

**RESEARCH PAPER****Women's Rights Laws in Pakistan: Challenges and Solutions****¹Abdul Qayyum Gondal* and ²Prof. Dr. Zulkarnan Hatta**

1. Ph.D. Researcher, Social Sciences and Humanities, Lincoln University College, Kuala Lumpur, Malaysia
2. Dean. Faculty of Social Sciences and Humanities, Lincoln University College Kuala Lumpur, Malaysia

Corresponding Author

Qayyum.gondal@gmail.com

ABSTRACT

Women's rights in Pakistan have been a focal point of national and international discourse for decades. Despite significant legislative advancements, including the Protection of Women against Violence Act (2016) and the Anti-Rape Ordinance (2020), Pakistani women continue to face substantial barriers to equality and justice. Main objective of this research is to explore the state of women's rights laws in Pakistan, focusing on the challenges and potential solutions for improving gender equality and protection for women. Its historical review analyzes the intersection of national legislation and international human rights norms, highlighting persistent challenges faced by women. This study employs a qualitative research design to explore the challenges and solutions related to women's rights laws in Pakistan. The research involve a combination of primary and secondary data collection methods to provide a comprehensive understanding of the subject. Semi-structured interviews with stakeholders, such as lawmakers, solicitors, and schematic survey of society norms provide a broad results of women rights laws in Pakistan. Results analysis show Key challenges like cultural and societal norms, inadequate implementation and enforcement of laws, and limited awareness and education regarding women's rights. Furthermore, it proposes solutions to enhance the impact of women's rights laws in Pakistan. By addressing these issues, Pakistan can move towards a more equitable society where women's rights are fully realized and protected.

Keywords: Gender Equality, Domestic Violence, Anti Discrimination, Sexual Violence, Women's Right, Harassment

Introduction

Women's rights in Pakistan have been a focal point of national and international discourse for decades. Despite the country's rich cultural heritage and significant contributions by women in various fields, gender inequality remains a pervasive issue. Over the years, Pakistan has enacted several laws aimed at safeguarding women's rights and addressing gender-based violence and discrimination. Notable among these are the Protection of Women against Violence Act (2016), the Anti-Rape (Investigation and Trial) Ordinance (2020), and the Protection against Harassment of Women at the Workplace Act (2010). These laws represent crucial steps toward establishing a legal framework that supports gender equality and protects women from violence and discrimination (Government of Pakistan, 2023).

Returning to the historical context reveals that women's rights were a concern even in earlier periods. The Protection of Women Act, the Hindu Marriage Act, and the Anti-Harassment Act are the laws that now regulate women (Kaifa, et. al., 2024). The Convention on the Elimination of All Forms of Discrimination (CEDAW), the Beijing Declaration of 2000, the establishment of the Women's Action Forum in 1981, and women's suffrage in 1947 are notable turning events in the history of women's rights (World Bank, 2022).

However, the implementation of these laws faces numerous challenges that hinder their effectiveness. Deep-rooted cultural and societal norms often perpetuate patriarchal attitudes and behaviors, which undermine legal protections. Additionally, the lack of adequate enforcement mechanisms, coupled with insufficient awareness and education about women's rights, further exacerbates the problem. Many women in Pakistan, particularly in rural areas, remain unaware of their legal rights and continue to suffer from various forms of violence and discrimination (Human Rights Watch, 2023).

Due to a number of issues, such as cultural norms, patriarchal social structures, ignorance, inadequate training, corruption, and the ineptitude of police and judicial officials, the country finds it difficult to implement laws protecting women's rights. Pakistan's judicial system is also failing to increase the conviction rate. (Muzaffar, et. al., 2018). The argument put out by opponents is that there is insufficient funding, political will to take action, and transparent institutions or comprehensive strategies for carrying out policies.

The research highlights the role of legal structures in safeguarding women's rights and promoting their actualization. It suggests that increased female workforce participation leads to higher economic growth. The aim is to bridge the gap between Pakistan's legislative framework and practical solutions for women's rights, ensuring they can fully enjoy their rights and contribute meaningfully to society. Governments are working on programs like awareness campaigns, capacity development, legislative changes, and cultural and social changes.

Pakistan's legislative environment for women's rights is identifying gaps in enforcement and identifying reasons for poor implementation. The extensive legal system designed to safeguard women's rights has failed to achieve its intended effect since 1947. The country's conviction rate consistently falls below 3% due to the criminal justice system's failure to uphold the law (Aziz et al., 2024).

Pakistan faces challenges in implementing women's rights laws due to poor political will, lax enforcement, societal norms, and inadequate information. To address these issues, Pakistan should examine its legal framework, eliminate loopholes, harmonize laws, improve implementation, raise public awareness, update the legal system, ban marital rape, pass online harassment legislation, strengthen economic empowerment, and develop a comprehensive action plan (Usman, 2018)

Pakistan's women's rights are characterized by insufficient legal protections, deep-rooted patriarchal norms, lack of economic empowerment, underrepresentation in political institutions, and inadequate healthcare services. These flaws include insufficient legal protections for gender-based violence, deep-rooted patriarchal norms, lack of economic participation, political representation, and limited access to healthcare, particularly in rural areas. These issues hinder women's ability to escape abusive situations and assert their rights.

Moreover, Pakistan's legislative development for women's rights is highlighting social norms, lax enforcement, and discriminatory laws. It highlights barriers like destructive practices and conservative opposition. The research highlights gaps in literature and the need for a deeper understanding of women's experiences in marginalized communities. Pakistan must confront these issues and create sensitive solutions for meaningful improvements for women, meeting its constitutional and international duties (Rubab et al., 2023).

In addition, Pakistan needs to review existing legislation, close legal loopholes, harmonize federal and local laws, improve implementation, raise public awareness, update the legal system, ban marital rape, enact online harassment legislation, strengthen economic empowerment provisions, and develop a comprehensive action plan. However, political

unrest, uncertainty, and deteriorating social and economic conditions hinder progress (Zubair et al., 2023).

Hence, Pakistan's provinces have not all embraced the Domestic Violence (Prevention and Protection) Act, indicating a lack of seriousness in enforcing these laws. This lack of attention also leaves gaps in protection, including discriminatory hiring practices, income disparities, limited access to education and vocational training, and limited healthcare services in rural areas.

This study emphasizes the significance of swiftly enacting new laws in accordance with international norms and rapidly reforming current legislation. This research, in contrast to other works, emphasizes the necessity of enforcing laws on an emergency basis in order to move the nation toward the status of civilized nation,

Literature Review

The struggle for women's rights in Pakistan has a complex history, with early progress made in the 1950s through the 1956 Constitution and the Muslim Family Laws Ordinance of 1961. These advancements were, however, suppressed by military governments and the Zia-ul-Haq dictatorship (1977–1988), which resulted in regulations that discriminated against certain groups, such as the Hudood Ordinances. The legal position of women in Pakistan continues to be a significant obstacle despite more laws, several modifications, and the acceptance of international treaties like CEDAW and the Beijing Declaration, etc.

Ahmad & Bhatti (2023) studied Pakistan several laws and bills aimed at combating violence against women and ensuring their safety and autonomy. However, effective implementation and enforcement of these laws remain hindered by political intrigues, patriarchal mindsets, corruption, and hidden internal and external players. The legislative apparatus is ill-equipped to efficiently carry out and uphold these laws, as the creation of institutions and distribution of funds have been hindered by political scheming, patriarchal mindsets, corruption, and the influence of hidden internal and external players.

Pakistan, a signatory to international conventions like CEDAW, is committed to upholding women's rights and non-discrimination, but its failure to fulfill these commitments is attributed to significant gaps in compliance and enforcement (Malik & Azam, 2023).

Pakistan's women's rights laws face challenges due to cultural norms, patriarchal structures, low literacy rates, and limited information access. Traditional practices prioritize legal provisions, leading to discrimination and exploitation. Inefficient judicial and law enforcement systems, political insufficiency, and lack of gender sensitivity hinder effective implementation. Solutions include strengthening the legal framework, enhancing political commitment, promoting awareness, and learning from developed countries. Powerful international organizations and establishments are needed to enforce women protection and financial empowerment laws in Pakistan.

Asghar and Hussain, (2022) literature review highlights the challenges in implementing women's rights in Pakistan, despite legislative advancements. It suggests a multifaceted approach involving legal reforms, political commitment, education, and cultural change. Pakistan can make significant progress by bridging the gap between the law and its spirit. Challenges include cultural norms, patriarchal structures, low literacy, and limited information access. To address these, Pakistan is exploring legal reforms, including strengthening existing laws, expanding scope, clarifying language, introducing new legislation, streamlining procedures, establishing fast-track courts, and utilizing technology.

Material and Methods

The research paper "Women's Rights Laws in Pakistan: Challenges and Solutions" employs a qualitative research design, combining primary and secondary data collection methods. An extensive literature review of academic articles, legal documents, government reports, and NGO publications provides the theoretical framework and historical context. Document analysis includes examining the Constitution of Pakistan, statutes, amendments, case law, and human rights reports. Semi-structured interviews with legal experts, women's rights activists, policymakers, and affected women, selected through purposive sampling, offer in-depth insights. Additionally, focus group discussions with diverse groups of women explore their perceptions and experiences regarding women's rights laws. Data is analyzed using thematic analysis to identify recurring themes and patterns, and comparative analysis to draw parallels with similar socio-cultural contexts. Triangulation ensures reliability by cross-verifying data from multiple sources. Ethical considerations include obtaining informed consent, ensuring confidentiality, and adhering to guidelines for research with human subjects. Limitations such as sample size and regional bias are acknowledged. The study aims to provide evidence-based recommendations and suggest areas for future research to address women's rights challenges in Pakistan.

Result and Discussion

This study employed a qualitative research design to explore the challenges and solutions related to women's rights laws in Pakistan. Combination of primary and secondary data collection methods provided a comprehensive understanding of the subject. Semi-structured interviews with stakeholders, such as lawmakers, solicitors, and schematic survey of society norms resulted a broad analysis of women rights laws in Pakistan.

Gender inequality in Pakistan is a complex issue influenced by historical, social, and cultural factors. To achieve lasting progress, long-term, multi-pronged approaches are needed, involving collaboration among stakeholders. Recognizing women's experiences is crucial for inclusive solutions. Pakistan's societal norms, patriarchal family structures, and gender stereotypes hinder the enforcement of women's protection laws. Public awareness campaigns and educational initiatives are needed to build social support for enforcing these laws (Asian Development Bank, 2022).

Pakistan needs to implement legal reforms to protect women's rights, including strengthening existing laws, addressing workplace harassment, establishing quotas for women's representation, and promoting equal pay. This can be achieved through streamlined procedures, increased accessibility to legal aid services, and public awareness campaigns. Training for legal professionals, increased funding for women's legal aid organizations, and the development of specialized units are also recommended.

Empowering women through strategies such as expanding girls' access to quality education, providing targeted skills development programs, and promoting microfinance initiatives is also crucial. Funding and resource mobilization can be increased to support women's rights organizations, challenge discriminatory cultural norms, engage men as allies, and monitor progress toward women's empowerment. Implementing proposed solutions with commitment, collaboration, and a long-term vision can pave the way for significant progress toward achieving gender equality in Pakistan (World Bank, 2020).

Pakistan faces significant research gaps in women's rights, including understanding marginalized women's experiences, assessing program effectiveness, exploring technology and innovation, analyzing media's role in promoting gender equality, and assessing long-term impact. Limited research is needed to develop targeted interventions, evaluate existing programs, and understand media's role in promoting women's rights. Longitudinal studies are also needed to assess the long-term impact of interventions on societal norms and

sustainability. Addressing these research gaps can help Pakistan refine its approach to promoting and protecting women's rights (Jamali et al., 2023).

Pakistan can improve women's legal rights by adopting a culturally sensitive approach, empowering them through technology and communication, enhancing law enforcement, and addressing gender-based violence, harassment, and discrimination. This can be achieved by understanding the context, consulting stakeholders, aligning with existing legal frameworks, promoting gradual change, and engaging male allies. Drawing lessons from South Korea, Pakistan can focus on economic empowerment, shifting cultural narratives, and long-term commitment. Investing in educational and economic empowerment programs can enhance women's agency and rights.

Pakistan and South Korea can use technology to empower women, improve access to legal resources, and enhance the justice system's efficiency in addressing women's rights violations. Digital literacy programs, online platforms, and mobile money and microfinance programs can bridge the digital divide. Collaboration between government, NGOs, tech companies, and women's rights organizations is crucial. Pakistan lacks a centralized law enforcement research database, but various entities contribute valuable research and data.

Pakistan is addressing gender-based violence, online crime, and low conviction rates by updating laws, strengthening legal frameworks, and harmonizing them. Stakeholders are leading efforts through policy changes, resource allocation, capacity-building initiatives, and cultural shifts. The government is enhancing women's rights enforcement through comprehensive laws, policy integration, capacity building, awareness campaigns, community engagement, data collection, research, and collaboration with civil society and international bodies.

The proposed solutions to women's rights in Pakistan can enhance awareness, improve access to justice, and change societal attitudes. Public awareness campaigns, legal professional training, and educational initiatives can empower women to claim entitlements and challenge discriminatory practices. Legal reforms, streamlining procedures, and enhancing women's legal aid organizations can strengthen existing laws, provide protection against discrimination, and make the legal system more accessible.

Conclusion

The study on "Women's Rights Laws in Pakistan: Challenges and Solutions" reveals that while significant legal frameworks exist to protect women's rights, their implementation is hindered by socio-cultural barriers, inadequate enforcement mechanisms, and lack of awareness among women about their rights. The research highlights the need for comprehensive reforms that include strengthening the legal system, enhancing education and awareness programs, and promoting cultural shifts towards gender equality. Qualitative methods and semi-structured interviews are used to explore cultural norms, patriarchal structures, lack of awareness, and flaws in the legal system that hinder the effective application of women's rights laws. Despite the historical and legal development of women's rights in Pakistan, significant deficiencies persist, particularly in tribal regions, Baluchistan, KPK, rural areas of Sindh, and southern Punjab. Interviews and focus group discussions indicate that empowering women through legal literacy and providing accessible legal aid are crucial steps. Comparative analysis suggests that adopting best practices from other countries with similar socio-cultural contexts can offer valuable insights. Ultimately, the study underscores the importance of a multi-faceted approach, involving policymakers, legal practitioners, and civil society, to effectively address the challenges and advance women's rights in Pakistan.

Recommendations

To improve Pakistan's execution of women's rights, the study suggests a number of legislative changes. Creating specialized institutions, updating laws, fortifying the legal system, and enhancing communication between civil society organizations and the executive branch are a few of these. It's critical to address structural barriers including patriarchal social institutions and cultural norms. Women, particularly those living in impoverished communities, must have access to legal information and justice. Gender-responsive policy and sufficient financial assistance are also essential.

Recommendations include strengthening enforcement mechanisms, increasing public awareness campaigns, promoting women's education and economic empowerment, and fostering collaboration between governmental and non-governmental organizations. By addressing these issues, Pakistan can move towards a more equitable society where women's rights are fully realized and protected.

Pakistan should adopt best practices, such as the rule of law, high conviction rates, increased education, economic independence, and women's empowerment, and learn from industrialized nations in order to overcome obstacles and improve its laws on women's rights and their effective implementation.

The research is essential for Pakistan's women's rights legislation, focusing on gender-based violence and child abuse. Despite legal reforms, issues like the digital divide, cultural hurdles, and insufficient law enforcement training persist. Solutions include cultural awareness, improved training for judges and law enforcement, technology empowerment, and closing the digital gap.

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