
SITUATIONAL ANALYSIS OF WOMEN IN PAKISTAN —AN OVERVIEW

Introduction

The status of women in Pakistan is not homogenous because of the interconnection of gender with other forms of exclusion in the society. There is considerable diversity in the status of women across classes, regions, and the rural/urban divide due to uneven socioeconomic development and the impact of tribal, feudal, and capitalist social formations on women's lives. However, women's situation vis-à-vis men is one of systemic subordination, determined by the forces of patriarchy across classes, regions, and the rural/urban divide.

Gender is one of the organizing principles of Pakistani society. Patriarchal values embedded in local traditions and culture predetermine the social value of gender. An artificial divide between production and reproduction, created by the ideology of sexual division of labor, has placed women in reproductive roles as mothers and wives in the private arena of home and men in a productive role as breadwinners in the public arena. This has led to a low level of resource investment in women by the family and the State. Thus, low investment in women's human capital, compounded by the ideology of *purdah* (literally "veiled"), negative social biases, and cultural practices; the concept of honor linked with women's sexuality; restrictions on women's mobility; and the internalization of patriarchy by women themselves, becomes, the basis for gender discrimination and disparities in all spheres of life.

Demographic Background

Pakistan is a federation of four provinces conjoined with the federal capital area, the Federally Administered Tribal Areas (FATA), the Federally Administered Northern Areas (FANA), and Azad Jammu and Kashmir. According to the census conducted in March 1998, the total population of the country is 130.6 million with an annual growth rate of 2.6 percent. About 55.6 percent of this population is in Punjab, 23 percent in Sindh, 13.4 percent in the North West Frontier Province (NWFP), 5 percent in Balochistan, 2.4 percent in FATA, and 0.6 percent in Islamabad. Women form 48 percent of the total population and 52 percent are men. The population of women has increased slightly more than the population of men. The latest intercensal average growth rate per annum is estimated at 2.6 percent for women and 2.5 percent for men during 1981–1998.

According to the 1998 census data, 88 million people live in rural areas, whereas 42 million live in urban areas. The data revealed that 45 percent of the population are below 15 years of age. About 52 percent of adolescents are male and 48 percent are female. The dependency ratio is approximately 87.1. On average, one person in the working age group population would have one dependent in the year 1998.

The average age of women for marriage has increased from 17.9 years in 1951 to 20.8 years in 1981. About 23 percent of females between the ages of 15 and 19 are married, compared with 5 percent of the male population in the same age group. A majority of women are married to their close relatives, i.e., first and second cousins. Only 37 percent of married women are not related to their spouses before marriage. The divorce rate in Pakistan is extremely low due to the social stigma attached to it. In 1996–1997, according to official statistics, women-headed households constituted only 7 percent of total households. The share of women-headed households is less in urban areas as compared with rural areas.

The Social and Cultural Context

The social and cultural context of Pakistani society is predominantly patriarchal. Men and women are conceptually divided into two separate worlds. Home is defined as a woman's legitimate ideological and physical space, while a man dominates the world outside the home. The false ideological demarcation between public and private, inside and outside worlds is maintained through the notion of honor and institution of *purdah* in Pakistan. Since the notion of male honor and *izzat* (honor)¹ is linked with women's sexual behavior, their sexuality is considered a potential threat to the honor of the family. Therefore, women's mobility is strictly restricted and controlled through the system of *purdah*, sex segregation, and violence against them.

In the given social context, Pakistani women lack social value and status because of negation of their roles as producers and providers in all social roles. The preference for sons due to their productive role dictates the allocation of household resources in their favor. Male members of the family are given better education and are equipped with skills to compete for resources in the public arena, while female members are imparted domestic skills to be good mothers and wives. Lack of skills, limited opportunities in the job market, and social and cultural restrictions limit women's chances to compete for resources in the public arena. This situation has led to the social and economic dependency of women that becomes the basis for male power over women in all social relationships.

However, the spread of patriarchy is not even. The nature and degree of women's oppression/subordination vary across classes, regions, and the rural/urban divide. Patriarchal structures are relatively stronger in the rural and tribal setting where local customs establish male authority and power over women's lives. Women are exchanged, sold, and bought in marriages. They are given limited opportunities to create choices for themselves in order to change the realities of their lives. On the other hand, women belonging to the upper and middle classes have increasingly greater access to education and employment opportunities and can assume greater control over their lives.

The most powerful aspect of social and cultural context is the internalization of patriarchal norms by men and women. In learning to be a woman in the society, women internalize the patriarchal ideology and play an instrumental role in transferring and recreating the gender ideology through the process of socialization of their children. This aspect of women's lives has been largely ignored by the development initiatives in the country.

Education and Training

Despite the improvement in Pakistan's literacy rate since its independence (1947), its overall literacy rate of 45 percent (56.5 percent for males and 32.6 percent for females in 1998) is still behind most of the countries in the region. The literacy rates may have risen generally; however, with the increase in population, the number of illiterate Pakistanis has more than doubled since 1951, while the number of illiterate women has tripled. Approximately 60 percent of the total population is illiterate, and women form 60 percent of the illiterate population

Strong gender disparities exist in educational attainment between rural and urban areas and among the provinces. In 1996–1997 the literacy rate in urban areas was 58.3 percent while in rural areas it was 28.3 percent, and only 12 percent among rural women. There are also considerable inequalities in literacy rates among the four provinces, especially disparities between men and women (Table 1).

¹ "Honor" can be interpreted in various ways but generally refers to women's purity and modesty.

Table 1: Literacy Rate in Provinces by Gender
(percent)

Year	Punjab		Sindh		NWFP		Balochistan		Pakistan		Total
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
1975	31.6	12.6	39.3	20.0	24.1	5.3	15.0	4.2	31.8	13.0	23.2
1980	36.4	16.4	39.7	21.5	25.7	6.4	15.2	4.3	34.8	15.7	25.9
1985	40.8	18.2	43.2	22.4	30.5	7.1	17.9	4.9	38.9	17.0	28.4
1990	45.2	20.8	46.5	23.7	38.1	8.6	21.0	5.7	43.4	19.1	31.7
1995	50.0	24.9	51.6	25.8	47.3	12.0	25.3	6.6	48.7	22.5	36.1

Source: Social Policy and Development Centre, "Social Development in Pakistan, Annual Review, 1998," p.130.

Despite the higher rate of female enrollment in 1998–1999 at the primary (4.6 percent male and 8.0 percent female), secondary (1.2 percent male and 6.8 percent female), and high school levels (7.4 percent male and 8.3 percent female), the gender gap in the literacy rate is widening in Pakistan.² Of those without basic education opportunities, about 70 percent are girls. The primary school enrollment rate for girls during 1996–1997 was estimated at about 66.6 percent of total female population and 90.7 percent of males. This is primarily due to the high dropout rate among girls (50 percent). The overall participation rate at primary stage is estimated at 77 percent (male 92 percent, female 62 percent) during 1998–1999. At middle stage the participation rate is 51 percent (male 64 percent and female 37 percent), and at high stage it is estimated at 36 percent (45 percent male and 26 percent female). Gender disparities in educational attainment are even greater in the rural areas. Only 3 percent of rural 12-year-old girls continued in school, compared with 18 percent of boys. Fewer than 1 percent of girls remained in school in the 14-year-old age group compared with 7 percent of boys.³

At present less than 3 percent of the age group 17–23 have access to higher education. Women in particular have limited opportunities to acquire higher education and attain professional or technical degrees. This is due to the cultural prescription of gender roles and inadequate number of vocational training and professional institutions for women. Out of 172 professional colleges in 1996–1997, only 10 exist exclusively for women. In the other 162 professional colleges, women can get admission only against a reserved quota. The female enrollment in professional colleges was 48 against 100 boys in 1996–1997. Similarly, the gender ratio in 26 public sector universities, including one for women, is 28.9 percent. In 1991–1992 the number of female polytechnic institutes was 12 with an enrollment of 1,676 women as compared with 40 male polytechnics with an enrollment of 21,503. Of the 12 female polytechnics, 8 are in Punjab, 3 in Sindh, and 1 in NWFP. Balochistan has none. There are 12 female commercial institutions; all of them located in Punjab with an enrollment of 1,493. This is small in comparison with 225 male institutions in all provinces with an enrollment of 20,527.

Interestingly, the educational achievements of female students are higher as compared with male students at different levels of education (Table 2).

² Federal Bureau of Statistics (1999), *Economic Survey, 1998–1999*.

³ See footnote 4, Executive Summary.

Table 2: Results of Examinations by Gender, 1996

	Art Subjects			Science Subjects		
	Number Appeared	Number Passed	Percentage Passed	Number Appeared	Number Passed	Percentage Passed
Matric						
Women	277,083	140,085	55.6	92,448	72,234	78.1
Men	369,371	132,615	35.9	417,402	254,562	61.0
Both Sexes	646,454	286,725	44.4	509,850	326,796	64.1
Intermediate						
				Pre-Engineering		
Women	185,574	69,432	37.4	7,392	5,082	68.8
Men	228,458	69,769	30.5	78,601	31,575	40.2
Both Sexes	414,032	139,201	33.6	85,893	36,657	42.7
				Pre-Medical		
Women				36,941	24,271	65.7
Men				86,122	47,866	55.6
Both Sexes				123,063	72,137	58.6

Source: Federal Bureau of Statistics (1998), *Compendium on Gender Statistics, Pakistan*, p.120.

The critical link between literacy level and economic growth vis-à-vis other social sector indicators, is well proven both in terms of international and Asian experience. Nevertheless, Pakistan continues to spend a meager amount of its resources, i.e., only 2.2 percent of its gross national product (GNP), on education (Table 3). With this trend, Pakistan will not be able to allocate 4 percent of its GNP on education by 2000, as recommended by the United Nations Educational, Scientific and Cultural Organization (UNESCO) for developing countries.

Table 3: Public Sector Expenditure on Education, 1996–1999
(Rs billion)

	1996–1997	1997–1998	1989–1999
Development Expenditure	5.9	7.9	6.1
Nondevelopment Expenditure	52.4	56.1	62.2
Total	58.3	64.0	68.3
Total Expenditure as % of GNP	2.5	2.2	2.2

Source: Planning Commission, *Economic Survey of Pakistan, 1998–1999*, p.113.

The Government has been making efforts to improve the literacy rate by involving communities, the private sector, and funding agencies. The Social Action Program (SAP) has been the major initiative by the Government to improve social indicators in elementary education, primary health, population welfare, water, and sanitation. It is disheartening to see that the SAP had only a very small impact on basic social indicators. The Pakistan Integrated Household Survey (PIHS) indicates that during the SAP period, “the gross enrollment rate for primary education has actually

declined, except in the case of girls; and enrollment in government schools has declined even though there has been a major increase in the number of schools”⁴ (Table 4).

Table 4: Achievements of the Social Action Program, 1991–1997
(percent)

Indicator	Baseline in 1991	Change from 1991
Primary Gross Enrollment Rate	73	-1
Male	86	-6
Female	59	5
Government Enrollment (% of total)	86	-8
Male	87	-9
Female	85	-7
Full Immunization	25	26
Male	29	23
Female	22	29
Incidence of Diarrhea	26	-11
Male	27	-11
Female	25	-11

Source: Federal Bureau of Statistics, *Pakistan Integrated Household Survey, Round 2: 1996–1997*, Islamabad, 1998.

Overall major issues in the education system in Pakistan include

- (i) shortage of teachers—presently, 40,000 teachers are needed annually while only 15,000 are produced;
- (ii) poor quality of curriculum and teaching;
- (iii) irrelevance of education to the market—because of the mismatch between technical vocational education and market demand, 63 percent of the graduates from these institutions do not find employment;⁵
- (iv) commercialization and unplanned growth of private sector education—although legislation for regulating the management of private schools has been enacted by all provinces, enforcement to control the quality and fee structure of private educational institutions remains illusive; and
- (v) perpetuation of class distinctions through English and Urdu mediums of education. Children of the elite and upper-middle classes—because they can afford the high cost of education—are sent to English medium private schools. Official correspondence, civil service exams, and business transactions are mostly carried out in English. This perpetuates the domination of the upper classes in the job market and leads to their continuing hold over resources.

⁴ Social Policy and Development Centre (1999), “Social Development in Economic Crisis,” Karachi, p.63.

⁵ Shahrulh Rafi Khan (1999), *50 Years of Pakistan’s Economy*, Oxford University Press, U.S., p.21.

Box 1 summarizes the major issues/problems in female primary and middle-level education.

Health and Nutrition

The majority of people in Pakistan do not have access to basic health care because of inadequate health facilities. The health indicators of women in Pakistan are among the worst in the world. It is one of the few countries where women's life expectancy is lower than that of men. There are 108 men for every 100 women (Census 1998). Female infant mortality rate is higher (85 per 1,000 live births) than that of male children (82 per 1,000). More than 40 percent of the total female population are anemic. The fertility rate is 5.4 per woman. The maternal mortality rate is still high, 1 woman in every 38 dies from pregnancy-related causes. Only 20 percent of women are assisted by a trained provider during delivery. However, 24 percent of married women now use contraceptives, which is a substantial increase from 9 percent in 1985.

The low health status of women is the result of women's lower social, economic, and cultural standing. Social and familial control over women's sexuality, their economic dependence on men, and restrictions on their mobility determine differential access of males and females to health services. Intra-household bias in food distribution leads to nutritional deficiencies among female children. Early marriages of girls, excessive childbearing, lack of control over their own bodies, and a high level of illiteracy adversely affect women's health. Institutionalized gender bias within the health service delivery system in terms of lack of female service providers, and neglect of women's basic and reproductive health needs, intensify women's disadvantaged health status (Box 2).

Due to the above-mentioned demand and supply side factors, the burden of disease is greater on women. A recent study conducted by the World Bank indicates that "pregnancy related conditions constitute 13 percent of the total disease burden and communicable diseases an additional 38 percent. The disease burden for maternal and prenatal conditions is comparable to the combined burden of tuberculosis and respiratory infections among males and females of all ages."⁶ Only 30 percent of women have been immunized against tetanus toxoid. Women are also at a higher risk of contracting HIV-AIDS⁷ and sexually transmitted diseases (STDs) because of male dominance in sexual relations and lack of

Box 1: Issues/Problems in Female Primary and Middle-Level Education

Immediate

- Lack of schools for girls
- Lack of female teachers in rural and underdeveloped areas
- Distance of educational institutions from home
- Lower rate of enrollment
- High dropout
- Absenteeism among teachers
- Lack of capacity to pay for education

Underlying

- Poor quality of education
- Poor training of teachers
- Gender biases of teachers
- Inefficient use of resources
- Low cost recovery
- Underutilization of funds
- Lack of institutional capacity of educational machinery at the national and provincial levels
- High opportunity cost of educating a female
- Restrictions on female mobility
- Early marriages of girls

Structural

- Ideology of gender roles
- Cultural attitudes towards female education
- Reproduction of gender biases in educational curricula
- Poor governance
- Weak civil society

⁶ Anne G. Tinker (1998), *Improving Women's Health in Pakistan*, Washington, p.5.

⁷ Human immunodeficiency virus-acquired immune deficiency syndrome.

access to information. The incidence of STDs affecting women in Pakistan (Hepatitis B) has been on the rise.⁸

Box 2: Issues/Problems in Women's Health and Nutritional Status

Immediate

- Lack of health services
- Inadequate community outreach
- Distant and inappropriate locale of health services
- Poor quality of care
- Nonavailability of medicine
- Low health and nutritional status of women
- High infant mortality rate among female children
- High maternal mortality rate
- Higher incidence of diseases among women
- Illegal and unsafe abortions
- Lack of female service providers
- Weak supervision and monitoring
- Shortage of competent doctors and nurses especially in rural areas
- Absenteeism of health personnel at service facilities especially in rural areas

Underlying

- Poverty
- Inconsistent health policies
- Restricted budget for the health sector
- Low social and economic status of women
- Early marriages
- Frequent pregnancies
- Son preference
- Overburdening of women with triple roles (e.g., wife, mother, worker)
- Violence against women
- Lack of access to clean water and sanitation
- Illiteracy
- Lack of women's access to information
- Restrictions over women's mobility
- No wage incentive for doctors to work in underserved areas
- Structural weaknesses
- Patriarchal control over women's sexuality
- Limited decision-making authority of women in marital relationships
- Cultural barriers to discussing sexual issues within marriage
- Male biases inherent in public health system

The rise of poverty exacerbates conditions of oppression for women and children. In poor households with scarce means, gender discrimination in the allocation of household resources is more pronounced. Women suffer most from nutritional deprivation in low-income households. Poverty also forces women to work harder to earn and protect their families from starvation. This contributes to the stresses these women already face due to poverty and cultural oppression. It is estimated that two thirds of the psychiatric patients at 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.

Health policies have been fraught with urban, curative, and tertiary hospital-based health care biases. These policies fail to respond to women's basic health needs, particularly their reproductive health needs. The Population Welfare Program, operating in Pakistan since the Second Five-Year Plan (1960–1965), could not make much progress because it focuses only on women's bodies about controlling their fertility. It did not address the issue of women's lower socioeconomic status and how women should be helped to gain greater control over their biological processes.

However, in recent years there has been a conceptual shift from curative

to preventive, from tertiary to primary health care, and towards an integrated life cycle approach to women's health, as reflected in the National Health Policy of Pakistan (1997). Pakistan has also signed up for the Alma Ata Conference: Health for All by the year 2000 and has acceded to the program of action of the International Conference on Population and Development. Pakistan has clearly made a commitment itself at the international and domestic fronts to the notion of women's equality.

⁸ See footnote 4, Executive Summary.

Pakistan has taken certain initiatives in the health sector to redress gender imbalances. The SAP was launched in 1992–1993 to accelerate improvement in the social indicators. Closing the gender gap is the foremost objective of the SAP. In the health sector the focus has been on the provision of primary health care and basic health facilities in rural areas. The other major initiative is the Prime Minister’s program of lady health workers (LHWs). Under this community-based program, 26,584 LHWs in rural areas and 11,967 LHWs in urban areas have been recruited⁹ to provide basic health care including family planning to women at the grassroots level. Other initiatives include the village-based family planning workers (VBFPWs) and extended immunization programs, nutritional and child survival, cancer treatment, and increased involvement of media in health education.

However, the Government’s commitment to health for all by 2000 does not match with resource allocation to the health sector. Although there has been an increase in public expenditure from 0.4 percent of the GNP in the 1960s to 0.7–0.8 percent in the 1990s,¹⁰ Pakistan is currently spending less than 1 percent of its GNP on health.

Economic Situation

Women in Pakistan participate fully in economic activities in the productive and reproductive sphere. The economic value of women’s activities in the reproductive sphere and unpaid work as a family laborer in the productive sphere has not been recognized as productive and is not accounted for in the national statistics.

The labor force participation rates for women are grossly underreported by the official sources of data. The 1997 Labour Force Survey reported the refined activity rate¹¹ for women as 13.6 percent and 70 percent for men, while the crude activity rate¹² was 9 percent and 47 percent, respectively. This is due to problems in data collection such as an inappropriate definition of economic activity, male enumerators who get information regarding working women from the male members of the family, questions seeking information on a single main activity, and exclusion of the informal sector. In the cultural context of Pakistan, women’s wage work is considered a threat to the male ego and identity and women’s engagement in multiple home-based economic activities leads to underremuneration for their work. Pakistani girls and women spend long hours fetching water, doing laundry, preparing food, and carrying out agricultural duties. Not only are these tasks physically hard and demanding, they also rob girls of the opportunity to study.

The nature and sphere of women’s productivity in the labor market is largely determined by sociocultural and economic factors. Women do not enter the labor market on equal terms vis-à-vis men. Their occupational choices are limited due to social and cultural constraints, inherent gender bias in the labor market, and lack of supportive facilities such as child care, transport, and accommodation in the formal sector of the labor market. Women’s labor power is considered inferior because of employers’ predetermined notion of women’s primary role as homemakers. As a result of discrimination against female labor, women are concentrated in the secondary sector of labor market. Their work is low paid, low status, casual, and lacks potential upward mobility.

Women are overwhelmingly concentrated in the agriculture sector, which employs 79 percent of female labor force as compared with 57.3 percent of male workers. Nearly 36–38 percent of

⁹ See footnote 1, Executive Summary.

¹⁰ Federal Bureau of Statistics (1999). *Economic Survey 1998-1999*, Islamabad, p.119.

¹¹ See footnote 2, Executive Summary.

¹² See footnote 3, Executive Summary.

economically active rural women work on their own family farms. The majority of women in the urban sector work in low-paying jobs. In 1996–1997, in urban areas 62.2 percent of female workers were employed in the service sector followed by the manufacturing sector (21.9 percent) and professional workers (21.9 percent). Among the Federal Government civil servants, 44.3 percent are working in basic pay scale grade 9 and below, while not a single woman is working in grade 22, which is the highest basic pay scale in Pakistan.

According to the 1990–1991 PIHS, more than three fourths of the economically active women in urban areas are employed in the informal sector. The job opportunities available to them only in the informal sector intensify women’s exploitation, and standard labor legislation or legal protective measures do not cover their vulnerability. Women workers in the informal sector, especially home-based piece rate workers, work longer hours for low wages under conditions of job insecurity.

Anecdotal evidence indicates that women have borne the brunt of the social costs of recession and structural adjustment measures in Pakistan. Inflation, high unemployment, and increasing poverty have put enormous pressure on women to contribute to family income. Women’s labor force participation tripled during the intensified period of structural adjustment from 5.1 percent in 1987–1988 to 14.6 percent in 1993–1994.¹³ More and more women are becoming heads of their households. During the adjustment programs there has been a rise in the level of female unemployment and a decline in levels of self-employment (Table 5).

Table 5: Selected Labor Force Statistics by Gender, 1987-1994
(percent)

	1987–1988		1993–1994	
	Female	Male	Female	Male
Civilian labor force	5.1	94.9	14.6	85.4
Self-employed	5.1	55.7	15.6	46.3
Unemployed	0.9	3.4	10.0	3.9

Source: See footnote 11.

Women lack ownership of productive resources. Despite women’s legal rights to own and inherit property from their families, there are very few women who have access and control over these resources. A microlevel survey of 1,000 rural households conducted in 1995 in Punjab found that only 36 women owned land in their own name, while only 9 of them had control over it.¹⁴ Similarly, formal financial institutions do not cater to women’s credit needs due to the underlying assumption of women’s role in the reproductive sphere. Commercial banks ignore women clients due to their preconceived views on women’s creditworthiness because of their dependency on men for physical collateral, high transaction cost of small loans, and difficulties in gaining information about a borrower’s reliability (Box 3).¹⁵ The Agriculture Development Bank of Pakistan and First Women’s Bank Limited (FWBL) are the only banks that have small-scale credit programs that cater to women. Other sources of credit to women include informal sources such as nongovernment organizations (NGOs), friends, relatives, and moneylenders.

¹³ Shahrukh Rafi Khan and Mehnaz Ahmad (1996), “Gender and Structural Adjustment in Pakistan,” *The Lahore Journal of Economics*, vol.1. no.1, October 1996, p.75.

¹⁴ See footnote 4, Executive Summary.

¹⁵ See footnote 5, Executive Summary.

In the Ninth Five-Year Plan (1998–2003), the Government commits itself to promote women’s employment by creating more opportunities for them. The specific sectoral programs include education, training, and skill development of women; promotion of female labor-based industries (i.e., ready-made garments, electronics, pharmaceutical); and credit provisions for self-employment.¹⁶

Legal Status

Pakistan is a country where parallel judicial systems are operating. Some of them are exclusively applicable to the tribal areas and others are applicable throughout the country. The Constitution of Pakistan includes three distinct judicial systems that function alongside the ordinary judicial system, i.e., the Federal Shariat Court, the Appellate Shariat Bench, and the Criminal Law Forums. Various amendments in the Constitution during the martial law period of 1977–1986 introduced these parallel judicial systems, which are causing great confusion in the country.

The 1973 Constitution of Pakistan is a contradictory instrument. On the one hand, Article 25 of the Constitution guarantees equality of rights to all citizens irrespective of sex, race, and class and empowers the Government to take affirmative action to protect and promote women’s rights. On the other hand, there are several discriminatory laws that negatively impact on women. For example, the Family Law is not uniform in that its personal or customary laws govern each religious community and all of them have discriminatory provisions. Under the Muslim Family Law, women have unequal rights to inheritance, termination of marriage, minimum age of marriage, and natural guardianship of children; polygamy has not been banned or even sufficiently restricted by law; and there are grossly inadequate provisions for women’s financial security after termination of marriage. Women have unequal rights under the citizenship laws, in which citizenship through descent is guaranteed only through a father, and which give the foreign wife of a Pakistani man the right to acquire citizenship, with no corresponding right for the foreign husband of a Pakistani woman.¹⁷

A series of discriminatory laws were introduced as a part of the process of Islamization by Zia-ul-Haq during the late 1970s. The Hudood Ordinances promulgated in 1979 equated rape with adultery. In the case of maximum punishment, a woman’s testimony was not admitted to prove rape or adultery. Instead the evidence of four Muslim males of good reputation was required in such

Box 3: Issues/Problems in Women’s Economic Activities

Immediate

- Lack of job opportunities for women
- Women’s lack of marketable skills
- Low-paid and low-status jobs for women
- Casualization of employment contracts
- High rate of underemployment and unemployment among women
- Exploitative working conditions
- Male-dominated trade unions
- Low wages of women workers in the informal sector
- Sexual harassment at workplace

Underlying

- Segmented labor market
- Structural adjustment programs
- Liberalization, privatization, and globalization
- Cultural restriction on women’s occupational choice
- Women’s segregation and ideology of *pardah*
- Underremuneration of women’s work
- Lack of recognition of women’s unpaid work as productive
- Inadequate labor laws

Structural

- Gender-role ideology
- Capital accumulation based on exploitation of gender, race, and class
- Nonrecognition of women’s traditional roles as productive

¹⁶ Planning Commission (1998), “Women and Development,” *Ninth Five-Year Plan*, p.15.

¹⁷ Shahla Zia and Farzana Bari (1999), “Women’s Political Participation in Pakistan,” unpublished report, p.23.

cases. This also created a situation where women could be charged for adultery if they reported rape but could not prove it. The Law of Evidence promulgated in 1984 denigrated women by reducing the value of the testimony of two women equal to one man in financial transactions. The laws of evidence, *Qisas* and *Diyat*, institutionalize the compensation or blood money for crimes including murder and bodily harm. According to this law, women's value would be considered equal to half that of a man.

There is considerable evidence that this legislation has negatively impacted Pakistani women's lives and made them more vulnerable to extreme violence. Today, the majority of women in prison have been charged under the Hudood Ordinance. The data collected for one year from one police station show that out of 113 cases registered, 94 were *zina* (adultery) cases.¹⁸ Similarly, a national level study conducted in *dar-ul-amans* (shelters for women) mentioned that 21 percent of women had Hudood cases against them.¹⁹ Their families use this legislation to punish them for trying to exercise their legal rights of self-determination.

The report of the Inquiry of the Commission for Women (1997) clearly states that this legislation must be repealed as it discriminates against women and is in conflict with their fundamental rights. Despite the demand of women's movement to repeal this legislation, it continues to be a part of the statute book and shape women's lives. The Government has made no commitment to implement the recommendations of the report.

Box 4: Issues/Problems of Women and Law

Immediate

- High cost of litigation
- Lack of access to legal aid
- Delay in getting justice
- Complicated court procedures
- Sexual harassment of women in courts

Underlying

- Illiteracy among women
- Lack of awareness of legal rights
- Lack of female judges

Structural

- Discriminatory legislation
- Gender biases of judiciary and law enforcing agencies

The interplay of formal statutory laws, Islamic laws, and customary practices is shaping women's lives in Pakistan. The equality enshrined in formal laws is negated by customary practices that allow the male members of the family to sell, buy, and exchange women as commodities and kill and murder them in the name of honor. Presently, the gap between equality of gender in formal laws and de facto realities of women's life is too wide.

Due to their dependent socioeconomic status, the suffering of women litigants is enormous. Very often they lack the financial means to enter into litigation. Complicated legal procedures compounded by gender biases of judiciary and law enforcing agencies, delays, high cost of court fees, and corruption of the judiciary, make it extremely difficult for women to enter into litigation to get justice for themselves (Box 4).

Tables 6 and 7 show the breakdown of female lawyers and women judges in Pakistan.

¹⁸ "Report of the Commission of Inquiry for Women" (1997), pp.665–666.

¹⁹ Farzana Bari (1998), *Voices of Resistance: The Status of Shelters for Women in Pakistan*, Islamabad, p.26.

Table 6: Gender Balance at the Bar, 1994–1997

Year	Bar Association	Total	Female	Percent
1997	Supreme Court	456	7	1
1995	NWFP Bar Council	6,750	112	2
1995	Punjab Bar Council	27,000	271	1
1995	Sukkur Division	663	11	2
1995	Larkana Division	477	4	1
1995	Hyderabad Division	1,111	59	5
1995	Mirpur Khas Division	265	1	0.4
1995	Karachi Bar Association	2,080	262	13.6
1994	Balochistan Bar Council	350	6	2

Source: TA PAK 3433: *Strengthening of Institutional Capacity for Legal and Judicial Reform*, for \$2,900,000, approved of 27 April 2000.

Table 7: Composition and Gender in the Subordinate Judiciary, 1998

Item	Punjab	Sindh	NWFP	Balochistan	Total
Sanctioned positions	626	510	168	85	1,839
Working judges, subordinate courts	599	370	150	63	1,182
Women judges	8	51	12	5	76

Source: TA PAK 3433: *Strengthening of Institutional Capacity for Legal and Judicial Reform*, for \$2,900,000, approved of 27 April 2000.

Women's Political Participation²⁰

The Constitution of Pakistan places no restriction on women's participation in politics; nevertheless, their presence in the political parties as well as in the political structure at the local, provincial, and national levels remains insignificant due to cultural and structural barriers (Box 5). At the level of representation, in the present National Assembly, women comprise 3 percent of the total membership (7 out of 217) and about 0.21 percent of the total membership of provincial assemblies (1 out of 483), while Senate membership remains the same. Women have no representation in the minority membership of the National Assembly, which consists of 10 seats, or in the minority membership of a provincial assembly, which consists of 23 seats.

Box 5: Issues/Problems Related to Women and Politics

Immediate

- Lack of women's interest in politics
- Lack of women's participation in formal political processes
- Women's negative perception of politics
- Male domination of political parties

Underlying

- Male domination of political parties
- Lack of financial resources among women who want to enter politics
- Lack of political skills
- Purdah and segregation

Structural

- Sexual division of labor
- Cultural view of politics as male arena
- Feudal and tribal structures

²⁰ Most parts of this section have been reproduced from the unpublished report "Women's Political Participation in Pakistan" (1999), coauthored by Farzana Bari and Shahla Zia.

Voters' turnout is declining due to disillusionment among the general public with political parties. In 1977, voters' turnout was 61.9 percent, which declined to 43 percent in 1988. In view of the fact that most of the polling stations are common for both sexes especially in rural areas, it is difficult to determine the female turnout in elections. However, according to election authorities, the ratio of votes cast by women has increased.

It is difficult to assess women's membership of political parties. Since all the major political parties do not maintain a proper record of their membership, the data on women as members of political parties are sketchy and incomplete. However, it is observed that women's participation in political parties from urban areas, especially in Punjab and Sindh, has increased since the late 1960s and early 1970s.

The increasing participation of women within political parties so far has not led to a significant number of women appointees in important positions within the parties. Women are the rank-and-file members and lack decision-making power within their parties. In the absence of regular elections within most of the parties, leaders usually nominate party activists on party positions. Women are not appointed to key positions within party organizations.

Women's representation in the central executive committee of the two major political parties is negligible. There are only 3 women out of a total membership of 21 in the central executive committee of the Pakistan People's Party (PPP) and 5 out of 47 in the Pakistan Muslim League (PML) Nawaz Shareef faction. There are five women in the history of Pakistan, i.e., Fatima Jinnah (PML), Banazir Bhutto (PPP), Nusrat Bhutto (PPP), Ginwa Butto (Shaheed Bhutto Group [SBP]), and Nasim Wali Khan (Awami National Party [ANP]), who have become the leaders of their parties. However, all of them inherited their political career from their husbands/fathers and later became politicians in their own right.

Presently, all major political parties with the exception of ANP have specified women's wings. However, the membership of women's wings is much smaller than male membership of the party. Women's wings of the political parties usually toe the party line, promote party agendas, and do not have any visible influence on the decision-making processes and political programs of their parties. In general, women's wings are mainly utilized by the parties to mobilize womenfolk during elections, work as polling agents in women's booths, and demonstrate on behalf of the party when directed by the party's high command.

In 1997, 31 women ran for the National Assembly. Nine of them were independents. PPP gave party tickets to 9 women, PML to 9, SBP to 7, PML Junjo Group (PML-J) to 7, ANP to 1, and Khaksar Tehreek to 1 woman. A total of 18 women contested for provincial assemblies (Punjab 7, Sindh 6, NWFP 4, and Balochistan 1). Out of these 18, 10 were independents while 11 had party tickets (PPP 1, PML-J Chatta 2, Pakistan Tehreek-e-Isteqal 3, PPP (Shaheed Bhutto) 2, ANP 1, and Awarri Tehreek 1. Six women, three from PPP and three from PML, were elected Members of the National Assembly and one from NWFP, Begum Nasim Wali Khan, was elected to the provincial assembly seat.

In view of women's invisibility in national politics, the provision of women's reserved seats in the Parliament existed throughout the constitutional history of Pakistan from 1956 to 1973. The first election under the 1973 Constitution was held in 1977 but the assemblies were dissolved within months of the election with the imposition of martial law in July 1977. In 1981, General Zia-ul-Haq nominated the *Majlis-e-Shoora* (Federal Advisory Council) and inducted 20 women as members. The

Majlis-e-Shoora was a step towards Zia's idea of Islamic democracy; however, it had no power over the executive branch (Mumtaz 1998:365).

In 1985, the National Assembly elected through nonparty elections doubled women's reserved quota (20 percent) and declared that the time restriction mentioned in clause 4 of Article 51 of the Constitution would be 10 years or until the third general election to the National Assembly is held, whichever occurs first. The 1988 elections were held with provisions for women's seats remaining the same as in 1985. This provision expired before the 1990 elections and has not been revived since then, despite commitments of both major political parties in their election manifestos that they would do so.

Between 1947 and 1997 women were elected to 113 seats in various national legislatures including the nominated *Majlis-e-Shoora*. The total number of women who succeeded in the six elections of the National Assembly since the 1970 elections is 15, that is, an average of three women in each election. Four women won the highest number of National Assembly seats (8) in the 1988 elections. However, as men in by-elections filled the four seats vacated by them, the women's representation in these elections went down from 4 percent to 2 percent. This percentage declined in 1990 to 1 percent and increased again to 2 percent in the 1993 elections. Both the overall percentage and inconsistent trends suggest that the factors operating against women contesting elections on general seats have not changed since the emergence of Pakistan.

This minimal representation of women at all levels reflects the inadequacy of the commitment of political parties and the ineffectiveness of any attempts to mainstream women in politics.

There has been growing discomfort among women activists and women's rights organizations over the nature of politics in the country. The corruption in politics has created the realization among women's rights groups that if women want to see any real substantive change in their lives as well as in other oppressed sections of society, they must be physically present in political decision-making bodies and directly participate in political processes.