

Legal reform to remove sex discrimination in Pakistan

Pakistani women have hailed the decision of *Prime Minister Benazir Bhutto* to appoint a committee to review all laws that discriminate against women and to suggest amendments to them.

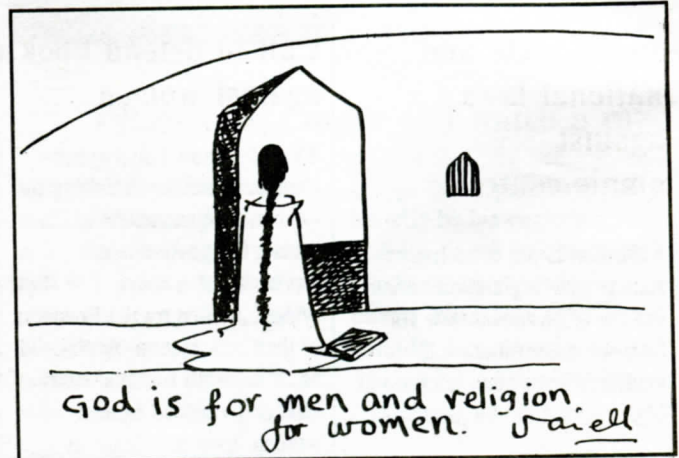
The real test though lies in the implementation of the law, says *Senator Nasreen Jalil*. Among the most obviously discriminatory pieces of legislation is the **Law of Evidence, Section 17**, which reads: '(a) in matters pertaining to financial or future obligations, if reduced to writing, the instrument shall be tested by two men, or one man and two women, so that one may remind the other if necessary...' The law considers a woman's evidence as worth only half that of a man.

The second law which women's organizations have been strongly protesting is the **Offence of Zina (Enforcement of Hudood)**

Ordinance of 1979. (*Zina* means wilful sexual intercourse outside marriage and *Hudood* means Islamic punishment). This law also deals with the offence of *zina-bil-jabr* (rape).

In case *zina* is proved, both the female and the male accused are liable to punishment while in the case of rape, only the man will be punished. However, four eye witnesses are required to prove these offences. Women have taken serious exception to this, saying it is not possible to produce four witnesses to the offence being committed. Moreover, a rape victim can risk being convicted for *zina* or wilful intercourse if her attacker testifies that they are lovers.

A third law being protested related to citizenship. **Section 5 of the Citizenship Act** says 'a person shall be a citizen of Pakistan by descent if his father is a citizen of Pakistan at the time of his birth.' Citizenship,



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the women say, should also be determined by the descent of the mother.

In the rural areas, women may not even know their legal rights because of the extremely low literacy rate. Woman activist *Dr. Farzana Bari* says the present literacy rate for women is only 14 per cent in urban and six per cent in rural areas. Overall literacy rate is 36 per cent. Low literacy is also a factor in women's low representation in Parliament, which currently has only six women members. The Constitution provided for 20 seats to be reserved for women from 1970 to 1988.

Source: *Depthnews Women's Feature*, October 1994.

In Pakistan an Islamic leader gets 30 years for attack on wife

What went on behind closed doors between a husband and wife used to be hidden in Pakistan. But no longer - recently an Islamic religious leader was sentenced to 30 years in jail for torturing his wife. "Everyone is talking about this case," said *Shahnaz Bokhari*, head of the **Progressive Women's Association**, a feminist group which first publicised the case. Until now, Pakistani women who are abused by their

husbands, brothers or fathers have had little or no access to the law. Feminists hope this sentence - the highest ever imposed on a husband for abusing his wife - will help change attitudes towards violence against women in Pakistan.

Source: *Speak*, October 1994, Office 7, 17th Floor Conlyn House, 156 President Street, Johannesburg 2001, South Africa.