, *Gopher://gopher.undp.org:70/00/unifem/polieco/poli/whr/cedaw/cadaswkit/wctp*(2nd December 2010).

where it as illegal, it is often still practiced[34]. This shows the worst type of gender discrimination where a female even cannot have sexual freedom and shows male authoritarian nature in such cases. The UN has condemned all such practices under the CEDAW as

> *"All practices that harm women, no matter how deeply they are embedded in culture, must be eradicated".*

1.6. Female Literacy Rate

Female education is the most powerful way of empowering women in a society. It not only improves her status in the family and society, but also contributes in national development. Education is the only tool which can bring socio-economic development for the female population in a country. But the plight of different societies depicts the opposite picture across the world.

According to UN's Human Development Report[35] nearly half a billion people are illiterate, two third of them are women.

In South Asia, more than 40 percent of girls aged 15-19 from a poor household never completed first grade; only one in four completed fifth grade[36].

The above cited situation shows that women have a low literacy rate in developing countries and are gender discriminated in education attainment. This situation is a

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[34] S.M. Burns, *Op.Cit.p.* 60.
[35] United Nations, *Human Development Report 1997* (New York: UNDP),p.135.
[36] D. Filmer & P. Lant. "The Effect of Household Wealth on Educational Attainment", in *Population and Development Review* 25 (1999): 85-120.

measure of low social status a woman has in a society and in her family structure because of certain factors.

In some counties of South East Asia, girls are not sent to school because parents fear for their chastity. For this and other reasons- for example, poverty, dowries, and cheap labor- the inequalities in women's education in this area of the world continue, and although the reason may be legitimate, they are shortsighted[37].

These factors are common in the countries of South East Asia. It is linked with the cultural value of this region. Family poverty does not allow them to invest in children's education and if there is a little better economic condition, son/sons will always be preferred for education. Even in the rural areas, more female illiteracy is observed in Southeast Asia. There is a traditional mind set of the society that there is no need of female education. Firstly, they are house workers and their work is limited to kitchen and cattle rearing. Secondly, by getting educated, they will not do this free cost labor from house to farms. Thirdly, education will be a hurdle in their early marriage and family members will have to search for an educated husband, hence they will have to pay more dowries. So these factors at the family level and political will at the national level are the causes of low female literacy rate in developing nations.

1.7. Violence against Women

Women poor social status in education, income and health leads to the acceptance of violence, she faces at home and in society. It is stated that in twenty four countries within

[37]W. Annecke, "Education: Southeast Asia" in C. Karamarae (ed). *Routledge International Encyclopedia of Women: Education, Health to Hypertension* (New York: Routledge, 2000),p. 525.

four continents, 20 to 50 percent of adult women face domestic violence at any junction of their lives[38]. In the United States, battery is the main cause of wounds of adult women; in Peru 70 percent of all crimes reported to the police concern women beaten by their parents; in India 8 of 10 wives can expect to be the victim of domestic violence[39]. The idea of domestic violence is based on the notion that a woman is the asset of her spouse and that he has the right to control her[40]. Actually, women violence is the sign of male superior status in certain developing societies. As women are economically dependent and they have no place to go except their home, so they are beaten or abused, they still stay in their home which is a reason of their violence. Moreover, different countries having legislation against violence or not, still hasa high ratio of violence. The common types of violence are dowry deaths (stove and acid burning), honor killing.

1.7.1. Dowry Deaths

Dowry Deaths are seen in India and Pakistan under different situations. It may occur when the bride's parents do notsupply the pre-decided dowry,sometimes to remarry their son to get a new dowry, or when a woman does not give birth to a son[41]. In 1995, the Indian government reported over 7,000 of these fatalities[42]. Seeing women as objects of

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[38] Human Rights Watch, 1998,*The Women's Rights project*<www.hrw.org/world report/Black-04.htm> (2 June, 2010).
[39] J. C. Mosse, *Half the World, Half a Chance: An introduction to Gender and Development* (Oxford: Oxfam, 1993), Pp. 16-17.
[40] S.M.Burns, *Op. Cit.* p. 17.
[41] Ibid, p. 19.
[42] N. Neft & A. D. Levine, *Where Women Stand: An International Report on the Status of Women in 140 countries 1997-199* (New York: Random House, 1998),p. 19.

conferences. The fourth women's conference was organized in Beijing after ten years i.e. in 1995.

Convention on the Elimination of all forms of Discrimination against Women (CEDAW) was taken up by the General assembly of the United Nations. CEDAW addresses the discrimination against women under its 30 articles and aplan for national action is selected for removing the discrimination. It highlights culture and tradition as instruments of determining gender roles and family relations and confirms reproductive rights of women as fundamental rights[47].

1.9. Women Status in Pakistan

Women status in Pakistan is largely affected by the social behaviors of its individuals and social system. The overview of socio-cultural features indicates that Pakistan is a multicultural society and patriarchy is a dominant characteristic[48]. The worlds of men and women are divided into two separate domains. For a woman, home is defined as heracceptable physical boundary, while a man's domain is the external world[49].

Here women status can be observed even at the time of her birth. No matter, born at home or in hospital, Laddoo (A local sweet) is distributed and cash money is delivered to nurses and midwives as a sign of joy, but at the birth of male child only. He is welcomed whole heartedly in the society by everyone.

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[47] Ibid.
[48] A.H.Malik, *Op. Cit.* p.46.
[49] Asian Development Bank, *Women in Pakistan: Country Briefing Paper* (Islamabad:Programs Department (West) and Office of Environment & Social Development, July 2000), p.2.

exchange between the two families is responsible for the killing of wives who do not bring enough money or material goods to the marriage[43].

1.7.2. Honor Killing

Honor Killing is a custom whereby a man is encouraged to assassinate a woman of his own family when she brings shame on the honor of the family. Honor killing is considered not as a murder for the sake of murder, but it is a murder due to the reason which only relatesto the female honor. In Morocco, the law permits a husband to kill an adulterous wife[44]. Honor killing is also lightly punished in Egypt (one to three years in prison), although murder normally carries the death penalty[45]. Different reports depict that honor killing is found in different countries like Iraq, Lebanon, Pakistan and Turkey.

1.8. Supra-National Efforts for the Empowerment of Women

In 1946, a commission was established under the United Nations with a purpose of global policy making to deal with gender equality and empowerment of women[46].

The decade from 1975 to 1985 was announced as a decade for women by the United Nations. Three women international conferences were organized under the umbrella of the United Nations. The first conference was organized in Mexico City in 1975, the second conference in Copenhagen in 1980, and third conference was in Nairobi in 1985. Women status and their empowerment were the main subject matters of these

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[43] J. C. Mosse, *Op. Cit.* p.19.
[44] N.Neft & A.D.Levine, *Op.Cit.p.* 19.
[45] J. Daniszewski. "Egyptian Women Scarred by Hate", *Los Angeles Times, 3* March, sec. 1A, 8A, 9A.
[46]<http://www.un.org/en/globalissues/women/> (12th March 2009).

At the occasion of the birth of a male baby special ceremony are observed announcing

"*Ye stones and plants, listen that a son has born to a..... certain person*";

Firing guns; rejoicing and congratulating each other. Even among Zahris (Brahvi), a father whose first child happens to be a girl receives a sound shoe beating from his near elder male relatives unless he offers them a sheep or a goat as a bribe. However, at the birth of a female baby, the parents do not feel much more grief and sorrows, because girls are exchanged between families for marriage and handsome "lab" (bride price) may be received from them. However, Baloch marries their daughters within their own sects, or to scions of families holding a similar position in other tribes[50].

After birth *Aqeeqa* (Circumcision, ifa boy, shaving head and removal of nails) is a sacred ritual of the Muslim community. But it is mostly celebrated for a baby boy not for a baby girl in Pakistan. Actually, she is not considered such an important figure of the family to have economic expenses on her. With this "hair erasing" is also done at this time. Here barber asks more money for a son than a daughter and he is given handsome money in case of a son.

Women are treated as inferior human beings in Pakistani society as evident from a girl child's birth. Her birth is a matter of shame for her mother, anger of the father and sorrow for the family and friends side. In contrast to this, the birth of a male child is celebrated whole heartedly[51].

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[50] A.H. Malik, *Op.Cit. p.* 48.
[51] K. Mumtaz & F. Shaheed, *Op.Cit.* p. 23.

In spite of giving attention towards her socialization, she is always thought of as an economic burden for which they have to collect a dowry till she grows young. In her childhood days, she learns to sacrifice for little things for her brother like good food and clothes, e.g. when meat and vegetables are cooked, meat is for her brother and vegetable for her. Her brothers used to play with their peer group, but she has to look after the younger siblings or will help her mother in household duties mostly. From this onward, her roles are defined within a family life.

Another example of female less valued status is that, if an issueless couple wants to adopt a baby of a relative or from a stranger, such couples get a female baby always and not a male baby. In certain cases the baby girl is a third or fourth daughter of her parents, so they ready to give in adoption of any other family. While, a sonalways lives with parents,because he earns for them.

As she grows young having wishes to fulfill, she is told to do everything in her own home. From her teenage till her marriage, she is sensitized that her father's home is not her own home and her home will beby her husband's which is her ultimate destination till death.

Women depart their father's home at the eve of their marriage and they have been told to live there forever till their death under any circumstances. Under such crucial situation, her only ray of hope and any means of authority are their sons. Their sons are the source of honor and a part of decision making authorities, and the danger to this authority is only the daughter-in-law.It is precisely because a woman's only degree of power or authority is through her sons that she views her daughter-in-law as a source of potential danger, for

should the sun care for his wife, he may decide to listen to her instead of his mother, therefore women will try to ensure that their daughter in-laws are pliable creatures so that they can continue to rule the house with an iron hand[52].

As far as the girl reaches puberty in Pakistan, her marriage is planned by her parents. They want to marry her as soon as they find a match for her as her responsibility is considered as *watering a neighboring tree*[53]. Mate selection authority is in the hands of parents or male head of the families. Her will and choice are never asked in urban as well as rural areas. Her marriage is not accepted without the family and society involvement.

In Pakistan, fathers may take their daughters to court if their daughters marry without their permission; the court may nullify their marriage and even charge them with the crime of having sex outside of marriage[54]. In North West tribal areas of Pakistan custom of bride price prevails, which is received by the bride's parents from the groom.

Women of Pukhtoon society are literally sold for a straight bride price and written marriage contract is avoided, therefore, her legal position in any odd event is virtually nil[55].

When a marriage is arranged, it is considered as the duty of the future in-laws of the bride to bear all the expenses of the event instead of her parents. In return, in-laws wish for the delivery of their 'property' in good form. In this way, bride price, unlike dowry, identifies

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[52] Ibid, Pp. 23-4.
[53] A.H. Malik, *Op.Cit.*p. 47.
[54] S.M. Burn, *Op.Cit.*p. 15.
[55] A.H.Malik, *Op.Cit.*p. 47.

a woman's worth and it lessens women's status to possessions which can be sold or bought[56].

In every part of the country, the groom has to pay the Haq-Mehr[57] to the bride as a necessary part of Muslim marriage which is written in Nikahnama[58]. But bride's parents do not demand for much Haq-Mehr to show their family modesty. So it is left on the groom and his family to fix its price which is usually written as only Rs. 32 or now a day's only Rs. 5000. But this amount does not show the basic philosophy of Islamic ideology. In some families, when heavy Haq-Mehr is written, either it is never paid to the wife or is cancelled by herself. The life of a woman moves from a girl's dreams to a woman's insecurities in Pakistan. She waits for the fulfillment of her wishes throughout her life till the death.

In all parts of the country, she is not provided her basic right to inherit property; rather it is thought that it is only a son who is capable of having movable and immovable property.

Islam and the constitution of Pakistan command that women should be given her right in the inheritance left by parents and the husband. The law of the land prescribes that a woman must be given her right in inheritance. Surprisingly, the customary practices proscribe it. Women are not allowed to control their share of the property.

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[56] K. Mumtaz & F. Shaheed, *Op.Cit.* p. 27.
[57] It's a religious custom that the groom has to pay some economic benefit to the bride according to his economic position.
[58] The marriage form of Pakistan.

This kind of the conscious status given to a woman in Pakistan leads to the myth of her inferior, dependent and unproductive self.

1.10. Women Work in Pakistan

Khawar Mumtaz and Fareeda Shaheed commented on the daily routine of women as,

If we ask a Pakistani woman that what are your activities or profession. The answer is usually "I am a house wife and I do nothing". If we further ask her that what is your daily routine. The answer from every woman is, "I make breakfast for the whole family, prepare children for school, and then clean the house, cook food, wash clothes etc. till the night and nothing special". Even rural women work side by side with men in the field of agriculture, animal rearing and poultry farming as well as house chores still it is assumed that Pakistani women are unproductive at national level. On the other hand, if women work is observed after removing the gender biased glasses, one may see the productivity of a Pakistani woman who is raising the family and national income. Women participation in the rural labor force has been largely ignored by officials and policy makers[59].

Women are involved in different agriculture works in rural areas, e.g. they are involved in paddy, cotton picking, wheat harvesting, drying and storing of all products. Their partaking is mainly high in cotton, rice, pulses and vegetable farming. In rainy areas of

[59] K. Mumtaz & F. Shaheed, *Op.Cit.* p.25.

Punjab, women take part in the preparation of 22 crops and their agrarian tasks are based on seed preparation, implementation of farmyard manure, husking maize and storage[60].

Actually population census and labor force surveys do not depict the original picture in the country. As labor force survey of 1990-91 reports the rate of female labor force participation as 14.5 percent in rural areas. This shows a ridiculous figure about rural women work.

Within the non-agriculture, rural sector, they are engaged mainly in crafts like embroidery, tailoring, crocheting, flower making (silk and glass, carpet weaving, mat making, basketry, handloom production, miscellaneous handicrafts (doll making, jewelry, paper mache, etc.), leather work, ceramics, pottery as well as construction fisheries and food processing[61]. In urban areas women too are involved in formal and informal labor force. Within the informal sector, women work in different ways to earn for their livelihood.

Most of the women work in the informal sector as sweepers in hospitals, offices, private home and public streets, as attendants in school, hostels and hospitals, and as domestic servants_ as cooks, dishwashers, handmaids, nannies, washerwoman, nurse maids and occasionally body guards. All of these are regarded as 'traditional' occupations of women. For each of these jobs the prestige and payments are different, and not correlated to each other[62].

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[60] S. Mitra & B. Kumar, *Encyclopedia of Women in South Asia (Pakistan)* (Delhi: Kalpaz Publications, 2004), p. 272.
[61] Y. N. Mohiuddin, *Pakistan: A Global Studies Handbook* (California: ABC-CLIO, Inc., 2007), p.171.
[62] K. Mumtaz & F. Shaheed,*Op.Cit.* p, 26.

In the urban areas, formal work includes industrial occupations (factory work) and service occupations (government jobs or the professional category)[63]. Women are working as health professionals, teachers (from primary to higher education), lawyers, engineers and pilots in Pakistan. Schools (both private and public), professional training and higher education institutions, offer numerous opportunities to women[64].

No doubt women work in both formal and informal set up in Pakistan. Now it is the official statistics that are showing women least productivity in their data. The Even here government receives heavy debts from IMF so this data is useful for them to take debts for non-empowered women. Moreover patriarchal behavior in the society does not allow women working with men in an independent economic role. While a woman's income is usually spent on family's utility bills and saving for her children.

While describing the different dimensions of women work's in the labor force participation in Pakistan, World Bank reports that firstly women engage in a different kind of works according to their education levels.Girls, who have not attended school, contribute in unpaid activities, on the other hand, who have attended higher and secondary school contributes in paid activities. Secondly, in higher income households, women perceive less need to work to supplement the household resources. Thirdly, there is a large and significant male-female earnings gap among those in salaried jobs: women earn significantly less compared to men. Fourth, there is a strong sex-segregation by type of work. Further socio-cultural constraints on female mobility negatively effect on women's work options.Women are restricted to move outside the house since school

[63] Y. N. Mohiuddin, *Op.Cit.*206.
[64] K. Mumtaz et al., *Pakistan Tradition and Change* (Oxford: Oxfam, 1996),p. 45.

going age as they are restricted to attend the school. Thus, they are deprived of getting knowledge outside the house and also cannot be an active part of the labor force in the future.

1.11. Women Health Status in Pakistan

World Health Organization while discussing the women's health status in Pakistan states:

> *"She is illiterate. Has 5 children. Lives with four persons per room. Work 15 hours a day. Her children under three are malnourished. Has had 6 pregnancies- but with the maximum being 12 or more. Lives in a 2 room, mud house. Undertakes in a day 12-13 major and minor activities (compared to 6/7 by men). Is anemic. Gives birth to low weight babies. Does not have access to safe abortions. The personal security of women in Pakistan is at high risk. There is a fear of sexual harassment at work and public places and she carries the double burden of productive and reproductive work. She lives in fear of being killed in the name of honor, where there is no law to protect her from domestic violence"*[65].

Poor health among women is another issue of Pakistani society. Women poor health is an indicator of their unhealthy diet, atmosphere and poor health facilities. Women's health is a matrix of many factors relating to fertility, sexuality and societal condition that affect health[66].

The rise of poverty exacerbates conditions of oppression of women and children. In poor households with scarce means, gender discrimination in the allocation of the household

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[65] United Nations, *Social Determinates of Health in Pakistan: The Glass is More Than Half Empty* (Geneva: WHO, 2006), p.11.
[66] E. Varivikova & T. H. Tulchinsky, *The New Public Health* (Burlington: Elsevier Academic Press, 2009), p. 246.

resources is more pronounced. Women suffer most from nutritional deprivation in low income households. It is estimated that two thirds of the psychiatric patients in any hospital or clinic are women. Women's poor mental and physical health has negative implications on their productivity and imposes high social and economic costs for the society[67].

A report by Society of Obstetricians and Gynecologists of Pakistan states,

> *"Health of the women was never considered an important issue because woman as gender has little respect in the community, in the name of culture, tradition and religion; they were never given equal status in the society. A system which is based on gender inequality will not adopt policies for the well-being of women who are poor, powerless, and pregnant (most of the time without their consent) and weak as a class".*
>
> *The girl child is not enjoying all rights in Pakistan. From the time of conception till her adolescence, she remains under threat. It is not that uncommon to find families seeking termination of pregnancy based on ultrasonic confirmation of gender in early pregnancy. Back street termination of pregnancy of female fetus is a major cause of morbidity. The girl child, infant mortality rate is higher than male child infant mortality. Poor menopausal women living in rural areas and city slums face problems associated with osteoporosis. Routine screening for age related diseases are not available. They have also limited access to health facilities. They are victims of quackery as they often receive unscientific treatment for the dais and quacks because of economic reasons. The report also describes the four delays in pregnancies as delay in decision,*

[67] Asian Development Bank, *Op.Cit.p.7.*

delay in transportation, delay in emergency care and delay in recognition of post-natal complications"[68].

Societal patterns in Pakistan are not facilitating for women's health. She has poor diet intake from her young days.

Considered a less vulnerable person than her brother, a Pakistani girl will eat less well than him and rarely be taken to see a doctor. As a woman, her health continues to suffer and deteriorate because of the large number of pregnancies (and often miscarriages) in quick succession, compounded by long periods of lactation[69].

Among the distribution of quality food; milk, fruit, and meat are distributed among the male members of the family first and if something left behind, that is her share. After marriage, when she needs a healthy diet during pregnancy and proper medical care, she is given care only in the experience of her mother in-law and not by a physician. Antenatal checkups are very rare for women here. No extra dietary or food supplement is given to her during pregnancy. As folic acid is very essential for a pregnant woman and its tablets are available at very cheaper rate, but is not in the reach of a Pakistani woman. While she does all the house chores regularly and sometimes heavy burdened work results in an abortion. Even she is under stress, given by the female in-laws members (usually mother in-law) that the baby should be a boy only.

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[68] Society of Obstetricians and Gynecologists of Pakistan, *Health of Women in Pakistan: Annual Report-2009* (Karachi: Department of Obstetrics and Gynecology, Jinnah Post Graduate Medical Center, 2009), Pp. 3-5.

[69] K. Mumtaz & F. Shaheed, *Op.Cit.*p. 28.

Under these circumstances the only manner in which women can hope to have any power at all is through their sons. Through, her sons a woman finally has some prestige and some means to gain a foothold in the family decision making hierarchy[70].

Most of the women face *domiciliary delivery, which* contributes to high maternal mortality and morbidity in Pakistan. It is done by the "Dai"[71] residing in the neighbors or neighboring locality of a pregnant woman. A Dai performs the child delivery by her own skills based on non-scientific methods. Most of the women who give birth in Pakistan are attended by Dai. The child birth process usually starts with labor pains. The mother-in-law or other female member of the family would have already made the diagnosis of labor[72] and a Dai is called afterwards. The Dai tries to handle the case by her own skill without any medication or technical assistance. She is an uneducated and untrained person whose sole information is her own delivery experience. The rest of experience she has gained by doing experiments on these women. Due to this, a woman in labor suffers a lot. Sometimes a baby is delivered with the help of Dai and sometimes when she fails to do so, refers the patient to a DHQ hospital in this critical condition. After remaining 12-16 hours in labor under Dai's observation, either a woman dies or her uterus usually gets ruptured. But still family members believe the Dai and maternal mortality is compensated with the sentence, "It was in her fate" or "She had completed her life".

Another unskilled practice of Dais is abortion. Malik explains that abortion is illegal in Pakistan; however, women who, faced with the problem of an unwanted pregnancy do

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[70] Ibid, 33.
[71] Dai is a Traditional Birth Attendant(TBA).
[72] M. Chesney, "Birth in Pakistan" in P. Liamputtong (ed). *Reproduction, Child Bearing and Motherhood: A Cross Cultural perspective* (New York: Nova Science Publishers Inc., 2007),p. 117.

resort to induced abortion usually by an unskilled person (Dai) resulting in severe complications. Women seen by the extensive damage to the uterus and the bowls as a result of interference refuse to admit it, and attribute it usually to a fall. They are sworn to secrecy by the abortionist and many a times even the husband is not aware of it[73].

World Bank[74] has given several reasons for poor health outcomes among Pakistani women and states that a most important cause of poor health consequences is the non-affordability purchase required food and health facilities. Neglecting public health matters and poor sanitation conditions also contribute to major diseases and infections. Amongst the other contributing factors, gender disparities also limit women approach to health facilities.They are the domestic health managers, but face certain social restrictions while managing their children and their own health.This liability is multi-dimensional: avoiding diseases with good health, early recognition of disease and home care, and identifying the need and implementation of medical treatment.

The report further argues that physical mobility of women is highly constrained and this applies also when they want to seek health care. Here 'purdah' customs also restrict women approach to health provisions. Female doctors are always preferred for getting all kinds of treatments. Unmarried women cannot visit doctors frequently and are not permitted to visit alone as it may harm their family honor in the community. As women cannot make independent decisions and their health decisions are taken by the male elders of the family; so this reason also contributes for their delayed health care facilities.

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[73] A.H.Malik, *Op.Cit.* p. 159.
[74] World Bank, *Op.Cit. Pp.* 62-85.

So women are forced to take treatment from quacks due to such factors as: poverty, non-availability of permission from husband and in-laws, gender discrimination and non-availability of equal health services in all parts of the country. There are also inequalities observed in distribution of facilities among the different provinces.

1.12. Women and Education in Pakistan

If we visit a rural area of Pakistan and meet a group of girls there and question them about their education, the answer is usually never gone to school or attended till grade 2-3. If reason is asked for their mother, the answer is what she has to do with getting an education except to do house works. Such responses show the female literacy scenario in Pakistan. Here when females are not given importance in household matters than how she can get investment in case of education.

The female literacy rate in Pakistan is reported to be the lowest in the world, women literacy is far behind than that of boys.

The literacy rate is low among girls and women in Pakistan other than the national and international commitments. The Male literacy rate is 69 percent; whilethe female literacy rate is 44 percent[75]. Similarly, girls' participation rate at levels, i.e. primary, secondary and tertiary level is very low. Researches show a very poor figure of female literacy rate in Pakistan as compared to other countries.

[75]Government of Pakistan, *Pakistan Social and Living Standards Measurement (PSLM) Survey 2006-07* cited from UNESCO, Why gender Equality in Basic Education in Pakistan (Islamabad: UNESCO, 2010), 16-17.

"In the EFA Development index (EDI), a composite measure of overall progress towards meeting the Dakar goals, Pakistan is ranked 118 out of 129 countries, and is therefore ranked among the countries with low EDI"[76].

Cultural norms are still non-favorable for female education in Pakistan. Female restricted mobility outside the house, purdah, poor family income, son preference in giving education, less number of schools, less number of female teachers and low education budget by the government isn't flourishing the high female literacy rate in Pakistan.

The Government's indifferent attitude towards improving the literacy level has played a major in maintaining it at a low point as there is a low GDP allocationfor this sector, whereas the developed countries spend eight to nine percent of their GDP on education. Pakistan's largest province, Baluchistan has the lowest female literacy ratio in the world which is only about eight percent; on the other hand Bangladesh which separated from Pakistan in 1971 has today outstripped Pakistan by over eleven percent in the overall female literacy ratio in the country[77].

Literacy acts as a nucleus of basic education, but in spite of the government's promises to provide*basic education to all*, Pakistan faces very high rates of illiteracy in the world. The literacy rate of the age group 15 and above is 56 percent. Further, male and female literacy rates show gender discrimination as their percentage is shown as 69:44 percent[78].

World Bank also reports that the girls' dropout rate is much higher, especially in rural areas. This ratio is higher for older children and goes faster after age 12 which is a typical

[76] UNESCO, *Overcoming Inequality: Why Governance Matters. Global Monitoring Report 2009,* Cf. UNESCO, Why Gender Equality in Basic Education in Pakistan (Islamabad: UNESCO, 2010), 17.
[77] B. Zubedi, *On the Road to Awareness* (Bloomington: Universe Publications, 2009),p. 8.
[78] PSLM Survey, 2008-09 Cf. UNESCO, Why Gender Equality in Basic Education in Pakistan (Islamabad: UNESCO, 2010), 16-17.

middle school age (classes 6-8). The *'purdah'* norms and restricted mobility are severely seen after reaching menarche,rendering school going more difficult for girls. These factors prominently decrease school attendance for girls. Families are not comfortable with the farthest of schools of their children; this problem is specially found in the case of girls particularly when they reach the age of menarche[79].

1.13. Violence against Women in Pakistan

Violence against women is an international problem, especially in the South Asian countries. Women face different type of violence in Pakistan, which includes socio-economic violence, physical violence, forced marriages, honor killing, marriage to the Quran, rape, social and sexual harassment, acid and stove burnings, forced abortions, and murders. This type of violence is so much deeply rooted in the culture that it has set the mind of the society about it in a routine matter.

Girls are compelled to marry without their own will. Normally they are sold, exchanged and are offered to settle the family clan disputes. They are also offered as "blood money", known as *Swara*in both cases, to settle crimes such as murder and are exploited sexually and physically[80].

The official figure for the murder of women during 1998 was 1,974; the majority of them were victims of their own relatives- husbands, brothers, fathers and in-laws.

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[79] World Bank, *Op.Cit.*p.43-50.
[80] Society of Obstetricians and Gynecologists of Pakistan, *Op.Cit.*p.4.

"During 1998, 706 rape cases were reported in Punjab, of which 55 percent of the victims were minors and half were victims of gang rape"[81].

To conclude, women in Pakistan are far behind than men in socio-economic matters. Females have a low literacy rate, live in poor health conditions, economically poor and dependent, face violence in the name of traditions and has no authority to take decisions. Her only uplifted status is that of a son's mother; which is not a sign of female empowerment but again patriarchal strength. It is ironical that women are having this status in an Islamic ideological country; with policies and legislation even. Pakistan has signed different international commitments to ensure gender equality as CEDAW, Health for All by the year 2000, Education for All by the year 2000, and Universal Access to Reproductive Health Information and Services by the year 2015. Pakistan has also launched the National Plan of Action to implement the Beijing Platform of Action and National policy for Empowerment and Development of Women 2002. A further set of legislation can be observed under the Women Protection Bill in Pakistan. But the gap between the policies and the implementation is very clearly seen here. The practices of these policies are hardly seen and failures are visible due to government will in non-allocation of budget. This situation led the researcher towards the research question for this study to evaluate and describe the existing social status of women in Pakistan.

[81] S. Zia & F. Bari, *Women's Political Participation in Pakistan,*Cf. Asian Development Bank, *Women in Pakistan: Country Briefing Paper* (Islamabad:Programs Department (West) and Office of Environment & Social Development, July 2000), p, 19.

1.14. The Current Thesis

This study gives a descriptive account of the women social status in terms of her education, health, poverty, economic conditions etc. and describes the complex socio-economic and political conditions in Pakistan.Although Pakistan has made tremendous progress in quantitative term to address these women's issues, mostly due to external pressure and finance, but in qualitative terms women still suffer.

In this introductory **Chapter-I,** I have tried to explain the problems of womanhood in Pakistan, including her education, health, work and labor, mortality due to avoidable threats, and so on, the main subject matter of the social policy. I have also presented a global picture as well as the regional scene about women's conditions and outlined an argument that the answer lies in poverty of politics and politics of poverty. These problems can only be understood by a multi-disciplinary analysis of the history, politics, economics and culture and religion of the country.

Chapter-II is the literature review and research methodology of the work.

Chapter-III Discusses the Law and Women in Pakistan. I will briefly discuss the historical evolution of social legislation about women in the Indo-Pak subcontinent. Before the arrival of the colonial powers in the area, women were treated as per traditional-cum-religious laws and rules which were ambivalent and discriminatory towards women at the same time. I shall discuss them in detail with reference to Hinduism and Islam in particular. The arrival of the British in particular and after the consolidation of their power they legislated on many women's issues but also gave

protection to many like honor-killing and personal laws and land reform, British actions had very deleterious effects on women.

Chapter-IV Discusses the women's education in Pakistan. I shall describe that women have very low literacy rate because of pseudo-religious, social environment and orthodox cultural behaviors. Other than this, various factors like early marriages, clan and community pressure, and co-education at higher education level and purdah norms, family poverty also contribute in women low literacy rate. In addition to this, government own will towards female illiteracy enhance the low female literacy rate in the country.

Chapter- V Discusses the health situation of women in Pakistan. I shall show that morbidity among women is not only the physical ailment, but it is a combination of many socio-economic factors which make suffer the women in this country.After work, under nourishment, lack of proper sleep and rest, a high fertility rate, lack of medical resources and above all, the cultural traditions which restrict a woman access to health facilities are the main causes of her sickness and health issues. Not only are these but the discrimination against women by the state also a factor of all her health maladies.

Chapter-VI discusses the economic conditions of women in Pakistan. How she is put to drudgery, but never accounted for like in many other countries of the world. How she is denied her religious, cultural and legal right of inheritance in the country on the face of so many laws. Not only denial of inheritance rights, the way she is inherited by the in-laws and other males of the family is not only interesting but shameful as well.

Chapter-VII will present the data analysis.

Chapter-VIII will discuss the framework of the work.

Chapter-IX will summarize and conclude the research work

CHAPTER–2: LITERATURE REVIEW AND RESEARCH METHODOLOGY

This chapter has two parts. Part-I is the literature review and part-II is the research methodology

2.1. Part-I: Literature Review

This work is about the women's status and the social policy of the state towards them in Pakistan. By the term status, we mean the value and meaning given to it by wider society which in turn reflects and influence the general rubric gender relations. Experts are of the opinion that the measurement of the term 'women's status, in developing countries has long been a subject of great controversy – basically in term of the indicators selected to represent the 'status' of women and the standards chosen by which those indicators should be judged[82]. For example, Joni Seager and Ann Olson (1986)[83] have mapped women's status in the world as whole, using a compound index comprising women's life expectancy, suffrage, literacy, use of contraceptive and paid work on a scale of 1-100. However, indicators such as contraceptive use, for example, are arguably very western-centered and besides are not necessarily a 'good thing' for women. . In turn 'life expectancy' is as much a function of poverty as it is of women's status. Given the problem associated with the idea of universal indices we confine our discussion to

[82] L. Brydon & S. H. Chant, *Women in The Third World: Gender Issues in Rural and Urban Areas*(New Jersey: Rutgers University Press, 1993), 1.
[83] J. Seager & A. Oslan,*Women in The World: An International Atlas* (London: Pan, 1986) Cf. L. Brydon and S.H. Chant, *Women in the Third World: Gender Issues in Rural and Urban Areas*(New Jersey: Rutgers University Press, 1993), 45.

Pakistan only and will discuss the indicators like health, education, social security, and economic conditions of women there.

This study pertains to south Asia, a region comprising of Pakistan, India, Bangladesh, Sri Lanka, Nepal, etc. Women status in this region is diverse and each country has its peculiarity and no generalization can be made in specific terms. The factor which contributes to the diversity is the wide range of religious faiths, including Islam, Hinduism, Buddhism, Jain and Sikhs, the first three being the major religions numerically. To some westerners, depending on one's perspective, Islam assigns women a low status[84]. In reality, the Qur'an, the divine book consisting the statements of Allah contains numerous references to gender equality[85] and while women are required to submit to the will of Allah, just as much as men and to observe Muslim teachings, they are rarely allowed to attend to religious gatherings even, enter a mosque and Pakistan is no exception. Consequently, women possess a lowerposition in Pakistan than men. This is not just to measure Islam with the deeds or misdeeds of the Muslims rather the actions of Muslims be judged with the teachings of Islam.

Another aspect of this situation is the politics of welfare. Pakistan has week political institutions where bureaucracy is stronger than institutions and this situation is inherited from the past having direct impacts on policy making and implementation. With the advent of the British rule the new India came into contact with the new intellectual, political, economic and scientific trends, which were influencing the western world.

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[84] L. Brydon & S. H. Chant, *Op.Cit.* p, 39.
[85] D. Ingram, *The Awakened: Women in Iraq* (London: Third World Center for Research & Publishing, 1983), 22.

Major scientific thinking was rational, secular, and liberal and their influence on the development of the economic and social structure was immense.

The major impacts of the new trends were accepted more by the Hindus than by the Muslims. The British East India Company 'snatched' powers from the Muslims and not from Hindus. They never let the two come closer. As a ruling power the British were more interested in strengthening their economic and political holds on Indian subjects than in their welfare. When the British crown took India under direct administration in 1834, some reformative acts were introduced to direct to curb brutal religious practices among Hindus, including *Satti* (The custom of Hindus under which a widow is burnt on the death of her husband) and assassinating unmarried daughters whose failure to find a husband was considered as a stigma for parents. These practices were banned by the Governor General William Bentinck under the Chartered Act of 1834, which declared them as tantamount to murder.

Bentinck also introduced the modern system of education in India. Before independence the government's role in social welfare was chiefly restricted to the provision of the legislative framework.

The greatest beneficiaries of these welfare acts were Hindus. Muslims were deprived of its fruits. Thus, if hypothesized, can lead us to believe that after the early and medieval Islamic eras, Muslim leadership degenerated because of lack of vision and capability to organize and dynamically evolve institutions. Muslims still live in the mist of the past glory. They have ideals, but lack confidence to research and synthesize modern ways within the framework of Islamic ideals.

Pakistan appeared as an autonomous state on 14th august 1947, having previously been part of The British India, due to the Muslim identity a community having a distinct culture within Indian society. India had neither a model of poly-ethnic entity, nor any social arrangement or forms, which could guarantee the development of diverse cultural sets of communities within Indian socio-political system. It was quite natural for the Muslims of India to struggle for a separate homeland; it was a struggle not only for political rights but also for survival as a larger social group. The independent homeland, they believed, would facilitate the development of their culture and where they could order their lives according to their ideals, so they were expecting to transform their religious social ideals into an institutionalized pattern[86].

Pakistan has not been able to institutionalize many principles so openly professed, whether economic, social or politico-legal. Corruption, embezzlement and harassing people through state departments, has always predominated over the art of peace and institution building. Even when guided and directed by the western donor countries, they distort the very basic goal of a participatory socio-political system. Social miseries have been falsely explained away as an outcome of imperialism or neo-imperialism, and making Pakistani society achievement-oriented is a distant dream at present, as Pakistan faces the established and vested interest of the feudalistic, bureaucratic and the entrepreneurial upper class whose utmost union is to keep the Pakistani subjects in bondage.

[86]A. Z. Asad. "Social Welfare in Pakistan- I", *Journal of Law and Society, University of Peshawar* Vol. XXXVI. 49 (2007) Pp. 99-106.

Every policy ranging between taxation to basic wages is supportive of a mechanism designed to keep people in bondage. Political institutions have become self-defeating; those advocating democratic principles are, outmaneuvered by the establishment of hereditary or dictatorial entitlement to leadership. All major political parties have their heads or patrons who are either children of the founders of the party or serving/retired generals.

Another aspect of this situation is that in the initial stages the Muslim ruling elites opposed British policies and services. Their propaganda among the masses was so effective that Muslims could not avail themselves of services rendered for them. History witnessed that these elites took a U-turn and adopt almost every measure, but in general Muslims did not realize these consequences even at the time when Britain were leaving from the sub-continent.

In reality, struggle for independence had different meaning and purposes for two different groups. First, the ruling elites of Muslims wanted to exploit the British for their own cheese and butter. Local leaders wanted to oust the British and the masses were misled to believe that everything would be fine after the British had left. This competition was between two conflicting claims to leadership. The post- Colonial era, however, proved that what occurred was simply a substitution of a colored bureaucracy for a white, which had cause and care, and were better qualified[87]. Women's issues got worsened and complicated after 1947.

[87]Ibid.

2.1.1. Women Welfare in Pakistan

Till 1857 war of independence or mutiny depending on one's perspective, all the laws relating to women and family life were dealt with in accordance with the personal laws of each religious community and hence Muslims personal laws were applied in their case[88].But many do not agree with and say that after 1857, many laws were promulgated by the colonial power to safe guard women but indeed these laws proved counterproductive and in the words of an expert, the abolition of certain customs like*satti,* burning of widow after death of husband, and female infanticide etc. through legislation, were not due to real concern about women's emancipation on the part of the colonial power, but instead derived from, first, a sense of moral outrage , and second , the need to find political ammunition for their refusal to grant India's right to self-rule. This is borne out by the fact that in certain areas such as land reforms and personal laws, British actions had very deleterious effects on women, such as the effective destruction of matriliny among Nayars of Kerala[89].

The family laws inherited from the Government of British India at the time of the partition where the Muslim family laws regulating marriage, divorce, dower, custody of children, inheritance laws, etc.certain provision forsafety, health, and welfare of the women workers in mines, factories and plantation were in rule under the factory Act 1934. After partition, in 1948, the same Act was replicated and some minor changes were made under the factory Act 1948, Labor Act 1951. These laws were meant only to safeguard women from exploitation of overwork.

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[88]Sherin Rahmatullah, *Social Welfare in Pakistan* (Karachi: Oxford University Press, 2000), p. 219.
[89] J. Liddle and R. Joshi, (1986) *Daughters of Independence: Gender, Caste and Class in India* (Cf. Lynne Brydon and Sylvia Chant.*Op. Cit,* p.40.

After independence, the laws went in a specific direction led by some westernized women and patronized by General Ayub Khan, a, man who was very much against Islam and the Islamic scholars and distorted many Islamic institutions, to the extent that he declared wine drinking as Islamic. But whatever changes were brought in the constitution on the issue of women, could not be promulgated till writing these lines and the things have worsened against women to the maximum leading to honor killing, violence against, acid burning, dower related violence, acid burning etc.

During 1979, under the Hudood Ordinance many changes were made in the legislation to cover up the gaps between the previous laws and the ground realities but due to western/external support and political opposition to marshals, the civil society /NGOs in Pakistan started a campaign and made controversial the laws which are still unresolved. We will talk more this in the chapter concerned.

The contemporary Social Policy refers to the state investment and intensions in the five big areas of health, education, housing, social welfare and social security policies in Britain[90]. Further Ellis[91] also discuss that Social Policy refers to the group of laws, statues, codes and operating procedures that governs the interaction and behavior of the people. Not only in Pakistan, but in the entire ESCAP (Economic and Social Council for Asia and the Pacific) region it is a subject matter of social welfare policy than social policy. In this region the social welfare policy focuses on the vulnerable groups of the society like children, women, the aged, minorities, etc.Similarly, Baldock et al[92] are of

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[90] K. Blakemore, *Social Policy*(Berkshire: Open University Press, 2003), p. 1.
[91] Ellis, R. A., Impacting *Social Policy: A Practitioner's Guide to Analysis and Action* (New York: Thomson, 2002), p. 4.
[92] J. Baldock et al.*Social Policy* (Oxford: Oxford University Press, 2003), p. 6.

the opinion that the term Social Policy has a close relationship to social welfare and the development of a welfare state. They have also explained the social construction of gender in social welfare perspective.

Through the study of social policy, the oppressed group is identified by the government and policies are made to minimize the sufferings and maximize the welfare of the oppressed group.

Sufficient literature is accessible related to women welfare in the developed countries but in Pakistan, there is scarcity of homegrown literature relates to women's issues. The majority of such literature is fabricated by religious scholars as the problems regarding women have been a live one in Pakistan since its independence in 1947. This problem has been analyzed in religio-cultural perspective which has a pervasive impact in Pakistani society. Consequently, with reference to Pakistan, the role of religion and culture, both, are legitimizing male dominance.

We will talk more about this in the coming pages.

2.1.2. Worldwide Status of Women

The ILO in 1984 reported that;

> "... *The contribution that women make to total household earnings is significantly higher in poor households. Many women work for pitiful returns as wage laborers or traders. When all work is counted, paid and unpaid (such as collecting water and fuel, preparing food, etc.) data from*

the third world as a whole, indicate substantially longer working hours for women than for men, especially in poor rural households. That women's work is of marginal importance is a lingering and dangerous myth"[93].

This exactly portrays the socio-economic conditions of Pakistani women. The majority of which belongs to the hushed and the un-mentioned peasantry in the rustic areas. Women live in poor economic status in Pakistan. They are economically dependent on men of their families. They mostly perform domestic duties which range from 12-14 hours a day and find less time for rest. But their domestic chores are not accounted by the national statistics.

About a quarter of a century ago, the World Health Organization (WHO) reported the plight of women in the third world in these words;

"Although women constitute one-third of the world's official labor force, they are accountable for nearly two-third of the hours worked, receive only one-tenth of the world's income, and own less than 1 % of its property"[94].

Not those women are treated as equal of men in the developed world either, but the situation has improved a bit there recently. Still, many inequalities persist, there as well.

All over the world, the status and roles of the individuals are determined on the basis of their sex. Power relations are built into social systems such that particular groups enjoy

[93] United Nations, *World Labor Report, Vol -1*(Geneva: ILO, 1984), p.2.
[94] United Nations. "Evaluation of the Strategy for Health for all by the Year 2000:Seventh Report on the World Health Situation", *Global Review* 1(1987), p. 24.

power, whereas other groups do not[95]. The higher and lower position of males and females is a determinant of their status and power. One group is superior by birth and the other is inferior in the social setup. The feminists are of the firm belief that males are ascribed greater status than females by virtue of being male[96] as a result of the patriarchal structure the world over. They may be right, but they cannot prove that a matriarchal society has ever existed on this planet which can be made as precedence for women's equality or equity with males. From here emerges the practice and concept of powerful and powerless sectors of the society. In different cultures of the world males and females enjoy different statuses and women are seen as inferior to men.

In the third world, where so many are underprivileged, women are the most underprivileged of all, Pakistan is not an exception. Although they give birth to and rare large families, and work hard at domestic chores and in the fields, often to the detriment of their health, their status is low.

Recently, the human rights activists argued that all women's problems relate to their rights as being women. In different conventions of human rights charters of the world, men and women seen equal, but on actual grounds they are not. In fact, all the groups of the society are not given equal status by the society. Women are born into a group which is not considered equal in front of men. So men are given greater power and they get more political, social and property rights in the society in all the societies, men dominate

[95] H. M. Lips, *Women, men and Power* (Mountain view CA: Mayfield, 1991), p. 2.
[96] D. Forsyth, *Group Dynamics* (Pacific Grove, CA: ITP, 1999), p.2.

over women. Sexual inequality is a worldwide fact of life, and it is observed that women are kept out of economic and political endeavors due to their sex[97].

This assures the lower status a woman has in her culture and is known as gender stratification. It is very difficult to measure the status of a specific group, although Sandy[98]has defined female status as

> *"The degree to which females have authority or power in the domestic or public domains, and the degree to which females are accorded differential treatment and are respected and are revered in the domestic or public domains".*

Women's life is divided into two main domains, namely domestic and public domain. In many cultures, women have control in domestic domain and not in public domain. For example, in Latin America and Asia as well, women are in less number of political and economic scenarios while they have full involvement in domestic life. In many African countries women engage in both domestic and economic activities.

According to anthropologist Rosaldo[99] male activities are recognized important and society value the male activities over female activities. She has quoted the example of New Guinea where women are involved in growing sweet potatoes while men cultivate yams which are a valued food. She has also given the example of Philippine society

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[97]M. Z. Rosaldo & L. lamphere, *Women, Culture and Society* (Stanford. CA: Stanford University Press, 1974), p. 2.
[98]P. R. Sandy, *"Female Status in the Public Domain"* in M. Z. Rosaldo& L. lamphere, eds., *Women, culture and society* (Stanford CA: Stanford University Press, 1974), pp.189-206.
[99] M. Z. Rosaldo & L. lamphere, *Op.Cit.* p. 13.

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where men are meat hunters and women are gardeners. Their main diet is based on wheat, which is planted by women, but meat is considered as most valued food.

Another anthropologist Margret Mead[100] noted the activities of men and women and found the difference between the statuses of both. She noted;

> *"Whatever the arrangements in regard to the descent or ownership of property, and even if these formal outward arrangements are reflected in the temperamental relations between the sexes, the prestige values always attach to the activities of men".*

2.1.3. Status of Women in Pakistan

Two quotes are reproduced here to have an idea about the socio-economic and legal status of women in Pakistan;

> *"Bought and sold, beaten and mutilated, even killed with impunity and social approval, dispossessed and disinherited despite legal safeguards"*[101].

> *"The Pakistani womanhood whether belongs to rural or urban areas are poor and virtually illiterate, leads a life of physical hardship involving long hours of tedious chores, for which there is neither compensation nor recognition. These women bear the burden of childbearing and house work. Consequently, they are the first to rise and the last to sleep. They*

[100] M. Mead, *Sex and Temperament in Three Primitive Societies* (London: Morrow, 1935), p. 13.
[101] Government of Pakistan, *Women Status in Pakistan* (Islamabad: National Commission on the Status of Women, 1985), p. 2.

are to light fire, offer their prayers, milk the cow or buffalo, prepare the breakfast, have the dishes washed, and house cleaned. This is not the end of her duties. She has a long day ahead. She is to look after the livestock, rear the children, look after the aged and sick, collect firewood, if she is in hilly areas and has to fetch water. After everyone has collapsed on the bed, she is still to prepare for the following day and is the last to sleep. Despite these functions, she is still the inferior being"[102].

Some other experts explain women's status as *"a woman in Pakistan is either an ideal or deviant, she is not real: that is how she is judged".*

About 22 years back an expert has described the socio-economic conditions of the third world countries as,

"Poverty is the central problem. Most third world countries are poor and their people subjected to many different forms of deprivations; powerlessness, hunger, urban squalor, landlessness, illiteracy, avoidable ill health, familial deprivation, the exploitation of women and so on. Most of the poverty in the underdeveloped world is concentrated in the rural areas where most of the people live. The various aspects of poverty interact. Inequality in education perpetuates inequalities in status and life chances. Squalid living conditions adversely affect health and life

[102] M. Khawar and F. Shaheed, *Woman of Pakistan: Two Steps Forward, One Step Back* (Lahore: Vanguard Books, 1987), Pp. 21-2.

expectancy. The inequality of power stands in the way of any step towards greater social justice. The interactions are endless"[103].

Pakistan is a third world country and is no exception. All these social maladies exist there.

Women though incorporate more than half of the population of Pakistan (sex ration being 100:108) still lags behind in different walks of life. Actually, women are not enjoying good status in the country. The data found at a local and national level about women'sstatus, but that is very limited to portray a broader picture of Pakistani women. We do not find any data about women in Federally Administered Northern Areas (FANA) and the Federally Administered Tribal Area (FATA) of Pakistan, which is in international focus after the 9/11, and where talking about women's issues publicly or privately is proscribed and it the mandate of the religious scholars only to talk about such issues.

Here is a little picture of women's status with regard to legal, economic, health, and literacy conditions in the country.

2.1.4. Violence against Women and their legal Position in Pakistan

Pakistani women face violence in all parts and classes of the country. They face different forms of violence, including social, psychological, economic and physical violence. Mostly family is responsible for these kind of violence in our country.

[103] H. Jones, *Social Welfare in Third World Development* (London: Macmillan Education, 1990), Pp. 1-2.

The issue of addressing domestic violence against women and their health issues in Pakistan are gaining momentum due to the awareness about women's rights. It is believed by some feminists that the problem of violence against women is the result of the patriarchal system; a system based on the subordination of male and female subordination. The most common type of violence against woman is wife beating, the most common phenomenon and, sexual violence (four rapes on the average), are daily reported. Unfortunately, no matriarchal system has ever existed in the world and the conditions will remain the same till a woman is considered as a human being in Pakistani culture.

The existence of such gender disparities makes it no surprise that Pakistan stands at the top in the region in most women related human development negative indicators.

The Human Rights Commission of Pakistan[104] in 1996 reported that victimized women belong to poor and middle classes and because of this they become the victim of violence, further they face tyrannical customs and mores within and outside the boundary of their homes.

HRCP reported in 1997 that domestic violence has remained aninsidious phenomenon. Male superiority over the female is considered as a component of the culture, even authorized by the religion and a variety of its kinds are recognized and allowed in domestic life[105].

[104]Human Rights Commission of Pakistan, *State of Human Rights in 1996* (Lahore: HRCP, 1997), p. 184.
[105]Human Rights Commission of Pakistan, *State of Human Rights in 1997* (Lahore: HRCP, 1998), p. 130.

The domestic violence shows the position of women in Pakistan within the familial setup. Some forms of violence in Pakistan are deep-rooted in the culture that it is difficult

to recognize them as violence and mostly ignored by the society[106].

In 2011, a total of 4,500 cases of domestic violence was reported, out of which 943 women were killed (the reported cases) in the name of honor, including all ages and religious sects. Out of the total numbers, 93 were minors, seven Christians and two Hindus. Due to poverty and suffocating environ in the families at least 701 women committed suicide and 428 attempted to commit suicide[107], these statistics show the graveness of the situation of women in Pakistan.

A study carried out by the Women's Division depicted that 80 percent of the householdin the country is indulged in domestic violence.

According to an official statistics, 1,974 women were assassinated during 1998;mostly they were the victims of their own family members, including husbands, brothers, fathers, and in laws, whereas 706 rape cases were reported in Punjab in 1998[108]. There are several cases of selling and buying women, marriage to the Quran and other violence being practiced as customs but no data is found at the national level.

As a state response we find a number of laws for women protection in the country as Muslim Family Law Ordinance 1961; Articles 25, 27, 34, 35 and 37 of the Constitution

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[106] Asian Development Bank, *Women in Pakistan: Country Briefing Paper*(Islamabad: Programs Department (West) and Office of Environment& Social Development, July 2000),p. 18.
[107] Human Rights Commission of Pakistan (HRCP), *The State of Human Right in 2011* (Lahore: HRCP, 2011), 6.
[108] S. Zia & F. Bari, *Women's Political Participation in Pakistan* (Islamabad: Asian Development Bank, 2000),p.19.

1973;Dowry and Bridal (restriction) Act 1976; The Offence of Zina (enforcement of Hudood) Ordinance 1979; The Protection of women (criminal laws amendment) Act

2006; Domestic Violence (prevention and protection) Act 2009; Protection against harassment of women at work place Act 2010, and Acid Control and Acid Crime Act, 2011. But the law is still unable to defend women from violence in Pakistan.

2.1.5. Women Economic Status

Referring to the third world, the WHO reported that women constitute one-third of the world formal labor force, they worked for nearly two-third of the hours worked, get only one –tenth of the world's income, and possess less than 1% of its property. Economic discrimination is thus added to the other forms of disadvantage from which women in underdeveloped countries suffer simply because they are women[109].

The ILO in 1984 reported that;

> "... *The contribution that women make to total household earnings is significantly higher in poor households. Many women work for pitiful returns as wage laborers or traders. When all work is counted, paid and unpaid (such as collecting water and fuel, preparing food, etc.) data from the third world as a whole, indicate substantially longer working hours for*

[109] United Nations. "Evaluation of the Strategy for Health for all by the year 2000: Seventh Report on the World Health situation", *Global Review .Vol.-1* (Geneva: World Health organization, 1987), p. 24.

women than for men, especially in poor rural households. That women's work is of marginal importance is a lingering and dangerous myth"[110].

This exactly portrays the socio-economic conditions of women in Pakistan. The majority of which belongs to the hushed and the un-mentioned peasantry in the rustic areas. Women live in poor economic status in Pakistan. They are economically dependent on men of their families. They mostly perform domestic duties which range from 12-14 hours a day and find less time for rest. But their domestic chores are not accounted by the national statistics.

2.1.5.1.Labor Force Participation Rates

Labor Force Participation Ratesare also not in favor of the remarkable status of women in the country. It is comparatively low as compared to men. There are certain reasons behind this. Firstly, family constraints and early marriages restrict women to get indulge in economic activities. Secondly, government does not offer gender equality in offering different jobs in the country.

In 1951, female Labor force participation rate was 3.1 percent, while it was 79.4 percent among males, it increased to 9.3 percent for females in 1961 and decreased in 1973 as it was calculated as 5.1 percent and it continuously decreased in 1981 and 1998 with the percentage of 2.1 and 2.23 respectively[111].

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[110]United Nations Organization, *World Labor Report. Vol -1*(Geneva: ILO, 1984), p. 2.

[111] A. H. Malik, *Sociology of Gender Relations* (Multan: Teachers Students Welfare Forum, 2005), p. 77.

Rural women participate largely in domestic and agrarian works, but their work is not seen in the national statistics. Saeed[112] in a local study of four villages of Punjab found that 80 percent of all respondents were women, involved in farm activities. 43 percent of women were involved in cutting wheat, 78 percent were involved in binding of sheaves and 67 percent participated in threshing.

Another aspect of women's status is their property rights. Religion and the lawallow women to keep and inherit property in their name but very few women possess inherited property on actual grounds. No remarkable data was found showing the women population having property in their own name.

A study of female inheritance rights in the Pukhtoon society of Pakistan revealed some facts and figures about inheritance situation among women in Pakistan. The study shows that 46.6 percent women acquired, inheritedproperty, but they faced problems while managing the same properties. The reason behind this was customary challenges[113].

In the economic sphere, their labor is mostly invisible. They are subjected to the most laborious works. For example, a woman's work comprises of 10-12 hours of strenuous physical work, but much of that labor is not taken into account and is considered as a part of the daily chores of a woman.

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[112]Ibid, p. 78.

[113] A. Z. Asad, "The Female Inheritance Rights in Pukhtoon Society", *The Journal of Science and Humanities, Faculty of Arts and Humanities, University of Peshawar* No. 2, vol. 15 (2007), Pp. 31-45.

2.1.6. Women Health in Pakistan

The women's status is almost secondary in the entire South Asia as compared to other parts of the globe. And within the region, Pakistan includes one of the most discouraging statistics in the fields of health and education not only for males but also for females. Pakistan still has a fertility rate of 4.9 which is higher than any other developing country in the region, and more than one out of 38 women die from gynecologicalcauses compared. In Sri Lanka like neighboring country, for example, one woman out of 230 die of the same pregnancy related problem.[114]

According to a World Bank report,

> *"Pakistan lags far behind most developing countries in women's health and gender equity. The sex ratio is one of the most unfavorable to women in the world, a result of excess female mortality during childhood, and child bearing. One woman in every 38 dies in childbirth and half of infant deaths result from poor maternal health and nutrition".*

Pakistan still lags behind its neighboring countries in West Asia and South Asia regarding its demographic indicators. Health statistics of the country show a poor health condition. Out of 161 million populations in 2008, total fertility rate was 3.8; infant mortality rate was 99 (per 1,000 live births) while the maternal mortality ratio was calculated as 350-400 (per 100,000 live births). Health expenditures of 2007-08 were 0.57 percent of the total GDP. Amongst the health care facilities, population per doctor

[114]A. G. Tinker, *Improving Women's Health in Pakistan, Health, Nutrition, and Population Series* (Washington DC: The World Bank, 1998),p. 5.

was calculated as 1225, per dentist were 19121, per nurse was 2501, and per midwife was 6203 while population per LHV was calculated as 16,845. Out of the total population, antenatal checkups during pregnancy were 14 percent only, while birth attended by skilled birth attendants was 54 percent only. The women who had mammography amongst the whole population were only one percent.[115]

This shows the worst health conditions of women in Pakistan, wherea women's health is not a serious issue for the government. MMR is a serious issue of health indicators in a country, but its high ratio shows the government negligence. Every year 30,000 young women die in Pakistan. More than 80 percent of child deliveries take place at home with the help of unskilled birth attendants. Major and direct causes of maternal death include hemorrhage, hypertension, infections and delays of pregnancy in our country[116].

A recent report of a Pakistani NGO SPARC (Society for the Protection and Rights of the Children) reported that in Pakistan, in 2010,750,000 children were born premature and was the fourth in the world while India stood first, China was second and Nigeria stood third in this regard. According to this report, a premature birth is one of the causes of child mortality and is the second main cause after Pneumonia. About fifteen million

[115]Government of Pakistan, *Economic Survey of Pakistan 2007-08* (Islamabad: Federal Board of Revenue,2009),p.11; see also Mahboobul Haq Research Center, Human Development Report 2007-08 ; Society of Obstetricians and Gynecologists of Pakistan, Health of Women in Pakistan: Annual Report-2009 (Karachi: Department of Obstetrics and Gynecology, Jinnah Post Graduate Medical Center, 2009), 2.
[116]Society of Obstetricians and Gynecologists of Pakistan, *Health of Women in Pakistan: Annual Report-2009* (Karachi: Department of Obstetrics and Gynecology, Jinnah Post Graduate Medical Center, 2009), p. 3.

children were born that year out of which one million died among the remaining children, many become disabled particularly mentally, deaf and dumb and blind[117].

While the major cause of the maternal death and poor infant survival is caused by the malnutrition and health care services for mothers, the mothers' age and frequency of childbearing is alarming. Lesser the age of a mother, greats of the willarethe chances of an infant's death and lesser the interval between the consecutive childbearing, greater will be the chances of infant mortality as well as maternal mortality. The interval between births is directly correlated with the survival of a baby regardless of the mother's age. A less than two years of birth interval can maximize an infant's risk of death as compared longer birth intervals say about two or three years[118].

Women's health is a constant danger to their life which is not compensated by the government policies. The private sector provides maternal and child care facilities in all areas of the country. Though they claim high quality services, but the standard of these hospitals do not match the international standards. On the other hand, the charges of these hospitals are quite unaffordable for a common Pakistani.

The increased number of poor women health statistics is an indicator of lack of trained medical staff in the country. Women live in poor standards in the rural areas. 43 percent child deliveries in urban areas take place at home while in rural areas, 74 percent

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[117] Society for the Protection of Rights of the Child (SPARC), *Quarterly News Letter NO.71*, April –June 2012, Islamabad, p. 5.

[118] Government of Pakistan, *Pakistan Demographic and Household Survey 2006-07(PDHS)* (Islamabad: Statistical Division, 2007), p. 22.

deliveries take place at home. Only 39 percent of deliveries take place in the presence of skilled medical practitioners[119].

Family and cultural constraints also affect women's health in the country. Early marriage and childbearing at an early age, less than the required interval between consecutive pregnancies, malnutrition due to poverty and lack of iron supplement during pregnancy and lactation are the major causes of anemia[120].

Malnutrition is another health problem of Pakistani women. Women nutritional level from puberty to menopause is very poor. According to National Nutrition Survey 2001-02, percentage of malnourished women in Pakistan is 12.5 while it is 16.1 percent of lactating mothers.[121]

The above data shows poor health conditions of women in Pakistan and the stateare unable to provide better health facilities to them.

2.1.7. Female Illiteracy in Pakistan

Pakistan is ranked at a low position in the field of education when compared to its neighboring countries as out of 129 countries Maldives is ranked 49, India 102, Bangladesh 109, Nepal 110 and Pakistan are ranked at 118[122]. Having a high rate of

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[119]Government of Pakistan, *Pakistan demographic and health Survey* (Islamabad: NIPS, 2006-7), p.113.
[120] K. Zaki Hasan, p. 72.
[121]Ibid, Pp. 71-72.
[122] United Nations, "Education For All Development Index: *UNESCO Global Monitoring Report,* 2009", Cited from *Why gender Equality in Pakistan* (UNESCO: Islamabad, 2010), p. 12.

illiteracy at world globe, the overall literacy rate is 56 percent of those aged 15 and above further 69 percent males are literate while 44 percent females are illiterate in Pakistan[123].

As gender discrimination is seen in all the fields in the country, includingthe education sector. Pakistan has very poor statistics in female literacy due to such discrimination. This discrimination is seen at the primary level in the country as there are higher number of boys' schools than in girls' schools, and male teachers are higher in number than female teachers[124]. Higher school attendance among boys is observed than the girls as the primary net enrollment rate for girls is 51 which show that rest of half female population never attended school in Pakistan. In Baluchistan, the school attendance rate is even lower at the primary level as only 32 percent girls attend primary school. [125]. Pakistan is a signatory of various international conventions as Universal declaration of Human Rights 1948, CEDAW 1979 (Pakistan ratified CEDAW in 1996), Beijing Declaration and Platform for Action 1995, World Declaration on Education for All 2000, and Dhaka Frame Work for action 2000.

The government has adopted EFA (education for all) goal to provide education to both sexes in the country from primary to higher level. In this regard National Education Policy (NEP) is aimed at minimizing the gender gap in Pakistan. Since 1990s, the girls schooling promotionhas beenthe government's top priority objective in education sector. For this purpose Education Sector Reform Action Plan (2001-05) was implemented in the country.

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[123] Government of Pakistan, *Pakistan Social and Living standards Measurement Survey*(PSLM Survey), 2008-09, (Islamabad: Ministry of economic affairs and Statistics, 2008), p. 16-17.
[124] United Nations, *Why gender Equality in Pakistan* (Islamabad: UNESCO, 2010), p 6.
[125]Government of Pakistan, Pakistan *Social and Living Standards Measurement Survey* (PSML) 2006-07 (Islamabad: Ministry of Economic Affairs and Statistics, 2008), p. 11.

Along with this there are countless private schools in both urban and rural areas who claim to provide quality education and take a heavy fee from the parents. Despite all these facts the education for girls is a mere dream in Pakistan.

UNESCO (2010)[126] explains the several contributing factors to gender inequality in access to education in Pakistan. Various factors like poverty, absence of free and compulsory education for all, low education budget, cultural norms, gender division of labor, son preference, shortage of schools, shortage of female teachers and conflict between different groups restrict girls to get an education.

The literature review presents an overview of the women's status in Pakistan as an inferior being even from the time of birth. No matter rural or urban, she is an inferior creature of the society. Even in the urban areas where women know the sex of the child before birth, they are not happy with the news of a girl child. Her childhood starts with the discriminated behavior of the family. A boy child is always preferred over a girl child. Having twin baby boys is considered as a blessing and having twin baby girls is a sign of sorrows for the family. She has helped in the house works, since childhood till adulthood, but her housework is never acknowledged. Even if the family is poor, she serves as a maid in others house and does child labor. Her pay is kept by the parents and she has never enjoyed her childhood. She is not paid for her educational expenses usually and gets an education in government schools till free education level and usually kept at home after primary level. Sometimes for saving family income and increasing family earning, her education is stopped before high school. Same is the case in her health matters. She is at family mercy in health care. Undoubtedly she is a health care provider,

[126]United Nations, *Op. Cit*, 17-20.

but when to get health care, she receives nothing. She delivers child at home with no health care facility, low nutritious food and have high MMR in the country. She lives in poor economic conditions. Firstly, she receives nothing from the head of the family in cash form even if earning, her pay is kept by the head of the family. There is no network of government support for destitute women. Further, she gets nothing in the name of family inheritance. It is transferred from the fathers to the sons only. She is bought, sold, beaten, burnt, divorced, murdered, raped, harassed and consciously kept unmarried without any sin.

This overview of women's status depicts the lower status of women in the society and no policy has been observed by the government which had brought changes in her status.

2.2. PART-II: METHODOLOGY AND RESEARCH DESIGN

This research is qualitative in nature and it is an endeavor to describe and explain women issues in Pakistan; what have been happening to them and how things reached to the present status against women. After having an overview of the situation about women's status in Pakistan, several questions arise regarding women and social policy in Pakistan. Has the existing social policy for women in Pakistan addressed their socio-economic problems? Has this policy brought changes in the miserable condition of women? Has legislation in Pakistan improved women's status? These questions lead to the following objectives of this study.

- To analyze the evolution of current social policy of women and its legislative basis.

- To explore the impacts of social policy on the current status of women in Pakistan
- To investigate the reasons of the existing status of women and its compatibility with social policy for women in Pakistan.

2.2.1 Research Questions

This study was conducted using the following research questions.

1. Is there any social policy for women that exist in Pakistan? (objective #1)
2. What is the basis of social policy for women in Pakistan? (Objective #1)
3. How social policies for women evolve during pre-independence period? (Objective #1)
4. What changes or amendments were introduced in social policy for women after in the post-independence era? (Objective #1)
5. What are the salient features of current social policy for women in Pakistan? (Objective #1)
6. What is the current status of women in Pakistan? (Objective #2)
7. Is there any impact of social policy on women's status? (Objective #2)
8. What are positive and negative impacts of social policy on the status of women? (Objective #2)
9. Either social policy of Pakistan could enhance the status of women? (Objective #3)
10. What are the reasons for success or failure of social policy for women in Pakistan? (Objective #3)

2.2.2 Methodology

2.2.2.1 Sampling Strategy

As a wide variety of respondents was needed as per requirement of the research plan it was logical to choose respondents from the field therefore purposive sampling plan was made and implemented. For qualitative researches experts recommend purposive sampling technique. I also adopted purposive sampling technique with the main objective of purpose. This means those people who understand the issue in the research question[127]. I selected sample from a variety of fields related to social policy selected areas.

The specific criteria were followed, i.e. Qualification, Experience and exposure of the respondents in the field. Only graduates and post graduates were invited to participate in the research. Minimum more than five years experience was considered appropriate for this research study. To fulfill the ethical deliberation consent form was given to the respondents and after getting their approval appointments were taken and afterwards interviews were conducted.Respondents belonging to the law, education, health and economic related fields were selected for data collection.

2.2.2.2 Sample Size

A variety of respondents were involved in the study and for each section experts were accessed for getting the reliable data about the policy provisions. Researcher used

[127] Natasha Mack et al, *Qualitative Research Methods: A Data Collector's Field Guide*(California: Family Health International in USAID, 2005), p. 5.

personal contacts, institutes data bases and references to locate the suitable respondents for getting data about each element of the social policy.

The number of respondents was not pre-decided as qualitative research experts have recommended that whenever a researcher observes saturation in the data and the addition of more units does not result in new information he/she could stop adding more units. Similarly for this study researcher used the phenomena and interviewed 43 respondents.

2.2.2.3 Tool of Data Collection

As this study was designed to explore all four elements of the social policy, therefore four different interview guide were structured keeping in view the specific nature of each e.g. education, health, legislation and economic status. As the interviews were conducted with experts in the field and the response of the same could not be limited beforehand therefore a loosely structured interview guide was planned and followed consequentially. The interview guide questions were formulated after extensive review of literature. Previous studies on the topic helped researcher to identify the variables regarding each element of the policy. Once the interview guide was decided it was given to the advisor and experts in the field for getting their opinion on the document. An ample discussion session was conducted with the expert before finalizing the instrument. The comments and opinions of the other experts were also conceded wherever found suitable.

A one interview guide was used which was divided into four sections and each section was used exclusively for specific expert. Both open and close ended questions were used

to probe the experts during the interview. Each interviewer was provided a copy of interview guide before the interview recording.

2.2.2.4 Rapport Development with the Respondents

Researcher accessed each participant personally and asked him/ her to participate in the research. After getting informal approval, consent form was given to the participant to get the formal approval. It was assured to all respondents that the data taken from them would only be used for research purpose only and no manipulation was done with the same. All ethical principles and research considerations were fulfilled. The researcher asked for appointments and kept in view the convenience of the respondents therefore all interviews were conducted at the place selected by the respondents. The researcher observed the date and time of the interview exactingly. To facilitate the respondents' researcher mostly conducted interviews in one session.

2.2.2.5 Pilot Testing

The instrument was pilot tested with 04 respondents one from all four fields. The instructions were given to the respondents about the interview guide. They were asked to give suggestions and at the same time requested to comment on the statements of the questions. During pilot testing the time of the interview was calculated. It was found that each interview duration could be 45-55 min. The suggestions of the respondents were inculcated within the instrument. In this way pilot testing of the instrument assured the validity of the instrument.

2.2.2.6 Data Collection

The respondents were approached at the given day and time. Before the formal questioning, there was an informal discussion with the respondents. As the formal questioning started, researchers did not interrupt unnecessarily rather she facilitated the respondents wherever an explanation was needed. Formal permission was taken from the respondents for recording the interviews and all necessary arrangements were done beforehand. Respondents were given proper time to answer the questions. The questions were rephrased for the facilitation of the respondents where required. All sessions ended with formal thanks to the respondents. For her own understanding and clarification researcher took notes during the interview sessions. Recorded interviews were transcribed at the earliest possible time after the session by the researcher and afterwards manuscripts were given to the respondents for proofreading and editing. Data collection procedure lasted for five months starting from 8th June to 14th November, 2010.

2.2.2.7 Data Analysis

To address the first objective of the research, documents related to the social policy for women in Pakistan were identified and read; moreover reports and comments were analyzed for the very purpose of understanding the evolution of social policy. 'Content Analysis' of the data was done and correspondence found was reported accordingly. The similarities and contradictory statements lead researcher to draw the conclusions and build the theoretical framework of the social welfare theory based on Islamic principles for Pakistan.

To address second and third objective the data was handed accordingly and 'Thematic analysis' was implemented in the transcribed data and open codes driven inductively, which involves comparisons between the responses. The researcher identified similarities and differences between the sentences and quotations uttered by the respondents and apply conceptual labels to those impressions. The notions were joined and merged, resulting in the emergence of categories and themes which were labeled keeping in view the major notion of the theme. In this way 22 themes emerged out of the data which were reported separately and discussed accordingly.

CHAPTER–3:LAW AND WOMEN IN PAKISTAN

The Pakistan Law Commission, in 1985, commenting on the status of women in the country, reported that:

> *"Treated as a possession rather than self-reliance, self –regulating human. They are bought, sold, beaten and mutilated even killed with impunity and social approval. They are dispossessed and disinherited in spite of legal safeguards (and) the vast majority is made to work for as long as sixteen to eighteen hours a day, without any payment*[128]".

This can be an exaggerated perception of the women's status in Pakistan as not all the women in the country are sold, beaten and mutilated, but the situation attracts the attention of the competent authorities toward the graveness of the problem. Many feminists have attributed the situation to the patriarchy in Pakistan wherein women's lives are determined by their male relatives and some other social arrangements like Purdha, seclusion of women etc.

The legal status of women in Pakistan is described by a heterogeneous system of laws since the colonization of the sub-continent by the Britons, as understood by some experts[129].

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[128] Government of Pakistan, *Women Status in Pakistan* (Islamabad: National Commission on the Status of Women, 1985), p. 3.

[129] Heinz Gunther Klein &Renate Nestvogel, *Women in Pakistan: General Conditions, Approaches, Project Proposals for the Development and Vocational Qualification of Women in The Province of Punjab.* (Lahore: vanguard Books: 1992), p. 93.

It is now realized that as conquerors, the Britons did not come to the area for the welfare of the locals but to subjugate them and plunder the resources of the region as the region was famous for its resources and by then known as a 'hen laying golden eggs' in the west. The Britons were not the first to try their luck here. Before them the Dutch, the French, etc. had also come to the area but left the area due to internal wars.

It is generally believed that Pakistan has inherited a colonial structure of social welfare and most of the services were introduced by the colonial power but this is totally wrong. Colonialism has had less far reaching impacts on the welfare system of Pakistan than it has on that of India. With the advent of the British rule the new India came into contact with the new intellectual, political, economic and scientific trends, which were influencing the western world. Major scientific thinking was rational, secular, and liberal and their influence on the development of the economic and social structure was immense.

The major impacts of the new trends were accepted more by the Hindus than by the Muslims. The British East India Company 'snatched' powers from the Muslims and not from Hindus. They never let the two come closer. As a ruling power the British were more interested in strengthening their economic and political holds on Indian subjects than in their welfare. When the British crown took India under direct administration in 1834, some reformative acts were introduced to direct to curb brutal religious practices among Hindus, including Satti (a custom of burning of a widow on the death of her husband) and the homicide of unmarried daughters whose failure to find a husband was considered as a stigma for parents. These practices were banned by the Governor General

William Bentinck under the Chartered Act of 1833, which declared them as tantamount to murder.

Bentinck also introduced the modern system of education in India. Before independence the government's role in social welfare was chiefly restricted to the provision of the legislative framework. As the colonial rulers limited themselves to revenue collection and maintaining law and order, social welfare was primarily left to voluntary enterprises. Social legislation such as the Apprentice Act, 1850, Leprosy Act 1889, Reformatory School Act 1897, Lunacy Act 1912, Children's Act 1912, and 1920, Workmen compensation Act 1923, Trade Union Act, 1926, Borstal School Act, 1926, Probation Act 1936, etc. were passed under public pressure. Gradually, the government was persuaded by Public opinion to run some welfare institutions made obligatory by the social legislation. Provision of social welfare services was left to the voluntary bodies by and large prior to 1947[130].

The greatest beneficiaries of these welfare acts were Hindus. Muslims were deprived of its fruits. This, if hypothesized, can lead us to believe that after the early and medieval Islamic eras, Muslim leadership degenerated because of lack of vision and capability to organize and dynamically evolve institutions. Muslims still live in the mist of the past glory. They have ideals, but lack confidence to research and synthesize modern ways within the framework of Islamic ideals.

Pakistan has not been able to institutionalize many principles so openly professed, whether economic, social or politico-legal. Corruption, embezzlement and harassing

[130] H.Y Siddiqui (ed), *Social Welfare in India* (New Delhi: Harnam Publications, 1990), Pp.32-3.

people through state departments, has always predominated over the art of peace and institution building. Even when guided and directed by the western donor countries, they distort the very basic goal of a participatory socio-political system. Social miseries have been falsely explained away as an outcome of imperialism or neo-imperialism, and making Pakistani society achievement-oriented is a distant dream at present, as Pakistan faces the established and vested interest of the feudalistic, bureaucratic and the entrepreneurial upper class.

Every policy ranging between taxation to basic wages is supportive of a mechanism designed to keep people in bondage. Political institutions have become self-defeating; those advocating democratic principles are, outmaneuvered by the establishment of hereditary or dictatorial entitlement to leadership. All major political parties have their heads or patrons who are either children of the founders of the party or serving/retired generals.

Another aspect of this situation is that in the initial stages the Muslim ruling elites opposed British policies and services. Their propaganda among the masses was so effective that Muslims could not avail themselves of services rendered for them. History witnessed that these elites took a U-turn and adopt almost every measure, but in general Muslims did not realize these consequences even at the time when Britain was leavingfrom the sub-continent.

In actual fact, the struggle for independence had different meaning and purposes for two different groups. First, the ruling elites of Muslims wanted to exploit the British for their own cheese and butter. Local leaders wanted to oust the British and the masses were

misled to believe that everything would be fine after the British had left. This competition was between two conflicting claims to leadership. The post-Colonial era, however, proved that what occurred was simply a substitution of a colored bureaucracy for a white, which had cause and care, and were better qualified.

Consequently, many important problems like those related to women welfare went on the back burner and became issues only till this day and with which the women in Pakistan suffer a lot, but to no solution in the near future and perhaps will take a few more centuries.

We will discuss the women welfare legislation in two parts, namely the pre-independence and post-independence phases as the former has direct link with the latter.

3.1. Women Legislation Before 1947

Before examining the laws for women empowerment in Pakistan, one must see its roots coming from the colonial era. Social stratification and inequality generated under foreign rule cannot be removed by the independent state so easily. While discussing the Muslim women's status under colonization, Mumtaz and Shaheed[131]argue that there was no improvement in the women's status under colonization.In actual fact, the British actually strengthened the feudal and tribal system in the rural areas, and by providing the entire ownership of the land to the feudallandlords and tribal heads, enhanced their own authority and of the elite. This supports pre-existing feudal and tribal cultures, increasing the inferior position of women in those areas.

[131]Mumtaz Khawar and Farida Shaheed, *Woman of Pakistan: Two Steps Forward, One Step Back* (Lahore: Vanguard Books, 1987) p, 36.

A legal system under Britain rule shows prominent disadvantages for Muslim women in Indo-Pakistan. Britain introduced new legal system in the Indo-Pakistan to hold their power on minorities. As a colony, the Muslims of All-India was not benefited by the colonial rule and hence their women were never thought to be a privileged one by the law in the country. . Islamic law had been established, to some extent, in India by the 17th century under the Mogul Empire[132]. With the advent of the British rule those laws were thrown sideways and new laws introduced focusing on the consolidation of the colonial power than on the welfare of the natives. Commenting on this situation Patel writes;

"So called 'Customary laws' (tribal laws, Hinduism) were placed over 'pure Islamic law' under the British colonial rule, which then merged into 'Anglo-Muhammadan law' to be issued as Islamic law and observed by many as such. ' Customary; rather than Islamic law has since then led to discrimination against women and to their mortification particularly with regard to family and property rights[133].

This is worth mentioning that there are many sects and groups among the Muslim who have their own way of interpretation of the Islamic law, e.g. the Hanafi Sunni, the majority of Muslims in the Indo-Pak sub-continent, do not allow women to initiate divorce proceedings while the 1939, Dissolution of Muslim marriage act did permit women to sue her husband for a divorce, making the controversial law.

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[132]Martha. C. N. ,*Women and Human Development: The Capabilities Approach*(CambridgeUniversity Press: Cambridge, 2000), p.213.

[133] Rashida Patel, (1979) 'Women and Law in Pakistan' Cf. Heinz Gunther Klein &Renate Nest Vogel, *Women in Pakistan: General Conditions, Approaches, Project Proposals for the Development and Vocational qualification of Women in The Province of Punjab* (Lahore: vanguard Books: 1992), p. 93.

Many laws governing the marriage, divorce, custody of children, etc. are inherited in Pakistan from the colonial India. The Divorce Act of 1869 provided for the custody, maintenance and education of children in case of divorce and separation.

According to The Child Marriage Restraint act of 1929, minimum marriageable age was fixed at 16 years. This law was never put to practice in rural India and now even in Pakistan because the ground realities are different than what perceived by the lawmakers. In the culture of the region, it is difficult for a poor man/ family to protect their young daughters from sexual exploitation by the aristocrats and the landlord and feudal and their children. Therefore, it is a must to marry a daughter as soon as she attains puberty so that the responsibility of the young girl should be that of his husband's family.

Women status in Pakistan has passed through a series of stages. Under the pre-independent colonial rule, Muslim women were deprived of their legal rights consciously. As British acknowledged Hindu customary law which did not authorize Hindu women to administer property on behalf of their minor son[134] while Islam commands the payment of inheritance to each child irrespective of gender, if the deceased father/husband possesses any such property.

Muslim women were subordinated by customary and religious laws only. The only law for improving women's status was Muslim Personal law in 1937. With this legal status, Muslim women migrated to Pakistan in 1947. This revolution of the dividing sub-continent into two independent states increased widows, orphans and destitute women.

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[134]Mumtaz Khawar and Farida Shaheed , *Op. Cit.* p. 37.

The state was under severe economic crisis and women had no security in terms of social, economic and psychological support except the family. In case of non-affordability of the family, women were the most unprivileged one in the country.

3.2. The Post-Independence Situation

The family laws inherited from the government of India were the Muslim personal Laws at the time of division of the subcontinent (named as Muhammadan laws) governing marriage, divorce, custody of children, inheritance, dower, trust properties, and so on.[135]The independence brought prominent variations in the status of Muslim women.

The tale of 1947, though brought successful achievements of independence, is also a gendered narrative of dislocation and dispossession of large scale and of the rearrangement of family, community and national identities and now people were enforced to accommodate themselves according to the prevailed reality.There were two destitute groups of women who need rehabilitation. The first group was comprised of the poor and widow women while the second group was composed kidnapped and abducted women.[136]

At this critical junction of life, the state had insufficient resources for the rehabilitation purpose and the women were in the most vulnerable position. The government could arrange refugee camps only, with the help of district administration and a provincial relief commission with no machinery to run the system. Women were kept there as their first home in the country. Socially, women (kidnapped or widowed) were not accepted by the

[135] Ibid, p. 47.
[136]Shireen Rematullah, *Social Welfare in Pakistan (*Karachi: Oxford University Press, 2002), p. 219.

society at that time as they were before. The government estimated 50,000 abducted Muslim women in India.[137]

From the political plate form of the Muslim League, efforts were started to help destitute women and women from this political party worked side by side with men. The Muslim League and All Pakistan Women's Association played an active role in arranging the marriages of all the single women residing in the camps'.[138]

3.3. Women laws and their Impacts in Pakistan

Even after the passing of 'Objective Resolution' in 1949 by the constituent assembly, there was no change in the women legal safeguards. Under the constitution of 1956, the Islamic principles were given the status of the basic guiding principles of the state. Even country went under the clutches of dictatorship under the 1958 Martial law and political instability started a new era in the country.

In 1961, the first law regarding women welfare ad safeguard was promulgated in the country, namely, The Muslim Family Law Ordinance, 1961. Muslim Family Law ordinance, 1961 was the first attempt by the government to improve women's status both socially and legally. The main objective of the law were the Registration of marriage (under section 5), to control polygamy (under section 6), to regulate divorce (under section, 7), dissolution of marriage otherwise than by talaq pronounced (under section 8) and maintenance (under section 9).

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[137]Ritu Menon, "Do Women Have A Country" in Ivekovic, Rada and Mostov, Julie, ed., *From Gender to Nation* (Ravana: A Longo Editore, 2002), Pp. 49.
[138]Ibid, p. 49.

It is worth to mention that why the martial law, government was so interested in providing women welfare? Here the socio-economic and political scenario of the early Pakistan should be kept in mind.

The practice of concubine is a part of the aristocratic culture the world over and the Indian subcontinent was not an exception. It was a status symbol that big landlords and rich people used to keep such women and even produced children by them. The red light areas have been famous for such stories like *Heera Mandi* Lahore. Many times the men left the women when they became un-attractive or if the women demanded financial rights for themselves and their children or when the secret of the relationship was disclosed to the relatives of the first wife, the men refused to fulfil their obligations towards the concubine and her children. This was an alarming situation and many women's organizations raised voices for improvement. Consequently, then the martial law government took this half-baked step which is still controversial and ineffective.

But it was highly criticized and rejected by the religious preachers. According to Yilmaz[139] actually the religious leaders could not bear the shift of authority from their own hands in the other hands, but the fact is that the religious leaders have had never any such authority in their hands to stop the promulgation of state laws except their pervasive impacts on masses to disapprove of such laws and official acts.

This ordinance authorized women to have the right to divorce her husband. Moreover, she could claim maintenance from the husband on legal grounds and the second marriage of husband required her permission. However, section 6 of the same law

[139]Ihsan Yilmaz, *Muslim laws, politics and society in modern Nation States: dynamic legal pluralism in England, Turkey and Pakistan*(Burlington: Ashgate Publishing Limited, 2005), p.130.

(MFLO), giving women the right to a subsequent marriage of her husband, is rarely used. Likewise the clause in the marriage form where the wife has the right to divorce or obstruct the husband from re-marriage appears to merit total disregard[140].

This law had nothing to do with the vast majority of the Pakistani people as more than 90% are monogamous, but started a new phase of criticism for Pakistani women. They were highly criticized by those who were involved in such unethical practices, but it was propagated that the Islamic scholars were opposing the law. The ordinance despite its relatively weak and moderate nature was attacked and dismissed by the some scholars[141]. As trust in the state policies was weak. Consequently, polygamy is still practiced, women are denied of their rights like dower and dowry, children from concubines get no share in the property and in short, the purpose for which the law was made, did not achieve its objectives.

The reason behind declaring the law as un-Islamic was on personal interests. The weakness of the ordinance can be judged as it made marriages registered but Nikahnama filling is governed by the male members of the woman (bride) and she is only a signatory of it. Further, the column containing her right to divorce the husband is cancelled by the male members of the family without her consent. Permission for husband's second marriage clause was highly opposed by the patriarchal set up of the society. While in practice, the permission from the arbitration council and from the first wife is rarely taken on legal grounds. Moreover, the ordinance is silent on the consent

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[140] S. S. Ali, Using Law for Women in Pakistan in Stewart, Ann (ed.) *Gender Law and Social Justice: International Perspectives* (Oxford: Oxford University Press, 2000), p.155.
[141] K. Mumtaz & F. Shaheed, *Op.Cit.* p. 59.

of wife for first marriage, but requires the permission of the first wife/wives for contracting a second marriage[142].

Legally the ordinance has certain lacunas and its interpretation is left tothe judges no matter how much their personal self and liking/disliking may involve in their decisions. This shows that the ordinance is an inaccurate instrument of justice provision for Pakistani women. Furthermore the intimation of divorce by the husband is not seen in the ordinance. If the husband intimates the arbitration council at the endof 90 days of talaq (divorce) declaration, the court will consider it as the first week of talaq pronouncement, but Shriat court will consider it as the last week of reconciliation on husband's testimony only. The designed *Nikahnama* also lacks proper information about both the bride and groom. So it cannot be claimed that this ordinance has strengthened woman's position in the past. Although the MFLO's *Nikahnama*was comprised of certain protections for women entering into marriage, but these protections have failed to improve marital practices in Pakistan[143].

It was assumed that the Constitution of 1973 will be a ray of hope for women equal status in Pakistan, but even it could not prove its significance in the society. According to Asian Development Bank[144], the 1973 Constitution of Pakistan is anincompatible instrument. Firstly, Article 25 of the Constitution gives equal rights to all citizens without discrimination of sex, race and class and authorizes the Government to take

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[142] Niaz. A. S. ,*Women, the Koran and International Human Rights Law: The Experience of Pakistan.*(Leiden: Brill Academic Publishers, 2006), p.152.
[143]World Bank, *Improving Gender Outcomes: The Promise for Pakistan*(Environment & Social Development Sector Unit, South Asia Region, 2005), p.28.
[144]Asian Development Bank, *Women in Pakistan*(Country Briefing Paper: Islamabad, 2000), p.10.

affirmative action to protect women's rights. In contrast to this, there are various discriminatory laws that negatively impact women's status.

The Dowry and Bridal Gift (Restriction Act), 1976 was one of the laws made under the constitution. Dowry under the Act is defined as,

> *"Any property given before or, at or after the marriage either directly or indirectly, to the bride by her parents in connection with the marriage but it does not include property which bride may inherit under the laws of inheritance and succession applicable to her"*[145].

It further states that neither the total value of the bridal gifts presented to the bridegroom shall cross the five thousand rupees i.e. the act limiting the value of the dowry and the wedding gifts as well as the expenditures on wedding festivities to rupees 5,000 is ineffectual. It is too high for the poorer classes and too low for the wealthier[146]. It was proposed in the said law that,

> *"All property given as a dowry or bridal gifts and all property given to the bride as a present shall vest absolutely in the bride and her interest in property however derived shall hereafter not be restrictive, conditional or limited"*[147].

Further, People not following the rules of this law can get punishment as imprisonment which may extend up to six months or with the penalty which may extend up to ten thousand rupees or with both.[148]The main purpose of this law is to restrict dowry and

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[145]This definition of dowry is given in The Bridal and Dowry Gifts (Restriction) Act, 1976. Section 2 (b).
[146]Rashida Patel, .1979, *Op.Cit.*p.34.
[147]The Bridal and Dowry Gifts (Restriction) Act, 1976. Section 5.
[148] Ibid, Section 9.

otherexpenses of marriage, although such statues are virtually impossible to enforce[149]but social traditions with economic implications cannot be altered overnight by means of legislation. The demand from any side, regarding the abolition of dowry and mostly wedding festivities are therefore, of little practice al importance.

Dowry is a subject which does not appear in the texts dealing with Muslim law; it was not an Arabian custom and is unknown in classical Islamic law. But it is very real and deeply entrenched social custom in South Asia (among both Hindu and Muslim the Muslims adopted it after 712 AD when they came to the area) and one against which social reformers (both Hindu and Muslim) have been inveighing for at least three quarters of a century[150].

Promulgating restrictions of an issue (which is not found in Islamic culture) rather to eliminate it, shows its weak grounds. According to the social patterns of marriage customs in Pakistan, there is no limit of dowry list. This custom creates an atmosphere of constant comparison and show off between the families. Parents assume that dowry is a marriage security for their daughters which do not prove true. At the time of talaq, dowry is major a source of conflict among the families. In case of khula women are not paid back their dowry as Zare- khula in Pakistan. To many analysts, the practice of dowry is a bargain by both sides. The girl side gives more to purchase the loyalty of the bridegroom and keeps him mentally prepare for separation from parents any time as the new family is no more dependent on the husband's family. The bride- groom side demand more from the girl side so that they can be kept financially and hence

[149]World Bank, *Op.Cit.* p. 30.
[150] Lucy Carroll, Muslim Family Law in South Asia in Taher, M. (ed.) *Encyclopedic Survey of Islamic Culture* (New Delhi: Anmol Publications Pvt. Ltd, 1998), p.177.

psychologically busy and remind them their inferior status as giving the hands of a daughter or sister to someone makes him inferior.

Accordingly, it became difficult to take dowry back from her husband and his family members at the time of divorce. Even the return of dowry articles is quite difficult without any documentary proof[151]. On actual grounds no such documentation is made by many families.

In 1979, the *Hudood Ordinance* was promulgated but this law opens a new phase of women legislation as it lowered women status and women could not regain it since two decades in the country. This Ordinance covers the theft, drunkenness, *qazf* (bearing false testimony), *Zina(adultery and fornication)*. Women are particularly affected the last two, namely*Zina(adultery and fornication)* and rape. The ordinance defines *Zina(adultery and fornication)* (adultery as sexual intercourse by two sane adults when they are not and have no reason to believe they are married to each other. The law perplexes the problem of rape with fornication. There is such a thin line between these two offenses that when a woman reports the case of rape, she might herself be punished for fornication because of lack of evidence to prove the case of rape[152].

Quraishi while explaining problems in *Zina(adultery and fornication)* Ordinance criticizes that the *Zina(adultery and fornication)*Ordinance is written exactly contradictory to Quranand it includes *Zina(adultery and fornication)*-bil-jabr (rape) as a sub-group of the *Zina(adultery and fornication)* (adultery) crime. If this ordinance is

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[151]National Commission on Status of women, 2007,*The Impact of Family Laws on the Rights of Divorced Women in Pakistan*<www.ncsw.gov.pk/apanel/upload_file/Impact_Family_Laws.pdf> Pp.68-70.

[152]Rubya Mehdi, The Offence of Rape in Islamic Law of Pakistan in Lucas, M.A.H and Kapoor, Harsh (ed.) *Women Living Under Muslim Laws*(Grabels: Dissiers,1991), p.104.

not based on Quranic law, then fromwhere did the *Zina(adultery and fornication)*-bil-jabr section comes from? The words of *Zina(adultery and fornication)*-bil- jabr section in the Pakistani ordinance does not appear to be based onIslamic law. Rather the language of the said law is nearly identical to the old common law of rape in Pakistan, which was in force in Pakistan before the Hudood Ordinances. Is it simply a re-marking of the old secular law of rape under the Muslim heading of *Zina(*as *Zina* by force-Jabr), and ratified it as part of the Hudood Islamization of Pakistan's law? If so, this cutting and pastingwork show an intentioned effort to keep rape as a crime in Pakistan's new Hudood criminal code. It reveals a distorted picture of Islamic criminal law which, as illustrated, ultimately, damagewomen's status in the society[153].

It was declared that Hoodooed ordinance 1979 for *Zina(adultery and fornication)* was made according to Islamic injunctions, but the promulgation of the law could not prove it. It created an injustice atmosphere between the two genders in the society because it could not differentiate between rape and adultery. Under the said law, a woman's testimony was not acceptable under Islamization in Pakistan. Was it possible for a woman in such a society to prove her innocence? In any case (rape or adultery), a woman was punished publicly with lashes and not always a man. This law damaged women status in the international community. We live in a society where a woman is a symbol of honor and modesty and merely sexual talk is a symbol of vulgarity from both angles i.e. social and religious. So talking aboutwomen's sexuality without authentic testimony destroyed her whole social life. Further her biological sexual difference, i.e. conception in cases of rape

[153] Asifa Qureshi, Her Honor: An Islamic Critique of the Rape Laws of Pakistan from a Woman-Sensitive Perspective, *Michigan Journal of International Law*, Vol. 18, No.2 (1997) p.302.

made her a sinner socially and legally. It is not necessary that pregnancy is a proof of fornication, but decisions of certain registered cases showed that women were charged with rape after the pregnancy in Pakistan. At legal level the law could not differentiate between the charge of two crimes i.e. rape and fornication. It is wondered that highly literate legal officials had no objection over this law; even the Shriat Court did not enforce to abolish it. Though we (Muslims) had clear legislation in Quran and Sunnah about this matter, but it is said by many feminists that in Pakistan the interpretation of the said law is made in the General's own will. The General tried to play women issue like a chess player in the name of so called Islamization and kept his dictator for 11 years. So exploiting women's status at legally, stemmed from the political scenario at that time. There was a politicalreason behind the introduction of the Hudood Ordinance by the General Zia. Aysha Jalal[154] argues that the general played the women's card to confirm his regime's commitment to Islam and call him"*a wily social tactician"*. Anita M. Weiss[155] commented that many people resented Zia's manipulation of religion for political purposes. His stance contradicted popular culture of the country, which shows that most individuals are "personally" very religious, butthey are not "publicly" religious.

Qisas and Diyat law, a part of the Hudood Ordinance, promoted customary laws which touched the borders of customary crimes. In case of unintentional murder, Diyat (blood money) is paid under Islamic Law irrespective of gender. But the said law of Pakistan made it half in case of a woman's murder, which is a wrong interpretation of the

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[154] Aysha Jalal, The Convenience of Subservience: Women and the State of Pakistan in Kandiyati, Deniz (ed.) *Women Islam and State* (Philadelphia: Temple University Press, 1991), p.101.

[155] Anita M. Weiss, The Consequences of State Policies for Women in Pakistan" in Weiner, Myron and Banuazizi, Ali, eds, *The Politics of Social Transformation in Afghanistan, Iran and Pakistan* (New: York: Syracuse University Press, 1994), Pp. 412-446.

Islamic Law. Further the law in Pakistan does not accept female testimony for murder cases. So if a person is murdered when there are a few women around, the murderer will remain unpunished.

Besides these laws which have been a source of contention between liberals feminists and the simpleton followers of the religion, General Zia also did many good things for women welfare, e.g. the development of Women Division in the cabinet Secretariat, the establishment of commission on the status of women, inclusion of Curriculum on 'women in development', Induction of twenty women (10% of the total seats) in the parliament and then enhancement of these seats to 20% of the total in 1985.

After the accidental death of the army ruler, Benazir Bhutto acquired the position of first female prime minister of the country as well as amongst the Muslim countries. But it cannot be said that electing a female head of the state was a symbol of giving women a better status in the country right after the end of the military regime. Due to political pressure, she did not touch the previous laws regarding women's issues other than a ratification of the CEDAW.

Nawaz Sharif's government (1990-92) appears to have obstructed all the chances of women's advancement. Sharif, seemed to be a political follower of general Zia, promised to adopt Islamic law in Pakistan, although within a constitutional framework, and he introduced legislation to the effect in April 1991. Moreover, during the second tenure, the Sharif government enacted Qisas and Diyat Ordinance in 1997, which introduced Shari'a-based changes in Pakistan's criminal law and made it a permanent section of the Pakistan Penal Code rather than an ordinance subject to periodic renewal. But it is proved

now that this law was inadequate to protect women from violence especially domestic violence.

The law was finally enacted in April 1997, explaining the law for "Plea of Grave and Sudden Provocation" provision was provided as exception 1 in section 300, PPC, 1860 which was considered the valid grounds for the relief in cases involving an element of honor. There were certain cases of murders in which the wife or a woman of the family was assassinated, but court decision was taken on the plea of grave and sudden provocation in the different cases.

The last law "Women Protection Bill is another effort by General Pervez Musharraf to improve women's status in the society. *Zina (adultery and fornication)* Ordinance was amended and differentiated the charge of rape and *Zina (adultery and fornication)* (adultery) and the cases of rape will not be dealt with under Hudood Ordinance or as*Zina (adultery and fornication)*case anymore. It has also prohibited customary crimes in the country. Now the police is not authorized to register *Zina (adultery and fornication)*cases, but still the law has certain lacunas. While the rest of the law is the same as the status of minorities and the definition of the adult. Other than this, definition of juvenile and adult are not distinguished for fornication as Islam does not differentiate between the two and every person on attaining puberty is considered as adult.

Mehdi is of the view that the most horrible clause in the *Zina (adultery and fornication)* ordinance was that when a woman used to report a case of rape she was accusedfor adultery. This has been discontinued by PWA (The Protection of Women (Criminal

Laws Amendment) Act 2006) through differentiating between Hadd[156] and Tazeer[157] in *Zina (adultery and fornication)* ordinance. As some clauses are removed from the previous ordinance and are added in the Pakistan Penal Code.[158] These sections were a fraction of Pakistan Penal Code before 1979 and they have been reinstated back to the PPC. The procedural changes are mainly related to the procedure of filling a grumble for *Zina (adultery and fornication)* in order to discourage false accusation[159].

It shows that this law is a tug of war between the conservatives and liberals who are trying to settle the women's issues of their own at the legal plate form.

Musharaf approved the Criminal law (Amendment) Bill 2004 (Honor Killings Bill) into law approved by the National Assembly and Senate, which emphasized punishments for honor killing, including the death penalty as the extreme punishment in some cases. [160] It was the first law passed officially acknowledging the problem of honor crimes, but till filling these lines, no offender is hanged so far under the pressure from western countries and it seems the end of the law.

Women work outside the four walls of the house is still an issue in Pakistan. Patriarchal commands don't allow women to work without their permission and when some women go outside for work, they are harassed by men again (we will talk more about this in the next chapter in detail). Protection against Harassment of women at Work

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[156]Hadd means Punishment ordered in Holy Quran and Sunnah for adultery and fornication.
[157]Tazeer means any punishment other than Hadd.
[158]Clauses from section 11 to section 16 and some others dealing with, kidnapping, abduction prostitution and buying and selling of women were removed from the Hudood Ordinance and are added to Pakistan Panel Code.
[159]Rubya Mehdi, 2010, *The Protection of Women (Criminal Laws Amendment) Act, 2006 in Pakistan.* Retrieved from <http//droitcultures.revues.org/2016>
[160] Karo Kari Law signed by President, *Dawn*: The Internet Edition, January 4, 2005.

Place Act, 2010 is not a mere solution for working women problems. It seems ridiculous that on one hand, women do not have equal employment opportunities and legislation is made as fifty percent of women are working outside the homes. Further, it has given the provision of a three member committee should be made by the organization by itself of the working women for the complaints of the victimized women. But its practice is still not seen in the country as culturally such an offense is intolerable, but its report and advertisement can bring disastrous consequences for both men and women. Consequently, the law is never implemented and applied in any case since its promulgation.

It is strange to observe a law on harassment in Pakistan as the women's mobility outside the homes, especially for job purpose which is not recognized by the society and the family institution. On one hand, the working women ratioin formal labor is far less than men in the country. Secondly, women in the informal sector are not recorded by the government. So how this law will protect the women in the country as the implementation mechanism of the law requires a formal mechanism through the formal organization and it cannot be understood by the women easily.

Another law, namely, Acid Control and Acid Crime bill, 2010 was promulgated in the country, but the accidents of acid throwing has not been controlled by the government till now. This law was made in the drop back of the heinous crime of deforming and killing a woman by her husband or the family of in-laws for her involvement in any sexual offense or any other such pretext.

Women are suffering from poor social status in the country. They are still violated even after legislation because of poor governance. All the customary crimes have not been legally controlled yet. Women as working women in different fields are not accepted by the society. Women access to the courts and justice is thwarted by the customs and traditions with impunity.

CHAPTER–4: WOMEN EDUCATION IN PAKISTAN

A leading Urdu daily Aaj published from Peshawar, published an article titled *"More than 27 million children in Pakistan are deprived of education" Seven million children never saw a school"*

> *Quoting an international report on education in Pakistanthe newspaper said that the rate of admission is less than the rate of drop outs which should be addressed properly. The report further said that in the Punjab province 13.5 million children are out of schools, while in the other two provinces of Khyber Pakhtunkhwa and Baluchistan and the Federally Administered Tribal Areas (FATAs) due to poverty children are conditioned to leave school.*
>
> *The report elaborated on the causes said that in the above mentioned three areas, either due to non-existence of schools the children are unaware of the concept of school. 23 % of the children 6-16 of age in the rustic regions and 7% children in the urban regions are out of schools. Girls are far behind than boys and 50% children are dropped out before completion of the Primary level education. The report further says that in some parts of the KPK and FATAs schools are away from the dwellings and children have to walk or 5-6 hours a day to reach schools and come back. Pakistan will not achieve the MDG by 2015*[161].

This is a true picture of the situation of education in Pakistan and needs the national and international attention to address the situation. The situation of women's education is further in shambles even in urban centers.

[161] *Daily Aaj*, Peshawar. May 22, 2013.

Health and Education are the two important elements of social development. Illiteracy and, ill-health, stand in the way of people empowered to play their roles in the socio-economic and political fields.Unfortunately, South Asia is the region where these two indicators of human development are at the lowest levels when compared with the other less developed regions of the world. Fifteen years back, a think tank for human development in South Asia reported that,

> *"South Asia has now emerged as the most illiterate region (except Sri Lanka and Maldives) in the world, with about 400 million illiterate adults, nearly one –half of the world total. Over three out of every five illiterates adults have woman's face... there are 50 million children not attending Primary schools, over two-fifth of the world total... Another 60 million children drop out of schools each year... the burden of educational deprivation falls most heavily on girls and women... With an adult female literacy rate of only 36%, the lowest in the world, South Asia is entering in the 211st. Century with 243 million illiterate women who represent two-third of its total adult female population.*[162]"

Since then nothing or very little positive changes have occurred. This can be judged from the following figures of an official report of the Federal Government of Pakistan. According to the report, published in 2012, the overall literacy rate was 58%.The male literacy rate was 69%, while females were at a disadvantaged level of 46%. Even worse was the Urban-rural picture where in the rural areas the female literacy rate was 35%[163], where 65% of the total population resides, to many independent observers, the official

[162]Mahbub ul Haq Human Development Center (MHHDC), *Human Development in South Asia 2007: A Ten Years Review* (Karachi: Oxford University Press, 2004), p.31.
[163] Govt. of Pakistan, *Economic Survey of Pakistan, 2010-11* (Islamabad: Federal Board of Revenue, 2012), p.138.table.10.1.

figures are an exaggeration of the figures and to them, the overall literacy rate is not above 50% with a female literacy rate of 30%.

Ten years after the above mentioned report of Mahbub ul Haq Human Development Center (herein after MHHDC) in 2004, it was noted that gender disparity has widened in some development indicators and increased in spite of all the state's efforts. The starkest example was the rapid increase in the total no. of illiterate adult females. The share of females in the total illiterate population in South Asia has gone up from 62% in 1995 to 68% in 2004. In case of Pakistan, the report said, the gender gap in terms of literacy rate was widened[164].

It is not to say that the government is doing nothing. Right away, from the early years of independence of the country, successive governments have periodically focused on the need to have particular plans and projects to improve the women's status. Many commissions and committees have been formed to do improvement in the girl's education sector, but it is not known that why all policies and plans have flopped. For example, in 1959, the Commission on National Education was established and the commission recommended that equal opportunities and provisions, concerningthe quantity and quality of the education for boys and girls, women employments, Home economics education, technical education for women etc. be provided. In 1970, education Policy recommended the establishment of separate girls for boys and girls, so that parent's resistance to female education is minimized. In 1972 -1980 a permanent committee was formed which recommended making education up to class 10 free for boys and girls. Similarly, in 1992-2002, a National Education policy was devised to grant

[164] MHHDC,*Op.Cit.*p.31.

special inducements to enroll and maintain girls in school. National education Policy 1998-2010,suggested steps to ensure participation of women in all fields of national life; introduced Free and Compulsory Education Act in all provinces. In the twenty First century, too, these efforts or better to call them paper work, continued and the 2001-2004 Education Sector Reform (ESR) recommended increasing equal opportunities and lessen the Gender gap at all levels of education. These are some of the policies, recommendations of the federal government, but the question is that why so many paper work and no practical outcome[165]? This is a case study of 40 years of failed development plans to substantially ameliorate the position of women in Pakistan. This has been acknowledged by the independent Commissions on the Status of Women (1985) and the Sixth-five years Plan (1983-88) of the government. The Commission on the status of women has highlighted the deprivation and discrimination that Pakistani women sufferbecause of social customs, norms and attitudes.

Tangible results have consistently fallen short of proposed measures for many reasons like imbalance between economic development and social development, patriarchal system where women are given a secondary status and the stereotyping of gender appropriate roles[166].

Many causes can be attributed to this situation, namely, the state will, poverty of the masses, culture and opportunity structure in the country particularly for female education.

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[165] Rashida Qureshi & Jane F. A. Rarieya (ed), *Gender and Education in Pakistan*(Karachi: Oxford University Press, 2007), Pp.4-6.

[166] Heinz Gunther Klien & Renate Nestvogel, *Women in Pakistan: General Conditions, Approaches and Project Proposals for the Developement and Vocational Qualification of Women in the Province of Punjab* (Lahore: vanguard Books, 1992), p.12.

As far as the state role is concerned, the state failed to provide equal education through its policies in the country.With such low budgetary allocation, i.e. 2 % of the total GDP for education, it is not possible to attain the determined goals. As Pakistan, is reported to spend lowest ratio of GDP on education. Pakistan has allocated 2.5% of GDP during the year 2006-07, 2.47 % in during the year 2007-2008, 2.01 % in 2008-09 and only 2 % during 2009-10[167]. This shows a constant declining percentage of education budgets in the country. Along with this, limited institutions, incompetent teachers, donor agencies own will and lack of community participation is also a hurdle in achieving the goals for equal education.

In Pakistan development takes under a five-year scheme since 1950s. Inversely speaking, all under development has taken place under five –year plans.

Under the sixth five-year plan, differentfields were selected for the women welfare in the country like literacy, health and nutrition, employment, equality in jobs and rural uplift. In the seventh five year plan, it was explained that the sixth five year plan aimed at covering 15 million people through adult literacy programs of which the majority were rural women. These targets were not achieved. In the health sector, additional beds for women could not be arranged in the hospitals. It explains the recognized female labor force in agriculture, health and education only.

The seventh and eighth and ninth five year plan also aimed at improving women health and education conditions. Other than this, women's cooperatives were also earmarked to

[167]Government of Pakistan, *Economic Survey of Pakistan, 2009-10* (Islamabad: Federal Board of Revenue, 2011), p. 149.

reinforce education and training programs in the seventh plan.NGOs were also encouraged for women's development projects.

However the five year plans were failing to address women's issues in the country. Corrupt governments, poor governance, and lack of economic assistance to the institutions made the possibility of failure of such policies.

Pakistan is also one of such countries where women are an oppressed and disadvantaged group in the field of education. Poor female illiteracy rate shows the disparities between men and women and guarantees the minimum contribution of women in socio-economic development of the country. According to Global Gender Gap Report, 2008, Pakistan stands at 112th number out of 115 countries in the whole gender gap in Pakistan. The equality of sexes in education is recognized only at the verbal level, while reality is opposite to thosewhich women face in all parts of the country.

Table. 1-Literacy Rates (10 years and above) – Pakistan and Provinces

Province/Area	2008-09			2009-10		
	Total	Male	Female	Total	Male	Female
Pakistan	57.4	69.3	44.7	57.7	69.5	45.2
Rural	48.6	63.2	33.4	49.2	63.6	34.2
Urban	73.3	80.3	65.6	73.2	80.2	65.5
Punjab	58.7	68.5	48.8	59.6	69.1	49.8
Rural	51.3	63.1	39.5	52.5	64.0	40.7
Urban	73.3	78.9	67.4	73.5	78.9	67.8
Sindh	59.4	71.2	45.6	58.2	70.2	44.3
Rural	41.8	59.0	20.7	41.0	58.2	20.3
Urban	75.7	82.9	67.5	74.9	82.2	66.8
KPK	50.0	69.6	31.1	50.9	70.1	32.3
Rural	47.1	67.9	27.4	48.4	68.3	29.1
Urban	63.4	77.4	49.0	62.7	77.8	47.4
Baluchistan	51.5	68.5	30.2	51.5	69.2	29.3
Rural	46.5	64.4	23.8	45.7	64.2	22.5
Urban	66.4	81.0	48.8	69.6	85.0	50.6

Source: Labor Force Survey 2009-10, (issued in 2011) Federal Bureau of Statistics.

According to Pakistan Labor Force Survey[168], female literacy is low when compared with male. Even there is an inter-provincial difference. In the Punjab, for example, the literacy rate of both sexes is 58.7 percent, out of that 68.5 are men and 48.8 percent are women, in the Sindh literacy rate of both sexes is 59.4, out of that 71.2 percent are men and 45.6 are women, in KPK literacy rate of both sexes is 50.0 percent, out of that 69.6 are men and 31.1 are women, and in Baluchistan literacy rate of both sexes is 51.5 percent, out of that 68.5 are men and 30.2 are women. This data shows prominent distinctions in the literacy rate of both males and females.

There is a high percentage of "never gone to school" girls in all parts of the country. Further, girls' dropout rate (when compared with boys) is also high and a rather low percentage of women reaches up to higher level especially rural women have very low literacy rate.

Table. 2-Level of Education- Distribution of Population 10+ years of age by sex

Level of Education	2008-09			2009-10		
	Total	Male	Female	Total	Male	Female
A. Literate	57.4	69.3	44.7	57.7	69.5	45.2
No formal education	0.5	0.5	0.5	0.5	0.6	0.5
Below metric	37.1	44.4	29.2	37.5	44.9	29.5
Metric but less than intermediate	10.7	13.4	7.8	10.7	13.1	8.0
Intermediate but less than degree	4.7	5.6	3.8	4.7	5.6	3.8
Degree and above	4.4	5.4	3.4	4.3	5.3	3.4
B. Illiterate	42.6	30.7	55.3	42.3	30.5	54.8
Total (A+B)	100.0	100.0	100.0	100.0	100.0	100.0

Source: Labor Force Survey 2009-10, Federal Bureau of Statistics.

As far as the 'never-gone to school' children are concerned have valid reasons. In Pakistan, during the early days schools were built on the choice of and on the lands of the feudal

[168] Government of Pakistan, *Pakistan Labor Force Survey, 2010-11* (Islamabad: Federal Bureau of Statistics, 2012), p.133.

lords or communal lands, miles away from the main villages, normally not in the reach of ordinary people particularly young children and girls. Sending young girl child to such schools was threats and is threats to the safety and security of the girls in the rural feudal aristocratic culture. Parents think that female education is a great risk for their honor considering their mobility outside the house. Such cultural considerations are discouraging for girls' education.[169].

The concept of education is also different among different classes of the society. Pakistani society is divided into three major sections namely the tribal, the rural peasants and the urban communities. Education among the tribe and the rural female is at the lowest as the tribal areas is also rural and are stricter in their culture towards women than in rural areas of the plains. The poverty in the rural and urban areas tends parents to send their children to the religious seminaries where not only education is free but also the boarding and lodging is free. The rural poor do not have enough money to send their daughters to school as they have to attend to the domestic chores from an early age or help mothers in her culturally prescribed duties at home. The cultural norms are more influential than the religious practices in the country. The major factors responsible for female illiteracy are the cultural limitations, family poverty, and the government will in Pakistan.

As the socially prescribed role of Pakistani women move around raising a family and a domestic worker, hence her education never given priority. Marriage is the most fundamental and compulsory aspect of a women's life in Pakistan. It is thought that she

[169] Iffat Farah and Sehr Shera, *Female Education in Pakistan: A Review* (New York: Oxford University Press, 2007), p. 20.

must get married soon and there is no need of her education. After all she has to perform all the house chores, if she will be busy in getting education, who will perform the house chores?

Girls lag behind in education field due to deep rooted cultural limitations. Socio cultural conditions do not allow common people to take the decision of the education of their girls. The pressure of socio-cultural values does not promote female literacy in Pakistan especially in rural areas. Parents are of the view that it is a capital and time wastage, because mostly girls' cannotbe a wage earning hand of the family as after their marriage they will go to another family[170].

4.1. Domestic Work

Women are kept in the four walls of the house for domestic chores. This is the domestic work which does not allow them to continue and take education. If they will go to school and colleges, the family will lose a domestic worker. This reason does not make a possibility of female education. It increases dropouts in school education and a few female population reaches to higher education. Under their household responsibilities, female do not find time to tackle these cultural obstacles which are a hurdle in the way of their education.[171] This kind of domestic work is a cause of female child labor in poor families in the country.

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[170] Saqib Shehzad et al. "Community Attitude towards Female education", *International Journal of Academic Research* Vol. 3 No. 1. (2011), p. 971.

[171] Waqas Ali et al. "Cultural Barriers in Women Empowerment: A Sociological Analysis of Multan, Pakistan"*European Journal of Social Sciences* Vol. 18 No 1 (2010) p. 153.

4.2. Son Preference Culture

Another reason of poor female literacy rate is son preference culture in the country and is found commonly in all parts of the country. Countries having a strong son preference culture also show the highest levels of gender disparities. When a family has sons and daughters as their children, they always prefer that the son should be educated. There are socio-cultural reasons associated with it. According to cultural norms, parents live with their son in old age and he looks after them in the old age. Educating boys are considered as a good savings, while educating a girl is considered as a financial loss[172]. Instead of spending on their education, parents keep their money for their dowry. The main idea behind this biased behavior is that a son is always a money maker of the home[173].

4.3. Early Marriages

According to the cultural patterns of the Pakistani society, marriages are settled by the parents of the married couple. Parents prefer to marry their daughter in early age, which is usually 12-18 here. The minimum age limit of marriage for girls was decided atsixteen years of age under the child marriage restrain Act 1929; however, it was altered for 18 years under The Family Law Ordinance, 1961 in Pakistan. So when they get married, theireducation is stopped. After marriages, a woman has to perform house chores along with family care so she has to stop her education at that stage of life[174].

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[172] United Nations, *Why Gender Equality in Basic Education in Pakistan* (Islamabad: UNESCO, 2010), p 19.
[173] Afke De Groot, Deprived Children and Education, Pakistan, *VIREWOC International Research on Working Children*, 2007. p.50.
[174] Zack Vision, Forced Marriages, retrieved from http://www.zackvision.com/weblog/2003/03/forced-marriage-1/. Accessed at 24-03 2011.

4.4. Clan and Community Pressure

In most regions of Pakistan, there is a clan and community pressure on parents to not to send their children to school, especially in the case of girl child[175].

People are attached to their old community traditions and also bound others to follow them. They do not send their daughters to school and also force others to do the same. They have attached a stereotypical behavior with the female education that there is no need of her education as she has to remain inside the house and has to do the house chores.

4.5. Co-Education at Higher Education Level and Purdah Norms

As there areso many public sector and private sector universities in Pakistan, where there is a co-education system. This system also does not match with the social norms of the society and they are not in the favor of female education with male members of the society. Actually Purdah norms of the society are not in accordance with it and women are kept away from higher education. Parents' refusal of coeducation does not mean that they object to any form of education for their daughters; they are, however, far more positively disposed towards having them educated under Purdha. Apparently, in many cases the educational establishments, higher authorities, or particular persons deliberately make certain courses inaccessible to girls and women.

[175] Muhammad Zia Ullah, *Gender Disparity in Primary and Secondary School Enrolment in Rural and Tribal Pakistan: Barriers in the Way of Rural and Tribal Girls' Enrolment in Schools* (Scania: Lund University, Centre for South and South-East Asian Studies, 2011), p. 24.

4.6. Feudal and Pseudo-Religious Culture

Female literacy suffers due to feudal culture also, in the country who does not allow male members of the family to send their girls to school. They also resist when some new girls' school is starting in their area which is usually started by their opponents[176]. This is in vogue in Baluchistan, Interior Sindh, Southern Punjab and tribal areas. Such cultural conflict creates hurdles in female education consciously. The cultural environment in the country is responsible for low female literacy as it is commonly assumed that a woman has to get married soon as she grows young so there is no need to invest on her education.

Further religious scholars are also playing an inactive role in promoting female secular education, instead they resist it. To them education is the religious education and the attaining education like medical education for women is necessary as to help other women in their ailments. But this is too, within the framework of the culture and the religious code of conduct. Although under Islamic teachings, it is obligatory for men and women to get educated, but so called Islamic preachers are not in the favor of elevated women's status in the country.

4.7. Family Poverty and Girls Education

The financial condition of the Pakistani families is alarming. In these miserable circumstances, we have worst educational indicators in South Asian Countries. Our neighboring countries like Nepal and Bangladesh have low per Capita income than us;even then their education ratio is ten to twenty percent higher than Pakistan. Education

[176]Mohammad Mumtaz, Educationist, interview with, Islamabad. 1st September, 2010.

budget of Pakistan Government is only 2 % of its total GDP, which is considerably lower than other South Asian Countries[177]. Pakistan is one of the majorpopulated countries on the map and individuals are living below the poverty line. In this scenario, women are poorer than males and it affects their status in the society. There are remarkable gender gaps in educational attainment of the both sexes in the country. UNESCO[178], while discussing the poverty situation and lack of free education for all, states that in Pakistan,the family will have to pay for girls' education, e.g.fees, costs of uniforms, transport costs, etc. and if their labor is required at home; there is a little incentive to educate girls.

The educational cost is one of the major reasons of low female literacy and their dropouts in the primary classes. In Pakistan, girls pay less than boys for educational expenses from the family purse. By the poor families girls are preferred to keep at home for domestic chores. In this family expenses are saved and domestic works are also done by her. In Pakistan, most parents think that it is advantageous for them that girls should stay at home instead of sending them to school, as particularly in rustic areas, it is the liability of the girls to do all the domestic chores and care of siblings[179]. Household work and poverty are a strong phenomenon in the rural-urban context; still it is much higher in rural and tribal areas[180].

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[177] S. M. Zafar, *Poverty in Pakistan*, retrieved from http:/ www.pkhope.com/poverty-in-pakistan/ accessed at 25th April, 2011.
[178] United Nations, 2010. *Op.Cit.*, p 17.
[179] Muhammad Zia Ullah, *Op. Cit.* p. 26.
[180] R. E. A Khan et al. "A Comparative Analysis of Rural and Urban Child Labor in Pakistan" in *European Journal of Economics Finance and Administrative Sciences* Vol. 4 No. 27 (2010) p. 149.

Pakistani Government is aiming at proving free education along with free books in the primary public schools. However, if, by chance, girls acquire primary education without family expenses, they are unable to continue for high school studies as a family will not pay for it. So family poverty and their *'no expenses for girls' education'* behavior is the cause of female illiteracy in the country.

4.8. Government and Female Illiteracy

The low female literacy rate is due to political will on the part of the state. It does not pay attention towards such a sensitive issue. There is no remarkable increase in women educational institutions in far flung areas in the country. Pakistan is still unsuccessful in its goal of achieving Universal Primary Education as the net primary enrollment ratio and literacy rate is afar than what has been described in the MDGs.

It was a general believe that the main cause of low female school enrollments was due to cultural patterns, but it was negated by certain researches (by Ministry of Women Development and a number of international donor agencies) in 1980s. It depicted that danger to woman's honor was parents' most essential concern. Actually, unwillingness to accept girls' schooling turned witheagerness when parents of rural Punjab and rural Baluchistan could be assured their daughters' security and, hence, their honor[181].

While heavy debts are received from IMF by the formal government for such purposes. Along with this, our education budget is very low as compared to female population educational needs.

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[181] Peter. R. Blood, *Pakistan: A Country Study. 6th edition* (Washington DC: Federal Research Division, 1995), p.134

UNESCO[182] explains that historically, education budget of Pakistan is insufficient. Although, Pakistan repeatedly promised to raise its education budget up to 4% of its GDP, but generally itsexpenditure remained around 2% of GDP during the last 29 years. Lack of resources obstructed the efforts of the education department to open more schools, providesdeficient facilities in schools, and offers the inducements to girls belonging to the poor families. Hence the low education budget is another; preventingfactor which has deprived children to acquire basic education, especially girls from rural areas and poor families of the society has endured the most.

There is no shortage of funds for female education, but due to misappropriate use of bureaucracy and political conducts, these funds are not used for female education[183]. Due to such corruption and embezzlement most of the funds are saved in the pocket of these people and educational institutions receive a very poor amount of it. Due to such reasons government funds do not reach in the education sector as in different areas of the country, there are a few numbers of girls' schools. Further, female educational institutions are less than male educational institutions at higher level. The World Bank states that first school propinquity is a serious constraint to girls' education. Policies that can reduce the physical cost of attending school for girls are likely to pay large payments. While school infrastructure will continue to be important, another approach that also pays attention to the needs of scattered rustic populations where devoted-community level schools are never going to be practical is also required.

[182] United Nations, 2010. *Op.Cit*, p. 18.
[183] Aslam Azad, Educationist, interview with, Sialkot. 21st September, 2010.

For the last sixty years there is no unified and comprehensive education policy in all parts of the country especially for women. Due to political instability and leaders' own expenditures, education policy loses its strength in the country. Further, female literacy rate is not evaluated on a qualitative basis by the government. Our policy making bodies lack competent local experts. They have no historical review of the past policies. Lack of good governance also plays its role in failed female education policies. As the majority of our public is illiterate, so there is no resistance showed by the local masses on such issue. Our education policies are also framed on the conditions of international donor agencies which are not in accordance with our cultural values hence failed. While it is very important to consider the values, interests, beliefs, ethics and slants while making a social policy in the country.

Although government makes regular promises for this purpose, but it had never been fulfilled in the past. Even the President Asif Ali Zardari[184] said, "Pakistan is lagging behind in the field of literacy and primary education when compared with its neighboring countries". He added, "We should pay special attention to non-formal basic education programs and start a long term and sustainable programs which should benefit illiterate farmers, laborers and rural women which will increase their income and employment". But no policy has been seen based on such initial problem statement of the head of the state.

While discussing female education through the state facilities lens, it is observed that there is no separate female education policy in the country. Due to low educational budget, lack of political will, international funding agencies own will, misappropriate use

[184] *The Nation*, Islamabad. September 8, 2009.

of education funds and corruption in the bureaucracy; education facilities for women are insufficient as compared to whole female population in the country. *Feudal lords*[185]restricting female education in their own villages are also the political conducts of the country. They are not interesting in presenting or passing a bill on female education.

Literacy among women is half of that for men in the country, but expert suggested that it can be improved by the active role of the government[186]. Government should amend its policies which failed to raise the female literacy rate in all parts of the country. Female education should be legislated strongly and its good governance is needed through the local government. In Tribal areas of the country where there is no concept of female education, local educated women should open girls' schools with the help of local leadership. Mass media and NGO sector can also help in improving women's literacy.The family should also support female education in the country.

[185] "My Feudal Lord: A Devastating Indictment of Women's Role in Muslim Society" is the first novel written on the topic of women violence faced by the husband by a former wife of a feudal, Tehmina Durrani and was published in London.
[186] Riaz Hussain, Bureaucrat, interview with, Islamabad. 29th June, 2010.

CHAPTER–5: WOMEN HEALTH STATUS IN PAKISTAN

The women's status is almost secondary in the entire South Asia as compared to other parts of the globe. And within the region, Pakistan shows one of the most discouraging statistics in the fields of education and health not only for males but also for females. Pakistan still has a fertility rate of 4.9 which is higher than any other developing country in the region, and more than one out of 38 women die from gynecological causes compared. In Sri Lanka like neighboring country, for example, one woman out of 230 die of the same pregnancy related problem.[187]

According to a World Bank report,

> "*Pakistan lags far behind most developing countries in women's health and gender equity. The sex ratio is one of the most unfavorable to women in the world, a result of excess female mortality during childhood, and child bearing. One woman in every 38 dies in childbirth and half of infant deaths result from poor maternal health and nutrition*[188]".

Demographic indicators of Pakistan are at the back when compared to its compatriot countries in West Asia and South Asia. Health statistics of the country demonstrate a poor health condition. Out of an estimated 180 million populations in 2012, total fertility rate was 3.8; the infant mortality ratio was 99 per 1,000 live births while the maternal mortality ratio (per 100,000 live births) was calculated as 350-400. Health expenditures of 2007-08 were 0.57 percent of the total GDP. Amongst the health care facilities, population per doctor was calculated as 1225, per dentist were 19121, per nurse was

[187] A. G. Tinker, *Improving Women's Health in Pakistan, Health, Nutrition, and Population Series* (Washington DC: The World Bank, 1998),p. 5.
[188] Ibid, p. 34.

2501, and per midwife was 6203 while population per LHV was calculated as 16,845. Out of the total population, antenatal checkups during pregnancy were 14 percent only, while birth attended by skilled birth attendants was 54 percent only. The women who had mammography amongst the whole population were only one percent.[189]

This shows the worst health conditions of women in Pakistan, wherea women's health is not a serious issue for the government. Maternal Mortality Rate (MMR) is a serious issue of health indicators in a country, but its high ratio shows the government negligence. Every year 30,000 young women die in Pakistan. More than 80 percent women give birth to their children at home with the help of unskilled birth attendants. Hemorrhage, hypertension, infections and delays of pregnancy are the some of the main and direct reasons of maternal death in our country[190].

A recent report of a Pakistani NGO SPARC (Society for the Protection and Rights of the Children) reported that in Pakistan, in 2010,750,000 children were born premature and was the fourth in the world while India stood first, China was second and Nigeria stood third in this regard. According to this report, premature births are one of the causes of child mortality and are the second main cause after Pneumonia. About fifteen million

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[189]Government of Pakistan, *Economic Survey of Pakistan 2007-08* (Islamabad: Federal Board of Revenue,2009),p.11; see also Mahboobul Haq Research Center, *Human Development Report 2007-08* ; Society of Obstetricians and Gynecologists of Pakistan, *Health of Women in Pakistan: Annual Report-2009* (Karachi: Department of Obstetrics and Gynecology, Jinnah Post Graduate Medical Center, 2009), 2.

[190]Society of Obstetricians and Gynecologists of Pakistan, *Health of Women in Pakistan: Annual Report-2009* (Karachi: Department of Obstetrics and Gynecology, Jinnah Post Graduate Medical Center, 2009), p.3.

children were born that year out of which one million died among the remaining children, many become disabled particularly mentally, deaf and dumb and blind[191].

While the major cause of the maternal death and poor infant survival is caused by the malnutrition and health care services for mothers, the mother's age and frequency of childbearing is alarming. Lesser the age of a mother, greats of the willarethe chances of an infant's death and lesser the interval between the consecutive childbearing, greater will be the chances of infant mortality as well as maternal mortality. The interval between births is directly correlated with the survival of a baby regardless of the mother's age. At less than two years child birth spacing can be a cause of infant's death as compared longer birth intervals say about two or three years[192].

Women's health is a constant danger to their life which is not compensated by the government policies. The private sector provides maternal and child care facilitiesavailable in all parts of the country. Though they claim high quality services, but the standard of these hospitals do not match the international standards. On the other hand, the charges of these hospitals are quite unaffordable for a common Pakistani.

The increased number of poor women health statistics is an indicator of lack of trained medical staff in the country. Women live in poor standards in the rural areas. 43 percent child deliveries in urban areas take place at home while in rural areas, 74 percent

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[191] Society for the Protection and Rights of the Children (SPARC), *Quarterly News Letter NO.71,* April – June 2012, Islamabad,p.5.

[192]Government of Pakistan, *Pakistan Demographic and Household Survey 2006-07(PDHS)* (Islamabad: National Institute of Population Studies, 2007), p. 22.

deliveries take place at home. Only 39 percent of births are administered by skilled medical practitioners[193].

Family and cultural constraints also affect women's health in the country. Early marriage and childbearing at an early age, less than the required interval between consecutive pregnancies, malnutrition due to poverty and lack of iron supplement during pregnancy and lactation are the major causes of anemia[194].

Malnutrition is another health problem of Pakistani women. Women nutritional level from puberty to menopause is very poor. According to National Nutrition Survey 2001-02, percentage of malnourished women in Pakistan is 12.5 while it is 16.1 percent of lactating mothers[195]. Over work, violence against women, undernourishment and economic and social poverty, are some other bugs which constantly chase a woman's life.

Some experts have explained the social-economic characteristics of a Pakistani woman as;-

> *The Pakistani womanhood whether belongs to rural or urban areas are poor and virtually illiterate, leads a life of physical hardship involving long hours of tedious chores for which there is neither compensation nor recognition. These women bear the burden of childbearing and house work. Consequently, they are the first to rise and the last to sleep. They are to light fire, offer their prayers, milk the cow and buffalo, prepare the breakfast, have the dishes washed and house cleaned. This is not the end of her duties. She has a long day ahead. She is to look after the livestock,*

[193]Government of Pakistan, *Pakistan Demographic and Health Survey2006-07* (Islamabad: National Institute of Population Studies, 2007), p.113.
[194] Khwaja Zaki Hasan, *Public Health Challenges in Pakistan* (Karachi: Sama Editorial &Publishing Services, 2006), p. 72.
[195]Ibid, Pp.71-72.

rear the children, look after the aged and sick, collect firewood, if she is in hilly areas and has to fetch water. After everyone has collapsed on the bed, she is still to prepare for the following day and is the last to sleep. Despite these functions, she is still the inferior being[196]

About poverty in Pakistan, some reports suggest that Pakistan is one of the destitute nations of the world. It is an aid-dependent country. In Pakistan 73.6% people receive less than US$ 2 a day[197]. This situation has disastrous consequences for social development in any society. One such consequence is the Human Deprivation Measure (HDM) developed by the late Dr. Mahbubul Haq, a prominent economist of Pakistan. The HDM or Human deprivation measure consists of three variable, including health deprivation (safe drinking water and underweight children under five years of age), education deprivation measure (measured by adult literacy and out of school children) and Income deprivation measure (measured by percentage of population below the poverty line).

The government of Pakistan describes the women's health problems and reported that "*The most immediate health problems are: inadequate sanitation facilities, Unsafe drinking water, poor living conditions, poverty and low literacy rate with women being the worse effects, whose lack of knowledge often render them and their children vulnerable to various diseases.Malnutrition is a major public health problem that disproportionately affects women, girls, and infants. The untimely deaths or*

[196]MumtazKhawar and Farida Shaheed, *Woman of Pakistan: Two Steps Forward, One Step Back.* (Lahore: Vanguard Books,1987). p, 21-22.
[197]Mehbub ul Haq Human Development Centre,*Human Development in South Asia2007: A Ten Years Review.* (Oxford: Oxford University Press, 2009), p.42.

disabilityfrom high prevalence of communicable diseases could easily be prevented and treated[198]*."*

The most obvious reason of this situation is the poor economic conditions of the country. The dwindling economic conditions and the mismanagement and corruption, lack of states' will and power to induce changes in the traditional health care system are too far dreams. In Pakistan we spend only 0.59 % of the Gross Domestic Production on the health sector[199]. Consequently, we have the most tenuous health delivery system with the availability of one doctor for over 1200 persons, only one dentist for more than 18000 persons and only one hospital bed for more than 1500 people.

Low socio-economic status of women and our cultural barriers are the major causes for poor women's health.From the socio - cultural aspect of Pakistani society, women are considered inferior to men, they have no control over their sexuality, less mobile as compared to men, there is difference in food distribution within the family for men and women i.e. women get less food than men of the family which cause malnutrition among women[200].

A report of the Asian developing Bank has pointed out that some Socio-Cultural causes of women morbidity as early marriage, early entry into reproductive age as well as excessive and closed spaces childbearing, low levels of women's literacy & heavy workload is also a contributing factor to poor health status of women, a woman's day comprises 10-12 hours of hard physical work but women seldom get paid for this hard

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[198] Government of Pakistan, *Socio-Economic Survey ofPakistan* (Islamabad: Federal Bureau of Revenue, 2009), p.169.
[199] Ibid. p, 171.
[200] Asian Development Bank, *Women in Pakistan: Country Briefing Paper.*(Islamabad, Programs Department (West) and Office of Environment & Social Development, July 2000), p.6.

work. They have to perform multiple roles and to shoulder different responsibilities which made them overburdened and the work overload and less intake of nutritional food have threatening affects over women's health in Pakistan[201]. According to official statistics more than 45% of the women suffer from anemia.[202]

5.1. Maternal Mortality

According to WHO, a maternal death is defined as

> *"The death of a woman while pregnant or within 42 days of termination of pregnancy, irrespective of the duration & the site of the pregnancy, from any cause related to or aggravated by the pregnancy or its management, but not from accidental or incidental cause".*[203]

According to World Bank report;

> *The Maternal mortality ratio (MMR) is the number of women dying because of any cause related to pregnancy &childbirth per 100,000 live birthsaged 15-49 years. The ratereflects both the maternal mortality ratio & fertility rate*[204]*".*

Pakistan has poor maternal health outcomes.High levels of fertility contribute to poor maternal and child health asreplicated childbearing causes maternal diminution and increase the risk to the mother. About 4-5 million deliveries take place in Pakistan each year[205], the crude birth rate

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[201]Kwaja Zaki Hasan, *Op.Cit*, Pp.6-7.
[202] NGO Coordinating Committee, *Pakistan NGO Review, Beijing+5*: Conference Proceedings, Women 2000: Gender Equality, Development & Peace For The 21st Century, February 2000, p. 42.
[203]National institute of population studies, *Op.Cit*, p.177
[204]World Bank, *Improving Gender Outcomes: The Promise for Pakistan* (Islamabad: Environment & Social Development Sector Unit, South Asia Region, 2005). p. 64.
[205]K.Zaki Hasan, *Op.Cit*, p, 73.

being 25.9[206]. It is estimated that in Pakistan 36 maternal deaths take place in a day, which means three deaths in every two hours[207].

Health problems in Pakistan are gargantuan and womenface even more health problems than that. During the last years, curative and tertiary health care aspects are paid much attention by the state but primary health care was not paid much attention. Along with this, poor state resources, instable social policy, lack of power and will, and discriminatory culture affected women's health more adversely.

In Pakistan

> "*We are losing three women per hour because of pregnancy associated complications. More than 30, 000 women die every year in Pakistan, which gives a mortality rate of 340/ 100,000 pregnancies. More than 80 % women are delivered at home in the presence of unskilled birth attendants. In majority of secondary and tertiary health care centers, emergency obstetrical care is not available on a 24 hour basis.*[208]

Thewomen's status is significantly inferior in South Asia than in most of the world, and within South Asia, Pakistan possesses one of the nastiest records in female health and education. Pakistan's fertility rate is 4.9 which is comparatively higher than that of any other Asian country, and one out of every 38 women die from pregnancy related issues, for example, with one in 230 women in Sri Lanka.[209]

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[206]Govt. of Pakistan, *Pakistan in Figures2008*(Islamabad: Federal Bureau of Statistics, 2008),p 1.
[207]Muhammad Qasim, "State of Maternal, Child Health 'Poorer in Pakistan" in *The News International*,Sunday, December 28, 2008,p.20.
[208] Society of Obstetricians & Gynecologists of Pakistan, *Op. Cit*, p.3.
[209]A.G. Tinker,*Op. Cit*,p.5.

According to an estimate, reproductive health issues constitute 12% of Pakistan's burden of diseases and only 6% contributes to nutritional deficiencies. Women have higher life expectancy (63.6) than men's (63.2). However, there is a high maternal mortality ratio and high child mortality ratio (1 to 4 years old) ranges up to 66 percent higher for girls than boys. It contributes to the country's negative sex ratio, i.e. 105 males to 100 females;[210] interestingly Pakistan is a country where males outnumber females.

Women are living in poor health conditions in Pakistan as compared to international health standards. Reproductive health is a major issue of women'shealth, but in Pakistan it is in constant danger. At family level a woman faces shortage of rich diet ingredients from her childhood till death. Despite the legislation, under-age girls' marriages are common. After conception, she faces the same circumstances and has no relief from heavy household work. Her antenatal visits are very rare. At the time of delivery, she is again on family disposal as she is rarely brought to a hospital. Her delivery is performed by TBA with the help of her own untrained female family members without any medical aid. Repeated pregnancies on husbands' will ruin her health. Ultimately maternal mortality and morbidity are at an increasing rate in Pakistan.

According to World Bank[211] maternal health conditions are alarming in Pakistan. A high fertility ratio is a majorly support to poor maternal and child health because childbearing with no spacing, causes maternal diminution and increase the risk to the mother. Repeated child bearing brings poor levels of health and nutrition. Childbearing age starts in early adolescence and women bear this phase with poor health and under nutrition.

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[210]Rehana Kariapper, *Unravelling Realities* (Lahore: ShirkatGah-Women's Resource Centre, 2007), Pp. 2-3.

[211]World Bank, *Op.Cit,* p. 64-66.

Maternal and child health are intensely affected by the quality of care during pregnancy and after delivery -both in the home and from health services. Mostly child delivery takes place at home in Pakistan which can cause risk for both –the mother and the child. This situation is a little bit better in urban areas, where nearly half of deliveries take place in institutions. However, in rural areas, almost most of the deliveries take place at home in all the provinces, except Baluchistan, where practically all births take place at home.

Due to poverty and illiteracy, women also lack proper health care in the country. They have no solution except to rely on quack remedies for their treatment. The government is unable to provide proper primary, secondary and tertiary health care services to women in every part of the country. Dummy BHUs and RHUs are very common. Funds from international donor agencies are also wasted due to misappropriate use and corruption and government is unable to impose a check and balance system on it.

According to Human Rights Commission of Pakistan[212] health and education for women kept its backseat position and statistics did not change for the better despite publicized government plans. Maternal and infant morbidity remained high, with Baluchistan displaying double the numbers than the rest of the provinces. Women health workers were almost non-existence in Baluchistan area and most of the health workers in NWFP had been driven out by threats of violence and other dire consequences.

Women are ignored about the health issues, especially fertility health in Pakistan. High MMR in our country is due to the tradition and practice of home deliveries[213]. No proper

[212]Human Rights Commission of Pakistan, *State of Human Rights in 2007*(Lahore: HRCP, 2007), p.151.
[213] Shabana Saleem, Gynecologist, interview with, Islamabad. 8th June, 2010.

interval between a child's birth is the cause of women high MMR[214]. Poor nutrition also affects the maternal health in Pakistan.It was stated,

> *"She is the cook of the home, but takes meal when everyone has finished. Sometimes she has nothing to eat but a piece of pickle and a small piece of bread"*[215].

Women are the victims of quacks and for their childbirth, which results in their deaths sometimes. Traditional birth attendants (TBAs) are commonly found in Pakistan practicing gynecology issues without any training. TBAs are responsible for maternal deaths during pregnancy. Some families cannot afford even cheap medicines used during pregnancy and inchildbirth, so extreme poverty is another major reason for high MMR in Pakistan. As women are not given health education here so their ignorance also contributes to their poor fertility health.[216]

Some women avail existing health facilities in Pakistan depending upon the status they have in their family. Many experts are of the view that women cannot avail existing health facilities due to patriarchal social set up. Women are not allowed to go for treatment without the permission, will and financial assistance of male head of the family. An expert said *"If a woman has a burn on hand in kitchen at morning, she will wait for her husband till evening so that he may bring some medicine for her or to take her to a doctor"*[217].

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[214] Malik Amanat, Health Professional, interview with, Islamabad. 9th June, 2010.
[215] Ather Qayum, Health Professional, interview with, Islamabad. 14th June, 2010.
[216] Naila Mujahid, Gynecologist, interview with, Islamabad. 17th June, 2010.
[217] Marium Faryal, Gynecologist, interview with, Sargodha. 20th June, 2010.

Life of urban women is a little bit different from rural women who can avail existing health facilities depending upon their economic status. Women in tribal areas cannot often avail existing health facilities in Pakistan as there is no concept of taking women to the hospital for childbirth or for some other treatment.

According to Society of Obstetricians & Gynecologists of Pakistan[218] Vesico-Vaginal Fistula (VVF), Recto-vaginal Fistula (RVF), Depression, Chronic Pelvic Pain, Loss of Uterus, Infertility and Pelvic Inflammatory are the major diseases faced by women in Pakistan, which makes their lives miserable. These are the curable diseases and women should not suffer due to these diseases. More than 80 percent births take place at home with the help of unskilled birth attendants. In most of secondary and tertiary health care centers, emergency obstetrical care is not provided on twenty four hour basis. Hemorrhage, hypertension and infection are the three main and direct grounds of maternal mortality in our country.Moreover, delays of pregnancy are also the major contributory factor which causes death and pregnancy related morbidity in Pakistan. There are more than seventy five thousand villages in the country that do not have proper road network. The majority of our Basic Health Units (BHUs) and Rural Health Centers (RHCs) are not operational. With the exception of very few facilities, EmOC is not provided on a twenty four hour basis in tertiary care hospitals. Breast, cervical, ovarian and colon cancers are the most important causes of woman's death in Pakistan. Women have no access to health care in Pakistan at the age of menopause. In the area of health, the government is acquiring anenormous amount of grant, loan and help from donor agencies (UNICEF, UNFPA, WHO, UNDP, USAID, DIFID, ADBP, CIDA, SIDA and

[218]Society of Obstetricians and Gynecology in Pakistan, *Op. Cit*, pp 3-6.

many others) to improve the women's health care in Pakistan. Unluckily, the government is unsuccessful in proper utilization of this funding dueto lack of political will and non-understanding of the existing health care system in the country. It is also obvious that lack of merit in utilization of these funds is accountable for non-utilization and improper spending of this budget.

Women suffer from different diseases across the country which shows a high morbidity rate among women. Women have poor nutrition levels in the country due to which they suffer from certain diseases. They have low quantity of iron, vitamins, carbohydrates, calcium, minerals and other essential components in their food. Poor diet and treatment during pregnancy also affects women's health in the form of different disease like high blood pressure and diabetes. Repeated pregnancies also contribute to high morbidity rate among women. High morbidity among women is also due to their visits to quacks and superstitions like going to shrines for different treatments.

The morbidity rate among women also depends upon socio-economic conditions in which a woman is residing.

In the area of infant mortality rate, Pakistan is at the topamong its neighboring countries with 79/ 1,000 live births when compared to 56 in India,54 in Bangladesh, 12 in Sri Lanka, and 56 in Bhutan. Mortality under five is the highest in the country with 99/1,000 live births. Similarly, the underweight infant births are documented as 19 % in Pakistan as compared to 30% in India, 36% in Bangladesh, and 15 % in Bhutan[219]. In mortality statistics, thereis prominent gender differences at different ages, as Mortality of children

[219]Ibid, p. 295. statistical table No. 6.3, and 6.4 .

between the ages of 1-4 years were recorded as 66 per cent higher for females than that for the males in 1998, which depicts less encouraging treatment for females[220]. But the overall expenditure as of the GDP is dejected for Pakistan with 0.4%, as compared to 0.9% in India, 1.5% in Nepal, 2.0% in Sri Lanka, and 6.0% in the Maldives. Per capita health expenditure of Pakistan is only 2.5 US $[221].

While the major cause of the maternal death and poor infant survival is caused by the malnutrition and health care services for mothers, the mother's age and frequency of childbearing is alarming. Lesser the age of a mother, greater will be the chances of an infant's death and lesser the interval between the consecutive childbearing, greater will be the chances of infant mortality as well as maternal mortality. The interval between births is directly correlated with the survival of a baby regardless of the mother's age. A less than two years of childbirth spacing can double an infant's risk of death as compared longer birth intervals say about two or three years[222].

Early marriage, early entry into reproductive age as well as excessive and closed spaces childbearing, low levels of women's literacy & heavy workload is also a contributing factor to poor health status of women, a woman's day comprises 10-12 hours of hard physical work but women seldom get paid for this hard work. They have to perform multiple roles and to shoulder different responsibilities which made them overburdened and the work overload and less intake of nutritional food have threatening affects over women's health in Pakistan. According to official statistics more than 45% of the women

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[220]KhwajaZakiHasan, 2006. , *Public Health Challenges in Pakistan,* (Karachi: Sama editorial & Publishing Services, Zia-ud-Din Ahmad Road), p.71.
[221]Ibid, p. 283.
[222]Government of Pakistan, Pakistan *Demographic and Household Survey 2006-07(PDHS)* (Islamabad: National Institute of Population Studies, 2007),p. 22.

are anemic. Economic aspect includes that women have economic dependence on men and one major economic aspect is poverty[223].

On the other hand, there is biasness inside the health delivery system which requires female service providers and women basic and reproductive health needs are neglected by the state.[224]

Despite recent advances in the gender gap in literacy and education persists in many parts of the world. The level of gender disparities in health and education for women in south Asia is the largest in the world[225]. This disparity is not only a phenomenon of poverty; while the absolute level of health is possibly related to poverty and a weak health system, the gender disparities are not and that is because women confrontexclusive and additional threats because of their reproductive biology and low cultural and socio-economic status. Certain cultural constraints, including the practice of sex segregation and limited decision-making authority, obstruct women's approach to social services such as health care and education, over and above, income producing opportunities while poor health and nutrition reduce women's productive capacity, which is currently undervalued and poorly utilized.

The most obvious reason of this situation can be attributed to the poor economic conditions of the country on one hand and on the other, the mismanagement and corruption, lack of states' will and power to induce changes in the traditional health care system. The government of Pakistan spends only 0.59 % of the GDP on the health

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[223] Asian Development Bank,*Op.Cit*,p.6
[224] Ibid.
[225] Gita Sen&PiroskaOstlin, *Gender Equity in Health*(New York: Routledge, 2009), p.6.

sector[226]. Consequently, we have the most tenuous health delivery system with the availability of only one doctor for 1212 patients, only one dentist for 18010 persons;moreover there is availability of one hospital bed for 1575 people.

Women's health conditions are very poor in the country even in the presence of hospitals/MCH centers. By explaining in a cyclic approach, firstly in a family setup we have patriarchal set up who do not allow their women to visit these MCHs frequently. Secondly, there is gender discrimination found in different families as a son is always preferred to take medical treatment before a daughter.Then when women visit government hospitals they are attended very rare and late. Further, there is a lack of paramedical staff, doctors, ambulance service, latest equipment, medicines and modern surgery facilities in different BHQs, DHQs and MCH centers. Even number of medical practitioners per population is quite insufficient in the country. The following table shows the same reality.

Table.3-Registered Medical and Paramedical Personnel (progressive) and Expenditure on health (calendar year basis)

Year	Regd. Doctors	Regd. Dentists	Regd. Nurses	Regd. Midwives	Regd. L H Vs	Population per		Expenditure (Mln. Rs)	
						Doctor	Dentist	Development	Non-Development
2ooo	92804	4165	37528	22525	5443	1529	33629	5944.00	18337.00
2001	97226	4612	40019	22711	5669	1516	31579	6688.00	18717.00
2002	102611	5058	44520	23084	6397	1466	29405	6609.00	22205.00
2003	108130	5531	46331	23318	6599	1404	27414	8500.00	24305.00
2004	113273	6128	48446	23559	6741	1359	25107	11000.00	27000.00
2005	118062	6734	51270	23897	7073	1310	25297	16000.00	24000.00
2006	123169	7438	57646	24692	8405	1254	20839	20000.00	30000.00
2007	128076	8215	62651	25261	9302	1245	19417	27228.00	32670.00
2008	133956	9012	65387	25534	10002	1212	18010	32700.00	41100.00

[226]Ibid, p.171.

Source: Pakistan Economic Survey 2009-10

The obvious reason for this situation is the women's lack of decision making power, improper mobility, as well as exclusion against seeking care from male providers, and it presents serious restrictions to women's health. The quality of care is dejected by a lack of responsiveness to women's particular health needs and cultural aspects associated with their lower status; shortage of female paramedics, supplies and drugs, insufficient community outreach, lack of adherence to standard medical procedures and poor supervision. This malfunction isimitated in underutilization of services as well as poor health indicators.

To address women health issues and problems, the government should pay special attention towards it. There should be a separate and new women's health policy to address women's health issues. Women should be given health awareness through health campaigns. They should have reproductive health rights. LHVs should be trained and supervised strictly. Within the supervision of local government, regular women's health should be checked up in every ward or union council. Government school buildings can be used for this purpose. There should be a separate and new women's health policy to address women's health issues. Government should design and introduce women's health curriculum at school and college level to give information about basic health issues. Our health budget is only 2 % of the total GDP and there is no separate proportion ofwomen's health in it.

Women in Pakistan suffer from different health problems. Most of them are iron and calcium deficient due to dietary deficiency. The majority of women suffer from high

blood pressure, heart diseases and diabetes after the age of 40. Breast and uterus cancer ratio is also increasing in women. They are getting diseases in an earlier age than men. Menopause and arthritis problems are also common in aged women. Goiter and different skin diseases are also increasing here.

In the presence of certain cultural constraints in Pakistan, legislating violence against women is not so easy. Violence against women is always at a high rate in a patriarchal society like Pakistan. Mostly women are unaware about such legislation, especially legislation on violence at work place. There is not such an atmosphere that women can go in police stations to complain about violence, especially about their own head of the family so there are very few cases registered only in the advance cities. In rural areas such legislation can increase honor killing and education drop outs. Women have to face family security threats by complaining about physical violence about family members. Even local government is not successful in the execution of such policies.

There is a slight improvement in the women's status in Pakistan regarding VOW. There is improvement in the highly educated masses of advance urban areas only and they are very few in number here. While in tribal areas, Southern Punjab and interior Sindh violence cases are reported as before. It is also believed that there is improvement in black and white only but not in practice. As there are some registered and many unregistered cases of acid burnt and stove burnt till now. Political conducts claim that there is improvement in women'sstatus, but it is their propaganda of vote catching merely.

Due to patriarchal culture and gender discrimination, women are treated at secondary level in their family in case of getting health facilities and diet intake. They are also ignorant about their fertility health being illiterate.Government is not paying attention to such a sensitive issue. Due to such problems women diseases are transmitted from one generation to another increasing morbidity rate among children. Further social structure of the society is also affected by high MMR.

CHAPTER–6: WOMEN ECONOMIC STATUS IN PAKISTAN

About a quarter of a century ago, the World Health Organization (WHO) reported on the plight of women in the third world in these words;

> *"Although women constitute one-third of the world's official labor force, they are responsible for nearly two-third of the hours worked, receive only one-tenth of the world's income, and own less than 1 % of its property"*[227].

Whenever a question is asked from a Pakistani woman that what your life activities are? The reply is, *"I am a housewife and I don't earn for my family"*. This statement is a description of a woman's economic status in Pakistan. From her childhood till her old age, her role in the domestic domain is associated with her like a caste. As a mother, daughter or wife, it is her duty to perform all the house chores, from breakfast to dinner. Here the woman is always seen from the traditional role of a homemaker and her role as economic independent women is not accepted socially. Men and women are separated into two roles as: wage holder and domestic workers. This starts a subordinate status of women in the society and they are accepted as economically dependent on men.

6.1. Women as Unpaid Family Helper

However, there is a variation in the household tasks of rural and urban women in Pakistan. As both have different lifestyle so their activities are also different. Rural women perform the duties of cooking, mopping, dish washing, washing clothes, cattle's

[227] United Nations, "Evaluation of the Strategy for Health for all by the Year 2000: Seventh Report on the World Health Situation", *Global Review* 1(1987), p. 24.

rearing, child care, fetching water, collection of woods, making dong cakes for fuel, caring aged persons of the family, and serving the guests. Along with this, she also performs the agrarian work in the fields and storage of the grains in the house.

While an urban woman also has to perform the house chores of mopping, washing, cooking, dishwashing, ironing, child care, buying grocery, pick and drop of children to their schools.

In case of a working woman, she performs all the house chores along with her professional duties.

While Canadian International Development Agency[228] argues that child care demands 180 hours per month of a mother.Mothers are conscious of the children's needs like cleaning and feeding and even during the night time to feed, clean and comfort the baby. The cost of day care centers ranges from Rs. 1000-2000 to Rs. 10,000 which dependsupon, the services, surroundings and the locationwhere it is situated.

This domestic role title declares women as unproductive in the society as she is not earning any cash and not spending it with her family. This role gives women an inferior status in the family and society as she is economically dependent on men. They are discriminated while getting the economic benefits within their families. She is supposed to stay in the four walls of the house and hence it is supposed that she has no special economic need. She is paid nothing as pocket money. Before marriage, she is economically dependent on family for the dowry and after marriage; she is dependent on

[228] Society for Alternative Media and Research and Health Bridge, *The Economic Contribution of Pakistani Women through their Unpaid Labor* (Islamabad: Canadian International Development Agency, 2008), p. 18-9.

husband and son for her whole life. Because of her taking hand position, she is kept at a lower status in her family.

In spite of all this, when government counts the active and inactive labor force in the country, women are poorly counted in the statistical measures. On one hand, government accounts women participation in agriculture, but on the other hand, considers them as unproductive. Some attempts have been made to make visible the invisibility of women's work in current years[229]. The Report of the Commission of Inquiry for Women also suggested that agricultural and household workers should be integrated into the definition of workers and brought and should be treated under all the laws applicable to them[230].

Humaira Akhter[231] opines that since domestic activity of women is not accepted as "work" or "labor", women tend not to be recognized as workers even when they join the labor force. When women enter paid employment, they are considered dependents sent by men, since the men are expected to be the primary earners in the households. The dynamics of such beliefs create pressure and counter pressure of women and as a consequence, they are denied the status of workers in the paid labor force.

The Asian Development Bankstates that in Pakistan women contribute in economic activities in the productive and reproductive domain. Though they take part in both the reproductive sphere and unpaid work as a family laborer in the productive sphere, but their work has not been considered as productive and is not counted in the national

[229] Shahnaz Kazi, *Gender Inequalities and Development in Pakistan in Shahrukh Rafi Khan, ed. 50 Years of Pakistan's Economy: Traditional Topics and Contemporary Concerns,* (Karachi: Oxford University Press, 1999), p. 391.
[230] The Government of Pakistan, *The Report of Commission of Inquiry for Women* (Islamabad: GOP, 1997), p.53.
[231] Humaira Akhter, Women, Paid Work, Controls and Resistance in Nighat S. H, et al (ed.) *Aspects of Women and Development* (Lahore: ASR Publications, 1995), p. 37.

statistics. In the cultural background of Pakistan, women earning is considered as a sign of danger to the male ego and individuality and women's rendezvous in various domesticeconomic activities leads to under remuneration for their work. Women in Pakistandisburse long hours of the day in fetching water, doing laundry, preparing food and carrying out agriculture duties.

Table.4-Distribution by Employment Status and Sex

Employment Status	2008-09			2009-10		
	Total	Male	Female	Total	Male	Female
Employers	1.2	1.5	0.1	1.3	1.6	0.1
Own account workers	33.3	38.7	13.1	34.2	40.0	13.6
Unpaid family workers	29.7	20.2	65.0	29.1	18.7	66.3
Employees	35.8	39.6	21.8	35.4	39.7	20.0
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: Labor Force Survey 2009-10, Federal Bureau of Statistics.

The above data shows the employment categories of women in Pakistan. Amongst the female, the ratio of unpaid family worker is counted at highest ratio. These are the women who work for 14 hours a day, including cooking, mopping, dish washing, washing clothes etc. and are titled as unpaid family workers. But the government does not count their work as economic contribution. A woman's other unseen work such as reproductive and house chores still remain uncounted[232]. They are known as the un-paid family workers. World Bank[233] reports that in the two provinces of Pakistan i.e. in Punjab and Sindh women participated in unpaid work on their own farmhouse during the two crop seasons.They spend more than six hours per day on harvesting and threshing and over four hours per day on related activities and participate in seed preparation, tilling

[232] Mahbub Ul Haq Human Development Center, *Human Development in South Asia: The Gender Question 2000* (Karachi: Oxford University Press), p. 53.
[233] World Bank, *Improving Gender Outcomes: The Promise for Pakistan* (Environment & Social Development Sector Unit, South Asia Region, 2005), p. 96.

and weeding; a very small ratio of women in the other two provinces i.e. KPK and Baluchistan report participation of women in one farm work.

In spite of all this, the Canadian International Development Agency has estimated the various household tasks of Pakistani women. Women spend 210 hours per month for the food preparation which is considered as the most ignorable activity. They spend several hours per month for house chores as 60 hours of house cleaning, 30 hours for dish washing, 20 hours for clothes washing and ironing and 8 hours on the sewing. The rest of her time is spent on child care and gardening. The table below shows the various household tasks and their annual estimated wage of their tasks.[234]

Table.5-Estimated Value of Various Houses Hold Tasks[235]

Task	Hours per month	Urban wage	Rural wage
Cooking/ preparing meals	210	1200 Rs. (11.33US$)	700 Rs. (6.60 US$)
Washing, ironing clothes	60	1200Rs. (11.33US$)	500 Rs. (4.72 US$)
Dishwashing	30	600 Rs. (5.66US$)	400 Rs. (3.77 US $)
House cleaning	20	600 Rs. (5.66 US$)	400 Rs. (3.77 US$)
Making and mending clothes	08	400 Rs. (3.77 US$)	150 Rs. (1.41 US$)
Total per month	328	4000 Rs. (US$37.7)	2150 Rs. (20.31 US$)
Total per year	3936	48000 Rs. (453.5 US$)	25,800 Rs. (US$ 243.8)

Source: Society for Alternative Media and Research and Health Bridge, *The Economic Contribution of Pakistani Women Through their Unpaid Labor* (Islamabad: Canadian International Development Agency, 2008), p. 14.

[234] Society for Alternative Media and Research and Health Bridge, *Op. Cit.* p. 14.
[235] US$ value given in the table is calculated on 05-03-2014 as per market.

The report further argues that most of the women's work is excluded from the GDP, so if the overall women's work is included at the same rate as men's, GDP of the country would be double[236].It seems that it is the conscious will of the government that it has neglected the women from its labor force estimation. While, women are participating in informal labor in different parts of the country.

Further, these are the 'per hour' tasks of a woman's life in Pakistan, on actual grounds, she works for the whole day and find just night hours to rest and sleep.

6.2. Women as Paid Worker in Pakistan.

Women participate in various fields to take part in the economic activities of the country. However, experts argue that job opportunities for women are limited to agriculture, domestic chores, and small scale industries[237]. Women now actively participate in different kind of activities, agriculture, manufacturing, electricity and gas, construction, trade, transport, hotels and restaurants, financial intercession, real estate business, public administration, education and health, and social services[238]. Agriculture is one of the fields which are counted in the Labor Force Survey with major statistics in the country, to include women's economic contribution.

In the Labor force Survey for the year 2003-04,women in Pakistan are engaged in different activities as Agriculture, forestry, and fishing (67.3%), manufacturing (14.7 %),

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[236] Ibid.
[237]Rehana Siddiqui et al, *Gender and Empowerment: Evidence from Pakistan* (Islamabad: Pakistan Institute of Development Economics, 2006)p. 178-9.
[238] Siddiqui et al, *Op.Cit,* p. 2.

wholesale and retail trade (1.75), transport, storage and communication (0.1 %), construction (0.3%), community, social and personal services (15.8%)[239].

There is still traditional division of labor in Pakistan with reference to women. They are socially accepted as agricultural labor in the rural areas and are accepted as teachers and in medical profession only in the urban areas. While in other fields, women are found rarely depending upon their educational level.

Women are visible in the education sector in schools and colleges in almost all parts of the country as shown in the table below.

Table.6-Teachers in Educational Institutions by Kind, Level and Sex (thousands)

Year	Primary schools		Middle schools		Secondary schools		Art & Science colleges		Professional colleges		Universities	
	T*	F*	T	F	T	F	T	F	T	F	T	F
1993-4	322.0	109.6	80.4	39.9	178.8	56.9	21885	7945	6494	1381	5217	918
2002-3	433.5	191.7	236.3	145.8	285.3	133.6	27911	11024	9841	2107	6180	1375

*T stands for total and F stands for female

Source: Government of Pakistan, Pakistan Statistical Year Book 2005 (Islamabad: Federal Bureau of Statistics, 2005), p. 118-9.

However the proportion of women in white collar jobs is still very rare. They are seen very rare in engineering, law and banking when compared with the whole population of female population in the country. So it can be said that women are less indulged in the visible labor market in the country.As in urban areas women work in the informal set-up

[239] Government of Pakistan, *Labor Force Survey 2003-04* (Islamabad: Federal Bureau of Statistics), p. 137-141.

and mostly work as home based workers. But still they try to prove themselves as an income generator of the family.

According to Asian Development Bank[240], The kind and field of women's output in the labor market is mainly determined by socio-cultural and economic factors. Women do not participate in the labor market on equal terms vis-à-vis men. Their work-related options are limited due to social and cultural restriction, face gender bias in the labor market, with no facilities such as child care, transport and accommodation in the formal sector of the labor market. As women are perceived as homemaker; hence their labor is considered inferior due to such presumptions. Due to such discrimination, women are treated as secondary sector of the labor market. They are less paid, have low status and lack potential upward mobility.

There seem to be some factors which hinder women in entering the labor force of the country and is a cause of their poor economic conditions.

6.3. Family Honor

Within a family, a breadwinner is of higher status than a domestic worker. The women are of lower status being economically dependent on the breadwinner male members of the family. The status and role of women in a traditional society of Pakistan are very complex. Their roles are predetermined by the society. Within a family, fathers, brothers or husbands are the guardians of their life matters. A woman lives with their parental family till her marriage. After marriage, her productivity or services, either in the form of domestic role or in earning labor, are shifted to her husband's family. Here her domestic

[240] Asian Development Bank, *Op. Cit.*, p. 8.

and formal labor is controlled by her husband always. Even highly literate women in white collar jobs, cannot write the check to the bank to withdraw money, as it is controlled and authorized by her husband.

Women are mostly seen in teaching or in the medical profession in Pakistan. In the rest of the fields women are not a part of the labor. The obvious reason behind this is the family restrictions and family honor. Men do not allow the women of their own family to earn based on the notion that it will ruin their family honor. Further, they do not create a hostile environment for the women so that they may earn. The issue of harassment is also attached with it. Social norms maintain this strict division by two distinct, though inter related mechanism. The notions of honor are linked to a man's capability to afford his family, and society disparages men who, failing in this duty, have to rely on women's earnings. As a result of these perceptions and norms, there is enormous resistance to women visibly undertaking remunerative work. Secondly, society places a premium on the men's (and by implication the family's) honor. Mostly this honor depends on the reputation of family women, which in turn is linked with their interactive /behavior with non-family males. Thus, it becomes a man's duty to constantly watch women interaction with non-family members'so women's mobility is severely curtailed.

6.4. **Women Mobility**

Socio-economic constraint also restricts women from mobility for theearning purpose

inside the country. Restrictions on women's mobility demarcate the physical environment within which women can search for their job[241].

As soon as a woman gets married in a different area, this also causes a hurdle in her earning. As firstly she is dependent on her husband, secondly her domestic role increases and her mobility to other areas for job is restricted.

World Bank[242] states that labor force opportunities are geographically limited for Pakistani women, while the same is not the case for men. Socio-cultural restrictions such as limitation on women's mobility restrict their boundaries within which women can seek jobs. Men can shift to any part of thecountry that offers more or better work opportunities for them, while needy women are limited to work in nearby schools and health facilities.

6.5. Sex Segregation and Purdah Norms

Pakistan is a sex-segregated society. Purdha (women seclusion and segregation) reflects a complicated social phenomenon and reveals itself in different ways and in various social groups. It implies the physical isolation of women behind four walls. It requires the separation of the sexes, confining female activities with family and relatives, the seclusion of women in the home and the veiling of the entire body if a woman is outside her home environment.

The society is segregated due to purdah norms and the reasons are given in the name of Islamic philosophy. Women are kept out of economic scenario in the labor market due to

[241] World Bank, *Op. Cit.*, p. 91.
[242] Ibid.

these purdah norms. While Islam ordered the purdah norms in terms of coveredness, shyness, meeting a male person all alone and prohibits illegitimate relationships. On the other hand, Islam does not disallow women to earn. The first two women in the life of the Prophet Mohammad (PBUH), were economically independent (Hazrat Sadia Haleema and Hajrat Hadeeja Tul Qubra R.A), and there is no evidence that Islam disallowed them from having own earning.

Riffat Haque[243] argues that purdah can be defined in two forms: that is visible and invisible. The visible form includes seclusion, dress and segregation of the sexes, and the invisible form includes in the fundamental attitudes of the society. The women's life is controlled by the society that use religion and custom as their means to do so. In addition to this, both of these control the poor status of Pakistani women. Generally the observable forms of Purdah are apparent, buthidden government policies, which endorse the discriminatory policies, actually affect women's status.

Purdha is also a variable for different groups, e.g. in urban areas Purdha is traditionally far more associated with social prestige and the maintenance of male dominance and control under the pretext of protection. It is also associated with the prosperity of the upper class and the less well- off section of the population observe it in order to elevate their status in their community or society by differentiating themselves from groups immediately below them on the social scale. The poorest section of the society cannot afford observing Purdha but as soon as economic circumstances permit, women are subjected to it. Not all women in the upper class observe purdah; particularly younger

[243] Riffat Haque. "Gender and Nexus of Purdah Culture in Public Policy", *A Research Journal of South Asian Studies* Vol. 25 No. 2 (2010), Pp. 303-310.

women don't. It is viewed more in urban areas than rural areas, most strictly by the lower urban middle class, but also from the upper class of blue collar workers. The circumstances have changed a bit. Women belonging to the upper and middle classes who are working as professionals have left Purdha restrictions, thus maximizing the space available to them. While, the urban low-middle class or uprising mobile working class stick to the strict Purdha rules and therefore, confront great problems.

Interestingly, there is a new trend in educations and job markets by the upper class. By the upper class we mean the highly conservative rural aristocracy and the urban so-called absentee landlords to industrialists, all of whom often belong to the same clan. The members of this clan frequently travel abroad and are in many cases strongly influenced by the western culture. As most, women of this class are highly educated, and often regard education a nothing more than a symbol of their elevated social rank; they do not need to work and earn and earning an income is regarded by their families as beneath their status. Secondly, many upper class women in Pakistan are, however, involved in charitable organization called NGOs in Pakistan than joining any other formal or informal service / job. Even the issue of honor killing is based on such restrictions of the society. Such imposed conditions allow them to earn in education field only in some areas of the country. The womenof rural Baluchistan and KPK are less involved in economic activities[244].

[244]Amtul Hafeez Gondal, Women Involvement in Earning Aactivities: Evidence from Rural Pakistan, *The Lahore Journal of Economics* (2003), Vol. 8, no. 2. Pp, 123-136.

In this way women involvement in most of the white collar jobs is restricted and they are limited to education and health jobs only. Other prestigious and more paid jobs are occupied by men in the society.

6.6. Property Rights

In religious context, Islam gives gender parity in economic matters. It empowers women in the society through their property rights. Some believe that Islam does not forbid women to enter in the economic scenario outside the home. But there are the many socio-cultural constraints which disallow a woman to hold and manage her property in Pakistani society. Although women have the legal right to inherit and own property, mostly tend to renounce their property ownership to male relatives-brother or husband[245].

NCSW[246] states that women's claim to inheritance from their father's property is considered an act of dishonoring their parental family. Similarly, the husband's demand for getting his wife's share to inheritance is customarily condemned. The well-off brothers are expected to offer some compensation to their sisters in recognition of their withdrawal of their right to inheritance. In some cases, though women are given a share in inheritance, the possession and control thereon is denied. They, however, get a share in the produce of their commonly owned land.

Socio-cultural constraints of the society consciously want to keep women as an oppressed and disadvantaged group. So women are not given their property rights in Pakistan. A large number of women are unable to get any share from their husband's property.

[245] Ibid, p. 96.
[246] National Commission on Status of Women, *Women's Rights of Inheritance and its Implementations* (GOP: Islamabad, 2005), p. 62.

Women by themselves do not ask for their inheritance. The overall ratio of women "not getting their share" is 50.6 %, it is highest in Baluchistan (100%), followed by Punjab (97%), NWFP/FATA (55%), Gilgit/ FANA (50%), while negligible in Sindh[247].

Mehdi[248] opines that though Islamic (Shriah) law and Pakistani state law, both enable women to inherit property.But the usual practice seen in the country is that women have no control over their inheritance even often no claim to it.

As women observe the culture of non-transfer of property in their name, they have an accepted behavior that the father's property is only for sons and not for daughters. As there is a stereotypical behavior attached to women that they cannot manage their property in the society.

Asad[249] while discussing the practice of female inheritance rights in Pukhtoon society opines that Islam and the constitution of Pakistan almost invariably guarantee women's rights to inheritance in parental/consanguine properties. However the empirical data reflect quite an opposite picture. It presents the prevalent cultural setup as quite contradictory to what the religion of Islam ordains. Women are almost cognizant of their rights and the basic tenants of the religion pertaining to women's rights; however in practice they are culturally conditioned to the ascribed roles. Such cultural expectations also restrict women seek formal education and, likewise, them to severe mental, psychological and sometimes physical punishments, discourages those struggling to

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[247] Ibid, p. 12.

[248] Rubya Mehdi, *Gender and Property Law in Pakistan: Resources and Discourses (*Lahore: Vanguard Books Pvt. Ltd., 2002), p.25.

[249]A.Z. Asad, The Practice of Female Inheritance Rights in Pukhtoon Society, *The Journal of Humanities and Social Sciences*. Vol. XV, No. 2. (2007), Faculty of Arts and Humanities University of Peshawar, .p. 44

break the cultural chains and seek education. In addition to such punishment, bad names and labels are used for such women who either try to get share property or struggle to improve their status in society.

6.7. High Illiteracy Rate

Illiteracy is the core reason of low labor force participation in the formal sector. In a country where the female literacy rate is half of that for men, women lag behind in the labor force due to this key fact. With the higher education level of women, there will be greater women's participation in the labor market[250].

Education enhances a girl's capacities during her school life. It provides her the knowledge of things, surrounding atmosphere, human behavior, increases her confidence and teacher her better ways of life.

It gives human capital to a nation. The rise in female literacy rate, and can employ women in more and more fields like the field of science and technology. Investment in human capital such as experience and on-the-job training increase productivity, which in return gives higher labor earnings[251].

6.8. Women Poverty and Government policies

Women are living in poor economic circumstances and a very few women are benefited through the Social Security system in Pakistan. They are dependent on family members

[250] G. S. Becker, A Theory of Allocation of the Time. *The Economic Journal*, Vol 75 No. 299 (1965), pp. 493-517.
[251] J. Mincer & S. Polachek, 1974, Family Investment in Human Capital, Earnings of Women. *The Journal of Political Economy*, Vol 82 No. 2(1974), pp. 76- 108.

in their economic life. Although the Government is committed to provide equal economic opportunities to the both sexes under the constitution. But the actual situation does not match with it. On one hand women are accepted as a disadvantaged group, on the other hand, there are not enough social security benefits for them in the country.

In case of a widow or divorced woman, there is no comprehensive social policy of the government for the women welfare in the country. There is an informal setup of zakat in the country.Families pay their zakat by themselves without involving government. Usually their own relatives, neighbors,servant destitute women are the recipient of zakat. This informal setup of zakat payment cannot remove female poverty from the country

Pakistan Institute of Development Economics[252]states the formal and informal social protection forms. Amongst the formal sector, pension and social security provides the social insurance and other employer benefit schemes. A number of concessions are appliedfor pension, provident funds and some local concessions for aged persons or widows on local taxes or charges. The federal Government totally exempted the local property tax for widows and retired government servants renting out property and a 60 percent exemption for others living in cantonments (Budget 2006-7). The two saving schemes of the Government of Pakistangive higher rates of return to widows and retired people, i.e. The Behbood Savings Account (for windows) and Pensioners' Benefit Account (for retired government and semi-government officials and others aged 60+) which provides interest of 10.8 percent on investments of up to Rs. Million (increased in the 2004-05 budget) with a ten year maturity.

[252]Pakistan Institute of Development Economics, *Pension and Social Security Schemes in Pakistan: Some Policy Options* (Islamabad: Policy Planning Cell, Labor and Manpower Division, 2008), Pp. 13-24.

The informal sector includes the main organizations which provide social assistance through Zakat and Bait-UL-Mal which provides a wide range of programs and functions related to social protection. The numbers of recipients of assistance during the year 2002-03 is shown in the table below.

Table.7-Zakat Assistance by Gender, 2002-03

000s

Benefit	Males	Females	Total
Guzara Allowance	487	392	859
Education Stipends	368	185	553
Deeni Madaris	35	05	35
Health Care	91	53	144
Social Welfare	28	08	36
Marriage Assistance	-	18	18
Rehabilitation Grant	-	93	20
Total	**1028**	**681**	**1709**

Source: Pakistan Institute of Development Economics, Pension *and Social Security Schemes in Pakistan: Some Policy Options*. (Islamabad: Policy Planning Cell, Labor and Manpower Division, 2008), p. 23.

Considering the problems of the widows and the fact that women's life is longer than men and they are likely to be isolated in old age, the proportion of assistance for deserving women is less than men. The gender inequality in medical care assistance is a serious concern. It is difficult to believe that women's needs are half of that of men. It may not be a result of Zakat procedures. It may be due to some serious women's health problems are not given equal importance as men's and women may not depict their serious health problems; families have a preference for men's health expenditures to maintain the male bread winner's ability to work.

Social assistance for women is rarely found under some governments in the country and ends as the government changes. Currently Benazir Income Support Program is running

here, but it is not enough to run a household of a destitute woman. Further, women get this assistance on the recommendations of their political conducts in different areas.

Khan[253] argues that for a country like Pakistan, which is on the initial steps of development, the problem is that of poor system rather than liquidity. Pakistan has anenormous population living below the poverty level and inflation rampant. Under such circumstances, the influence of the project like BISP gets weak. Providing money is not the solution of poverty. The only solution of poverty is theeconomic growth that ends in urbanization, capital growth and empowerment of the women by engaging them into the economic system.

On one hand women in domestic role are considered as unproductive. When they enter the labor market, they are offered informal labor and their share in the formal labor is limited to selected fields. With this large number of female population in the country, little economic incentives like BISP cannot empower women economically. Then firstly, providing labor opportunities in the labor market may reduce her poverty and may increase her status in the society. Secondly, she should be given her own property rights. The Constitution of 1973 and intercontinental commitments like CEDAW guarantees her rights to inherit her property, but customs are not in favor of her divine right. Thus, women are considered as inferior in the society being a poor and dependent member of the society.

[253] A. K. Shujaat, To Spend or Not to Spend. *Dawn*, Internet Edition, 26th Aug, 2010. retrieved from http://blog.dawn.com/2010/08/26/to-spend-or-not-to-spenr/

CHAPTER–7:DATA ANALYSIS

The interviews focused on four topics related to social policy, namelywomen's education, women's health, women economic conditions, and women and law in Pakistan. The interviews were taken from experts/bureaucrats/members of the international NGOs, Civil society members. With the permission of the interviewee the conversations were tape- recorded and then transcribed. Most of the respondents were interviewed in English and some were translated in native languages like Urdu and Punjabi and then translated into English. Utmost care was adopted in translating the records into English. In many cases, help from language experts like personnel from the print and electronic media was taken. Analysis of the interviews is presented as below; - .

7.1. Section I: Women and Legal Safeguards in Pakistan

Social legislation regarding women has a direct relationship with women's status in any society and Pakistan is not an exception. Since 1947 till 1961, there seems to be no talk of women legal rights in the country as most of the cases related to family life were settled under the colonial laws; an amalgamation of the customary laws, English laws and Islamic laws known as Muhammadan laws. It was not the reason that women were given their due rights by the society, but the nascent state and its people were pre-occupied with other serious problems like poverty, settlement, health issues, education and many other and could not be blamed on the negligence of the government towards women's issues. Again, the country was not much exposed to the external world regarding the major problems particularly women's issues.

As it is said earlier that from 1947 till 1961, there was not a single piece of legislation which could deal with women's issues in Pakistan, but indeed the objective resolution adopted by the first constituent Assembly of Pakistan had paved the way for legislation in the country. But unfortunately, Pakistan has been facing political turmoil since the beginning and there seems to be no end to that till this day. Though the Objective resolution, as said, paved the way for legislation, but indeed, it was not the spirit of the Resolution. It was just to quell the two political poles of the Islamists and the seculars. Except the first few words in the Objective resolution, there were no details regarding implementation of Islamic law. The architect of the law Liaqat Ali Khan succeeded in quelling both the sides for a while, but left a perpetual political polarization in the country.

The Objective Resolution was followed by the first constitution of 1956, but that was too, silent on major issues and the country, subsequently fell prey to marshal law by 1958.

By 1961, the legislation of Muslim Family Law Ordinance (MFLO) was another attempt of amalgamating the Islamic law with the English law and was not different than the so-called Muhammadan law of the pre-independence era. Till this day, the law has failed in attaining its objectives in terms of women welfare, which is explicit from the many amendments made to the constitution and promulgation of a dozen of Ordinances regarding women's issues till 2010 but to no avail and the directionless journey in the desert of women protection and women's rights is continued. Women have poor social,

economic, health and education facilities. Some efforts were made on a voluntary basis to cope with women's issues at that time, but not from the government side[254].

Marriages in the subcontinent have been contracted only on oral basis and no documentation was made ever before 1961. For Muslim marriage, it was contracted only in the presence of two witnesses. Muslim Family Law ordinance, 1961 was the first attempt by the government to improve women's status legally. It brought advantages and disadvantages for women in the country. This law benefited women in case of marriage and divorce registration for the first time here. Before this, there was no documented proof of the marriage in the country. So the government tried to empower women's status by bringing her in a legal framework. It also authorized women to apply for maintenance if not paid by the husband under the legal framework, but it is seen very rare in practice. The *reason d'être* is that the major sources of law making are either culture or religion, but in this case both were not only neglected rather negated.

Such issues were considered as purely family and cultural matters and none can even today talk about it out of the four walls of the house so practically it was not in practice in the country after 1947.[255]A living example of this was the issue of polygamy among the Pakistani Muslims. The section under Polygamy could not get acceptance from the masses. It allowed the permission of second marriage of a man like Legislating morality which is difficult if not impossible. It is still resisted as the courts are a part of the social system. They consider it an insult to ask the permission from a wife for second marriage and women got this legal status in writing only.

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[254] Mohammad Nawaz Malik,Solicitor, interview with, Lahore, 26th July, 2010; also Shahid Mir, Solicitor, interview with, Sialkot, 2nd August, 2010.
[255] Zulfiqar Abbas Naqvi, Solicitor, interview with, Rawalpindi Cantt, 18th August, 2010.

Consequently, what happened in Pakistan, women became a subject matter of social welfare policy instead of social policy as she is considered as vulnerable like disabled, orphans and other vulnerable groups and we treat women's issues under the social welfare policy till this day.

7.1.1. Constitution of 1973 and Women Equality

Under the democratic government of Zufiqar Ali Bhutto, the constitution of 1973 was made with liberal attitudes towards gender equality and women were given equal status as a citizen.

In National Assembly and in Provincial Assembly of Pakistan, only 10 and 5 percent quota for women was reserved respectively, but the Act was not put into action like many other Acts of the parliament. These flouting of the constitution eventually led to Army rule in 1977[256].

The majority of the respondents opined that no *law was made to protect women from all kinds of discrimination in Pakistan under the 1973* constitution. There was so called Islamization declaration, but women even could not achieve better status in the country.[257]A living example of the non-functionality of the constitution can be judged from the Bridal and Dowry Restriction Act 1976 a law to protect women from the burden of *jahez* (Dowry). It was thought that the Bridal and Dowry Restriction Act, 1976 will be a law to protect women from discrimination and psychological violence but it did not

[256] Khalida Gailani, Solicitor, interview with, Sialkot, 5th August 2010. Jamila Aslam, Solicitor, interview with, Islamabad, 16th August, 2010.
[257]Shehzada Kabeer, Solicitor, interview with, Lahore, 24th July, 2010 ; Ali Afzal,Solicitor, interview with, Rawalpindi, 21th August, 2010Amanat khan, Solicitor, interview with, Rawalpindi, 12th August, 2010; Jamila Aslam, *Op. Cit*; Shahid Mir, *Op. Cit*.

happen in Pakistan. When experts were asked about the said law, they replied that it was just a cosmetic law. This law could not strengthen a woman's position in the family structure[258].

7.1.2. Hudood Ordinance 1979 and Women Status

Till 1979, there seems to be complete silence over women's welfare issues in the country. Then, the Hudood Ordinance 1979; a law which is still controversial among the feminist groups and the religious groups, broke the silence. The liberals and feminists plead that this law was introduced in martial law and its suggestion was given by Council of Islamic Ideology which was formulated by the Marshal Law administrator himself. These suggestions were in accordance with his will andnot Quran and the *Sunnah* of the Holy prophet[259]while the religious class is of the other opinion. Though this law and the General Zia are most criticized by the scholars, but they forget or mislead the masses that these amendments to the constitution were suggested by the Council of Islamic Ideology (CII) which serves as a constitutional body presenting legal advice on Islamicissues to the Government of Pakistan and the Parliament. Interestingly, till this day no parliament since could reject or even discussed the amendments so made by CII. They also forget that Gen. Zia did many good things in favor of women like he established the Women Division in the Cabinet Secretariat, the launching of commission on the Status of women, started Curriculum on 'women in Development, induction of twenty women (10% of the total seats) in the Parliament and then enhancement of these seats to 20% of the total in

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[258] Asma Nadeem, Solicitor, interview with, Lahore, 25th July, 2010 Salman Khan Golra, Solicitor, interview with, Islamabad, 19th August, 2010; Khalida Gailani, *Op. Cit*; Mohammad Nawaz Malik, *Op.Cit* ; Ali Afzal, *Op. Cit;* Amanat khan, *Op. Cit*.

[259] Samina Naheed, Social Activist, interview with, Rawalpindi, 24th August, 2010.

1985. The question arises that after Zia Benazir Bhutto, Nawaz Sharif and General Musharraf like liberals, pro-western leaders have been inpower after 1988, for a period of more than quarter of a century, butno-one bothered to make amendments to the recommendations of the CII or brought it to the parliament.The fact is that the CII is a non-functional, showpiece type organization to baffle the public. The council has done a marvelous job of analyzing all the laws of the country 1796-2006 and has suggested and recommended at least seventy amendments to the laws, includingwomen's education, health, legal status etc. but there is a complete silence on all the issues from the government side. It is generally believed in Pakistan that Pakistan is run by three A's namely Allah, America and Army. When the army and America will want, everything will be fine with the Pakistani people and the country.

After Zia's government, Benazir Bhutto came into power in 1988 and it was hoped that she will give attention to the women's issues in the country. On the question about Benazir Bhutto's policies for the betterment of the women's status in the country, it can be said that she continued with general Zia's policies and neither amended previous legislation like Hadood Ordinance 1979, nor formulated any new legislation to improve women's status in the society. Some respondents said that women police stations were started at that time, but no new policy was framed. But this step could not be proved beneficial for women in jails. She was unable to elevate women's status in her both tenures.[260]

[260]Ibid.

7.1.3. Qisas and Diyat Law, 1990

In 1990, we find another law related to women's status in the society, i.e. Qisas and Diyat Ordinance 1990. All the experts viewed about said law as it did not prove advantageous for women here.Rather, it seems that it was to secure the man's life when a murder is committed by them. In a patriarchal setup of Pakistan, rather to pay compensation money by the assassin to the family members of the murdered, men used to marry their young daughters or sisters there as a compensation. They are treated on inhuman basis socially, psychologically, economically and sexually and sometimes not allowed to meet their parents. This custom is known as Vanni or Swara. Under this law men practiced this custom and remain safe even after a murder. Further, this law has promoted honor crimes in Pakistan. Hence it contributes in lowering the social status of women[261].

7.1.4. Women Protection Bills

After a long pause, women legislation was again paid attention by the government. The Women Protection Bill has revised certain laws which had lowered women's status in the society. This law has broken the injustice situation created by Hadood Ordinance. It promulgated laws such as "Protection of Women (Criminal laws Amendment) Act, 2006", "Domestic Violence (Prevention and Protection Act), 2009", "Protection against Harassment of Women at Work Place Act, 2010", and "Acid Control and Acid Crime Prevention Act, 2011".

While talking about the Protection of Women (Criminal Laws Amendment) Act, 2006, it can be said that it has restricted customary crimes like Vanni and Karo Kari and banned

[261]Ibid.

the sale of women in the country. But the other side of the picture presents some other facts. This law has shifted some offences from Zina Ordinance to the Pakistan Panel Code, where they had been prior to 1979. This is not repealing of a law. Further, it has only redefined offences of Zina and Qazf. Fornication is still an offence, but it will be dealt under Pakistan Panel Code now. It seems that the Pakistan Government has just given some sort of satisfaction to the international commitments by some personal adjustment of their laws. This law still has some loopholes. In case of Zina a woman is not accepted as an eye witness still now. Again, there is a silence about such sensitive issues.

Protection against Harassment of women at work Place Act, 2010 was another law under women protection Bill. This is a confusing law in the country. It covers only working women in the country, but, is out of reach of a common woman. It is ridiculous that the government has passed a law in the country where women's mobility is restricted without the presence of male members of her own family. Further a common Pakistani woman, moving out of her home for a job, travelling on public transport with pushes and pulls of the crowd, such a woman never complains about harassment even if she faces some sort of harassment. Such woman mostly belongs to a lower and middle class value system where complaining under the state law is never allowed and never appreciated by the family.

Domestic violence and Acid crimes are common in Pakistan and women are violated by their families and burnt by acid throwing. Usually their faces are burnt by the acid and their whole life is miserable after such crime. Domestic Violence (Prevention and

Protection Act), 2009 and the Acid Control and Acid crime prevention Act has been enacted in Pakistan in 2011 but nomechanism for the monitoring and controlling of these laws is observed in the country. Still, there are cases of acid crimes and any one can buy acid from the local market[262].This law cannot settle the entire women's issues once for all as it has not touched other women's issues like their health and educational rights and the rights after divorce. Further, there is not a single piece of legislation for female prisoners with children in the jails. There are some other female sectors which have not been touched now as formal and informal laborers.Women still face discrimination in the Citizenship Act, 1951. Further physical disable women are not protected through legislation[263].

7.1.5. The Politics of Women legislation

When experts were asked about the advantages and disadvantages of women laws in Pakistan, a general consensus among the respondents was that the laws regarding women in Pakistan have not proven beneficial to their welfare. Different heads of the state have used different lobbies and tricks to get success in their politics in the country. They have used women issues for their popularity and not for women welfare. Woman status has been the same in the country since last six decades, especially in far flung rural and tribal areas. No law has strengthened and elevated their position in the country.[264]

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[262] Khalida Gailani, *Op. Cit.*
[263] Shehzada Kabeer, *Op.Cit* ; Asma Nadeem, *Op. Cit*; Salman Khan Golra, *Op.Cit;Op. Cit*; Mohammad Nawaz Malik, *Op.Cit* ; Ali Afzal, *Op. Cit; Op. Cit;* Jamila Aslam, *Op. Cit*; Zulfiqar Abbas Naqvi *Op. Cit;* Shahid Mir, *Op. Cit* ;& Samina Naheed *Op. Cit.*
[264] Ibid.

One respondent said that

> *"Amendments to discriminatory sections of law should be made. The government should improve its police system and judiciary who delays the process of justice. There should be a commission to suggest for better women's status in the country at provincial level, including tribal area and commission should consult religious scholars and gender experts*[265].

> *"All the customary crimes have not been controlled yet. Women as lawyers are not accepted by the society. Some others said that within a family women appeal in the courts is not allowed and not liked for their certain rights like inheritance or marital rights. Women problems are solved by the head of a family or baradry (clan) or Jirga (Council of elders) no matter women find justice or injustice there.*[266]

But women's issues remained there as a high powered Commission on the Status of women already exists since general Zia's era consisting of legal experts, civil society representatives and religious scholars. The supreme Courts' many verdicts are there. Still implementing the Supreme Court decisions and the Commission's recommendations regarding women empowerment are a distant dream.

Violence against women is another new issue raised and exaggerated in Pakistan by NGOs. It is not so easy to promulgate law against violence in Pakistan, where domestic violence is thought of a private family matter. When experts were asked that legislating violence can be done easily in Pakistan or not, they all replied in negation and stated,

> *"Due to certain cultural constraints in Pakistan, legislating violence against women are not so easy. Violence against women is always at a*

[265]Khalida Gailani, *Op. Cit.*
[266] Ibid.

high rate in a patriarchal society like Pakistan.[267] *Mostly women are unaware about such legislation, especially legislation on violence at work place.*[268].

There is not such an atmosphere that women can go in police stations and courts to complain about violence, especially about their own head of the family so there are very few cases registered only in the advance cities[269].

In rural areas such legislation has enhanced honor killing and education drop outs[270]. Women have to face family security threats by complaining about physical violence about family members[271]. Even local government is not successful in regulating such issues.[272]

7.2. Section II: Women and Education in Pakistan

Education is an indispensable human right to which Pakistan is committed under manifold international covenants as well as under constitutional provisions. But the portrait of literacy in Pakistan is grim. Although governments have announced an assortment of programs to endorse literacy, especially among women, but they have been unable to interpret their words into action. In the area of education, a Pakistani woman is a big sufferer. The female literacy rate is incredibly low in Pakistan as compared to its neighboring countries. Although Pakistan is based on Islamic ideology, but equal

[267]Marium Faryal, Gynecologist, interview with, Sargodha, 20th June, 2010; also Ashba Shahid, Gynecologist, interview with, Sialkot, 27th June, 2010 , Samina Nisar, Gynecologist, interview with, Sialkot, 28th June, 2010.
[268]Ghazala Gul, Gynecologist, interview with, Lahore, 22nd June, 2010.
[269]Ashba Shahid, *Op. Cit.*
[270] Ghazala Ghazala Gul, *Op. Cit.*
[271] Marium Faryal, *Op. Cit*; Samina Nisar, *Op. Cit.*.
[272]Samina Nisar, Gynecologist, interview with, Sialkot, 28th June, 2010.

education of both the sexes is merely a dream to come true. Pakistan is a Muslim majority country where Islam as a religion has a pervasive role; a religion which has prescribed education for both sexes equally but is not visible in the case of female education. There can be many reasons behind this phenomenon, includingsocio-economic, political and cultural as well as religious. Parents discriminate, children on gender basis while educating them due to cultural as well as religious reasons. School education for girls is not considered as suitable and co-education is resisted.

For the parents, the economics of education are that a male child is an insurance policy for them in their old age or other crisis and invest in son's education is fruitful. Thus prefer to educate a son rather than a daughter. For them, son has to stay with them for the whole life and daughter will go to her husband home on her marriage as soon as she becomes of her age[273]. It is believed that men are born to earn and as a bread winner education is needed for men only. While a woman has to live in the four walls of the house and has to work as a housewife for the whole life, so she is kept illiterate.[274]

In a Pakistani context society is divided into rural, conservative and urban liberal classes who have a different approach towards life and religion. The conservative religious section lead by the religious leaders do not approve of the present system of education, misfit not only for males but also for female. According to them the prevailing education system which is totally secular in outlook and a legacy of the colonial powers, is soulless

[273]Riaz Hussain, Bureaucrat, interview with, Islamabad, 29th June, 2010; also Farzana Ashraf Gondal, Educationist,interview with, Islamabad, 30th June, 2010.

[274] Mohammad Tufail, Religious Scholar, interview with, Islamabad, 3rd September, 2010; also Fouzia Sajjad, Educationist, interview with, Sialkot, 16th September, 2010; Asghar Yaqoob, Social Activist, interview with, Sialkot, 17th September, 2010; Aslam Azad, Bureaucrat, interview with, Sialkot, 21st September, 2010; Khalida Gailani, Educationist, interview with. 5th August, 2010. Yousaf Nayyer, interview with, Sialkot, 22nd September, 2010.

and make the youth only 'clerks' and deprive them of any creative sense. Absence of native language at primary level is nothing more than the colonization of the education system and taking away the young generation from the religion and culture of the country. Education, ultimately leads to economic empowerment of women or to seek some job by most of the women. As jobs are scarce for males, provision of jobs to female's is difficult if not impossible as in many cases a female job or earning outside the home environment is not acceptable to majority in Pakistani society, that's why, she is kept away from education.[275]

The education of girls is viewed as economically pricey by parents in Pakistan. So the cost of education is the main restriction to educate their daughters.To many others, the poor economic conditions of the majority of the population in the country also contributes to the female illiteracy as there is no support from the government for the students other than school buildings and teachers, to some extent[276]. The general economic condition of the country is also a contributor to the situation. Non-availability of schools not only for females, but also for male is a cause of low literacy rate in the country. Respondents were asked about the present economic scenario in the country, whether conducive or otherwise for female education. The reply was overwhelmingly negative. Some responses were; as per capita income in the country is low, people cannot afford education for their daughters.[277]

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[275]Fouzia Sajjad, *Op. Cit*& Asghar Yaqoob, *Op. Cit.*

[276] Aqeela Hameed, Educationist, interview with. Sialkot,24th September, 2010; also Sheikh Mohammad Abdul-jabbar, Religious Scholar, interview with. Sialkot, 27th September, 2010; Karen Jahanzeb, Social Activist, inteview with, Lahore, 19th September, 2010 & Naheed, Social Activist, interview with, Rawalpindi, 27th July, 2010.

[277] Mubeena,Educationist, interview with, 5th September, 2010; also Riaz Hussain, *Op. Cit*; also Farzana Ashraf Gondal, *Op. Cit*& Mohammad Mumtaz, Educationist, interview with,1st September, 2010.

Some were critical of the private educational institutions which are operating just on a commercial basis and charge heavy fees, etc. in the name of quality education, but indeed, there is no quality and those who can pay for the degree can also pay the cost of a job in the public sector easily[278].

Official statistics[279] show that literacy among women is a little over half of that for men in the country. On question of any expected improvement of this scenario, experts answered that there can be improvement in the female literacy rate of the vigorous function of the government. Government should amend its policies which failed to raise the female literacy rate in all parts of the country[280]. Some said that Female education should be legislated strongly and good governance is needed through the local government. Local leaders can force people to get educated. They should know that the Constitution of the country does guarantee equivalent chances both for men and women. The dilemma in Pakistan is that there is a gulf between what is said in the constitution and what the ground realities are? The governments have neither the will nor power to implement educational policies so made. There should be equal female education in all parts of the country, particularly in the tribal and rural areas where there is no concept of female education besides the fact that schools and colleges do exist for females but no female students are the beneficiaries[281].

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[278] Samina Ahmed, Educationist, interview with, 8th September, 2010& Fouzia Sajjad, *Op. Cit.*
[279] Government of Pakistan, *Economic Survey 2013-14* (Islamabad: Economic Adviser's Wing, Finance Division, 2015), p. 175.
[280] Riaz Hussain, *Op. Cit*; also Farzana Ashraf Gondal, *Op.Cit*; Mohammad Mumtaz, *Op. Cit*; Mubeena, *Op. Cit*; Samina Ahmed, *Op.Cit*& Mohammad Tufail, *Op.Cit.*
[281] Yoousaf Nayyer, interview with. Rawalpindi, 29th September, 2010; also Aqeela Hameed, op.cit & Sheikh Mohammad Abduljabbar, *Op.Cit.*

7.2.1. Catch 22 Situations: The Politics of Poverty and Poverty of Politics.

On the question about whether there is scarcity of resources or political will on the part of the state, is the cause of female illiteracy in the country, a respondent stated that Low female literacy rate is due to political will on the part of the state. It does not pay attention towards such a sensitive issue. There is no separate female education budget in the country[282]. The government has not paid much attention in opening new schools. There is no remarkable increase in women educational institutions in far flung areas in the country. The number of female schools has not increased with the increased population of the country[283].

The researcher believes that this can be a heresy as not only the no. of schools and colleges for females have increased, the number of teachers has also increased if someone goes through the official statistics. Intelligentsia believes that like many other things education in Pakistan is colonized and not internationalized.The education department is working with certain international donor agencies that have, obviously, their particular interests.Pakistan is an aid dependent country and in order to receive a certain amount of aid from its western donors, internal policies are regularly put at risk. International aid in a variety of forms – capital grants, loans, food, equipment, consulting services, study tours of the bureaucrats and their travel allowances, study fellowships, etc. has for many years has become an indispensable, irreversible element in our national planning and politics. Increasingly, the provision of aid is always with some strings, often as a condition for seeking assistance. The World Bank loans and aids are attachedtothe

[282]Farzana Ashraf Gondal, *Op. Cit.*
[283] Riaz Hussain, *Op. Cit.*

removal of subsidies, which has resulted in an increase in prices of daily commodities or in significant loss of buying power for the poorest sections of the population. Our policy making bodies lack competent local experts or the condition is reversed. As some foreign qualified (whose whole education tenure has spent on abroad) persons of the country, make education policies. They by themselves are, un-aware of the local values, interests and slants of the country. Mostly policies of other countries are implemented here, neglecting the fact that our circumstances match with others or not. Lack of good governance also plays its role in failed female education policies. As the majority of our public is illiterate, so there is no resistance showed by the local masses on such issue. Our education policies are also framed on the conditions of international donor agencies which are not in accordance with our cultural values hence failed[284]".

But the utilization of these resources is not seen in the country and results in a poor female literacy rate.[285] To many educationists our education budget is very low as compared to female population and their educational needs.[286] Some would argue that corruption in the country is the order of the day and there is no scarcity of funds for female education, but due to heavy corruption of the bureaucracy and political leaders who are hand in glue, these funds are distorted[287].

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[284] Aqeela Hameed, *Op. Cit.*

[285] Mubeena, *Op. Cit*; also Mohammad Mumtaz, *Op. Cit*; Mohammad Tufail, *Op. Cit*; Samina Ahmed, *Op. Cit*& Asghar Yaqoob, *Op. Cit*

[286] Fouzia Sajjad, *Op. Cit.*

[287] Khalida Gailani, *Op. Cit*; also Aslam Azad, *Op. Cit*; Aqeela Hameed, *Op. Cit*& Yousaf Nayyer, *Op. Cit.*

7.2.2. Main Causes of Female Illiteracy

Politics, culture and economic conditions of the country as well as parents, are simultaneous, the key factors which affect the female literacy rate in a country. In a family where people live below the poverty line, education is a mere daydream for them and lavishness for the females.[288] People are facing inflation storm due to IMF policies in the country. Due to this fact families are not interested or cannot invest in female education which is simply a state's responsibility[289].

It was asked that what were the main causes of the said issue, some respondents stated that female literacy suffers due to the feudal culture in the country that restrict the parents to send their girls to school.

> *Political and tribal leaders are also not supportive for female education in far flung rural areas*[290]".

They also show resistance when some new girls' school is opened by the rival politicians. This is in vogue in Baluchistan, Interior Sindh, Southern Punjab and tribal areas[291]. School buildings in such areas are mostly used as guest houses or a place where the cattle are tied and fed.

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[288] Sheikh Mohammad Abduljabbar, *Op. Cit*; also Karen Jahanzeb, *Op. Cit*& Naheed, *Op. Cit.*
[289] Asghar Yaqoob, *Op. Cit*& Aslam Azad, *Op. Cit.*
[290] Yousaf Nayyer, *Op. Cit*; also Sheikh mohammad Abduljabar, *Op. Cit*; Karen Jahanzeb, *Op.Cit*& Naheed, *Op. Cit.*
[291] Mohammad Mumtaz, *Op. Cit*; also Farzana Ashraf Gondal, *Op. Cit*& Riaz Hussain, *Op. Cit.*

There is co-education at university level in the country. But it does not match with the socio-cultural values of the country. When experts were asked about this issue, some experts think that,

> *The low female literacy rate is due to co-education in the majority of the universities in Pakistan as our patriarchal culture resists it a lot*[292]".

Religious scholars are also playing an active role in opposing co-education for females, particularly after the Primary level. They have been demanding the government for opening separate educational institutions for women and men. Separate schools and colleges and now separate 'women universities' are an example of how they can influence the government policies and can act as barrier to promote equal opportunities for education in the society[293].

Political instability in the country since the day-1 of Pakistan is also responsible for low female literacy. There is no constant policy in the country as with the change of faces at the helms of affairs the policies also change. Hence female literacy suffers in such cases[294].

7.2.3. Socio-Cultural Atmosphere for Female Education

> *Our cultural environment is not encouraging for female education and had never been conducive to promote female education. Families do not educate their daughters as their clan does not*

[292] Aqeela Hameed, *Op. Cit*; also Khalida Gailani, *Op. Cit*; Asghar Yaqoob, *Op. Cit*; Mohammad Tufail, *Op. Cit*; Mubeena, *Op. Cit*& Farzana Ashraf Gondal, *Op. Cit*.
[293] Aslam Azad, *Op. Cit*& Aqeela Hameed, *Op. Cit*.
[294] Khalida Gailani, *Op. Cit*&Yousaf Nayyer, *Op. Cit*.

allow them to do so. Because of this clan pressure people keep their daughters illiterate where they have to marry them.[295].

Pakistan still has a rural-tribal social structure where tribes' role is more important than an individual's choice. In many areas it is the tribe or clan to decide to allow the opening of a school for girls in the area or not or send the girls to school or otherwise.

Educated, feminist would explain the situation as;

"It is mainly due to dominating patriarchal culture[296]*".*

They are consciously kept behind as men consider them inferior by claiming 'Paer ki jooi (a foot or shoe.)[297]*"*

"And do ignore them in decision making.[298]

"Son preference culture is also responsible for it as a daughter is always considered as 'Praya Dhann (Others' property)[299]*"*

"There is no attention towards a daughter's education.While a son is considered as own property.[300]*"*

7.2.4. State Education Policies for Women

Experts believe that Pakistan has no social policy at all, other than social welfare policy of which women is a part but still she is ignored in this policy[301]. When the experts were

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[295] Sheikh Mohammad Abdul Jabar, *Op. Cit*; also Karen Jahanzeb, *Op. Cit*; Naheed, *Op. Cit*& Mohamma Tufail, *Op. Cit.*

[296] Aslam Azad, *Op. Cit*; also Fouzia Sajjad, *Op. Cit*; Samina Ahmed, *Op. Cit* & Mohammad Mumtaz, *Op. Cit*.

[297] Foot shoe.

[298] Riaz Hussain, *Op. Cit*& Farzana Ashraf Gondal, *Op. Cit*.

[299] Someone others money

[300] Mubeena, *Op. Cit*; also Mohammad Tufail, *Op. Cit*; Asghar Yaqoob, *Op. Cit*; Khalida Gailani, *Op. Cit*& Aqeela Hameed, *Op. Cit*.

asked the reason of failed education policies for more than 60 years in the country, experts answered that,

> *"For the last sixty years there is no unified and comprehensive education policy for all areas of the country especially for women*[302]*".*

> *"Due to political instability and politician's corruption female education policy has lost its strength in the country*[303]*"*

> *"Female literacy rate is not evaluated on a qualitative basis by the government. Statistical data by national and international agencies is observed, but qualitative data on a national level is hard to find. Even policies do not present any solution for it. As evident from all the five-year- plans of the country*[304]*".*

7.3. Section III: Women Health Status

7.3.1. Main Women Health Problems in Pakistan

Poor health is a distressing problem of Pakistani women. It is a sign of their unhealthy diet, environment and poor health services. Women suffer from different diseases across the country which demonstrate high morbidity rate among women. Many people are aware of the causes of high morbidity rate in the country, e.g. a respondent said that women have poor nutrition level in the country due to which they suffer from many diseases.[305] They have low quantity of iron intake, vitamins, carbohydrates, calcium,

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[301] Sania Nishter, Social Policy Reform – *raison d etre* in *Blue Chip Jan-February, 2007.p.1.*
[302] Riaz Hussain, *Op. Cit*& Farzana Ashraf Gondal, *Op. Cit.*
[303] Mohammad Mumtaz, *Op. Cit*; also Mubeena Talat, *Op. Cit*& Samina Ahmed, *Op. Cit.*
[304] Mohammad Tufail, *Op. Cit.*
[305] Shabana Saleem, Gynecologist, interview with, Islamabad, 8th June, 2010.

minerals and other essential components in their food.[306] Poor diet, particularly and, no proper treatment throughout pregnancy affects women's health in the form of different disease like high blood pressure and diabetes.[307]

Women in Pakistan suffer from different health problems. Women health cycle is very important at three stages in her life. Firstly, when she reaches the age of puberty where the hormonal changes are faster. This stage is very critical from emotional and physical point of view and needs physician consultation. Secondly, during first pregnancy when the female human body receives major changes. It needs antenatal checkups and diet supplements recommended by a physician. Thirdly, in middle age (45-60) menopause stage is also very vigilant stage when women may suffer from crisis if not cured properly. Menopause has an effect on women biologically as well as mentally. Biologically the signs of heavy periods, night sweats, vaginal dryness, discomfort and itching, and insomnia may appear. Secondly, it also causes depression and anxiety, and forgetfulness. It may become a cause of heart disease, osteoporosis and weight gain among the women.

But in Pakistan no attention is paid to women's health at any stage of life; hence women are in poor health. Most of them are iron and calcium deficient due to dietary deficiency.[308]

The majority of women suffer from high blood pressure, heart diseases and diabetes after the age of 40.[309]

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[306]Marium Faryal, Gynecologist, interview with, Sargodha, 20th June, 2010; Ghazala Gul, Gynecologist, interview with, Lahore, 22nd June, 2010; also Ashba Shahid, Gynecologist, interview with, Sialkot, 27th June, 2010 , Samina Nisar, Gynecologist, interview with, Sialkot, 28th June, 2010.
[307] Samina Nisar, *Op. Cit*& Ashba Shahid, *Op. Cit*.
[308] Shabana Saleem, *Op. Cit*.

Breast and uterus cancer ratio is also increasing in women[310]. They are getting diseases in an earlier age than men[311]. Arthritis problems are also common in aged women[312].

As women are in a secondary position in the society, they also lag behind in health matters. It is said that health is wealth, but women are poor in this regard. No doubt she is a homemaker and kitchen matters are in her hand still she is food deficient in the country. She works all, the day but her calorie intake is less than the men in the family. Further, women are ignored in the health issues, especially fertility health in Pakistan. As a result high MMR is recorded in the country.

7.3.2. Reasons of High Maternal Mortality Rate (MMR) in Pakistan

Pakistan has overwhelmed with high rates of maternal mortality. Statistics show a very high ratioof maternal mortality when compared to neighboring countries, maternal mortality rate (herein after MMR) is 276/100,000 women in Pakistan[313]. There is a huddle of socio-cultural, economic, and technical barriers preventing healthcare to women, resulting in her death.

High MMR in the country is due to the tradition and practice of home deliveries by the Traditional Birth Attendants (TBAs). The family of a pregnant woman prefers that the child should be delivered at home. There are also some reasons behind this. Firstly, there is mobility restriction, secondly home deliveries are cheaper and are mostly performed by

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[309] Bilqees Sohail, Gynecologist, interview with, Islamabad, 15th June, 2010.
[310] Ashba Shahid, *Op. Cit*& Samina Nisar, *Op. Cit*
[311] Karen Jahanzeb, *Op. Cit.*
[312] Naila Mujahid, , Gynecologist, interview with, Islamabad, 17th June, 2010.
[313] Government of Pakistan, *Pakistan Demographic and Health Survey 2006-07* (Islamabad: National Institute of Population Studies, 2008), p.177.

a family woman or neighboring elderly woman[314]". Respondents (female doctors) were of the view that,

> *Traditional birth attendants (TBAs) are commonly found in Pakistan practicing Gynecological issues without any training. Some are of the opinion that TBAs also responsible for maternal deaths during pregnancy. Some families cannot afford even cheap medicines used during pregnancy and at child birth, so extreme poverty is another major reason for high MMR in Pakistan. As women are not given health education here so their ignorance also contributes to their poor fertility health. From their antenatal checkups till child delivery, they remain the patients of these TBAs. Even women consult these TBAs for the pregnancy confirmation. TBAs, without any test confirm the pregnancy. No matter, it is confirmed on actual grounds or not. Rather, they proceed to the assistance of the mother for the deliverance. They inject steroids for normal child delivery. When at last child is not delivered, they refer the patient to the government hospital. On delay, the patient sometimes expires when reaches to us or the baby has been expired. When they visit us and the ultrasound test of the patient is taken, it is sometimes a cyst in the uterus and a patient is considering it pregnancy, the confirmation of such pregnancy is done by TBA. Sometimes the disease has increased to such a level that health of a*

[314]Shabana Saleem, *Op. Cit.*

woman has to suffer a lot. Once a patient came whose uterus was ruptured due to mishandling of a TBA.[315]

Women also believe in superstitions like going to shrines for different treatments. It was reported by female doctors that when women come to us for treatment they have tied amulet on the different parts of the body. As they believe that it will save them from diseases. They usually visit such places for seeking treatment[316]. The morbidity rate among women also depends upon socioeconomic conditions in which a woman is residing.[317]

"Here woman has to live in their certain social boundaries. If they do not conceive after the three months of their marriage, they are blamed as an infertile woman. In some families she is taken to the physician for medical checkup, while her husband never passes from such examination. Even she has proven normal; yet she has to face verbal violence from the family members. She is treated as a second citizen in the family. This sometimes leads her to the disease of depression".

Another reason is the no-proper interval between children. There is availability of birth control methods in the country, but are rarely practiced and in many cases, women have

[315] Naila Mujahid, *Op. Cit.*
[316] Ibid.
[317] Naheed, *Op. Cit.*

two consecutive pregnancies during 20 months[318]. Repeated pregnancies contribute to high morbidity rate among women.[319]

7.3.3. Availing Existing Health Facilities

On asking whether women can avail the existing health facilities like men in the country, it was said that some women avail existing health facilities in Pakistan depending upon the status they have in their family. Many experts are of the view that women cannot avail existing health facilities due to patriarchal social set up. Women's access to health facilities is restricted due to controlled mobility. It is often customary for a woman to acquire consent from the male head of the family to go to a hospital.[320] If a woman has a rigorous burn on hand in kitchen at morning, she will wait for her husband till evening so that he may bring somemedicine for her or take her to a doctor. Usually women rely on home treatments like using salt or turmeric[321]. As typically women are not empowered to make independent and quick decisions alone.

Life of urban women is a little bit different from rural women who can avail existing health facilities depending upon their economic status.[322] Women in tribal areas cannot often avail existing health facilities in Pakistan as there is no concept of taking women to the hospital for childbirth or for some other treatment.[323]

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[318] Malik Amanat Rasool,Health Professional, interview with, Islamabad, 9th, June, 2010.
[319] Karen Jahanzeb, *Op. Cit.*
[320] Athar Qayyum, Health Professional, interview with, Islamabad, 14th June, 2010.
[321] Marium Faryal, *Op. Cit.*
[322]Ghazala Gul, *Op. Cit*; also Ashba Shahid,*Op. Cit.*& Karen Jahanzeb, *Op. Cit.*
[323]Naila Mujahid,*Op. Cit*, 2010; also Naheed, *Op. Cit.*

7.3.4. Poor Women Health Status and the Health Delivery System (BHU, DHQ, MCH Centers)

Pakistan has a very comprehensive health delivery system like dispensaries at village level, BHUs for a large rural/ urban population, RHCs for rural areas, and the big category A, B and C hospitals at district headquarters and sub-divisional headquarters. Still women health conditions are very poor.

7.3.5. Addressing Women Health Problems

When the respondents were asked that whether something special is needed for addressing women's health problems or not, very encouraging but long range policy recommendations were suggested like;

> *To address women health issues and problems, the government should pay special attention towards it. There should be a separate and new women's health policy to address women's health issues.*[324]

> *Women should be given health awareness through health campaigns.*[325]

Beijing Platform for action identifies reproductive health rights as indisputable, fundamental and indivisible part of universal human rights. Reproductive rights can be defined as the rights of couples and individuals to choose freely and responsibly the number and spacing of their children, to have the information, education and means to do

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[324] Shabana Saleem, *Op. Cit.*
[325] Malik Amanat Rasool, *Op. Cit*& Bilqees Sohail, *Op. Cit.*

so, attain the highest standards of sexual and reproductive health and, make decisions about reproduction free of discrimination, coercion and violence[326].

One of the respondents suggested that;

> *They should have reproductive health rights.*[327]
>
> *LHVs should be trained and supervised strictly.*[328]
>
> *Within the supervision of local government, regular women health checkups should be done in every ward or union council. Government school buildings can be used for this purpose.*[329]
>
> *Government should design and introduce women's health curriculum at school and college level to give information about basic health issues.*[330]
>
> *Our health budget is only nearly 2 % of the GDP and there is no specification for women's health in it. There is a total health budget for DHQs, BHUs and MCH centers.*

7.4. Section IV: Women Economic Conditions in Pakistan

By having a look on women's economic conditions, one can say that women live in poor economic conditions in Pakistan. They don't have independent income and are economically dependent upon men. They are thought of as economically unproductive in the country, but on the other side, they perform all the housechores from dawn to dusk. It is the routine life matter of every woman that she has to per all the house chores.

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[326] Sexual and Reproductive Health and Rights Briefing, Retrieved from*http://www.icw.org/files/SRH%20rights.pdf.* Accessed at 28th February, 2014.
[327] Marium Faryal, *Op. Cit.*
[328] Samina Nisar, *Op. Cit* ; also Karen Jahanzeb, *Op. Cit*& Athar Qayyum, *Op. Cit.*
[329] Riaz Hussain, *Op. Cit*& Ghazala Gul, *Op. Cit.*
[330] Naheed, *Op. Cit.*

Women are economically dependent on men in Pakistan, when it was asked that do women have low status due to their economic dependence, experts replied positively and said that,

There is no government infrastructure for women/destitute women, which pay any allowance for women. They are totally dependent upon family income. Hence family keeps them at a lower position[331].

Culturally, a wage holder is at a higher position in the family. Here a man is a bread winner and a woman is considered as economically unproductive. Experts opined that women perform house chores from Fajar to Isha prayer, i.e. about 12-14 hours a day, but are still economically dependent and inferior to men in the family set up.[332]

Their house work is not accounted by the family and the government. So she is unproductive in qualitative and quantitative analysis.[333]

They are discriminated while getting the economic benefits within their families. She is supposed to stay in the four walls of the house and hence it is supposed that she has no special economic need. She is paid nothing as pocket money.[334]

Before marriage, she is economically dependent on family for the dowry and after marriage; she is dependent on husband and son for her whole life. So she is kept at a

[331] Amjad Virk, Bureaucrat, interview with, Lahore, 10th October, 2010; also Zarar Malik,Bureaucrat, interview with, Sialkot Cantt, 12th October 2010.
[332] Munawar Khan, Social Security Officer, interview with, Sialkot, 16th October, 2010; also Ishaaq Butt, Economist, interview with, Sialkot, 19th October 2010 &Afzal Ijaz, Economist, interview with, Islamabad, 8th October, 2010.
[333]Tariq Mehmood, Economist, interview with, Islamabad, 28th October, 2010; also Durehshehwar Munawar, Economist, interview with, Sialkot, 1st November, 2010 & Imtiaz Dar, Economist, interview with. Sialkot, 4th November, 2010.
[334]Karen Jahanzeb, *Op. Cit*; also Aqeela Hameed, *Op. Cit*& Mohammad Tufail, *Op. Cit*.

lower status in her family. We live in a patriarchal society so here women are kept away from economic scenario[335]. Besides patriarchy the prevalent family system is either joint or extended where women are more economically secure as compared to the urban nuclear family system. Those who plead to empower women economically mean bringing women out of their homes and create a chaotic situation within the family. Those women who do need economic support or poor and destitute, in some cases do jobs and there is no bar on them. For example, respondents responded that;

> *"Women are working in different sectors ranging from agriculture, labor to gazetted jobs with their household duties. Our family structure is still based on combine family system where there is division of house chores. Further, children are socialized by grandparents so women can earn outside the house within a family set up[336]".*

Those who were not in favor of women economic activity, responded that

> *"By bringing women economically, at par with men can disrupt their life after marriage. There is no government childcare center where working women can leave their children in all parts of the country. They have to pay for it by themselves. With this they also have to do household chores so they cannot manage all the matters easily means they will act like a*

[335]Hina Noreen, Social Activist, interview with, Sialkot, 8th November, 2010; also Sheikh Mohammad Abuljabbar, *Op. Cit*& Khalida Gailani. *Op. Cit.*

[336] Aslam Azad, *Op. Cit*; also Zarar Malik, *Op. Cit*; Imtiaz Dar, *Op. Cit*; Durehshehwar Munawar, *Op. Cit*; Tariq Mehmood, *Op. Cit*; Karen Jahanzeb, *Op. Cit*; Aqeela Hameed, *Op. Cit*; Mohammad Tufail, *Op. Cit*; Sheikh Mohammad Abduljabar, *Op. Cit*; Khalida Gailani, *Op. Cit*& Noreen, *Op. Cit.*

woman, a wife, and an earner at a time, which will disrupt not only her personality but the family system as well."[337].

Pakistan is a sex segregated society where culturally and religiously woman works, particularly in mixed working places, are not encouraged. Hence society restricts women's participation in labor. When respondents were asked about the handling of this issue, they gave solution as well like;

"Undoubtedly, women work is frowned in mixed work places but the fact cannot be ignored that women are also poor in Pakistan. Needy women should earn from cottage industry while living in their home, but what is meant by the cottage industry, many could not explain it.

Some other experts argued that,

Women can work in sex segregated institutions which are common in the country like women schools and colleges rather to remain out of economic scenario. This half proportion of the population can be useful for economic development in the country. Sex segregation culture cannot be changed as it is associated with socio-religious values in all parts of the country.[338]

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[337] Munawar Khan, *Op. Cit*; also Ishaq Butt, *Op. Cit*; Afzal Ijaz, *Op. Cit*& Amjad Virk, *Op. Cit*

[338] Tariq Mehmood, *Op. Cit*; also Imtiaz Dar, *Op. Cit*;Aqeela Hameed, *Op. Cit*; Sheikh Mohammad Abduljabar, *Op. Cit*; Hina Noreen, *Op. Cit*; Khalida Gailani, *Op. Cit*; Mohammad Tufail, *Op. Cit*; Karen Jahanzeb, *Op. Cit*; Durehshehwar Munawar, *Op. Cit*; Afzal Ijaz, *Op. Cit*; Munawar Khan, *Op. Cit*& Zarar Malik, *Op. Cit*.

7.4.1. Present Socio-Economic Scenario and Equal Employment Opportunities

On questioning whether women can be provided equal employment opportunities in the present scenario or not, some experts replied positively and said that,

> *Women should be given equal employment opportunities depending on their qualification and manual skills to increase the manpower in the country.*[339]

> *In the present socio economic scenario, men are going abroad to earn there, which decreases our man power and women can get employment chances so they should be given opportunities in the labor market.*[340]

> *There are chances for women to earn through garments industry, cottage industry and through education, health and legal jobs.*[341]

While some experts think that it is not possible to provide equal employment chances for womenas they replied that,

> *There is high record of underemployment rate in the country and patriarchal social setup is not in the favor of women economic*

[339] Aslam Azad, *Op. Cit*; Munawar Khan, *Op. Cit*& Ishaq Butt, *Op. Cit.*
[340] Karen Jahanzeb, *Op. Cit*& Zarar Malik, *Op. Cit.*
[341] Amjad Virk, *Op. Cit*; also Tariq Mehmood, *Op. Cit*; Durehshehwar Munawar, *Op. Cit*; Imtiaz Dar, *Op. Cit*; Khalida Gailani, *Op. Cit*& Noreen, *Op. Cit.*

independence. So it seems difficult that women can be provided equal employment chances.[342]

Another way of women economic empowerment is her inheritance rights which are mostly denied to her in the middle and high class property holding families. Inheritance rights are an integral part of the Islamic economic system so that wealth cannot concentrate in fewer hands. Further men and women both can get economic benefits. When the experts were asked that whether the women are given their due right in Pakistan, experts replied in negation and said that;

"Women are not given their due property rights by the family here. According to the cultural patterns of the country, a woman is put off by dowry at the eve of her marriage. But when the landed property is distributed, it is only for sons and not for daughters, sisters and wives.[343]

Parents do not give any property share to their daughters in their life and in their will, thisgives to the sons and husbands in the family only.[344] *We find hardly a few who give their daughters, their property right*[345]*".*

This culture is found in both urban and rural cultures. If a woman demands of her property by her own self, she is socially boycotted by her family for whole life.[346]In the backward areas of Punjab and Sindh instead of giving property rights, women of feudal

[342] Mohammad Tufail, *Op. Cit*; also Aqeela Hameed, *Op. Cit*; Sheikh Mohammad Abduljabar, *Op. Cit*& Afzal Ijaz, *Op. Cit*.
[343] Virk, *Op. Cit*; also Zarar, *Op. Cit*; Ijaz, *Op. Cit*& Butt, *Op. Cit*.
[344] Imtiaz Dar, *Op. Cit*.
[345] Mohamad Tufail, *Op. Cit*.
[346] Karen Jahanzeb, *Op. Cit*; Sheikh Mohamad Abduljabar, *Op. Cit*& Khalida Gailani, *Op. Cit*.

families are married to Quran under the custom of 'Haq Bakhshvai' but in actual they remain unmarried for whole life.[347]

In the poor families, the parents have a dilemma of dividing the nominal property which in most cases is indivisible. In Pakistan, the average family size is 7.4[348]. 80% landed property is owned by 20% people and 20% landed property is owned by 80% population. How a man with a 150 square yards house in a village or urban area can divide the house among six children? The distribution of property, whether movable or unmovable, is a problem of the middle class and high class and not of the poor tenant class in the country. This point is mostly ignored by many NGOs and made it a point against the social system in Pakistan.

Even if a woman is given her property rights in agricultural lands, this becomes difficult if not impossible for her to manage that property under the existing social system.

7.4.2. Refutation of Women Inheritance Rights

When experts were asked that why is she denied her divine right, experts replied that,

> *Due to strong patriarchal patterns, a woman is not given her divine rights in the property here.*[349]

> *It is supposed to hold all the property by men who do not follow divine rules in Pakistan.*[350]

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[347] Hina Noreen, *Op. Cit*; Munawar Khan, *Op. Cit*; Aslam Azad, *Op. Cit*& Durehshehwar Munawar, *Op. Cit*.
[348] Governemnt of Pkaistan (1999), *Census of Population 1998* (Islamabad: Federal Bureau of Statistics, Census Organization).p.6.
[349] Munawar Khan, *Op. Cit*; Ishaq Butt, *Op. Cit*& Afzal Ijaz, *Op. Cit*.

Here lineage moves from patriarchal side so men are getting property rights generation after generation.[351]

Women are usually considered as Praya Dhann (someone's other money) i.e. they move to the husband's home as they grow young. So they are not given any part of the property as it will spend on other family then.[352]

In a few cases, when women get some property, it is taken by their husband or son for their own economic benefit so it is again in the hands of the male members of the family.[353]

7.4.3. Policies for the Women Employment/Economic Conditions

When experts were asked about the policies framed by the state to address the said issue, all the respondents replied that,

No special attention has been paid by the government to address women economic empowerment. There are some low credit schemes, but it is not in reach of every woman in the country.[354]

There are vocational training centers based on an institutional social welfare system that train women, but do not provide market opportunities.[355]

Some women are getting benefits from NGO sector also.[356]

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[350] Karen Jahanzeb, *Op. Cit*; Aqeela Hameed, *Op. Cit*& Mohamad Tufail, *Op. Cit.*
[351] Amjad Virk, *Op. Cit*; Zarar Malik, *Op. Cit*& Aslam Azad, *Op. Cit.*
[352] Tariq Mehmood, *Op. Cit*; Durehshehwar Munawar, *Op. Cit*& Imtiaz Dar, *Op. Cit.*
[353] Sheikh Mohamad Abduljabar, *Op. Cit*; Khalida Gailani, *Op. Cit*& Hina Noreen, *Op. Cit.*
[354] ibid.
[355] Durehshehwar Munawar, *Op. Cit*; also Imtiaz Dar. *Op. Cit*; Karen Jahanzeb, *Op. Cit*; Aqeela Hameed, *Op. Cit*; Mohammad Tufail, *Op. Cit*& Sheikh Mohammad Abduljabar, *Op. Cit.*
[356] Khalida Gailani, *Op. Cit*& Hina Noreen, *Op. Cit.*

7.4.4. Inheritance Rights of Women in Pakistan

7.4.4.1. Manage of Property by Women in a Patriarchal Society

When experts were asked that women can manage her property in a patriarchal society, some experts replied that,

> *Women property is commonly handled by the male members of their family and she is only a signature holder or a thumb printer. On the first hand her property and her bank account (if opened in her name for some purpose) is not a sign of her independence. Secondly, when something is not in her hand how it can be assumed that she cannot handle it*[357].

While some others argue that,

> *A woman can manage her property in a fine way. She can rent out her property.*[358]
>
> *She can convert it into government monthly profit schemes to get a monthly income.*[359]
>
> *She can also run her own business through cottage industry.*[360]

7.4.5. Social Security and Social Assistance System for Women in Pakistan

When experts were asked about social security and social assistance available to women in Pakistan, they replied that,

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[357] Amjad Virk, *Op. Cit*; Zarar Malik, *Op. Cit*; Aslam Azad, *Op. Cit*. & Munawar Khan, *Op. Cit*.
[358] Ishaq Butt, *Op. Cit*; Afzal Ijaz, *Op. Cit*; Tariq Mehmood, *Op. Cit*& Munawar Khan, *Op. Cit*.
[359] Imtiaz Dar, *Op. Cit*; also Karen Jahanzeb, *Op. Cit*; Aqeela Hameed, *Op. Cit*& Mohamad Tufail, *Op. Cit*.
[360] Ibid.

The majority of women population gets no benefit from social security system.[361]

There is a very little female population who are pension holder in the country, but no statistical data is available about such aged women who get a pension.[362]

Again female government employees get maternity benefits, but their population is also very little as compared to whole female population in the country.[363]

While a destitute woman has no benefit and they are begging on roads commonly in the country.[364]

Respondents also argued that,

Social assistance for women is rarely found under some governments in the country and ends as the government changes.[365]

Currently Benazir Income Support Program is running here, but it is not enough to run a household of a destitute woman[366].

Further, women get this assistance on the recommendations of their political conducts in different areas.[367]

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[361] Ibid.
[362] Imtiaz Dar, *Op. Cit*& Aqeela Hameed, *Op. Cit*.
[363] Kasren Jahanzeb, *Op. Cit*& Mohammad Tufail, *Op. Cit*.
[364] Sheikh Mohamad Abduljabar, *Op. Cit*; Khalida Gailani, *Op. Cit*& Hina Noreen, *Op. Cit*.
[365] Ishaq Butt, *Op. Cit*; also Munawar Khan, *Op. Cit*;Aslam Azad, *Op. Cit*; Zarar Malik, *Op. Cit*; Amjad Virk, *Op. Cit*; Afzal Ijaz, *Op. Cit*; Tariq Mehmood, *Op. Cit*& Durehshehwar Munawar, *Op. Cit* .
[366] Imtiaz Dar, *Op. Cit*; also Karen Jahanzeb, *Op. Cit*; Aqeela Hameed, *Op. Cit*& Mohamad Tufail, *Op. Cit*.
[367] Sheikh Mohamad Abduljabar, *Op. Cit*; Khalida Gailani, *Op. Cit*& Hina Noreen, *Op. Cit*.

7.4.6. Economic Safety Provisions for Women in Pakistan

When experts were asked about the economic safety of women in the country, they replied that,

> *As women can get economic security from three heads i.e. family, state and labor market. In Pakistan family can be a strong source to provide an economic safetyfor women without discrimination. The family should fulfill her basic necessities and should give them property rights, but family system in Pakistan is failing to secure women economically.*[368]

> *Other than the state, labor market can be the other sources of women economic empowerment in the country. Labor market should promote cottage industry in the country. Women population can be an active source of labor market through cottage industry.*[369]

7.4.7. Negative Aspects of Poor Female Economic Conditions in Pakistan

When experts were asked about the negative aspects of poor female economic conditions in Pakistan experts replied that,

> *By having no support from family and government, some destitute women get indulge in begging, crimes and prostitution in the country.*[370]

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[368] ibid.
[369] Mohammad Tufail, *Op. Cit*; also Sheikh Mohammad Abduljabar, *Op. Cit*; Khalida Gailani, *Op. Cit*; Hina Noreen, *Op. Cit*& Munawar Khan, *Op. Cit*.
[370] Munawar Khan, *Op. Cit*; also Aslam Azad, *Op. Cit*; Zarar Malik, *Op. Cit*& Amjad Virk, *Op. Cit*.

Women are getting low wages in formal and informal labor when compared to male wages.[371] *Women are not paid their inherited property rights, daily expenses and dower even fixed in Nikah Nama.*[372]

Qualified women in the field of medicine, engineering, agriculture and administrative sciences are not given equal employment chances due to gender discrimination and patriarchal behaviors.[373]

Zakat and Bait-ul-mal system is not strong and fully supportive for the female destitute in the country.[374]

7.5. Other Women Issues in Pakistan

According to experts women have very low social status in the country. They argued that,*Women are physically, psychotically, sexually and economically violated at family level.*[375]

In case of kidnapping or rape; she has no place in the family and society.[376]

They do not have decision making authority in any matter of life as in marriage decision.[377] *Their early marriages are common.*[378]

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[371]Ishaq Butt, *Op. Cit*; also Afzal Ijaz, *Op. Cit*& Imtiaz Dar, *Op. Cit.*
[372] Karen Jahanzeb, *Op. Cit*& Tariq Mehmood, *Op. Cit.*
[373] Durehshehwar Munawar, *Op. Cit*; Aqeela Hameed, *Op. Cit*; Sheikh Mohammad Abduljabar, *Op. Cit.*
[374] Mohammad Tufail, *Op. Cit*; Khalida Gailani, *Op. Cit*& Hina Noreen, *Op. Cit.*
[375]Munawar Khan, *Op. Cit*& Aslam Azad, *Op. Cit.*
[376] Tariq Memood, *Op. Cit.*
[377] Afzal Ijaz, *Op. Cit.*
[378] Ishaq Butt, *Op. Cit.*

On being issueless, she is never accepted in the family and she is soon divorced due to this reason.[379]

Outside the home they have to face harassment at streets and at their work places.[380]

They are still in the octopus of cruel customs like Vanni, Karo Kari, Haq Bakhshvai, Vatta Satta marriage and are still burnt for dowry.[381]

Economically, women are not supported by the family for her expenditures in the name of personal pocket money.[382]

She has to face gender pay gap in the labor market.[383]

Destitute women are earning through cheap labors as house maids, in brick land industry and selling small articles like flowers, hair clips and baby toys on the roads.[384]

Female beggary and prostitution has not been controlled by any government[385].

She lives in poor health conditions in the country.[386]

They have no psycho-social assistance in old age.[387]

Women who, left alone after disasters in the country are in miserable conditions.[388]

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[379] Zarar Malik, *Op. Cit.*
[380] Amjad Virk, *Op. Cit.*
[381] Durehshehwar Munawar, *Op. Cit.*
[382] Imtiaz Dar, *Op. Cit.*
[383] Aqeela Hameed, *Op. Cit.*
[384] Karen Jahanzeb, *Op. Cit.*
[385] Mohammad Tufail, *Op. Cit.*
[386] Sheikh Mohammad Abduljabar, *Op. Cit.*
[387] Khalida Gailani, *Op. Cit.*
[388] Hina Noreen, *Op. Cit.*

CHAPTER–8:ISLAMIC SOCIO-POLITICAL SYSTEM

Theoretical Frame Work

8.1. Introduction:

After studying and reading about the dilemma of Pakistani women, the researchers' opinion is that Pakistan came into being with an ideology of Islam and that has been the political slogan and the purpose of the creation of the country, but the state has not been able to or very little able to institutionalize many principles so openly professed in economic, social or politico-legal fields. Corruption, embezzlement and harassing people through state terrorism all too often predominates over the art of peace and institution building. Even when guided and directed by the donor aid of western countries, they distort the very basic goals of a participatory socio-political system. Social miseries have been explained falsely as an outcome of the previous governments and making Pakistani society achievement-oriented is a distant dream at present as Pakistanis face the vested interest of the triumvirate of feudalistic, bureaucratic and entrepreneurial upper class. Every policy measure from taxation to basic wages is supportive of a mechanism designed to keep people in bondage. Political institutions have become self-defeating. Those advocating democratic principles are out maneuvered by the establishment of hereditary entitlement to leadership to descendants and children of the family of party leaders or industrialists and feudal aristocrats. All political parties have their heads who are children of the party founders.

Pakistan appeared as an independent state on 14th august 1947, having previously been part of the British India, due to the Muslim identity a community having a distinct culture within Indian society. India had neither a model of poly-ethnic entity, nor any social arrangement or forms, which could guarantee the development of diverse cultural sets of communities within Indian socio-political system. It was quite natural for the Muslims of India to struggle for a separate homeland; it was a struggle not only for political rights but also for survival as a larger social group. The independent homeland, they believed, would facilitate the development of their culture and where they could order their lives according to their ideals, so they were expecting to transform their religious, socialideas into the institutionalized pattern on the pattern of Madina, the first Islamic state.

Since then the history witnessed an unprecedented massive human exodus both by the Muslim and Hindus to join their own groups. Nine million Muslims arrived in Pakistan[389] and only two million Hindus and Sikhs left for India. This upheaval of millions of people caused many sufferings. Men, women, children, and the aged people traveled for hundreds of miles on foot. Hunger, disease, starvation, homelessness and above all armed attacks on caravans by militant/ opponents caused many deaths and injuries. Migration continued for years, disrupting the entire norms of social life. Communication, trade, business, industry, marketing and commercial organization all came to a standstill.This unprecedented shock of the influx was far beyond the capacity of any system to absorb. The first welfare, attempt was an emergency effort at disaster

[389] Chaudhri Muhammad Ali, *The Emergence of Pakistan* (Lahore: Research Society of Pakistan University of Punjab, 1967), p.274; see also Shireen Rahmatullah, *Social Welfare in Pakistan* (Karachi; Oxford University Press, 2002),p. 91.

relief and rehabilitation. It was necessary to feed, clothe and care for the newly uprooted people, temporarily settled in the refugee camps where epidemics like cholera, dysentery and fever of many types had spread which made death easier than life. The resources were meager and unorganized, and the best that can be said is that the welfare of the people in need at that crucial time was shouldered by the voluntary sector. This suggests that social policy in Pakistan is a post-independence phenomenon. Social welfare was then an activity performed by voluntary social workers to secure a place in the heavens. In other words, it was a charity oriented activity motivated by religion and philanthropy. The nascent state of Pakistan was struggling with the lack of resources to finance their urgent programs of education, health and economic development.

It is generally believed that during the British Colonial period, many welfare programs were introduced in the subcontinent but this is not true. Colonialism had less far reaching impacts on the welfare system of Pakistan than it had on that of India. The major impacts of these new trends were accepted more by Hindus than by the Muslims. The British East India Company snatched away power from the Muslims not from Hindus, and never lets the two come closer. As a ruling power the British were more interested in strengthening their economic and political holds on Indian subjects than in their welfare.

When the British crown took India under direct administration in 1834, some reformative acts were introduced to direct to curb brutal religious practices among Hindus, including *Satti* (the custom of burning of the widow by the death of her husband) and the killing of unmarried daughters whose failure to find a husband was

considered as a stigma for parents. These practices were banned by the Governor General William Bentinck under the Chartered Act of 1834, which declared them as tantamount to murder. Bentinck also introduced the modern system of education in India. Before independence the government's role in social welfare was chiefly restricted to the provision of the legislative framework. As the colonial rulers limited themselves to revenue collection and maintaining law and order, social welfare was primarily left to voluntary enterprises. Social legislation such as the Apprentice Act, 1850, Leprosy Act 1889, Reformatory School Act 1897, Lunacy Act 1912, Children's Act 1912, and 1920, Workmen Compensation Act 1923, Trade Union Act, 1926, Borstal School Act, 1926, Probation Act 1936, etc. were passed under public pressure. Gradually, the government was persuaded by Public opinion to run some welfare institutions made obligatory by the social legislation. Provision of social welfare services was left to the voluntary bodies by and large prior to 1947[390]. The greatest beneficiaries of these welfare acts were Hindus.

Another aspect of this situation is that in the initial stages, the Muslim ruling elites opposed British policies and services. Their propaganda among the masses was so effective that Muslims could not avail themselves of services rendered for them. History witnessed that these elites took a U-turn and adopt almost every measure, but in general Muslims did not realize these consequences even at the time of the exodus of the Britain from the sub-continent. In fact the struggle for independence had different meaning and purposes for two different groups. First, the ruling elites of Muslims wanted to exploit the British for their own cheese and butter. Local leaders wanted to

[390] H.Y Siddiqui, (ed) *Social Welfare in India* (New Delhi: Haram Publications, 1990), Pp.32-3.

oust the British and the masses were misled to believe that everything would be fine after the British had left. This competition was between two conflicting claims to leadership. The post-Colonial era, however, proved that what occurred was simply a substitution of a colored bureaucracy for a white, which had cause and care, and were better qualified.

This, if hypothesized, can lead us to believe that after the early and medieval Islamic eras, Muslim leadership degenerated because of lack of vision and capability to organize and dynamically evolve institutions. Muslims still live in the mist of the past glory. They have ideals, but lack confidence to research and synthesize modern ways within the framework of Islamic ideals.

Pakistan had overcome some of these immediate problems by 1950, and in order to have an effective welfare delivery system, in 1951 the Government formally requested the United Nations Organization (UNO) to help her formulate a social policy benefitting a free country. The first batch of experts on social welfare arrived in Karachi in 1952, and this was the first deliberate effort to introduce the modern and scientific welfare program in Pakistan. In this sense Pakistan was the first in Asia to have the modern welfare delivery system.

The gamesmanship on the part of the politicians still goes on unabated and if there is an election, the public has no choice other than voting the old faces with new slogans and new parties and the actual problems remained unsolved for the last over sixty years.

To many westerners the word Islam and the Muslim conjure a very outdated religion pursued by people who are variously poor, backward, politically and socially disorganized, economically dependent, fanatics, fundamentalist, terrorists etc. This image of the Muslim world is not entirely untrue in that most of the rulers in the Muslim world do not eschew the most heinous and obnoxious activities like extra judicial killing of the opponents, patronizing state terrorism against own citizens, keeping people in bondage in the name of Islam etc. The fact indeed is that Islam has nothing to do with these misdeeds and rebellion from Islam and Allah. All the Muslim states are misnomers of Islam today. The political and economic subservience of the Muslims world today can be attributed to the internal politics of these countries more than external causes.

Pakistan came into being with a popular slogan[391] *Pakistan ka Matlab kya, La Ilaha Illallah*[392]. Means what is the purpose of Pakistan; that there is no God but Allah and Muhammad (PBUH) is the prophet of Allah, the fundamental of Islam. The millions of people migrated from India to join their own Muslims in Pakistan who were in the majority with the hope and inspirations that in Pakistan they will get a chance to convert their social ideals into institutions. But what followed, is a sad story on the part of the Pakistani state. The politics of conspiracies for personal gains and keeping the public in bondage became a norm of the political culture in Pakistan. Corruption, embezzlement, loan sharking, siphoning national wealth into personal off shore accounts became the order of the day in Pakistan. Those who had and who have access

[391] Asghar Sodai (1926-09-26 – 2008-05-17) was an educationist and Urdu poet born in Sialkot. This phrase was coined by him in 1944, in his famous poem Tarana-e-Pakistan, which became a slogan of Pakistan Movement.

[392] What is the meaning of Pakistan, there is none worthy of worship except Allah.

to the corridors of power flout the county laws with impunity and ordinary Pakistani is a helpless spectator of the whole political gamesmanship.

Now it was the duty of the government to relate state policies to the Islamic laws for the welfare provisions of its citizens. As Pakistan borrowed English laws as its principle laws and the source of law in Pakistan was not religion or culture at that time. Under The Objective Resolution declared that laws in Pakistan will be *"according to Islam"* as per section 2-B of the constitution. The first Constitution of the country of 1956 also included Islamic provisions, but it was also based on British type parliamentary system. The Article 31 of the constitution of Islamic Republic of Pakistan, states that the government has committed to

> *"Enable the Muslim, individually and collectively, to order their lives in accordance with the fundamental principles and basic concept of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Quran and Sunnah."*

The Constitution of 1973 clearly states in the preamble that,

> *Wherein the principles of democracy, freedom, equality, tolerance, and social justice, are enunciated by Islam, shall be fully observed.* Also in the article 227 (1), it is stated that *All existing laws shall be brought in conformity with the Injunctions of Islam as Laid down in the Holy Quran*

and Sunnah, in this Part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions"[393]

But the government did not fulfill its said promise as laws in Pakistan are repugnant to Islam. The state became directionless with respect to any judicial and constitutional and even a political system with the result that economy, politics, laws, and all other institutions became self-defeating.

The theoretical framework revolves around the Islamization of the country laws and making the social policies in accordance with the Islamic ideals. In a country like Pakistan where religion, Islam has a pervasive effect, the application of Islamic approach can be suggested not only for the status uplift of its women, but also for remedying many other maladies like sectarianism, lawlessness, corruption, Talibanization, illiteracy, health problems, family violence and so on.

The last divine book, the Holy Quran which, according to our belief contains the words of Allah, has called Islam a complete way of life and has chosen Islam as a way of life for all human beings[394]. Islam is Arabic word which means submission and obedience to Allah. Islam is termed as a complete code of life; it means that no aspect of life – social, political, economic or personal, is out of the sphere of Islam. Islam views life as a consistent whole and all the aspects of the human life, whether economic, social or political, are considered as interdependent. There is no room for any aspect of life to be separated in secular and sacred. Every socio-economic and political system is goal oriented and inconceivable without any organized community / society governed in

[393]Ibid, article 227 (1).
[394] Al-Quran, 5:3.

accordance with the tenets of that system. Similarly, Islam as a way of life is goal oriented and needs an organized society for its governance in accordance with its own tenets

The Islamic approach focuses on individual rights, and delegate women, their due rights in the field of health, education and property rights belonging to any caste, color or creed. Islam presents apparent policy measures for women's status in Islam clearly explained inthe Quran and Sunnah of Holy Prophet Mohammad (PBUH).So it is proposed thatexecution of this approach can improve the status of Pakistani women. However, there are certain misapprehensions about Islam due to which people consider it as conservative approachrigidity, buton the actual grounds its approach is very liberal.

Interestingly, the state has created constitutional institutions like Council of Islamic Ideology (CII) which guides the government, according to the laws and system repugnant to Islam but they are never given their due status. For example, the CII has proposed and gave about over a hundred verdicts on all matters related to the economy, politics, women's status, inheritance, good governance and so on but the state has been flouting its own institution and the CII has become a useless institution.

Unfortunately, in Pakistan the society is divided into two main classes, i.e. the rulers and the ruled. The public is still living in the mist of the past glorious era of Islam and want it but are helpless. Pakistan is a Muslim majority country and not an Islamic state in the true sense. Mostly, Islam is judged by the conduct of the Muslims instead of judging the Muslim's conduct by Islam.

In order to have a deep look into cultural priorities of Pakistani society, it will be helpful to perceive the status of women from historical background here. Pakistani cultural roots stem from many centuries old customs. The present culture, institutions, belief and value system have been drawn from the Indo-Pak Subcontinent where Muslims and Hindus have been living together for more than 12 centuries and consequently the Muslims adopted the popular Indian Hindu culture. Muslims came to the area as invaders and with the passage of time lost their own cultural identity stemming from Arab Muslim Culture.

The society had its major population as Hindu at that time. The status of a woman in Hindu culture and religion is extremely low like a widow in Hindu religion must jump into a fire *Satti* and die with her husband. She had no property rights as well. This was the ideology of the majority population of the combined India.

After the arrival of Islam in Sub-continent, many of the century old traditions did not change especially women's status in the society. Women used to live in the old traditions and social structure. Islamic teachings with regard to women's rights to get education, property and marital rights were never institutionalized under Islamic rule. As early marriages, dowry and non-transfer of property to daughters was still practiced in Moghul era.

It is hard to recognize the women's status in Pakistan like other third world countries. Depending on geographical reasons, Pakistani women live in tribal, feudal and urban environments. Her life span is influenced by the social system, religion and class to which a woman belongs. The majority of the womenlive a hard physical life with strong

patriarchal culture. It is very hard to find the effect of Islamic traditions of educating and giving women, their due property rights in Pakistan.

Islam presents a strong social structure that contains a universal code of conduct. It is based on justice and equity between the members of a society. It has interlinked elements which are amicable in their nature. It presents a comprehensive code of life, covering all the areas of life. It has presented not only the social reforms, but its teachings cover the life of each and every individual of the society. As an individual is the basic unit of any society, so both sexes i.e. men and women have equal dignity in front of Allah Almighty. Islam has given the dignified statusof the both sexes of the society. Hence Islam has given rights on the basis of equity. Equity does refer to the treating people fairly, but differently to ensure that there is some equality between them at the end[395]. Men and women are not the duplicates of one another under Islamic teachings, but the compliments and their biological differences lead to the natural separation of spheres and occupation.

In this chapter the researcher wants to discuss women's status under Islamic law in the family, health, education and economic status and think it as a panacea for the treatment of many ills in Pakistani society particularly with respect to women's issues. .

8.2. Women Education in Islam

Catering to the welfare of the citizens and relieving them of hardships is the basic objective of the Islamic state, and the Islamic concept of welfare encompasses all the

[395] Ken Blakemore, *Social Policy* (Berkshire: Open University Press, 2003), p.25.

welfare services which are known as social services in the western world. Education, health, rural development, roads and buildings, communications, agriculture, public health, sanitation, income maintenance, child welfare, welfare of the senior citizens, law and order, and any other aspect of material and social wellbeing.

Islam gave much importance to education and termed it as obligatory for every Muslim man and woman. Education and health which are termed as social capital or human developmentare the most emphasized areas of an Islamic state. Among the divine religions, Islam has pleaded more for seeking knowledge. In this regard Quran equivocally says that "*Do you equate those who know and those who do not know*"[396].

Investment in this sector is very much important. The concept of education is different for the developing and developed world. In developing countries like ours, it refers to increase the level of literacy as it is the mean to education but not an end in its self.The Islamic state in this regard is bound to provide for education both for men and women separately.

The general purpose of education in an Islamic state should be the preparation of the citizens to conform to the social ideals of the state. It should introduce a change and teach new skills and techniques. It should inculcate the seeker the basic morality required to serve the humanity, the spirit of hard work, efficiency, economy and frugality so that it be useful not only for the seeker, but also for the society at large.

Seeking knowledge is mandatory for each Muslim man and woman. Under an Islamic state it is the responsibility of the government to help people achieve this goal. The

[396] Al-Quran, 39:9.

Islamic welfare state must provide the citizens with facilities for education. The education should consist of learning the Quranic teaching, Islamic laws, modern sciences, and bringing up the young generation according to Islamic values. They are supposed to acquire useful knowledge and pass it on to others. It is important to note that Islam does not divide education into religious and secular. Every branch of knowledge is religious if it is obtained to seek the pleasure of Allah and used for the uplift of human beings. The Islamic welfare state will provide separate institutions for male and female education as Islam does not encourage free mixing of the sexes.

The Quran is a good source of testimony about the importance of education. The Quran never said about female education, butdescribes the general principles supported by the sayings of the Holy prophet (PBUH).

8.3. Issues of Pakistani Education system

8.3.1. The languages Issue

In Pakistan, no doubt, female literacy rate is low, but it does not mean that they do not or should not get educated. The low rate of female education can be attributed to a multiplicity socio-economic and cultural reason, but surely not a religious reason. The female low literacy rate is not the only issue in the Pakistani system of education. It also has the problem of different education systems in one country. For example, the religious school or Madrassa education system called *Dars-e-Nizami*, the indigenous system in vogue for more than 800 years. The national system of education in the public sector schools, the private schools and the madrassa system of education go parallel to each other because of many reasons like poverty, religious outlook of the parents, the language

issues in the country, etc. In Public sector schools and colleges English is taught as a language to prepare the youth for higher education only where the medium of teaching is English. In Private school English is the medium of teaching and Urdu is taught as the national language. This is worth mentioning that Urdu was the language of a minority who migrated from India in 1947 but they were the people who became the masters of the land and imposed their language in the entire country as a national language. In principals, Punjabi should have been the national language as it is spoken by more than 57% population of the country. After 65 years of the imposition of the Urdu language as the national language, it is argued that as Urdu is understood and spoken by majority so it should be the national language. This has disastrous consequences for Pakistan when we ignored the language spoken by majority before 1971, i.e. East Pakistan, the major part of the country, Bengalis got separated from Pakistan and the country truncated only due to the language issue.

In *madarssa* system neither English nor Urdu is taught and Arabic is the medium of teaching and learning. On the other hand Pakistani society is a multi-linguistic society like Pushtu is spoken in the Khyber Pukhtun Khwa province and partly in Baluchistan, Punjabi is spoken in the biggest province Punjab, Sindhi is spoken in Sind Province and Baluchi is spoken by Baluchistan. In addition to these major languages, Hindku is spoken in pockets like Peshawar, Hazara and Kohat. Similarly Seraiki is spoken in Southern Punjab.

Each year, 23rd of February is celebrated by the UN and the member countries as the day of Mother tongue, but do we have our education in the mother tongue? Now it is either in

Urdu or English. Urdu is as a foreign language of Pakistan as much as English, but it is imposed upon the nation as a national language against the wishes of the nation. In Pakistani education system languages prevail over the rest of the subjects as Urdu is taught as a national language and is made compulsory up to Intermediate level. In KPK Pashtu is taught as a mother language in schools, in Punjab, Punjabi is taught in schools, in Sindh, Sindhi has taught in schools and similarly Baluch in Baluchistan schools. The third language from the primary level is now English all over the country. So we have given 50% weight age to languages only and have adopted a foreign language Urdu as a national language. We have ignored Arabic, which is taught in Madrassa system. This issue of languages mar the system and hence the orthodox Muslim, now send their children to seminaries instead of schools.

8.3.2. The Curriculum Issue

Pakistan is an aid dependent country and in order to receive a certain amount of aid from its western donors, internal policies are regularly put at risk including those of education and syllabi. International aid in a variety of forms – capital grants, loans, food, equipment, consulting services, study tours of the bureaucrats and their travel allowances, study fellowships, etc. has for many years has become an indispensable, irreversible element in our national planning and politics. Increasingly, the provision of aid is always with some strings, often as a condition for seeking assistance. When the western world gives aid, they ask for moderation of the Islamic studies. On the other hand, some Arab countries directly support the seminaries and religious school. Ordinary man does not understand this situation. The two systems go parallel and side by side. During the

Musharraf era, Theology teachers and teachers of Islamic studies were removed from schools to please the USA. The advice was that let the parents teach the children religion instead of school and the state which is a clear violation of the constitution of the state. Consequently, the public has lost their confidence in the state run educational policies. Education has been a victim of these politics of poverty and poverty of politics. Curricula and syllabi are imported and not indigenous. As a result the quality of education is so poor that a graduate cannot write or express himself/herself in any language correctly.

8.3.3. The Co-Education Issue

In the prevalent feudalistic, aristocratic rural culture of Pakistan in particular and in the urban areas in general, parents have been hesitating sending their adult daughters even to girls' schools due to the fear of being raped, kidnapped and disappeared by the upper class youth on their way to and back from school. This a routine culture, particularly with the poor segment in the rural areas where the majority of the population resides.

Accessibility to such girls' schools which are constructed either away from the main population or insecurity for women is the major cause of female illiteracy.

Sending young women to co-education institutions is against the cultural and religious practices is again a hindrance to women's education and there is hardly any state- run school where both the sexes get an education. Consequently, the state introduced separate high schools for girls and women degree colleges, mostly in the urban district headquarters away from ordinary woman with no access to such institutions. Consequently, the women's participation in college education remained dismal.

University education for women can be a dream for many as there was no separate university for women up till 1990s. As a result, women lagged behind in higher education, particularly the rural poor women.

The government has now realized the importance of the issue and separate women's universities are opened in each province to attract women for education and to quell those who were raising the issue of mixed education.

Islamization of education does not mean orthodox, fanatic type of teaching taking the Pakistani Muslims away from the modern sciences like biomedical, Chemical, social etc. It means there should be a balance between the course contents. For example, from class 5th up to Secondary School examination level (called matrix or SSC) the total marks Islamic studies have in each course is maximum up to 100 out of 1000. At the college level, the marks reduces to 60/1100 and by graduation it further reduces to 40/550 while at master level there is no subject of Islamic studies. The public watches this situation with utter helplessness, because neither the education system can make a good educated person, nor a good Muslim. Getting a degree is only a means of getting a white collar job by hook or crook.

The biggest problem is poverty. According to the latest figures,Pakistan is a country where 60.2% people earn less than US$ 2 a day[397]. Even those who aspire for educating their children cannot do so and resultantly the children are put to earn a livelihood for themselves and the family.

[397] MHHDC, *Human Development in South Asia 2013* (Islamabad: Oxford University Press, 2014), p. 129.

In the Advanced western countries like UK, USA etc. the states are not Islamic but what they do for the welfare of their citizens is just Islamic. According to the holy prophet (P.B.U.H.), the meaning of Islam is nothing but benevolence to human beings. This benevolence may be in the form of health facilities, education, social safety nets, social services etc.

The social system and culture in Pakistan is neither Islamic nor un-Islamic but it is by nature where the generals, feudal lords and the bureaucrats have a triumvirate to rule the subjects and they have nothing to do with Islam or any other legal system. Even democracy did not help the Pakistani people get their due social rights, and they are being fooled by the politicians.

8.3.4. Poverty

Commenting on the economic situation of an ordinary Pakistani, MHHDC reported that

> *"Widespread poverty remains Pakistan's most persistent and urgent problem. Whether we define poverty using the narrow definition of lack of adequate food or income or the broader definition of lack of access to opportunities, the number of people in poverty in Pakistan falls between the range of a quarter to a half of the total population. Income poverty in Pakistan has increased from 25% in 1985 to 30% in 1995.*
>
> *But for poor people, poverty means the poverty of opportunity, not just the poverty of income. Income poverty is only one of many deprivations. Other human deprivations include lack of education, ill health, social exclusion,*

discrimination on the basis of ethnicity, gender or religion and political repression. Poverty is a multi-dimensional phenomenon, not a single-dimensional issue.

Poverty of opportunity is the cause; poverty of income is the result. For policy makers, it is important to focus on strategies that address poverty of opportunity because only then the poor can be integrated into the mainstream of development. The poor must be empowered; income transfer or charity is not the lasting solution to poverty".

Obviously, women are more prone to these kinds of poverties and suffer in terms of education, health, economy etc.

8.4. Women Health in Islam

Women's health is directly related to her performance and the peace in the home. Her ease or disease either it is physical or mental, is directly related to the family members and their surroundings. No one in the family can have gloomy mood if she is distressed and if a woman is happy and burgeon the whole family can be prosperous.

Islam considers our souls and bodies as a trust from Allah and we have to take care of this trust and every person will be answerable before Allah on the doomsday about this trust. The holy prophet has said that

"A stronger Muslim is better and more loved by Allah than the weaker one" and He also said

"The most beloved by Allah of the things He is asked to grant is 'Al-Aafiyah' or good health[398].

In the chapter on women's health issues we talked about the miserable health conditions of the women. Women mortality, particularly the maternal mortality and child mortality are rampant. In the entire region of the South Asia these ratios are more in Pakistan as compared to the neighboring countries. These are preventable deaths and can be reduced, but needs the state attention. Again, there are differences between health facilities in the urban and rustic areas of the country where the majority resides. Provision of the health facility is the state responsibility and for the last sixty five years of the existence of Pakistan, people still suffer.

Paradoxically, two reasons can be attributed towards the cause of women's health problems, namely the culture of poverty and the inequalities in health services between men and women. Women morbidity rate is higher than men in Pakistan, but if someone goes through the daily turn out record of any health facility, more men will have attended the facility as compared to women. Though there are separate health facilities meant for women but the attitude of the female doctors with the illiterate poor women is derogatory and insulting. These facilities are mostly, for reproductive health services while many more women suffer from other diseases as well. In general hospitals, in Gynecology wards many time men doctors perform duties, is a practice against the culture and religion. Thus, women are in between the deep sea and the devil. If they go to such health facilities, they are ashamed, if do not go, they die.

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[398] Termidi Shareef.

The health delivery system is failing in catering to the needs of the public because of the culture of corruption and misgovernment. Pakistan has a comprehensive health delivery system ranging from Primary health services to class –A hospitals in the urban areas, but they do not fulfill the needs and expectations of the people.

8.5. Economic Status of Women in Islam

As we have said Pakistan is a Muslim majority state and not an Islamic state, as perceived by many people. Even Pakistani ordinary people do not know that Pakistan is not an Islamic state as the Islamic laws and systems are applied to selective aspects and not to the entire social system because of the fear of western countries who will stop the Aid to Pakistan which mostly goes to the personal offshore accounts of the politicians and other powerful people. Politicians and those who are secular and control the media have been busy in assuring the public that in Pakistan there is a total Islamic system, but when it comes to implementation of these Islamic laws, they even demand abolition of the Council of Islamic Ideology as is done by the Sindh Provincial Assembly in April 2014.

Islam has given rights to the women of which they were deprived before and after the arrival of Islam, their right of independent property ownership and directed as,

> "*Unto men (of the family) belongs a share of that which Parents and near kindred leave, and unto women a share of that which parents and near kindred leave, whether it be a little or much - a determinate share*[399]".

[399] Al- Quran, 4:7.

Islam acknowledges a woman's right to her property. This right bears no alteration whether she is single or married, issueless or having children. She has full rights to buy, sell, lease any or all her properties. It is nowhere proposed under the Islamic Law that a woman is inferior because she is a female. It is also notable that she has full rightto get herproperties before marriage as well as to whatever she inherits thereafter. Islam does recognize that a woman is equal to men in any sin committed and will be punished on the Day of Judgment, If she is equal in penalties for her acts, then she must be rewarded as well her good deeds and rights. If Islam recognizes her rights to economic resources and right to earn a livelihood if needed, how come she is restricted not to make any deal or earn a livelihood?

What Islam discourages rather forbids, is to keep a distance between men and women and to save them from indulging in promiscuous acts as Quran says;

"Every soul is inclined towards sin except those who are blessed[400]*".*

Time has changed and there are fields where women can perform independently in a feminine environment like women's colleges, Universities, schools, hospitals and so on. Islam does not want a woman to be a personal secretary to a man who is not related to her and could be enticed any time for any immoral favor.

Pakistani wanted separate schools for girls, that are done. They demanded of separate colleges for women, that are done. They demanded separate women Universities, that is done. They demanded separate women's hospitals, to some extent that is now done. So stopping her now from working in feminine environment is just a culture and not

[400] Al-Quran, 12:53.

religion. A woman is more needed in such institutions than men. If sufficient number of women work force was trained in these fields, there would have been no need of men in these places.

On the other hand, Islam does not prevent women for doing a job whenever there is a requirement for it, particularly the fields in which their presence is certainly required. For instance, nursing, teaching (especially for children) and medicine are the professions which require a woman's presence in the job scenario. Moreover, there is no limitationforpromoting a woman's extraordinary talent in any field. Even if we talk about the judiciary profession for women, where one may think her inappropriate for this post having emotional nature, some Muslim scholars such as Abu-Hanifah and Al-Tabarysuggest that there is nothing wrong with it[401].

Moreover, Islamguarantees the right of inheritance to women, while she was inherited as a commodity in some cultures and still she is inherited instead of giving her right in inheritance. She is the only owner of her shareand no one can claim it, including her father and her husband. She is given one-half share of the man's share, but it does not mean that she is not as worthy as men. This discrepancy in inheritance rights is only due to the variation in the economic responsibilities of both the sexes. Men are completely responsible for the complete expenditures of his family, especially the females. He is responsible for this duty under all the circumstances; no matter her wife possesses personal property or income generating means.

[401] Jamal Badawi, The Status of Women in Islam Retreived from http://www.islamswomen.com/articles/status_of_women_in_islam.php. Accessed at 3rd March, 2014.

Under Islamic law, women do not possess the poor economic status rather they are share-holders in their parents' and their husbands' property. As a women's natural role is of a mother, but Islam does not forbid a woman from entering in the economic scenario under certain conditions. Islam provides opportunities for women to earn and to possess property independently.

Islam does not lay economic responsibilities on the shoulder of the women as a whole and it is the duty of men to provide them with every possible ease in life. Dress, diet, housing, clothing, all are the responsibility of men. As it is explained in verse 34 of Sura Al-Nisa in Quran,

> *"Men are the protectors and maintainers of women because Allah has made one of them to excel the other, and because they spend (to support them) from their means*[402]*."*

Unfortunately, even in Pakistan, people measure Islam by the deeds and misdeeds of the Muslims and never measured the misdeeds of the Muslims according to the laws of Islam.

Islam is very much clear of women problems, butin Pakistan, these are made issues and debated unnecessarily in the parliament and the press.

The rising tide of rape, honor killing, acid throwing on women, women sexual harassment at work places, their economic exploitation, depriving them of their just rights in property and inheritance, jobs and employment in case of necessity, all have been

[402]Al- Quran, 4:34.

happening in the country but bureaucracy, legislature, and even the state never came to the rescue of women.

When we talk of the Islamic system, it has solutions to these problems. If the state responds to the verdicts of the Council of Islamic Ideology only, it will solve most of women problems.

Unfortunately, Pakistan is a Third World country where institutions are weak. Aristocrats who are mostly legislators of the country and bureaucrats are stronger than the state. They will never ever opt for an Ideal Islamic system as their own nefarious interests will be at stake.

8.6. Legal Status of Women in Islam

The concept of the legal status of women in many societies, particularly in the third world Muslim countries like Pakistan, is still ambiguous. It is not clearly defined on actual grounds. There are no clear parameters within which, women status can be evaluated in most of the countries. In the legal term status not only refers to the rights but also the actual position of an individual in the society. Islam is not just a religion, but anabsolute code of life which gives an individual social status to both men and women under its laws. It rewards and punishes, both men and women regarding theft, adultery and murder and other crimes equally.

In chapter-V we have quoted an official report on the status of women in a country which said that:

"Treated as a possession rather than self-reliance, self –regulating human. They are bought, sold, beaten and mutilated even killed with impunity and social approval. They are dispossessed and disinherited in spite of legal safeguards (and) the vast majority is made to work for as long as sixteen to eighteen hours a day, without any payment[403]".

Since the arrival of the colonial powers in the sub-continent, the women's issues in particular have been made complicated. Somewhere the customary laws are practiced as in the pre-partition India; somewhere the so-called Muslim Family Law Ordinance is applied. Somewhere the tribal codes and *jargah* (grand assembly of the elders of an area) decide the fate of women.

At the moment, there are more than a dozen laws promulgated to protect women from the clutches of exploitation, butno-one could save her and the system goes on unabated to the disadvantage of women. If the system persisted, there will be more and more laws in the name of women protection and nothing will happen about women protection and safety and welfare.

From the laws discussed in chapter-V, and their subsequent failure to protect women reminds that laws in this country are not based on the culture or religion of the people, which are considered as the basic sources of law in any society and are thus cause disadvantage to women. The consistent enforcement of Islamic law could improve the situation of women substantially, but this has by no means been achieved for the

[403] Government of Pakistan, *Women Status in Pakistan* (Islamabad: National Commission on the Status of Women, 1985),p. 3.

majority. Many women are not informed of their rights or misinformed and discouraged from exercising them. Even if a woman manages to assert a rightful claim or initiates court proceedings, the cumbersome bureaucratic machinery often lets the case "take care of itself" over a period of years, all at the expenses of the woman.

Colonization of the Pakistani laws has led to this stage where women suffer due to a multiplicity of laws and their explanation by different segment of the society. Islam, Pakistan has a pervasive effect and ordinary people are aspirant of it, but those at the helms of affairs will never do so as their interest is fulfilled by their patrons from outside the country. NGOs in particular, are busy in complicating the country laws on behest of donors, but surely work against the tenets of Islam. They never talked about Islamic system rather have been talking against Islam.

The only solution to women problems in particular lies in the Islamic system of justice. Divorce, marriage, inheritance, rape, fornication and adultery, the rights of children, women economic activities, women's education, her roles and statuses like issues are dealt with in detailed in Islamic laws. For the last sixty five years, the Pakistan legal system has proved itself self-defeating. Let Islamic law be given chance to ease the citizens of the country.

CHAPTER–9: CONCLUSION AND SUMMARY

9.1.Conclusion

After having this study on the socio-economic and legal status of women in a Muslim county, the author observed the true picture of women status in Pakistani society- starting from the status allotted to her at birth and her status in other areas of life like legal protection, health, education and economic scenario.

History shows that Pakistan was created to enable Muslims to order their lives according to Islamic ideals. The main identity crisis confronting Pakistan is whether it is an 'Islamic State' or 'a State for the Muslims'. The tension between these two concepts has made women's status a question in the society during the last 68 years.

Due to multiple factors, the social status of a woman is inferior to a man in Pakistan. Pakistan is a country where there is high female population when compared with other regional countries but have low social status. Many factors are responsible for this situation, especially in rural and far off areas, where certain socio-demographic factors like poverty, low level of education, poor health conditions, desire of a male child, patriarchal hold over family decisions, and misconception of religion are very common. These factors have paved the way in making bigoted attitudes towards women low social status in the society.

By having a look on women's status, it is concluded that women have a poor socioeconomic and legal status in the country. They have a low literacy rate, suffer poor health conditions, economically underprivileged and dependent, face violence in the name of traditions and have no authority to take decisions. She is socialized with the

family as a dependent in father's home and will be independent inthe husband's home; it is her daydream. She has uplifted status only when she gives birth to a male child. Again, it is not a sign of female empowerment but again patriarchal strength. This poor status is allotted to women in a country which has a religious and constitutional frame work for women uplift in the country. Pakistan is a signatory of different international commitments to ensure gender equality as CEDAW, Health for All by the year 2000, Education for All by the year 2000, and Universal Access to Reproductive Health Information and Services by the year 2015. Pakistan has also launched the National Plan of Action to implement the Beijing Platform of Action and National policy for Empowerment and Development of Women 2002. A further set of legislation can be observed under the Women Protection Bill in Pakistan. But the gap between the policies and the implementation is very clearly seen here. The practices of these policies are hardly seen and failures are visible due to government will in non-allocation of budget.

The concept of the legal status of women in a third world country like Pakistan is ambiguous. It cannot be clearly defined. There are no clear parameters within which, women status can be evaluated. In the legal terms 'status' not only refers to the rights but also the actual position in the society. Theoretically speaking, the legal status of women is pronounced under the constitutional provisions, but the position of women remains low on realistic grounds. A glance at the existing laws pertaining to women's status may look impressive with the declaration of equality and participation of women in the country. But the law is influenced by the Martial laws in different decades. Certain discriminatory laws, customary laws, pre-independence laws and so-called Islamization of laws are unable to elevate the woman's position in Pakistan. This has made women's position even

more insecure in the country. The laws relating women are full of lacunas and discrimination, in an Islamic ideological country. They are violated, have poor health, are illiterate and have no economic security throughout their lives. This low socio-economic status is due to the combination of two major factors, i.e. the state's own will and patriarchal set up in the country.

Pakistan appeared as a separate state on 14th August, 1947 on the world map. English laws were followed by the state when Jamat-e-Islami demanded for the Islamic system under the supervision of Maulana Abul Ala Maudoodi and this demand was followed by Maulana Shabbir Ahmed Usmani. As a result of such efforts, the constituent Assembly passed the Objective Resolution on 12th March 1949. The objective Resolution accepted that sovereignty belongs to Allah Almighty and Pakistani Muslims will lead their lives in accordance with the teachings and requirements of Islam as set out in the Quran and Sunnah. But in actual, it could not happen. As Pakistan borrowed English laws as its principle laws and the source of law in Pakistan was not religion or culture at that time. So the words used in Objective Resolution *"according to Islam"* always remained in black and white only. Pakistan implemented its first Constitution in 1956 which also included Islamic provisions, butas a whole the law is an amalgamation of the colonial Anglo-Muhammadan laws.

But soon the Martial Law of 1958 hunted the democracy and the country went under the clutches of a dictatorship. The head of the state announced his liberal attitudes in the country and the Muslim Family Law Ordinance was promulgated in 1961 to secure the women's rights. This started a new era for women's status in Pakistani society. This

started a war between the masses and divided the society into two groups, i.e. Islamists and seculars in the country. The said law was a combination of the Islamic law with the English law and was not different than the so-called Muhammadan law of the pre-independence era, with no high-flying changes. Due to such ground realities, the law has failed in strengthening the woman's position in the society.

The constitution of 1973 seemed to be a ray of hope in the darkness of such atmosphere. The constitution ensured the gender equality in all walks of life, but the actual picture was not so. No separate law was presented to elevate women's status in the society, and the country went again under Martial law in 1977.

This started a new era of so called Islamization of laws in Pakistan. Under an army ruler, Hudood laws were promulgated and The Offense of Zina (enforcement of Hudood) ordinance, 1979 (though was labeled as Islamic) deteriorated women's status in society. How it is possible that if a law is Islamic and at the same time providing poor and lower status of women in society. While Islam lays strong stress on the dignity of humanity with no class, creed and gender discrimination. Rape and Zina are two different crimes in the Islamic jurisprudence but the said law punished the victims of the both in the same way. This shows that under the banner of Islamization, the head of the state thought that it would be justified while he consciously put women back into the society and stopped their participation in the country by such conscious effort.

This also showed the war between the liberalism of and conservativeness of the two army rulers of Pakistan. But the women of Pakistan became a rope of this tug of war between the two generals in the decades of the 60s and 70s. Even there was a democratic period in

Pakistan from 1988 to 1999 but this period showed highly political instability in the country. The country became a gaming zone for the two political parties during this period. But no ruler took interest in empowering women's status in the society and there were no practical measures to improve women's status.

Another Army General, Pervez Musharaf, again raised the issue of women legal status and revised Hudood Ordinance under his liberal policies. Musharaf was also a dictator, but with the slogan of liberty to different departments in the country especially mass media. In order to remain in power, he relied on right wing parties. As the two leading political parties [PPP and PML (n)] were not in power and physically exiled from the country. The situation in the country was very different from the eras of other generals. The change in foreign policies after 9/11, explosions in the big cities and capital of the country, a movement for judiciary and war against terrorism were the salient features of Musharaf era. During such incidents he signed every bill related to women's issues with no objection in order to show his liberal policies and to control the opposition in the country. But on the other hand the event of Lal Masjid and movement for judiciary decreased his fame in the country.

The later government has also passed two women protection bills, i.e. harassment and acid throwing bill. The day on which acid throwing bill was presented in NA, was followed by the day of Osama Bin Ladin's assassinate in Abbotabad and it was passed without any debate because the government wanted to avoid the event yesterday. So it can be said that some laws are accidentally passed in Pakistan to avoid some other issues at that time and government is not directly concerned to the women's issues.

Now at international level, when women's violence issues are highlighted, it is easily associated with Islam that the religion is given an inferior status to women in Pakistani society. While it is not a true picture of the religion with regard to women's status. The reality lies in the fact that Pakistani laws are based on English Laws and hence are unable to secure women's rights in Pakistan where cultural values are Islamic.

It is an accepted reality that education, health and economic empowerment are related to the social status of an individual in a society. The researcher finds that low literacy rate and poor economic status of a woman are increasing poor status of Pakistani women. As a result, they are not found empowered in taking decisions in their life matters, nutritious food is unavoidable for them during and after delivery, education facilities are prohibited for them, their mobility is very limited and adds in lack of access towards health and education.

Women's health conditions are worst in the country. Due to low literacy rate, women are usually unaware of their diseases and do not take medical treatment for their diseases. Low family income and no permission to go for treatment by the male members of the family for the women, is another cause for it. There is a lack of primary, secondary and tertiary health care for women so they are mostly dependent on quack' treatment, which contributes in the high maternal mortality and morbidity rate in the country.

While on the other hand, there are two full fledge ministries in Pakistan that deal with women health i.e. Ministry of Women Development and Ministry of Population Welfare (now at provincial level only). There are a number of projects running under these ministries to deal with women'shealth, but the result is always in poor female mortality

and morbidity rate in Pakistan. Due to poor governance, the funds of these projects go in the pockets of the administrators and politicians and the evaluation is done in the files only.

Though the constitution also shows gender equality, butthe female literacy rate is far less than the males in the country. Low literacy rate among Pakistani women is due to certain reasons. Firstly, it depends on the family custom where a son's education is preferred over a daughter's education. Secondly, low family income is another cause of this issue. Thirdly political will is mainly responsible for poor female literacy as the government has still not opened girls' schools in all parts of the country especially in far off rural areas of the country.

The education policies of government have failed to address the female illiteracy issue in the country. In the first three decades of the Pakistani history, government focused on shifting from English medium of education to the Urdu (national language) medium. In 1970s nationalization of school was made, but in the 1980s and 1990s the process was reversed and government privatized the schools again. Along with this, private English medium schools have grown in these decades promoting English medium of education as the best way of education. All with this scene, maddrisas are also a part of the Pakistani education system, providing Arabic Medium education. All these systems are running at a parallel level in the country, but all of these above said systems have failed to improve the literacy rate in Pakistan. In this scenario, female literacy rate has not increased to a remarkable position in the country. Further socio-cultural values do not match with the educational facilities, as co-education at the higher level is not accepted by most of the

families.Even it was in vogue under the Britain regime, but the female students include only the daughters of Hindu and Sikh families. Hence, women cannot get higher education in Pakistan due to such ground realities[404]. Although,the Zia government has planned for separate women's universities since 1980s. This issue involves the financial debate. But government is always seen reluctant to give women a fair share in federal budget. In contrast to this, Islamic Law makes it obligatory for both sexes to acquire education, but, political scenario does not favor women to get an education.

When we observe women in the economic domain, they are mostly in house chores and are considered as unproductive. A very few earn from the teaching and medicine profession or informal labor. Generally they are considered unproductive, at family and national level. Their gender roles are limited to, child nourishment and house chores within the four walls of the house. Being dependent, they are given lower status in the economic domain. Multiple cultural factors like illiteracy, non-sex segregated work places, restricted mobility, etc., have given her poor status in the country. In case of their economic empowerment through property rights, Islamic Law and the constitution of Pakistan almost invariably ensure their right to get the inheritance. But on the actual grounds most of the women cannot avail this privilege. This shows a parallel gap between the policy and the practice as the connection between women and property rights has remained nearly unattended by the state. Although Government's policies and conventions lay great emphasis to have a right to get the property, but government programs do not interpret this need into action.

[404] Mohammad Tufail, A Religious Scholar, interview with. Islamabad, 3rd September, 2010

Due to all above factors and government will towards women stereotyped images, women are seen as poor, unhealthy, illiterate, ignorant, dependent, powerless, domestic laborers and producers of children and non-productive in the economic sphere. While violence among women shows that legal safeguards are unable to protect women from all kinds of discrimination. Government's own will is reflected in insufficient health and education facilities and weak social security system for women in the country. NGO network working for women, though visible in all parts of the country, but there is much difference between what they are saying and then actually they are doing.

What needed more, here is to promote the culture of change in the society. Government should take appropriate measures according to Islamic law with community involvement, NGOs collaboration, media's positive role and effective role of religious leaders in true letter of spirit to improve women's status in society.

9.2 Summary

This study focuses on women's status in Pakistan with regard to social policy. This research is conducted to assess that what social status is enjoyed by a Pakistani woman in the presence of social policy and legislation in Pakistan. The overall objectives of the study were to present a historical and descriptive account of existing social policy and legislation for women in Pakistan and to explain the "Why" of women low status in Pakistan beside the legal safeguards. The study focuses on legal safeguards, health, education and economic facilities provided to women in the country.

Chapter-I discusses the problems of Pakistani women, including her education, health, work and labor and legal safeguards. A grim picture of the regional as well as worldwide scenario about women's conditions is presented that the answer lies in poverty of politics and politics of poverty. It depicts that woman lower status is a disconcerted issue of the developing countries like Pakistan. In Pakistan the status of a woman is even predetermined before her birth, as a girl child is not as wanted as a boy child. Her life decisions are taken by the family members in case of marriage, education, health and economic matters. As a result, women in Pakistan are far behind than men in socio-economic substance. They have a low literacy rate, survive in poor health conditions, are economically poor and dependent, face domestic violence and lack authority to take decisions. Her only uplifted status is that of a son's mother; which is not a sign of female empowerment but again patriarchal strength.

It is noteworthy that women are allotted this kind of status in a country; which has a legal frame work for women empowerment. Pakistan has signed various international commitments to ensure gender equality as CEDAW, Health for All by the year 2000, Education for All by the year 2000, and Universal Access to Reproductive Health Information and Services by the year 2015. Pakistan has also launched the National Plan of Action to implement the Beijing Platform of Action and National policy for Empowerment and Development of Women 2002. A further set of legislation can be observed under the Women Protection Bill in Pakistan. But the gap between the policies and the implementation is very clearly seen here. The practices of these policies are hardly seen and failures are visible due to government will in non-allocation of budget.

Chapter- II presents the literature review and research methodology. This research is a case study of Pakistan. Data was collected through a structured interview guide. It was composed of four sections, namely legal safeguards, health, education and economic facilities provided to women in Pakistan. Data were taken from the experts of relevant field of each section of the interview guide and sampling procedure was taken through purposive sampling. Content analysis and thematic analysis techniques were used for data analysis.

Chapter- III discusses the laws regarding women welfare in Pakistan. The result shows that till 1961 there was not a single piece of legislation directly concerned with the women's status in Pakistan. MFLO, 1961 was seen as a ray of hope for women's legal status in the country under a martial law, government but it was opposed by certain political and religious groups. It failed in improving women deteriorating position in the society as the majority of the society was already monogamous, and the rest of the sections were directly dealt by the judiciary being weak and ambiguous in nature. The objectives of the constitution of 1973 could not be achieved being a contradictory document. DBGRA, 1976 could not control the evil practice of dowry in the country at all being a dummy law. Hudood Ordinance, 1979 lowered status at the national and international level because of its injustice nature for women of the country. After a long pause, women legislation was revised through Women Protection Bill but it still has loop holes to be removed for the better status of women in the society.

From the laws discussed in chapter-III, and their subsequent failure to protect women reminds that laws in this country are not based on the religion or culture of the people[405], which are considered as the basic sources of law in any society and are thus cause disadvantage to women. The consistent enforcement of Islamic law could improve the situation of women substantially, but this has by no means been achieved for the majority. Many women are not informed of their rights or misinformed and discouraged from exercising them. Even if a woman manages to assert a rightful claim or initiates court proceedings, the cumbersome bureaucratic machinery often lets the case "take care of itself" over a period of years, all at the expenses of the woman.

Colonization of the Pakistani laws has led to this stage where women suffer due to a multiplicity of laws and their explanation by different segment of the society. Islam, Pakistan has a pervasive effect and ordinary people are aspirant of it, but those at the helms of affairs will never do so as their interests are fulfilled by their patrons from outside the country.

Chapter- IV discusses the women's education in Pakistan. Pakistani women have very low literacy rate because of pseudo-religious, social environment and orthodox cultural behaviors which keep women away from educational facilities. In Pakistani society, the prescribed role of a woman is her domestic domain from cradle to grave; hence her education is never taken on a priority basis. It is a fundamental and compulsory custom to marry her as soon as possible. Multiple factors like early marriages, clan and community pressure, co-education at higher education level and purdah norms, feudal and pseudo-

[405]Asifa Qureshi, Her Honor: An Islamic Critique of the Rape Laws of Pakistan from a Woman-Sensitive Perspective, *Michigan Journal of International Law*, Vol. 18, No.2 (1997) p.302.

religious culture, family poverty and above all government will towards female illiteracy contribute in the low female literacy rate.

The result shows that political will is highly responsible for this issue. Having low budget and higher female population, female literacy rate is dropping year by year. Economic and cultural conditions do not prop up female education. The government has not given a unified and comprehensive policy for female education for the last sixty years in the country.

Chapter- V discusses the women's health issues in the country. Women face frightening health conditions in Pakistan. Maternal mortality rate and maternal morbidity rate are very high as compared to other countries. Birth deliveries are limited to local and untrained TBAs. MCHs or BHUs or RHCs are in non-functional position. Government is receiving international funds for the purpose, but it's misappropriate use could not benefit the women in the country. Women are iron and calcium deficient here. VVF, RVF, depression, chronic pelvic pain, loss of the uterus, infertility and pelvic inflammatory diseases are common among Pakistani women.

Chapter- VI discusses the women's economic status in Pakistan. Women work for the whole day for domestic chores as an unpaid family helper but their work as a family laborer has not been recognized as productive. Mostly they are economically dependent on men of their families. But their work outside the house, though economically productive, is not socially accepted. Multiple factors like cultural constraints, woman's mobility problem in the workplace, sex segregation and purdah norms, non-availability of

property rights, high illiteracy rate and no social security benefits from the government contribute in poor economic conditions of Pakistani women.

Chapter- VII discusses the analysis the data.

Chapter- VIII discusses the theoretical framework. It concludes that the Islamization of the country laws and making the social policies in accordance with the Islamic ideals is the only solution for the women's unresolved issues in Pakistan. In a country like Pakistan where the majority population is Muslim and religion, Islam has an invasive influence, the only Islamic approach can be proposed for the status, empowerment of its women regarding illiteracy, health problems, and female poor economic conditions.

Chapter- IX has summarized and concluded the research work.

9.3 Suggestions.

Based on the findings of the study, the necessary recommendations are presented below.

- Government should review the laws regarding divorce, marriage, inheritance, rape, adultery and all kinds of violence in the light of Islamic Laws as explained in Quran and Sunnah to ensure women welfare in Pakistan.
- The government should improve its police system and judiciary who delays the process of justice.
- Government should provide health and education rights of women on equitable basis in the country.

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APPENDIX-1

MAP OF PAKISTAN



APPENDIX-2

CONSENT FORM

I have read all the questions of the interview guide and I agree to answer these questions.

Iagree upon recording of the interview and this interview is recorded with my consent.

_____ Application of the participant.

_____ Name of the participant.

_____ Date.

APPENDIX-3

INTERVIEW GUIDE

I am Beenish Ijaz Butt. I am reading for Ph.D. at the Institute of Social Development Studies, University of Peshawar. My area of study is "**Social Policy and Women in Pakistan**". I will be asking your good self some important questions related to my research work. All these questions will be regarded women problems/ issues in our society in the fields of education, health, economic empowerment and status, her inheritance rights, legal safeguards to women in Pakistan and why they were made so specific.

I will be using a voice – recorder so that I can transcribe the conversation and then make inferences out of it for my research work. I hope you will not mind it. Please express yourself well. This is an academic work and not political. Your help can help understand the younger generation about the women problems in our society.

Legal Safe Guards

Q-1. Since 1947, till 1961, Muslim family Laws Ordinance, there seems to be no talk of women's issues / problems/ rights. Do you think everything was fine and women were given their due rights by the society?

Q-2. Did the 1961 MFL Ordinance help women gain something/ or lose many things by bringing women's issues in public?

Q-3. After 1947, there was a single women's welfare organization on national level, i.e. APWA, did that organization help women achieve something to enhance their status?

Q-4. In the 1973 constitution, women were given equal status as citizens/ human beings. Do you think the objectives of the legislation were achieved? If not, why?

Q-5. What other laws/ legislation other than 1973 constitution, were in vogue to protect women from all kinds of discrimination in Pakistan?

Q.6 The Bridal and Dowry Restriction Act 1976, was another law to protect women from discrimination, do you think the law could make any dent for the welfare of women or was it just a cosmetic law?

Q-7. Till 1979, there seems to be complete silence over women's welfare issues in Pakistan. The Hudood Ordinance 1979 brought many ills of that law to the public notice, what was / were the reason (s) for this?

Q-8. Was that totally or partly a bad law?

Q-9. If partly, what were the good aspects of the law?

Q-10, If totally bad, can you comment and count the negative aspects?

Q-11 What was the background of legislating on such issues then and what were the political gains for a despotic rule?

Q-12. After Gen. Zia, BB came into power, what she did for the betterment of women as a woman head of the state?

Q-13. Do you think the Qisas and Diyat Ordinance 1990 had any advantage for women?

Q-14. If no, why?

Q-15. If yes, what were they?

Q-16. The last law 'The Women Protection Bill 2010" was initiated by another General, what are the good points in this law for women?

Q-17. What are the bad points of the law?

Q-18. Do you think this law will settle all the women's issues/ problems once for all?

Q-19. In a nutshell, can you say that all the laws and legislation regarding women in Pakistan have been beneficial or disadvantageous to their welfare?

Q-20. If not, what can be done in this regard?

Q-21 what are the other negative impacts of women legislation in Pakistan?

EDUACTION

Q-22. In the field of education woman is the biggest sufferer. Why this situation exists in a Muslim Society, which claims equal rights of education for men and women?

Q-23. Official statistics show that literacy among women is less than half of that for men, can something be done for the improvement? Yes/ No

Q-24. If yes, what?

Q-25. If no, why?

Q-26. Is there a scarcity of resources or political will on the part of the state, is the cause behind this?

Q.27. In your opinion, what is the main cause of this situation

1. Politics

2. Culture

3. Economic conditions

4. Any other.

Q.28. Do you think the present political, economic and cultural conditions are not favorable for female education?

Q-29- Why women have been lagging behind in education?

Q-30. Why are we following failed policies in the field of education for women for the last sixty years?

Q-31. Do you think co-education at University level is a cause of female low literacy rate at higher education level?

Q-32. What are the other negative impacts of female literacy in Pakistan?

Health

Q-33. In health sector too, women are the sufferers e.g., maternal mortality ratio is 276/100,000 women in Pakistan, why this situation exists in Pakistan?

Q.34. Can women avail the existing health facilities like men? Yes/ No

If no, why?

Q.35. The morbidity rate among women is higher than men, why this situation exists here?

Q-36. There are special female hospital/ clinic/ MCH centers, etc., still the women's health conditions are poor, why does this situation still exist here?

Q-37. Do you think something special is needed for addressing women's health problems, Yes/ No.

Q.38. Are there any special budgetary provisions for women's health within the general health budget?

Q-39. What are the main women's health problems?

Q-40. Legislating Violence against women is a question of legislating morality, can this be done easily?

Q-41. There have been efforts to restrain violence against women, has there been any improvement or has it become a negative propaganda?

Q-42. What are the other negative aspects of women's health in Pakistan?

Economic Conditions

Q-43. Women are economically dependent upon men; do you think it's a cause for their low status? Yes/ No

Q-44. Will bringing women economically at par with men, not disrupt the whole family / social system?

Q-45. Society is resisting women's participation in the labor force, particularly where there are mixed workplaces, how can this situation be overcome?

Q-46. Is it possible to provide equal employment opportunities to women in the present socio-economic scenario? Yes/ No

Q.47, If no, how women can be economically empowered?

Q-48. What policies have been framed/ devised by the state to address this problem?

Q-49. Inheritance rights are an integral part of the Islamic economic system so that wealth does not concentrate in a few hands; do you think women are given their due rights/shares in inheritance in Pakistan? Yes/No

Q-50. If no, why is she denied her divine rights?

Q-51. Again, if a woman is given her right in the landed property, will she be able to manage her property by herself in patriarchal society of Pakistan?

Q-52. The social security system is a device to safeguard the economic conditions of citizens, do you think women have such security in Pakistan?

Q-53. Social assistance is an integral part of the social policy; do you think Pakistan has such a system? Yes/ No.

Q-54. If no, how can she be provided safety in case of economic problems?

Q-55 What are the other negative aspects of female economic conditions in Pakistan?

Q-56 What other women's issues/ problem do you see in Pakistan?

APPENDIX-4

Respondent's Profile.

s. no.	Respondent's Name	Profession	Academic level	Interviewed on
1	Shehzada Kabeer	Solicitor	LLB	24th July, 2010
2	Asma Nadeem	Solicitor	LLB	25th July, 2010
3	Mohammad Nawaz Malik	Solicitor	LLB	26th July, 2010
4	Shahid Mir	Solicitor	LLB	2nd August, 2010
5	Khalida Gailani	Solicitor/Educationist	PhD	5th August, 2010
6	Amanat Khan	Solicitor	LLB	12th August, 2010
7	Jamila Aslam	Solicitor	LLB	16th August, 2010
8	Zulfiqar Abbas Naqvi	Solicitor	LLB	18th August, 2010
9	Salman Khan Golra	Solicitor	LLB	19th August, 2010
10	Ali Afzal	Solicitor	LLB	21th August, 2010
11	Samina Naheed	Social Activist	LLB	24th August, 2010
12	Riaz Hussain	Bureaucrat	MA	29th June, 2010
13	Farzana Ashraf Gondal	Educationist	MA	30th June, 2010
14	Mohammad Mumtaz	Educationist	MA	1st September, 2010
15	Mubeena	Educationist	PhD	5th September, 2010
16	Samina Ahmed	Educationist	MA	8th September, 2010
17	Mohammad Tufail	Religious Scholar	MA	3rd September,

				2010
18	Fouzia Sajjad	Educationist	MPhil	16th September, 2010
19	Asghar Yaqoob	Social Activist	MA	17th September, 2010
20	Aslam Azad	Bureaucrat	MA	21st September, 2010
21	Yousaf Nayyer	Educationist	MA	22nd September, 2010
22	Aqeela Hameed	Educationist	MA	24th September, 2010
23	Sheikh Mohammad Abduljabbar	Religious Scholar	MA	27th September, 2010
24	Karen Jahanzeb	Social Activist	MPhil	19th September, 2010
25	Naheed	Social Activist	MA	27th July, 2010
26	Shabana Saleem	Gynecologist	MBBS	8th June, 2010
27	Malik Amanat Rasool	Health Professional	MBBS	9th June, 2010
28	Athar Qayyum	Health Professional	MBBS	14th June, 2010
29	Bilqees Sohail	Gynecologist	MBBS	15th June, 2010
30	Maryar Faryal	Gynecologist	MCPS	20th June, 2010
31	Ghazala Gul	Gynecologist	FCPS	22th June, 2010
32	Ashba Shahid	Gynecologist	FCPS	27th June, 2010
33	Samina Nisar	Gynecologist	MCPS	28th June, 2010
34	Naila Mujahid	Gynecologist	MCPS	17th June, 2010
35	Amjad Virk	Bureaucrat	MA	10th October, 2010
36	Zarar Malik	Bureaucrat	MA	12th October, 2010

37	Munawar Khan	Social Security Officer	MA	16th October, 2010
38	Ishaq Butt	Economist	MA	19th October, 2010
39	Afzal Ijaz	Economist	MA	8th October, 2010
40	Tariq Mehmood	Economist	MA	28th October, 2010
41	Durehshehwar Munawar	Economist	MA	1st November, 2010
42	Imtiaz Dar	Economist	MA	4th November, 2010
43	Hina Noreen	Social Activist	MA	8th November, 2010