[231-243]



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RESEARCH PAPER

An Analysis of the Role of Law in Women Empowerment in Pakistan (2001-2018)

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ABSTRACT

This research article investigates the complicated landscape of woman empowerment in Pakistan, focusing on the legal aspects that have shaped its route from 2001 to 2018. Through an analysis of the legal frameworks over legislation and policy and their actual impact, the study seeks to identify the ways in which laws have helped to improve women's position and power in society. Covering a period of significant sociopolitical shifts, the article reflects on important legislative developments through a discussion of several amendments to the Pakistan Penal Code and the Family Laws Ordinance to curb gender-based violence and discriminatory practices. It also explores how recognition of the Women's Protection Act of 2006 and the creation of gender-sensitive forums, including family courts and women's crisis centers assist women in accessing justice. Based on a literature and official documents the article provides important insights into Pakistani women empowerment in its current and changing dynamics.

Keywords:

Constitutional Development, Legal Implications, Legal Framework, Legal Reforms, Gender Equality, Women Empowerment

Introduction

Since its origin Pakistani political and military rulers have been endeavoring to empower women by using different schemes. In those schemes, the legal actions implemented by military leader Pervez Musharraf, Pakistan People's Party chief Asif Ali Zardari, and PML (N) Chief Nawaz Sharif are of crucial terms in Pakistan's legal viewpoint. The empowerment of women in Pakistan has been a matter of significant importance that led various governments to implement legal reforms and measures intended to tackle gender inequalities and advance women's rights. Throughout the tenures of Pervez Musharraf, Asif Ali Zardari, and Nawaz Sharif, notable progress was achieved in this area, although the effectiveness and obstacles encountered varied.

Legal reforms targeted toward women's empowerment were introduced during the rule of Pervez Musharraf. Important moments in women's empowerment include the Women's Protection Act of 2006, an act of historical significance that made criminal provisions against women, mainly in the domestic sphere. Though an important development in terms of women's safety and security, the successful implementation of this legislation has had to contend with cultural norms and ignorance. The Musharraf government introduced changes to Hudood Ordinances and set up family courts to eliminate discriminatory practices. These reforms expedited legal proceedings and promoted women's access to justice in matters such as marriage, divorce, and inheritance. Enforcement challenges and patriarchal mindsets were among the associated challenges to such initiatives (Chaudhry et al., 2012).

Under Asif Zardari's government, more laws were enacted for women's empowerment. The 2011 Act was one of the most important laws against acid attacks on women and introduced tough penalties for perpetrators. Zardari's administration also worked towards the provision of education through the Right to Free and Compulsory Education Bill of 2012 to facilitate girl's education. The protection against harassment of Women at the Workplace Act, of 2010 defined discrimination and harassment at the workplace; thus, it created a safer and more enabling environment for women at work. However, the implementation of these measures was compromised by challenges in application and the continued influence of deeply rooted gender norms (Bushra & Wajiha, 2015).

The legal reforms and initiatives implemented by Pervez Musharraf, Asif Ali Zardari, and Nawaz Sharif show a shared dedication to promoting women's empowerment in Pakistan. While these initiatives have certainly played a role in improving women's rights and their socio-economic standing, obstacles in execution, cultural attitudes, and knowledge deficits have weakened their impact. The task of women's empowerment is a continued process that demands persistent dedication from governmental entities, civil society, and other participants to foster a fairer and more inclusive environment for women in Pakistan. Ahmed, et. al., 2015).

Literature Review

Muhammad et al. (2021) stated that Pakistani laws and practices have been reshaped as a result of which the chance to put learning theology has been curtailed and because high percentages of uneducated women proliferate. It concludes that, although laws exist to support education and rights, cultural religious narratives stand in the way of operation with the result being reduction women's agency. However on the other hand according to Zia (2009) and Kaifa, et. al., 2024) the horrible Gender violence in Pakistan and Feminist movements have been built into legal frameworks especially the Women Protection Act (2006) which focused on women empowerment and protection. Begum (2023) articulated that legal changes have improved women's representation however systematic gender discrimination persists.

Singh and Raghuvanshi (2025) analyzes the law on honor killings (Qisas and Diyat Act 1990) and presses for stricter implementation of the Criminal Law (Amendment) Act 2004 as well as other legal initiatives played vital role in the empowerment of women but several issues are remain unresolved till now. According to Shaheed (2010) the enforcement of different legislative provisions like Protection Against Harassment of Women at the Workplace Act and tries to capture its efficacy. It considers that even though there are laws, it is the prevailing patriarchal structures that affect their. Tabassum (2016) stated that the impact of law reform like the Domestic Violence (Prevention and Protection) Act 2012, without a change in public attitudes and strong law enforcement, changes in legal form will be of limited worth. Zubair et al. (2024) critically examines laws addressing gender-based violence, such as the Acid Control and Acid Crime Prevention Act (2011). It highlights the gap between legal provisions and their practical implementation, stressing the need for stronger law enforcement.

Results and Discussion

Legal Aspects of Women's Empowerment in Pakistan from 2001-2018

The dawn of the 21st century brings several challenges and issues for developing as well as developed countries. In those challenges, women's empowerment is the most crucial one for developing countries. The tenure from 2001 – 2018 witnessed the most favorable atmosphere for women's empowerment in Pakistan. Despite political turmoil and unrest in the country the head of state always tried their best to empower women in all sectors of life.

The three leaders Musharraf, Zardari, and Sharif took legal initiatives by introducing different amendments to the constitution. This study analyzes the various legal initiatives in the following manner:

Legal Aspects of Women's Empowerment in the Musharraf Era

During Pervez Musharraf's era as the President of Pakistan from 2001 to 2008, several legal aspects were addressed to promote women's empowerment and gender equality. Though this law and some other initiatives were aimed at ameliorating women's position in society, the law was not free of controversy in both positive and negative views on the legislation. Here are some important legal matters in Musharraf period women empowerment:

Amendments to Hudood Laws

Transitional Justice in Pakistan: In the era of Pervez Musharraf many amendments has come in sense in the Law of Hudood, these ordinances are considered highly controversial and have become a punishment and torture for women. These amendments aimed to rectify some of the glaring gender-based differences providing better protection to women within the legal framework. The changes were made to ease the burden on women who were often victimized in cases of adultery and rape (Ikram & Kiran, 2022). Musharraf's Government modified these laws to make the judicial process fair and free of gender bias and also provide a more equitable legal environment. These amendments were beneficial to some extent in terms of addressing the gender inequalities and violations of human rights through several other mechanisms, but the amendments drew criticism and debate as well for more comprehensive reform measures to give full empowerment and elevation of women in Pakistan society (Muzaffar& Choudhary, 2017; Chaudhary et al., 2012).

Women's Protection Act 2006

The Women's Protection Act of 2006 was one of the major legal transformations under the presidency of Pervez Musharraf in Pakistan. The act was meant to safeguard women from violence inflicted on them and protect their rights by making amendments to the laws, making key changes in the legal landscape of Pakistan. The act anticipated severe punishments for crimes of domestic violence, honor killing, and acid attacks. It was an answer to long-lasted debates about the safety and the general well-being of women in Pakistan, in terms of finding a strong deterrent to crimes targeting women. Although this Act was a great step toward women's rights and violence reduction, its effectiveness is under debate, with some further advocating additional progress to fill the void between the law and the practice concerning the above and develop a safer environment for women in the country. The activities related to the Pakistan Panel Code (Act XLV of 1860) sections 365B, 367A, 371A, and 371B within this Act, abduction or kidnapping and kidnapping for marriage or lust, selling of persons for prostitution shall be punished with death or 25 years imprisonment (Noreen & Musarrat, 2013).

Women's Political Participation

During the period of Pervez Musharraf as president, considerable progress was made in increasing political participation for women in Pakistan. One of the prime initiatives taken was reserving seats for women in national and provincial assemblies. This most historic step was aimed at increasing women's representation in the political arena where they can give input in decision-making processes and formulation of policies. With the quota system, Musharraf's regime intended to dismantle age-old barriers constructed by society that inhibited women's route to political power (Ghafoor & Haider, 2018). The initiative provided a platform as well as productive breathing space for women's voices to be heard maturely while emphasizing the need for gender diversity in decision-making at the head

tables. Though the effectiveness of such seats has been debated, it was a welcomed step towards gender equality and inclusion in the political landscape of Pakistan (Malik & Courtney, 2011; Shaban et al., 2014).

Women's Employment and Labor Rights

During the rule of Pervez Musharraf, some tangible steps were taken towards ensuring women are entitled to labor rights and employment. Programs were designed to find ways to create a more inclusive and fair workforce while also addressing gender discrimination in employment practices. Legal measures made equal pay for equal work attainable and women were thus employed without considerations of gender constraints. Such programs also included improvements in working conditions, bettering maternity entitlements, and issues of harassment prevention. All these were to give women more chances to pursue work careers in an environment that would more favorably recognize their rights and needs. Although there were the challenges, such as the gap between legal provisions and practice, these initiatives also signify an important step towards understanding the status of women's recognition in the workforce as well as developing a more comprehensive economy (Begum Sadaquat & Sheikh, 2011).

Microfinance and Economic Empowerment

Microfinance programs were the context in which economic empowerment for women could be achieved during Musharraf's presidency in Pakistan. Hereby, marginally poor women were uplifted by providing access to financial funds, and opportunities to engage in entrepreneurship and skills. The administration intended this small loan and financial services will enable women to establish or expand their microenterprises, thereby contributing to the local economy and breaking the cycle of poverty. It, therefore, became essential to women for sustainable development. Such initiatives had considerable impact in some instances, but challenges remained in ensuring equity in the distribution of goods and services and independence in accessing funds in the long term. On the other hand, microfinance would also highlight Musharraf's Promise to advance women's economic empowerment and lay the foundation for broad social development (Ali, 2013).

Legal Aid and Support Services

During the Era of Pervez Musharraf saw significant improvements in women's empowerment in Pakistan carried out by improvement in legal aid and support services. Initiatives were made to set up the Women's Crisis Centers and mobile courts so that women could access legal counseling, protection against violence, and justice. Such services were expected to solve serious issues of domestic abuse, harassment, and discrimination that limited women's development. These services were further aimed at providing legal assistance for women suffering from legal battles, especially in remote areas, thereby, helping Musharraf's government to bridge the gap between marginalized women and formal law under his leadership. They are encouraged by these findings, despite some obstacles like knowledge and allocation of resources. Those efforts would result in a great leap forward for women's rights, propelled by the safety of women and reaffirming the commitment towards a just and equitable society for women in Pakistan (Cheema & Riaz, 2022).

Family Laws Reforms

In this regard, an extremely significant step has been taken by introducing extensive reforms in family law in Pakistan under Pervez Musharraf's rule. These steps were taken to remove gender differences maintained through the most long-standing rights conferred on women concerning issues of marriage, inheritance, and divorce. A major improvement was made regarding the controversial Hudood Ordinances, which hugely affected women.

Pervez Musharraf's administration amended the procedure of marriage and divorce by making them more equitable and safeguarding women's rights. These changes empowered the woman to a certain extent in the divorce process, such as initiating divorce under a few circumstances. It also made them streamlined in terms of fair inheritance, so that all family members were assured of the inheritance of assets irrespective of their gender (Abubakar, 2019).

The powers against children referred to in such reforms were those dealing with the custody and maintenance issues with the power of polygamy, intending to formulate a legal framework based on the best interests of women and children benefiting from more legal protection and aid. Although the reforms concerning family law at large were a great step towards gender equality, their implementation was compromised by social norms, interpretation of religious conceptions, and a general lack of awareness. These reforms were very crucial measures intended to strengthen the position of women in family affairs, to refute discrimination against them and to further create a more just and equitable society in Pakistan.

Legal Aspects of Women's Empowerment in the Asif Ali Zardari Era

Under the presidency of Asif Ali Zardari (2008- 2013) multiple legal reforms were introduced towards women empowerment and gender equality. Some initiatives were taken by previous governments, but President Zardari's administration took measures as well to elevate women's social status. Here are some salient legal aspects related to women's empowerment during the Asif Ali Zardari government:

Women's Protection and Empowerment Legislation

There were substantial legislative reforms regarding women's protection and empowerment during Asif Ali Zardari's presidency in Pakistan. One of the reforms was the enactment of the Criminal Law (Amendment) Act 2011, which is the backbone of measures taken by the government to prevent gender-based violence by the modification of existing laws. The amendments include thoughtful punishment for crimes committed against women, such as acid throwing, harassment, and honor killing. These legal changes form a single step forward in creating a safer environment for women while deterring them from heinous acts. Legislative changes represented a mark of commitment to the advocacy of gender equality and women's rights by addressing the loopholes in the legal framework (Muneer, 2017).

On top of that, there was the performance of the Protection against Harassment of Women at Workplaces Act 2010, which also improved the working conditions of women, under the government of Zardari. The legislation intended to create a more inclusive and protected professional environment, recognizing the implication of women's participation in the workforce. It's true that these laws were flawed in implementation as well as on-going attempts to shift cultural norms. But they still represent an important stage in women's defense and their ability to help themselves. They signify a step towards equality for Pakistani society as a whole

Pro-Women Policy Initiatives

Zardari's women-friendly policy reforms in gender equality and women's empowerment, which spread out across his entire presidency as president One big move in this regard was for the benefit of as many people as possible: the launching and expansion in size of BISP (Benazir Income Support Program). The program was created primarily with the aim of providing financial support to poor and needy women. It would suit economically disadvantaged women living in poverty by giving direction to their lives. The BISP realized that if it could mobilize women, the entire family and, subsequently, the community would

change. By directly benefiting women, the program focused on enriching their social standing and decision-making power within households (Iqbal et al., 2021).

The government unveiled actions to support female entrepreneurship and economic participation in the socio-economic landscape. This was justified in terms of both the new microfinance programs and access to credit that would help women start and develop businesses that would drive economic growth and women's financial independence. Women's health and education were among the focus areas of these women's support initiatives. This includes investment in sectors like health and education, which help reduce gender gaps. While these initiatives marked laudable strides toward women's empowerment, a number of other aspects remained that needed to be addressed, for instance, good governance and social and cultural conditioning and the need for sustainable social change. However, pro-women moves introduced by President Zardari over his ten years of power were significant steps forward on gender equality programs and the goal of a more fair and inclusive society in Pakistan (Weiss, 2012).

Women's Political Participation

Many specific arguments were added to the causes of Zardari's Presidency during this period in history for women's legal Proliferation; such as recognizing their major role in shaping the governance of their country. One of the key measures was the introduction of the Women's Political Participation Bill, which increases the role of women in the sociopolitical landscape of Pakistan and shapes the public narratives about the women were underrepresented since the independence of Pakistan. This legislation aimed to improve women's representation in local administrations by guaranteeing a minimum number of reserved seats for them to produce a clear and equitable representation of women in the political processes of Pakistan. Through this action, the government tried to break down traditional barriers that hindered the access of women to political power. The Women's Political Participation Bill aims to empower women to be active participants in the decision-making process right from the grassroots level, with a view to creating an inclusive and diverse political landscape. These efforts recognize the need to elevate women voices in the development of policy and facilitate their direct participation in governance issues within their respective spheres (Shah et al., 2015).

By increasing women's legislative representation via legally mandated reserved seats, Zardari's government sought to rectify decades of underrepresentation among political actors, and hopes to create a path toward women's empowerment. Such measures would only be successful depending on how society accepts it and how much society make it possible, however, the Women Political Participation Bill and similar actions were solid steps made to ensure a big role for women as stakeholders in democracy or the making of a developed country.

Gender-Based Violence Legislation

Pakistan's Zardari administration achieved notable success through legislation towards combating gender-based violence. In 2010, the Protection against Harassment of Women at the Workplace Act stood out as a particular achievement. This pioneering piece of legislation sought to make workplaces safer and more equitable for women by addressing the various forms of harassment they generally face. The law mandated the setting up of harassment complaint cells, headed by assigned officers to receive and further investigate complaints. Criminal prosecution was put into place via this piece of law and the taking of judicial steps by victims that could be measured on an equitable scale and regulated by a process. This law showed the government, through its adoption, commitment to the elimination of gender-based violence and the promotion of women's rights in the private and public spheres and to inculcate a culture wherein these policies are actively accepted and practiced (Naseer & Ashraf, 2022).

Support for Female Entrepreneurs

During Asif Ali Zardari's presidency in Pakistan, the provision of strong support mechanisms to promote female entrepreneurship-based recognition of the role women play in economic development. Various initiatives were undertaken that aimed at providing credit, training, and resources to these aspiring and existing female entrepreneurs. The expansion of microfinance programs sought to provide women with funds to create and scale their ventures. Special financial products suited to female entrepreneurs were provided within these programs, thereby easing the pathway to capital infusion for these female entrepreneurs (Ijaz, 2021).

These training and skill development programs were set up to empower women in business skills and management. Over time, many workshops, seminars, and vocational training courses were conducted to equip women with the appropriate tools and skills so that they become an assets in various sectors. There were networks, incubators and business development centers that the Zardari government established to create a support system for female entrepreneurs. Among them are mentorships, support and the opportunity for women to network with others who think similarly to them (Noor et al., 2021). Under the umbrella of women's empowerment, the government aimed to bring about economic empowerment, poverty alleviation, and development sustainability. These works recognized women with potential as change agents in economic development and innovation. Nevertheless, the cultural context and unmet market access remained at the forefront while stressing the need for a holistic approach to unlock the potential of women entrepreneurs in Pakistan's socio-economic setting.

The Women in Distress and Detention Fund Act

Asif Ali Zardari strengthened women's health and education through significant legal openings during his presidency in Pakistan. Thus, gender equality advancement was emphasized in these two basic sectors by the government. Legal measures were undertaken for maternal, reproductive, and healthcare access for women. Work continued expanding healthcare infrastructure, promoting safe medical practices, and increasing awareness about women's health issues. Different government measures were put in place in the Zardari era to facilitate enrollment and retention of girls in education by eliminating barriers to education. These included the implementation of gender-sensitive curricula, girls' scholarships, and the establishment of schools in remote areas

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The law underpinning this era sought to empower women by emphasizing health and education. Such programs unbarred the way to women; however, it remained impeded by the social stereotypes and inaccessibility of the far-off areas, which still regarded the highly targeted approach that was needed for the realization of women's health and education rights (Riaz & Akbar, 2022).

The law's goal was to create a fund to assist and empower women in vulnerable circumstances—that is, those who are currently imprisoned or detained or who have endured trauma, including abuse or other kinds of suffering. Women in extreme need were

to be given financial aid, legal counsel, medical treatment, and other forms of support through a system mostly designed in the Act. Their socioeconomic situation led many of these women to be imprisoned or in jail; others had suffered domestic violence, human trafficking, or gender-based violence. The Act created the Women in Distress and Detention Fund to help women most in need of help in these contexts. The Act gave the most underprivileged and economically deprived people a safety net and proved the government's will to gender equality, if not women's rights (Qasim et al., 2023).

Women's Health and Education

The legal initiatives introduced during Asif Ali Zardari's presidency significantly promoted women's access to health and education. The state put great emphasis on this equality in health and education related work. Women's' access to public services was increased by law, and measures taken to eliminate or reduce pregnancy complications as well being made available for women originating from all walks of life. The country expanded health care infrastructure, medical safety management and the public was educated about female health issues. Zardar's administration also aimed to boost girls' enrollment and retention in the classroom. For this purpose, it implemented policies and programs that eliminated obstacles to education for females. On the whole it has involved gender sensitive training, scholarships for talented girls and opening primary schools in parts of the country less served by the educational system. However beneficial to women that these initiatives have been, cultural habits and region accessibility - all of which we confront today with the issue of health or rights for those living outside one's family and community (Kanwal, 2017). The legal frameworks gave legal guarantees of women's health and education. They aimed to improve women's lives by taking into account social norms and the provision of educational opportunities. But while these moves were valuable steps forward, we should be aware that new obstacles to the improvement of women's health and education continue to arise even now, particularly in terms of culture and distance from remote areas (Riaz & Akbar, 2022).

Legal Aspects of Women's Empowerment in the Nawaz Sharif Era

In the era of 2013–2017 a number of legal steps and projects for women's advancement and gender equality were carried out in Pakistan. It is given in this era that the key legal aspects are as follows:

Women's Protection Act 2016

Nawaz Sharif approved the Women's Protection Bill to fight violence and bias against woman. The Bill provides women facing different forms of abuse and violence against them additional protection in the law and support mechanisms. One of the notable provisions of the Bill is the criminalization of several forms of violence, such as domestic violence, emotional abuse, economic abuse, and stalking (Zaheer, 2016). The law will empower the justice system to investigate the act and to punish the criminal, bringing closure to the victims. An important change directed by the Act was the prohibition of plea bargains for arranged murders under honor killings, thus closing loopholes in the law that paired well with perpetrator cushioning through valid arguments most of the time.

Under this law, the court may issue orders for women to be protected. If the accused don't stop another attack on them, those attacking will continue until the victim dies. It also authorizes the establishment of Violence Against Women Centers (VWACs) with medical support to help victims survive. The Women's Protection Act illustrates the decisions of Nawaz Sharif's government to reduce gender-based violence and to promote women's rights. Although this Act proved an important legislative measure, many challenges remained in implementation, awareness, and cultural changes. The Act again highlighted the

need for legal measures to combat violence against women and strive toward a more equitable and just society (Nasir et al., 2019).

Honor Killings Legislation

Very significant legislative reforms were enacted during Nawaz Sharif's time as Prime Minister of Pakistan in 2013-17 regarding the much alarming issue of honor killings. The government proceeded to introduce and pass amending amendments to the Pakistan Penal Code and the Code of Criminal Procedure for providing further strength to the laws relating to honor killings. The amendments were intended to seal all types of legal loopholes through which verifiable misconduct could be made by the defendant to avoid punishment for honor-based violence. The repeal of the forgiving or pardoning option available for offenders from the family of victims was one among many notable changes, allowing for a release. The reform signified a significant change among those who perpetrated honor killings being held accountable under the law (Gul et al., 2023).

It was that of punishment for honor killings under the regime of Nawaz Sharif: longer imprisonments, and heavier fines. Legal amendments are thus a mirror to the political commitment of the government in securing women's rights and combating violence against women. Although it is a great leap forward, the effectiveness of these laws depends on their implementation, enforcement, and changing public attitudes (Muzaffar, et. al., 2018). Nevertheless, the Nawaz Sharif government set an exceptionally commendable stance against a deep-rooted national issue of honor-based violence as part of the ongoing endeavor to organize a safer and more equitable environment for women in the country (Naseem et al., 2019).

Conclusion

Between the years 2001 and 2018, there was considerable progress made concerning women's empowerment legal-wise in Pakistan, with the presidents being Pervez Musharraf, Asif Ali Zardari, and Prime Minister Nawaz Sharif. To recognize the critical role of women in building societies and economies, the aforementioned administrations developed legal interventions on various fronts to eradicate gender inequalities and promote women's rights. During this very period of Pervez Musharraf, many significant legal reforms were instituted for better status and protection under the law of women. To amend the Hudood Laws dealing with gender-based injustices, women's crisis centers were established and anti-terrorism strengthening initiatives were all added to the safety and well-being of women. Programs like devolution of power and family law reforms further sought to empower women economically and legally.

There exists a carrot of pro-women policies during the Asif Ali Zardari reign. For instance, the Women's Protection Act as well as laws against honor killings portends a lot of promise in the care of women's rights, curbing gender violence, and attainment of income. Expanding the Benazir Income Support Program offered the extra benefit of deepening the link further to reduce poverty and increase women's economic independence. Direct provisions in the law on women's political participation, access to education, and access to health services made the point clear of holistic empowerment for women. Women's protection and rights received a continued focus at the time of Nawaz Sharif. At the time, the Women's Protection Act 2016 was set up to fight against violence towards women. Legislation on honor killings also enhanced legal provisions against offenders. These initiatives included women's economic empowerment by micro-financing and vocational training, thereby helping them achieve financial independence. Reserved seats in the legislative bodies ensured women's representation and thus would help them become politically important.

Collectively, the legal measures introduced during these administrations underscore the commitment of Pakistan's leadership to women's empowerment. However, there are cultural norms, gaps in implementation, and changing attitudes in society. It is on effective enforcement, awareness campaigns, cultural shifts, and the effective socialization of these initiatives into the public culture that these legal efforts would depend. However, while some progress has been made in bridging the gap between policy and reality so that women would have an enabling environment to function economically, politically, and socially, this continues to be a challenge. Empowerment is still an ongoing process for women in Pakistan who have been appreciably empowered through various legal enactments during the regimes of Pakistan's presidents Musharraf, Zardari, and Sharif, which lay down the foundations for further movement on this subject. The combined efforts of all these administrations bring humanity into a more equitable and just society where the rights of women can be enjoyed, establishing them as contributors toward the progress of the nation.

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