

MARRIAGE COMMISSION REPORT: A STEP TOWARDS FAMILY LAW'S REFORM IN PAKISTAN.

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ABSTRACT

The Report of the Marriage Commission was published in 1956, despite its drawbacks it resulted in the passage of the Muslim Family law's Ordinance, 1961 [1]. After a brief introduction the author analyzes the main recommendations of the Commission. The author also reviews the Ordinance to show which of the Commission's recommendations have been incorporated in it. Finally, the author concludes that despite the ulema's severe criticism the report proved a pivot for the Family laws Reform in Pakistan. This article is of interest to Pakistani students who might want to know the controversial outlook of the report.

INTRODUCTION

During the British period, reform in Muslim family law in the Indian sub-continent was nominal as compared to reforms in the Middle East. The reason was quite obvious:

"Unlike the rest of the Muslim world, where family law reform was carried out under Muslim auspices the reform in the sub-continent took place under British impetus" [2].

After the creation of Pakistan, the Pakistani women became very much concerned about their marital rights. The Pakistani women became very much concerned about their marital rights. The All Pakistan Women Association (APWA), a body formed to safeguard the rights of the Pakistani women, put pressure on government to embark upon reform in the Muslim family law. Initially in view of the opposition from the ulema, the government remained passive. However, it did accede to the women's demands after growing criti-