



RESEARCH PAPER

Redefining the Role of Women in Pakistan: Zardari's Effort to Empower Women through Constitutional Development

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ABSTRACT

The role of women in Pakistan has been a topic of discussion and debate for decades. The democratic government under president Asif Ali Zardari contributed his efforts to empower women in all sectors of life by introducing constitutional and political developments. The study examines the significant contributions of the Zardari government to empower women in Pakistan through constitutional and political development and also explains the effects of these initiatives on women's empowerment and protection in Pakistan. Since the independence, both democratic and military rulers have contributed their efforts to protect and empower women however, the Zardari government provides constitutional protection to women without any discrimination by introducing several laws. The 18th amendments offer massive opportunities for women for political participation and employment. The key sources of the study are published materials like books, articles, newspapers, and reports however preferences are given to authentic and reliable sources. The study finds out that the Zardari government introduced multiple initiatives to empower women in Pakistan, but faced several issues in the implementation of these acts. The study recommends more legal protection and societal awareness to empower women in the true sense.

Keywords: Constitutional Development, Political Development, Women Empowerment, Women's Rights

Introduction

Zardari government introduced several initiatives to empower women in the country. During his time, the government recognized the importance of women's participation in all spheres of life, including political, economic, and social domains. One of the most significant initiatives was the passage of the Protection Against Harassment of Women at Workplace Act in 2010, which aimed to provide a safe and conducive environment for women to work in. The act mandated that all organizations, both public and private, had to establish an internal committee to address complaints of harassment and abuse against women in the workplace. Another notable initiative was the Benazir Income Support Program (BISP), which was launched in 2008 to provide financial assistance to low-income families, with a particular focus on women (Bushra & Wajiha, 2015; Choudhry, Abdul Mutalib, & Ismail, 2019). Through this program, women were able to receive financial aid to support themselves and their families, enabling them to become financially independent and secure.

Furthermore, the Zardari government established the National Commission on the Status of Women, which was tasked with promoting women's rights and gender equality in Pakistan. The commission was responsible for monitoring the implementation of policies

related to women's empowerment, advocating for gender-sensitive legislation, and conducting research on issues related to women's rights. On the whole, the Zardari era saw several positive steps being taken towards women's empowerment in Pakistan, particularly in the areas of workplace harassment, financial assistance, and gender equality advocacy (Muhammad, Bano, Muhammad, & Baig, 2021). However, it is important to note that much work remains to be done in this area, and women in Pakistan continue to face significant challenges in accessing education, healthcare, and economic opportunities. Asif Ali Zardari, introduced several legislations to protect and empower women in Pakistan.

The Criminal Law Amendment Act, 2010

Pakistani women's rights were advanced by this statute. Women who wish to work or volunteer confront various challenges. If women left their homes, this group would harass and block them. This law was created by Sherry Rehman. Sexual harassment became a crime under this law. In 1862's PPC, this statute was not criminal. Women's dignity is protected under this bill. Women's and civil society activists supported this bill. They consider this bill the first to protect women from sexual harassment in the country. In public and private, women should feel safe. Thus this was a first step toward women's safety. When this legislation was passed, women need a safe workplace where they can work to their full potential for their good and the country. The measure was also drafted by AASHA. Since sexual harassment is an everyday issue for Pakistani women, this law defined it. With the harassing clause, this act applies. Public transit, marketplaces, parks, streets, and private domains like workplaces, private meetings, and houses are where these activities can occur, according to the legislation (Yaseen, Iqbal, & Rafique, 2019).

This offense should likewise be non-bailable, according to women advocates. Some women activists defined this phrase after this act. Harassment of women at work or in public areas is a big issue because if women are harassed, they won't come out and won't achieve their economic rights or feel safe. Men and women are equal under Pakistan's constitution. So, this law safeguards working women. The 2006 incident was when a Sindh Provincial Assembly member was suspended by the speaker after a female member complained about his writing messages to her. Female worker harassment is common in Pakistan.

Protection against Harassment of Women at the Workplace Act 2010

Protecting Women from Harassment Act was approved by the Senate on January 21. The purpose of this law was to require all registered organizations to have a policy against sexual harassment as part of their code of conduct. This statute provided a thorough explanation of sexual harassment and related concepts. According to this legislation, every group must establish a committee with at least three people, one of whom must be a woman. Reports of sexual harassment will be collected by this panel. Sexual harassment is defined in the Act 2010 as "Any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment". This legislation mandated that all organizations establish both a code of conduct and a permanent committee to handle such matters. If the committee investigating the sexual harassment allegation is unable to identify the harasser and bring them to justice, the victim may file a complaint with the ombudsman. The code of behavior for the prevention of sexual harassment in the workplace is referenced in items 2 and I of schedule 2. For those who find it challenging to grasp the complexities of the law, we provide this code of behavior. To promote a safe and welcoming workplace free from intimidation and harassment, this code establishes standards of conduct for all members of the organization, from management to proprietors (Adil, 2021).

The primary goal of this legislation is to guarantee that women can live free from intimidation and the threat of violence. The Act primarily focused on two key issues concerning women: the freedom to work and the right to be treated with respect. For the first time, harassment is now a punishable offense in Pakistan thanks to this legislation. This is a major step forward. Harassment of women is a pervasive problem in Pakistan, where it occurs on the streets, in homes, in schools, and in the workplace. Because of the harassment, women felt unsafe in the workplace and were unable to perform to the best of their abilities. It is the primary barrier to women's advancement in the workplace. The hope is that by enacting this law, citizens will feel more secure in their ability to take charge of their financial futures through gainful employment. Women's empowerment encompasses a wide range of issues, but one of the most important is economic independence (Bibi, 2015). The government's dedication to empowering women on a global scale is reflected in this statute. To that end, this legislation declared all forms of discrimination against women to be illegal and mandated their elimination. Women would feel empowered by this rule, knowing that they are no longer subject to discrimination and that they may take action to better their lives without worrying about being subjected to whistles, leers, or other unwanted comments from strangers. They have the option of filing formal complaints against the offender in question.

The Prevention of Anti-Women Practices (2011)

On December 23, 2011, the Senate unanimously approved the bill. After three years, Pakistan Muslim League legislator Doniya Aziz introduced the measure. Depriving a woman of her inheritance dishonestly and permitting teenage girls to adjudicate civil or criminal disputes in badl-e-sulha were banned by the law. According to the Quran, to force women to marry. Prohibition against denying women property inheritance. "Forced marriages are banned under Section 498B. Forced marriage carries a minimum three-year prison sentence and a maximum fine of half a million rupees. Article 498C, which outlaws marriage in line with the Holy Quran, entails a minimum three-year prison penalty and a five-million rupee fine. Several Pakistani traditions are inhumane. All human rights are violated by these practices. This law seeks to end these cruelties. Islam is the religion of justice in social, economic, political, and religious equality. New laws in the Quran elevated women. Humans created standards that degraded women. Male family members limit women's rights in rural and feudal Pakistan (Shahid, 2012).

In some sections of the country, women are especially vulnerable to subjugation and other forms of anti-women discrimination. Male society members take use of their religious and government privileges. Conflicts are resolved by using women as property. Women's autonomy and life are violated when they arbitrate disagreements. In tribal regions, Badl-e-Sulha, Wannu, and Sawara cultures resolve disputes by marrying minors, while Jirga culture in feudal zones awards minors in marriage. A young girl is traded for blood by warring relatives. This habit is called Ijaee in Balochistan and is practiced in several Pakistani areas. Wannu in Punjab, Sawara in Khyber Pakhtunkhwa, and Sang-Chatti in Sindh are Pakistani languages. It's a gross violation of Islamic and human rights and the worst type of women's violence. This bill was passed by human rights campaigners, particularly women's rights advocates. Rural and tribal women's equality won a huge win. Without access to their inherited property, women could never be financially independent (Sheikh, 2012). The male heirs marry Quran-believing women to safeguard the family inheritance. Because it would ban them from marrying, this would violate their rights.

Acid Control and Acid Crime Prevention Act 2011

The use of acid is a form of violence against women in Pakistan. Women's worst crime. It is a serious crime that can happen anywhere. This crime is primarily done by ex-husbands resentful of their wives' beauty and by boys who send proposals to girls and are refused. This is a vengeful crime. Pakistani government and human rights activists

repeatedly condemned this violence. When the situation in Pakistan worsened, the government passed the Acid Control and Acid Crime Prevention Act 2010 to address this crime. A million dollars in fines and 14 life sentences in jail were proposed under this statute. Pakistani society allowed these atrocities as there was no regulation. Since this crime was flourishing thanks to open market sales, the primary purpose of this statute was to limit acid manufacturing, import, and sale. Acid attacks on women are something this bill aims to stop. Those who "cause hurt by dangerous means or substance" are defined in new sections 336 A and 336 B as those who use "fire or by any heated substance" or "poison" or "corrosive substance" or "acid" or "explosive or arsenic substance" or "substance which is deleterious to the human body to come into contact with, to inhale," "swallow," or "receive" into the body. Whoever causes damage by coercive substance shall be punished with life imprisonment of either description which shall not be less than fourteen years and a minimum fine of Rs one million, as stated in Section 336-B of the amendment (Bhattacharya, 2014).

Pakistan is plagued by acid attacks on women. The rules for producing and using certain substances were strengthened by this statute. The National Assembly voted unanimously in favor of the Acid Control and Acid Crime Prevention Legislation in 2010. Lawmaker Bushra Gohar of the Awami National Party proposed it. Every single lawmaker in the legislature voted in favor of this one. The law was signed by President Asif Ali Zardari on December 22. "Criminal-minded folks are consistently utilizing acid as a destructive and catastrophic deed against the woman," Pakistan Muslim League MNA Marvi Memon declared in the House. As a result of this legislation, it will be illegal to intentionally injure, deface, or disfigure a woman by hurling acid or another forceful material at her. Since this was the first time no senator opposed the bill, its sponsor, Senator Neelofer Bakhtiar, expressed gratitude to her colleagues for their support when she introduced it in the Senate. The number of acid attacks reported to the Acid Survivors Foundation (ASF) rose to 48 in 2009 from 33 in 2007. In Pakistan, ladies will be safe under this new law. Criminals are aware that this legislation was passed to prevent them from committing such atrocities. Now people will understand that selling acids is regulated and supervised and that those who commit acid attacks will be punished (Shah). Now that the sale and purchase of acid are illegal, the police and implementation authorities must keep an eye on the market. Aurat Foundation, a women's rights organization, reported nearly 8,000 assaults in 2011; 44 of these were acid attacks despite these regulations (Weiss, 2014).

The Women in Distress and Detention Fund (2011)

Like with the last bill, this one would provide legal representation and financial aid to the many disturbed women currently confined in correctional facilities across the country.

The upper house of parliament approved this bill on December 13, 2011, making it law. To alter the Women in Distress and Detention Fund Act of 1996, this bill was signed into law. The amendment was proposed in the House by Syed Nayyer Hussain Bokhari. Women in need who were detained previously had access to a fund managed by the Human Rights division of the Ministry of Law, Justice, and Human Rights. It all started in 1996 with this particular fund. Nonetheless, the Ministry of Human Rights was established as a separate entity as a direct result of the 18th Constitutional Amendment becoming law. We've come a long way since the last ministry (Mirza, 2011). The newly formed Ministry of Human Rights also benefited financially from the reorganization of funds.

To implement this policy, on April 18th, 2010, the President of Pakistan signed an ordinance into law. The legislation's declared goal is to ensure the Ministry of Human Rights is responsible for addressing the special needs of women in times of crisis or incarceration, such as providing them with legal representation and financial help. The Pakistani president put his signature on the decree. There is now a law in place to put this cash to work under

the new ministry's watchful eye (Sattar & Alizai, 2019). The Ministry of Human Rights has the authority to determine the appropriate use of these monies under a provision of a new law enacted in 2011. The funds are distributed as follows: (1) to women who are incarcerated because of a legal matter (whether they are awaiting trial or have been convicted); (2) to women who are incarcerated because of extreme poverty (because they need medical care, a place to stay with their children, or both); (3) to women who require the assistance of a legal representative. The government took this approach to help women so that they wouldn't have to deal with any potential roadblocks on the road to recovery and independence.

Domestic Violence (Prevention and Protection) Act, 2012

The House of Representatives passed this bill in 2009, but the Senate did not take any action on it within the allotted three months. Because of the 18th amendment, provincial legislatures are now responsible for creating new laws. The 2012 Domestic Violence Prevention and Protection Act was enacted by the Senate with 100% support on February 20. The most advanced law in Pakistan concerning domestic violence protects women. In Pakistan, women are considered property, and domestic violence is sanctioned by the law. The issue of violence within the home persisted. As a result of these occurrences, domestic violence is now a punishable offense. This bill was introduced in the Senate by Nilofar Bakhtiar. Although the National Assembly approved this law in 2009, the Senate has yet to ratify it. This legislation was carefully developed to protect women from violence in the home. With the passage of this new legislation, victims no longer need to file a police report before seeking justice. According to this law, "any intentional acts of gender-based or other physical or psychological abuse" done by an accused against women, children, or other vulnerable persons with whom the accused is currently or was formerly in a domestic relationship constitute domestic violence (Shahid, 2018)

The law's broad definition of domestic violence includes protections for children and other vulnerable populations. In the preface, it is stated that males make up the vast majority of domestic abusers. The Act's preamble makes clear that safeguarding young women and girls is a top priority. An action seeking relief under this Act may be filed with the court, and a first hearing date will be set within seven days of the filing. To resolve a complaint, allow 90 days. Damage awards for victims of domestic violence are made possible by this Act. If the respondent violates the restraining order, he or she would be subject to a fine of Rs 100,000 and six months in prison. Those convicted of a double violation face a maximum of four years in jail and a fine of \$200,000. It wasn't until the passage of the Domestic Violence Act that the issue of domestic violence received widespread media attention. The passage of this law was in response to a national push to increase the status of women. laws that take preventative measures against domestic violence (Pakeeza, 2015). The government provided an answer to the treaty that bans discrimination based on a person's gender.

National Commission on the Status of Women Act, 2012

On February 2nd, the Senate of Pakistan enacted the National Commission on the Status of Women Act with an overwhelmingly positive vote. A commission is created by this law to keep tabs on women's rights around the country and report on any violations that come to light. In addition, the committee will make sure that women are paid the same as men for doing the same jobs. This new act established a separate secretariat for the old Commission in addition to providing it with considerable protections, such as unfettered autonomy over its operations and spending. The legislation was passed to ensure that women in Pakistan enjoy all of the constitutionally guaranteed civil, political, and economic rights. Pakistan has pledged to uphold the CEDAW's articles, therefore this legislation is an attempt to make good on that promise. The Commission established by this Act will be empowered to advocate for women's rights in a wide range of policy arenas, including the

courts, legislature, and the social sector. The major responsibility of the Commission was to propose laws and programs to better the lives of women in Pakistan. The Commission is constituted, with a chair and members appointed, with their terms of office specified, with a secretariat set up, with a description of the Commission's functions and powers, with funding allocated, and with an annual report required (Khan, 2021).

Since March 8 is celebrated annually as International Women's Day, this bill's official signing was scheduled for that day. President Asif Ali Zardari of Pakistan has stated publicly that he believes the newly constituted position at the Commission will play a crucial role in the defense of women's rights. For the sake of monitoring and protecting women's rights and having a positive effect for positive change in legislation and policy, the President has pledged to ensure that the Commission operates as a completely independent and autonomous organization.

The Commission will look into violations of women's rights, acquire relevant data, and keep tabs on the government's international obligations in this area. The Commission's purview also extends to keeping an eye on developments on foreign shores. The role of the chairperson has evolved as a result of the new law. As a result of this promotion, the chairman will now report directly to the cabinet and will have the same level of responsibility as a state minister. At least one woman and two men from each minority group and each region; two men from each province; one man from the Federally Administered Tribal Areas; one man from Azad Jammu and Kashmir; one man from Gilgit Baltistan; and one man from Islamabad. The primary focus of the Commission's work will be reviewing federal projects with the goals of promoting gender equity and empowering women (Bhattacharya, 2014). The Commission must also evaluate the efficacy of its policies in meeting its objectives. After reviewing all legislation, rules, and regulations that affect women's rights and status, the Commission will offer appropriate recommendations.

The Commission will work to achieve gender parity, advocate for women's rights, and protect their interests, and it will also provide suggestions for changing or eliminating discriminatory laws. To better understand the challenges women confront, the Commission will fund research to build and maintain a database in collaboration with non-governmental organizations. The committee will also visit prisons frequently to look into any allegations of mistreatment of female inmates. Pakistan's Prime Minister has the final say on who would head the committee. Khawar Mumtaz, the creator of the Women's Action Forum and renowned feminist activist, has been appointed as the commission's chair. She spent her whole life fighting for women's rights in Pakistan, hoping for a future where they would be treated equally and have complete freedom of choice.

Benazir Income Support Program (BISP)

The BISP is a flagship social welfare program in Pakistan launched in July 2008 by the government of Pakistan People's Party led by former President Asif Ali Zardari. The program is named BISP to honor the late Chairperson of PPP, Benazir Bhutto in recognition of her lifelong commitment to alleviating poverty and improving the lives of the marginalized and underprivileged sections of society. The BISP is Pakistan's largest social protection program, aimed at providing cash transfers to the poorest families to help them meet their basic needs and promote their welfare. The primary objective of the BISP is to provide financial assistance to the most vulnerable segments of society, particularly women, who are often the primary caretakers of their families. The program aims to enable these women to access necessities such as food, healthcare, education, and clothing, as well as to promote their economic empowerment by giving them the resources to start small businesses or invest in education or training (Cheema et al., 2014).

Under the BISP, eligible families receive a monthly cash transfer of Rs. 2,000 (\$12) to Rs. 6,000 (\$36), depending on their income and household size. The program uses a

targeting system based on the National Socioeconomic Registry, which identifies the poorest households in the country. The program currently covers more than 5.7 million families across Pakistan, representing over 34 million people. The BISP has been instrumental in reducing poverty and improving the welfare of the poorest households in Pakistan (Ijaz, 2021). The program has helped to improve the health and nutrition status of families by increasing their access to food and healthcare. It has also enabled children to attend school by providing families with the financial resources needed to cover school fees and related expenses. In addition, the program has provided women with the resources to start small businesses or invest in education and training, thereby promoting their economic empowerment and enabling them to become more self-reliant (Farooq, 2014).

One of the most significant impacts of the BISP has been its role in empowering women in Pakistan. The program is designed to provide cash transfers directly to women, who are often the most vulnerable members of society. By providing them with financial assistance, the BISP has enabled women to become more economically empowered and independent and to participate more actively in decision-making processes both within their families and in their communities. Moreover, the BISP has helped to challenge traditional gender roles and stereotypes in Pakistan, where women are often seen as dependent on men and relegated to domestic roles. By providing women with the financial resources to start their own businesses or invest in education and training, the BISP has helped to promote gender equality and women's economic empowerment (Ijaz, 2021).

Despite its many successes, the BISP faces several challenges, including limited resources, inadequate administrative capacity, and issues with targeting and distribution. In addition, the program has been criticized for not doing enough to address the root causes of poverty, such as inadequate access to education, healthcare, and employment opportunities. Despite these challenges, the BISP remains a critical lifeline for millions of families in Pakistan. The program has been successful in reducing poverty, promoting women's empowerment, and improving the welfare of the most vulnerable members of society. Going forward, it will be important to continue to invest in the program and address the challenges it faces to ensure that it can continue to play a key role in promoting social welfare and economic empowerment in Pakistan (Waqas & Torre, 2020).

Conclusion

President Asif Ali Zardari's efforts to empower women through constitutional development in Pakistan were significant steps toward achieving gender equality. During his presidency, Zardari introduced several constitutional reforms to increase women's representation in elected bodies and ensure their participation in decision-making processes. One of the most significant constitutional reforms introduced by Zardari's government was the 18th Amendment to the Constitution. This amendment devolved power to the provinces, enhancing the representation of women in elected bodies. It also increased the number of reserved seats for women in national and provincial assemblies, ensuring women had a voice in decision-making. This move was a significant step toward promoting gender equality in Pakistan's political system. Another essential constitutional development introduced by Zardari's government was the passage of the Women's Protection Bill. This legislation provided legal protection to women against various forms of violence, including domestic abuse, harassment, and discrimination. The bill also criminalized several practices that discriminated against women, including forced marriages and the denial of inheritance rights. This legislation was essential to ensuring that women had legal protections against discrimination and violence.

These constitutional developments' impact on women's status in Pakistan has been mixed. While they have provided women with increased representation in elected bodies and legal protection against discrimination and violence, gender inequality remains a significant issue in the country. Women in Pakistan continue to face substantial challenges

in accessing education, healthcare, and employment opportunities. Cultural and social norms and economic and political barriers limit women's ability to participate fully in society. Despite the challenges, Zardari's efforts to empower women through constitutional development represent an essential step towards achieving gender equality in Pakistan. These constitutional reforms have provided a framework for change and have laid the groundwork for future efforts to promote gender equality. These efforts must continue, and broader societal changes must be made to address gender inequality in Pakistan fully.

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