

## Women In Pakistan: Victim Of Gender-based Discrimination

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### Abstract

This paper intends to discuss the gender-based discrimination faced by the women in Pakistan. It has substantially reduced their status in the society. Despite the fact that equal rights and safeguards have been assured by the Constitution, Universal Declaration of Human Rights and CEDAW, they remain insecure and marginalized. This paper also suggests measures and recommendations in order to overcome the hindrances faced by the women in achieving proper status and recognition in our society.

### تلخیص المقالہ

پاکستان میں خواتین جن صنفی بنیادوں پر فرق کا سامنا کر رہی ہیں یہ مقالہ اس حقیقت اور اصلیت کو منکشف کرنے کا عزم کرتا ہے جو درحقیقت معاشرہ میں ان کے مقام کو کم کرنے کا باعث بنتا ہے۔ اس حقیقت کے برعکس کہ آئین پاکستان انسانی حقوق کے قوانین اور (CEDAW) میں ان کو برابری کے حقوق اور تحفظ دیا گیا ہے لیکن حقیقتاً پاکستان میں یہ رائج نہیں۔ اسلامی معاشرے میں خواتین کے اصل مقام کے حصول کی راہ میں جو رکاوٹیں ہیں جن کا ان کو سامنا ہے دور کرنے کے کچھ مشورے اور طریقے اس مقالے میں بیان کیے گئے ہیں۔

### Introduction

Discrimination means inequality and injustice in the society. Unfortunately in Pakistani society, women are the victims of gender discrimination although Islam refuses to allow discrimination on the basis of sex, color, caste and creed.<sup>1</sup> The Pakistan's Constitution Article 4 on Fundamental Rights clearly states that "There shall be no discrimination on grounds of religion, race, caste, sex or place of birth."<sup>2</sup>

According to Pakistan Constitution Article 25, 27, 36 and 37, "All citizens are equal before law and are entitled to equal protection of law: There shall be no discrimination on the basis of sex alone. No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of sex. Steps shall be taken to ensure full participation of women in all spheres of national life."<sup>3</sup>

Article 2 of the Universal Declaration of Human Rights pronounces equal rights to all individuals without making discrimination on the basis of race, sex, language.<sup>4</sup> Furthermore, article 21(f) and 5(a) of (CEDAW) (Convention on the Elimination of all Forms of Discrimination Against Women) state that state parties agree to modify those customs and practices which are discriminatory against women.<sup>5</sup>

Though Pakistan has signed the above mentioned treaty, it does not regard bad cultural practices as a violation of human rights since they are in practice for a long time. It results in the continuance of gender based discrimination in Pakistan, in the name of custom, tradition and culture.

### **Status of Women in Pakistan**

Women, being half of the Pakistan population, are a victim of all sort of violence and gender based discrimination at all levels of rural and urban societies. In feudal, tribal, and traditional customs, she is considered and treated as a third class citizen resulting in the infringement of her fundamental rights by the society.

The low profile status of Pakistani women indicates her inactive and lifeless role which she plays throughout her life. Her role in life is always scripted by the male dominant figure of the society: father, brother, husband and son. Women are subjected to gender discrimination and violence due to cultural and traditional norms which snatch away the right of thought and opinion of women and result in the suppression of their physical, mental and emotional development.<sup>6</sup> According to Human Rights Commission of Pakistan's 1999 Report only 2% of Pakistani women participates in the formal sector of employment, 93% of rural women and 72% of urban women are illiterate.<sup>7</sup> Working women (rural or urban) face gender discrimination in the form of low paid or unpaid jobs, low salary packages as compared to their male co-workers in the factories, agricultural fields and even in the home based crafts industries where the majority receive no reward or wages for their work.<sup>8</sup> The findings reported in the press early in 2003 shows that 90% of women factory workers and labourers had no awareness about their rights which contributed to the difficulties they faced.<sup>9</sup>

Women in Pakistan are hardly considered a living creature or a human being. Men are the decision makers in all the sphere and affairs of life,<sup>10</sup> due to which women face other kinds of discrimination. One of the example is the decision of the Supreme Court regarding the retirement age of the airhostesses at 45 years, while the counterparts were exempted from this age limit.<sup>11</sup> Such prevailing conditions in the society have reduced the status of majority of women in Pakistan to that of a robot, toy or a puppet though are described as citizens, mothers, daughters, sisters or wives. Women have been commoditized and are considered as the property of men, therefore, can easily be treated as per the desire and wishes of the man.

Furthermore, violence against women is considered a global problem, the ratio of violence in Pakistan is clearly too high as compared to many other countries.<sup>12</sup> In the present atomic era however the needs and necessities of the world have changed. It is facing new challenges. Even then, discrimination against women still exist. Although women are now scientists, bankers, doctors, engineers, lawyers, they are dominated by men and face discrimination<sup>13</sup> in different forms and shape. One of the form of violence against women in Pakistan is harassment at work place.

The Pakistani women working as factory workers, domestic servants or labourers are thought to face the most acute harassment. Those working at managerial positions equally suffer. Evidence from press reports suggest that complaints made by women against harassment by male colleagues or superiors in most of the organizations were almost always ignored or invited further victimization.

A study carried out in Karachi on 200 Karachi based working women reveal that 93% women faced harassment in some form. The following chart show that

45%	experienced Psychological abuse
33%	suffered physical abuse
25%	cased sexual abuse.

50% of women surveyed, preferred home base work due to fear of harassment at the work place and other social pressures. At the official level, harassment of work continued to be seen as a personal problem of women. No change seems to have been made in the existing situation.<sup>14</sup>

The major reasons for gender based discrimination and low status of women include: a) social set up (male domination and violence against women); b) Financial dependence on the male; c) Illiteracy

Structurally, the Pakistani society is feudalistic and tribal. It is based on cultural and traditional norms and values where right to dominate over female is given by default to the male only. It has developed a typical mindset through which the male member can exercise right of domination according to his own will.

The Pakistani men look at women as weak, submissive and created only to fulfill their desires whether right or wrong. Any effort to show freedom of thought and action is considered a challenge and crime against male domination and her life may be sentenced to death either in the name of honor killing or karo kari or who may ended in the name of honour killing or karo-kare or who may have to suffer watta satta, child marriages, vani, swara custom and even may be burnt alive. Majority of such cases took place in interior Sind, Punjab, Baluchistan and NWFP.<sup>15</sup>

One may refer here to an incident of murder of 5 women in August 2008 in the name of honour killing in Baluchistan. They were killed by the tribesmen of Umarani tribe. These five women, 3 teens and 2 middle-aged were buried alive when the three girls refused to get married as per the wish of the sardar and their tribal leaders. Senator Israrullah Zehri is on record defending and justifying the said killings as a centuries-old tradition. The Karo-kari is a part of a tradition in Pakistan, whereby an individual can kill some person usually (can be female) defend the murder and ask for vindication from the charge by family and relatives of the victim, which is usually obtained with help of sardars.<sup>16</sup>

According to HRCP, 222 incidents of honor killing took place in Punjab in 2001. Out of 722 cases of murder in which the victims were women, even if honor was not noted as a motive for the crime, men were killed for allegedly living 'Illicit relations'. The women's groups have raised concern about honor killing and murder of women taken away from places and shelter.<sup>17</sup> However, not much change has taken so far.

Press reports for the year 2001 suggest that the number of honor killing, including karo-kari murders, were increasing specially in upper Sindh, and the political parties which often spoke out strongly against such killings now appear to be largely silent.

According to data collected by HRCP, at least 379 cases of Karo-kari took place in Sindh during the first month of 2001. The victims included 226 women, 151 men and 2 children. It was believed that the total number of those killed could be far higher.<sup>18</sup>

According to press reports, there is a steady rise in the number of cases reported each month. In 80% of such cases, a husband was reported to have killed his wife as "Kari". He had in almost every case escaped without punishment. Brothers were next in the list of those most frequently involved in such murders.<sup>19</sup>

According to the report of Research and Development Bureau, Interior Ministry, Govt of Pakistan, the number of murder in the name of honor killing, province wise, is as follows:<sup>20</sup>

Year	Punjab	Sindh	NWFP	Baluchistan	Islamabad	Northern Area	Total No.
1995	345	125	49	39	1	7	566
1996	322	143	67	45	0	8	585
1997	354	116	56	32	0	5	563
1998	356	113	48	48	2	13	600
1999	357	138	72	52	3	12	634
	1734	655	292	216	6	45	2948

The human right agencies in Pakistan have repeatedly emphasized that most Women falling Prey to Karo-Kari were usually those who wanted to marry on their own will. In most cases the victims held family properties in their names, which the family could lose

if the victim decided to marry some one from outside the family. This is not acceptable in any case to the male member of the family. Over 4000 individuals have fallen to this practice during the last 6 years (2002-2008). Out of it, around 2700 were women. The highest ratio of Karo-Kari incident took place in Punjab, followed by Sindh. Lesser number of cases has been reported in NWFP and in Baluchistan.<sup>21</sup>

In addition to Karo-Kari, the Pakistani women face the following types of violence:

**Vani custom:** is another form of violence committed against women. This is a custom for child marriage in the tribal areas of Pakistan. Besides tribal areas, it is widely followed in the Punjab in Pakistan. This custom is tied to blood feuds among the different tribes and clans where the young girls are forcibly married to the members of different clans in order to resolve the feuds. The Vani could be avoided if the clans of girl agrees to pay money, called Diyat or Deet. Otherwise the young bride may spend her whole life for the crime of her male relatives.

**Swara custom:** is another name of child marriage custom in the tribal areas of Pakistan. This custom is tied to blood feuds among the different tribes and clans where the young girls are forcibly married to the members of different clans in order to resolve the feuds.

**Watta Satta** is a tribal custom in Pakistan. It involves exchange of brides between two families. At the time of marriage, both families trade brides i.e. both families must have a daughter and a son and be willing to betroth them to a daughter and a son of the other family. For example, in order to marry his son, the father must also have a daughter to marry off in the same family.

**Bride burning** is a common method used to murder women under the guise of an accidental burst out of stove which injures or kills the women. This procedure is adapted for various motives to get rid of the women if she opposes a second marriage, to acquire her property and to pressurize her to obtain more money from the parents.

**Acid throwing** is a form of violent assault on girls and women. It is common in Pakistan. Perpetrators of these attack throw acid on the victim. The consequences of these attacks include blindness and permanent scarring of the face and body. 80% victims of these attacks are female and almost 40% are reportedly under 18 years of age.

Besides these, women suffer multiple kinds of sexual and other violence including violence at work place/, domestic abuse and wife bashing, sexual harassment, stalking, rape including marital rape, female child sexual abuse, honor killings and prostitution.<sup>22</sup> See the following table prepared by the Human Rights Commission of Pakistan for different types of violence against women committed during 2005-2006.<sup>23</sup>

<b>Year</b>	<b>Domestic Violence</b>	<b>Honor Killing</b>	<b>Burning</b>	<b>Rape</b>	<b>Gang Rape</b>
<b>2005</b>	59	287	80	206	113
<b>2006</b>	74	565	66	420	172

A major reason for gender based discrimination is financial dependence of the female on the male. As male is the dominant member, he has freedom in all spheres of life and role of women is confined to the house. It results in financial dependence of women on men and she has to obey the order of the male voicelessly as he is the provider. This condition of financial dependence of women on men further strengthen his power of domination.

Another important reason for gender discrimination is the illiteracy. Illiteracy in the society encamp ages the criminal violence against women, including their smuggling, bondage labour, and lack of access to modern facilities. Especially in the rural areas, the women's disease are not treated or cured medically. Instead they are taken to the Pirs, Fakirs or spiritual healers who exploit them sexually or otherwise in the name of their so called spiritual treatment. The women suffer this because of their ignorance and blind faith in these fake healers.

Women in our society are purposefully kept ignorant. It is in the interest and favour of the men, because this act provides safety and satisfaction to men's right of domination. As there is no challenge to be faced by them, these prevailing conditions in the society are 100% in favour of men. Therefore never ever women are allowed to reach that level of mental development where she may be able to challenge his domination and authority which the men are always reluctant to give up. Other hindrances or barriers to the prevalence of low status of women include: a) feudal tribal social setup based on restricted mores, patriarchal system; b) traditions and customs based on backwardness, social attitude towards women based on gender discrimination; c) misinterpretation of Islam and Islamic Laws; d) atrocities towards women, large scale inequalities, discrimination, abuse and exploitation of women and double standards for women in all social classes; e) lack of education of women; f) lack of awareness of their rights; g) lack of Judicial Justice; h) humiliating behavior at governmental levels; i) women are made deprived of religiously sanctioned socio-economic or personal rights; j) women are kept away from the main stream of society. They are regretted and denied their rights to full fledged participation in society.

Given below are a few recommendations to help elevate the status of Pakistani women and deal with gender-based discriminations:

1. Government should adopt positive attitude towards women to upgrade their status.<sup>24</sup>
2. Large scale inequalities, discrimination abuse and exploitation of women should be eliminated.

3. Misinterpretation of Islamic laws should be avoided and discouraged.
4. Effort should be made at societal level to eliminate the gender discrimination in all social class.
5. Discriminatory laws should be abolished
6. At Governmental and Judicial level, anti discriminatory laws should be introduced.
7. Awareness campaign must be launched to highlight the emphasis laid by religion on respect to be shown to women in all their roles.
8. Efforts should be made to increase the literacy rate of women and to make them useful and successful citizen.
9. Awareness among women regarding their rights should be enhanced to get them united against discrimination and get their socio-economic and personal rights as sanctioned by the religion to them.
10. Women themselves should show the courage and moving spirit as they showed during Pakistan movement.
11. Organizations like APWA should be restructured to focus on the welfare of especially marginalized women of Pakistan.
12. Health Centres, schools and colleges and industrial homes should be to equip the women with skills and income generating opportunities for them.

## Conclusion

Social scenarios of the role and status of women in Pakistan is far from satisfactory. Over the years, this might have improved in certain areas, but not in all the areas. It is also not very satisfactory. Despite a number of gain made by women, attitude towards women and perceptions about their subservient role, position and limited ability persist.<sup>25</sup> Women should be brought into the main stream of society so that they may easily cope with the challenge of the fast moving global technological era. Desired results may be achieved by bringing changes to the mindset of social set up. It is the obligation of our society, judicial system and government to eliminate this continual discrimination of women from Pakistani norms.

## End Notes

<sup>1</sup> Hayat A. A, (2002) Women Victims of Social Evils Pakistan Inst, of Security Management. Karachi P.1

<sup>2</sup> Mahmood, S. & Shouakat, N. (1996) Constitution of the Islamic Republic of Pakistan. Legal Research Centre. Lahore.

<sup>3</sup> Human Rights Commission Pakistan (2003) State of Human Rights in 2003. HRCP, Lahore, P.227

<sup>4</sup> Universal Declaration of Human Rights, Article, 2

<sup>5</sup> CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) Article 2 (f)

<sup>6</sup> Violence Against Women in Pakistan (Alice Betten Court, Human Rights Advocacy Clinic-Litigation Report, Spring 2000. p.3.

<sup>7</sup> (a) Human Rights Commission of Pakistan Report (1999) State of Human Rights in 1999. HRCP. Lahore, P.171.

<sup>7</sup> (b) Ibid P. 173.

<sup>8</sup> State of Human Rights in 2003. OP. Cit P.232.

<sup>9</sup> Ibid P 232

<sup>10</sup> Pakistan Perspective, Vol.6, July-Dec 2001.

<sup>11</sup> State of Human Rights. 2003. P.232.

<sup>12</sup> Patel, Rashida (2004) Aurat Banam Mard: Pakistan mai Samaji-o-Qanooni Sinfi Adam Masawat. PAWLA, Karachi P. 118

<sup>13</sup> Ibid. p.118-119

<sup>14</sup> State of Human Rights in 2003. p.234.

<sup>15</sup> Hayat, A.A. OPCIT. p.16.

<sup>16</sup> Wiki Pedia: <http://em.wedipedia.org/wiki/vaniustom>

<sup>17</sup> Human Rights Commission of Pakistan (2001) State of Human Rights in 2001. HRCP. Lahore, p.213

<sup>18</sup> Ibid. p.213.

<sup>19</sup> Ibid. p.213.

<sup>20</sup> Rashida Patel. OPCIT. P.187.

<sup>21</sup> Wiki Pedia.

<sup>22</sup> Hiyat. A. A. OPCIT. p.17.



<sup>23</sup> Pakistan Commission Barai Insani Huqooq (2006) Pakistan Mai Insani Huqooq ki Soorat-e-Hal 2006 HRCF. Lahore, p. 275

<sup>24</sup> Ibid. p.275.

<sup>25</sup> Pakistan ALMANAC(2001-2002) p.215.

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