

Pakistan court takes up 'compensatory' marriages of minors

Islamabad - Pakistan's Supreme Court has warned legislators against running parallel judiciaries to settle disputes among warring families by contracting marriages of minor girls under tribal customs.

'Civil society will collapse if parallel judiciary is encouraged by legislators...', a three-member bench comprising Chief Justice Iftikhar Mohammad Chaudhry and Justices Abdul Hameed Dogar and Saiyed Ashhad observed.

The chief justice pulled up Mir Hazar Khan Bijarani, a Pakistan People's Party member of the National Assembly (MNA) from Jacobabad, Sindh, the Dawn newspaper said.

The chief justice asked Bijarani, who was present in court, to explain who vested him with the right to hold a jirga (a tribal court) in violation of the laws.

The complaint regarding the handing over of five minor girls to the victim's family as compensation for a murder in Jacobabad by a jirga presided over by Bijarani was also fixed for hearing.

'You cannot dictate judgments by imposing conditions. So much for the soft image of the country,' the chief justice said.

Sindh Advocate-General Anwar Mansoor Khan told the court that the chief minister had also taken notice of the incident and a first information report (FIR) had been lodged.

It is common for tribal chiefs and landlords, called vaderas in Sindh, to settle family disputes and deliver judgments at judiciary panchayats. The marriages of minor girls are contracted compensation under 'Vani' and 'Sawara' customs, which have been termed un-Islamic.

The apex court was jointly hearing different complaints and a petition of freelance anthropologist Samar Minallah against the custom of Sawara -- dispute settlement in which, instead of blood money, young girls of the offenders' family are given in marriage to the victim's family as a compensation for the crime committed by the men.

A number of tribal chiefs and officials were also hauled up before the court for settling disputes among tribal groups using minor girls' marriage and fine as punishment.

Bijarani told the court that he had no knowledge about the girls though he presided over the jirga on the intention to bring the two families together. The court did not accept this plea.

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