

WOMEN’S RIGHTS AS HUMAN RIGHTS: A LEGAL FRAMEWORK FOR SOCIETAL UPLIFT IN PAKISTAN

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Abstract

This research article explores the intrinsic link between women's empowerment and societal progress. Despite international recognition, women's rights remain compromised globally. This study examines the legal frameworks and mechanisms for protecting women's rights, highlighting gaps and challenges. It argues that strengthening legal frameworks, enhancing access to justice, and promoting cultural shift are crucial for societal uplift. The research analyzes international human rights instruments, national legislation, and case studies, offering recommendations for policymakers, lawyers, and activists. By in streaming women's rights as human rights, societies can unlock sustainable development, peace, and prosperity, benefiting all. This article comprises of the doctrinal methodology to ascertain how the state ought to act to eliminate discrimination against women not only in the legal sense but also in the social sense.



INTRODUCTION

Women empowerment is a fundamental human right and a critical factor for societal progress. It is essential for achieving sustainable development, reducing poverty, and promoting social justice. By addressing the challenges that hinder women’s progress, promoting gender equality, and ensuring equal opportunities, Pakistan can unleash the full potential of its women and create a more inclusive and prosperous society. This article investigates by focusing on the debate now underway to determine, who is to define what these rights are where responsibility lies for ensuring these rights, and the role states are playing in articulating and clarifying what is acceptable and unacceptable within a Muslim context. Women empowerment is a pressing issue in Pakistan, a country with a male-controlled social structure where gender discrimination and violence against women are pervasive. This article comprises of the doctrinal

methodology to ascertain how the state ought to act to eliminate discrimination against women not only in the legal sense but also in the social sense. It is recommended that Government and public both should work to promote education and professional development for women. Moreover, for the success of a country, there is need to remove the discriminatory attitude of the society towards the women.

The engendering of Muslim civil society is raising profound questions regarding women's social roles and rights, resulting in conflicting images particularly concerning what constitutes women's rights, who is to define what these rights are, where responsibility lies for ensuring these rights, and the role states are playing in articulating and clarifying what is acceptable and unacceptable within a Muslim context. Women empowerment is a pressing issue in Pakistan, a country with a

patriarchal social structure where gender discrimination and violence against women are pervasive. It focuses on the debate now underway to define what constitutes discrimination against women, how the state might act to eliminate discrimination against women not only in the legal sense but also in the social sense, the roles being played by various groups within the women's movement to facilitate the process of adherence to CEDAW, as well as other challenges being faced as the Pakistan state attempts to eliminate discrimination against women.

However, in recent years, there has been significant progress in promoting women's empowerment in various spheres of life, including economic, educational, and political domains. Despite the challenges, empowering women in Pakistan is crucial for achieving gender equality, social development, and sustainable progress.

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Research Methodology.

This article examines the legal frameworks and mechanisms for protecting women's rights, highlighting gaps and challenges. It argues that strengthening legal frameworks, enhancing access

to justice, and promoting cultural shift are crucial for societal uplift. The research analyzes international human rights instruments, national legislation, and case studies, offering recommendations for policymakers, lawyers, and activists comprises of the doctrinal methodology to ascertain how the state ought to act to eliminate discrimination against women not only in the legal sense but also in the social sense. Women empowerment is a pressing issue in Pakistan, a country with a male-controlled social structure where gender discrimination and violence against women are pervasive.

Significance.

The purpose of this article is to contribute towards the empowerment of women towards the attainment of independence at society level. This study examines the legal frameworks and mechanisms for protecting women's rights, highlighting gaps and challenges. It argues that strengthening legal frameworks, enhancing access to justice, and promoting cultural shift are crucial for societal uplift. The research analyzes international human rights instruments, national legislation, and case studies, offering recommendations for policymakers, lawyers, and activists. The contribution of knowledge is based on how to commute the communal biases for uplifting status of women both at domestic and at societal level. It is recommended that Government and public both should work to promote education and professional development for women. Moreover, for the success of a country, there is need to remove the discriminatory attitude of the society towards the women.

The Legal Framework of Women's Rights in Pakistan: A Pathway to Empowerment

Pakistan's legal framework for women's rights is a complex and evolving landscape, shaped by constitutional guarantees, legislative enactments, and international commitments. The Constitution of Pakistan, adopted in 1973, provides a foundation for women's empowerment, with Article 25 guaranteeing equality before the law and prohibiting discrimination on the basis of sex. This provision has been instrumental in

shaping laws and policies aimed at promoting women's rights.

One of the landmark legislation in this regard is the Protection against Harassment of Women at Workplace Act 2010, which mandates inquiry committees and protection measures for working women. Pakistan's legal framework for women's rights is a complex and evolving landscape, shaped by constitutional guarantees, legislative enactments, and international commitments. The Constitution of Pakistan, adopted in 1973, provides a foundation for women's empowerment, with Article 25 guaranteeing equality before the law and prohibiting discrimination on the basis of sex. This provision has been instrumental in shaping laws and policies aimed at promoting women's rights. One of the landmark legislation in this regard is the Protection Against Harassment of Women at Workplace Act 2010, which mandates inquiry committees and protection measures for working women. This law has been a significant step towards creating a safe and inclusive work environment, with employers required to constitute inquiry committees and take prompt action against harassment.

The Prevention of Anti-Women Practices Act 2011 is another crucial law that criminalizes harmful customs like forced marriages and inheritance deprivation. This law reflects Pakistan's commitment to eliminating discriminatory practices and protecting women's rights. Similarly, the Acid Control and Acid Crime Prevention Act 2011 imposes strict penalties for acid attacks, a heinous crime often targeted at women. The Punjab Protection of Women against Violence Act 2016 provides protection orders and monetary relief to survivors of domestic violence. This law has been a significant step towards addressing the pervasive issue of domestic violence, with provisions for protection orders, monetary relief, and rehabilitation support.

Pakistan has also ratified international conventions like CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women), demonstrating its commitment to global standards on women's rights. The country's progress in implementing these

commitments is periodically reviewed, with recommendations for improvement. Despite these advances, challenges persist in implementation and enforcement. Cultural barriers, lack of awareness, and patriarchal norms hinder women's access to justice. Many women are unaware of their rights, and societal pressures often prevent them from seeking legal recourse. To address these gaps, Pakistan needs to strengthen its legal framework, enhance access to justice, and promote cultural shift.

The role of the judiciary is crucial in this regard, with landmark judgments like the Supreme Court's decision on the inheritance rights of women (2018) reinforcing women's rights. The establishment of specialized courts, like the Women Protection Courts in Punjab, is another positive step towards ensuring speedy justice. Civil society organizations and activists play a vital role in advocating for women's rights, providing support services, and holding duty-bearers accountable. Their efforts have contributed significantly to policy changes and public awareness.

A Way Forward Approach.

To move forward, Pakistan needs to prioritize implementation of existing laws, enhance access to justice, and promote cultural shift. This includes strengthening legal aid and support services for women enhancing capacity-building for law enforcement and judicial officials Promoting awareness and education on women's rights Encouraging women's participation in decision-making processes. By leveraging its legal framework, Pakistan can accelerate progress towards gender equality and women's empowerment. The journey is challenging, but the potential rewards are immense. By protecting women's rights, Pakistan can unlock sustainable development, peace, and prosperity for all. Women empowerment refers to the process of granting women equal rights, opportunities, and privileges as men, and enabling them to participate fully in all spheres of life, including social, economic, and political domains. It involves empowering women to make decisions, pursue their goals, and achieve their full potential,

without any discrimination based on gender. Women empowerment is not only a fundamental human right but also a critical factor for societal progress and development. It plays a pivotal role in creating a more inclusive, just, and sustainable society.

Historically, women have faced numerous challenges and discrimination, including gender-based violence, limited access to education and healthcare, unequal pay, and lack of representation in decision-making processes. However, over the years, there has been significant progress in promoting women empowerment worldwide, including legal reforms, policy interventions, and awareness campaigns. Women's empowerment has been recognized as a crucial driver of economic growth, poverty reduction, and social stability. Economically empowering women is essential for achieving sustainable development. Women constitute a significant portion of the global workforce, and their contribution to the economy is substantial. Studies have shown that gender equality in the workplace leads to increased productivity, innovation, and competitiveness. When women have access to economic resources, such as land, credit, and employment opportunities, they can invest in education, health, and nutrition for themselves and their families. This has a ripple effect on society, as empowered women are more likely to raise healthier and educated children, break the cycle of poverty, and contribute to the overall well-being of their communities.

Women empowerment is a pressing issue in Pakistan, a country with a patriarchal social structure where gender discrimination and violence against women are pervasive. However, in recent years, there has been significant progress in promoting women's empowerment in various spheres of life, including economic, educational, and political domains. Despite the challenges, empowering women in Pakistan is crucial for achieving gender equality, social development, and sustainable progress.

Vulnerable Areas to Address.

Women empowerment in Pakistan faces numerous challenges, hindering the progress

towards achieving gender equality and creating an inclusive society. These challenges include:

Limited Access to Education: Access to quality education is still a major hurdle for many girls and women in Pakistan. Due to cultural norms and economic challenges, girls especially in rural regions, often lag behind in school enrollment. Issues like poverty, early marriages, and inadequate school facilities further restrict their educational opportunities, ultimately slowing down their journey toward empowerment.

Patriarchal Societal Norms: Pakistan's society is largely shaped by traditional patriarchal values, where established gender roles continue to reinforce inequality. Women are often expected to focus primarily on domestic responsibilities, which restricts their chances to pursue education, participate in the workforce, and hold leadership roles. Confronting and transforming these long-standing social norms remains a major challenge.

Gender-Based Violence: Gender-based violence, ranging from domestic abuse and sexual harassment to honor killings, continues to be a widespread problem in Pakistan. Deep-rooted cultural attitudes, poor enforcement of existing laws, and social acceptance of such practices enable this violence to persist. Many women hesitate to report abuse due to fear of backlash and social stigma, making it extremely difficult to combat and eliminate gender-based violence in the country.

Economic Disparities: Women in Pakistan encounter considerable challenges when it comes to accessing economic opportunities and resources. They often face limited employment options, unequal pay, and workplace discrimination, all of which hinder their economic progress. Additionally, restricted access to land ownership, credit, and financial services makes it difficult for many women to start businesses or participate in income-earning activities, further slowing their economic empowerment.

Limited Political Representation: Women's participation in politics and decision-making roles remains comparatively low in Pakistan. Cultural expectations, limited support within political parties, and restricted access to political networks and resources often discourage women from engaging fully in political life. As a result, their

absence in key decision-making spaces weakens the development and implementation of policies and initiatives designed to advance women's empowerment. Lack of Legal Protection: Although legal frameworks exist to protect women's rights in Pakistan, effective implementation and enforcement are still lacking. Many women are unaware of their legal protections, and issues like corruption, slow legal processes, and limited access to legal support make it difficult for them to seek justice. As a result, women often struggle to pursue remedies for discrimination, violence, and other violations of their rights.

Access to Healthcare and Family Planning: Women in Pakistan continue to face difficulties in obtaining quality healthcare, particularly in areas related to reproductive health and family planning. Cultural and religious taboos, limited awareness, and inadequate healthcare facilities often restrict women's ability to access reliable services. As a result, many women are unable to make informed decisions about their reproductive health and family planning needs.

Media Representation: The media has a powerful influence on shaping public views and societal attitudes. In Pakistan, however, it frequently reinforces traditional gender stereotypes, objectifies women, and promotes biased narratives. When women are portrayed in narrow, stereotypical roles, it undermines progress toward gender equality and weakens efforts to support women's empowerment.

Recommendations.

Addressing women empowerment in Pakistan requires a multi-faceted approach involving various stakeholders, including the government, civil society organizations, private sector, and individuals to implement the laws for the Women Uplift. It requires long-term commitment, sustained efforts, and a holistic approach. Meaningful progress requires long-term dedication, consistent action, and a broad, inclusive strategy. By tackling structural barriers, promoting gender equality, and expanding opportunities for women, Pakistan can build a more equitable society that fully benefits from the

skills and contributions of its women.. Here are some key strategies to promote women empowerment in Pakistan:

Access to Quality Education: Efforts should be made to ensure equal access to quality education for girls and women. This includes eliminating barriers such as harmful gender stereotypes, poverty, and cultural norms that discourage girls' education. Providing safe and inclusive learning environments, promoting girls' enrollment, and improving the quality of education are essential steps towards empowering women through education.

Gender-responsive Legislation and Policies: The government must strengthen and implement laws that safeguard women's rights, prevent discrimination, and advance gender equality. This includes legislation targeting gender-based violence, ensuring equal pay, expanding educational access, and increasing women's political participation. Policies should be crafted with a clear understanding of the unique challenges women face in Pakistan, ensuring they effectively address their needs and promote meaningful empowerment.

Economic Empowerment: Initiatives should be implemented to promote women's economic empowerment. This includes providing training and skill development programs to enhance women's employability, creating job opportunities, promoting entrepreneurship, and ensuring equal pay and equal access to resources, credit, and markets. Microfinance programs and vocational training initiatives can play a vital role in enabling women to start and sustain their businesses.

Political Empowerment: Steps must be taken to boost women's political engagement and representation. This can include measures such as implementing gender quotas or reserving seats for women in legislative bodies, supporting leadership training programs for women, and fostering a supportive environment that encourages their participation in political processes. Political parties should also adopt inclusive policies and create platforms where women's perspectives are recognized and valued. Ensuring that women have

a meaningful voice in decision-making is essential for strengthening their political empowerment.

Ending Gender-Based Violence: Tackling gender-based violence demands a thorough and coordinated strategy. This means increasing public awareness about women's rights and the importance of gender equality, enforcing strong legal protections for women, and ensuring survivors have access to essential support services. Effective cooperation among law enforcement agencies, the judiciary, and civil society organizations is key to making sure laws are properly implemented and that responses to violence are timely, fair, and impactful.

Health and Reproductive Rights: Access to quality healthcare services, including reproductive healthcare and family planning, is crucial for women's empowerment. It is essential to provide comprehensive and easily accessible reproductive healthcare, supported by education and awareness initiatives that inform women about their rights. When women are equipped with knowledge and reliable services, they are better able to make informed decisions that support their health, autonomy, and overall well-being.

Gender Sensitization and Awareness: Comprehensive gender awareness and sensitization programs should be incorporated into school curricula, workplace training, and community initiatives to help challenge harmful gender norms and attitudes. Public awareness efforts should be directed toward both men and women to encourage understanding of gender equality and women's rights. By promoting mutual respect and fostering inclusive values, society can move toward a culture where women are treated equally and empowered to thrive.

Media and Cultural Transformation: The media has a powerful influence on shaping public attitudes and perceptions, making it essential to promote gender-sensitive and respectful portrayals of women. Media campaigns and awareness initiatives should work to challenge harmful stereotypes, showcase women's accomplishments, and advocate for gender equality. By presenting women in diverse and empowering roles, the media can help shift societal mindsets and support broader efforts to advance gender equity.

Collaborative Partnerships: Strong cooperation between government institutions, civil society groups, private sector organizations, and individuals is vital for advancing women's empowerment initiatives. Building partnerships that allow for the sharing of resources, knowledge, and experiences can significantly strengthen the impact of efforts and support long-lasting, meaningful change.

Conclusion

In conclusion, recognizing women's rights as human rights is pivotal for societal uplift. Pakistan's legal framework, though evolving, demonstrates commitment to gender equality. Effective implementation, awareness, and cultural shift are crucial. By protecting women's rights, Pakistan can unlock sustainable development, peace, and prosperity. Women's empowerment is not only a basic human right but also a key driver of national progress. It plays a central role in fostering sustainable development, reducing poverty, and advancing social justice. By tackling the barriers that limit women's growth, promoting gender equality, and guaranteeing equal opportunities, Pakistan can unlock the vast potential of its women and build a more inclusive, equitable, and thriving society. Women empowerment is a fundamental human right and a critical factor for societal progress. It is essential for achieving sustainable development, reducing poverty, and promoting social justice. By addressing the challenges that hinder women's progress, promoting gender equality, and ensuring equal opportunities, Pakistan can unleash the full potential of its women and create a more inclusive and prosperous society.

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