

Women in Pakistan's Policies

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Abstract

When it comes to women's rights, Pakistan does not have a positive track record in the eyes of most people. Western media, academia, and common perception associates Pakistan with backward laws, security concerns, and systemic oppression with regards to women. This paper analyzes women in politics, religion, and culture throughout Pakistan's history. It talks about the women's movements within the country, especially in opposition to the dictator Muhammad Zia-ul-Haq's regressive laws and policies for women. The paper discusses women's role in the country's politics from its birth and discusses the progressive policies regarding women's rights. The paper discusses how the status of women has been elevated in Pakistan through feminist movements and how the advancements being made in women's rights have allowed the gender binary to weaken, allowing for greater equality for women. The paper then proceeds to discuss the current policy surrounding women in Pakistan and discusses possible opportunities.

Keywords

Pakistan, women, women's rights, policy

Policy Analysis Through Time

Pakistan's history has always consisted of strong women. Upon its independence in 1947, the women of Pakistan were given the right to vote even before Switzerland, where women were denied voting rights until 1971 (Lewis 2020). Following its independence, Pakistani women leaders played a huge part in women's rights activism. These women included Fatima Jinnah, founder of Women's Relief Committee, and Begum Ra'ana Liaquat Ali Khan, founder of All Pakistan Women Association.

Throughout the years following independence, Pakistan had many pro-women policies and reforms, especially as compared to other Muslim-majority countries. The 1973 constitution of Pakistan specifically promised gender equality and full participation of women in every sphere of national life (Constitute n.d.). That promise was made apparent in 1975, when Pakistan sent an official delegation to participate in the First World Conference on Women in Mexico, which resulted in the constitution of the first Pakistani Women's Rights Committee (Rutherford et al. 2011).

However, Muhammad Zia-ul-Haq's military regime from 1977 to 1986 sent Pakistan back decades in terms of the progress of women's rights and activism. The Hudood Ordinances were introduced by Zia-ul-Haq in 1979 for the purpose of 'Islamisation' of Pakistan. These laws added new criminal offences for fornication and adultery and introduced more punishments such as stoning to death, amputation, and whipping (Lau 2007). These laws proved to be extremely harmful for women and resulted in death sentences for rape victims who could not justify their claim (i.e., bring a male witness to the assault) (Hasan 2006). Most of the women who reported assault were imprisoned themselves since they failed to prove rape charges and were jailed for adultery instead (Lau 2007). Zia-ul-Haq even banned women from participating in or watching sports. Research shows that this period had a negative impact on women's lives and exposed them to even more domestic violence (Bari 1998). But this era also gave rise to a lot of

women activists and human rights acts and organizations in Pakistan. After Zia-ul-Haq's regime ended, Benazir Bhutto was elected as the Prime Minister of Pakistan. She became the first female Prime Minister of Pakistan and the first woman elected as head of a Muslim country. Even though she promised to repeal Zia-ul-Haq's Hudood laws, she was unsuccessful. The Prime Minister appointed after her, Nawaz Sharif, made no effort to repeal these laws.

In 2006, during Pervez Musharraf's regime, the Women's Protection Bill was passed, which repealed some of the Hudood Ordinances (BBC News 2006). The bill decided that women who are not able to prove rape allegations will not be jailed or punished for adultery as before (Subramanian 2006). The Cabinet also approved a 10 percent quota for women in the Federal Government Services, including Central Superior Services, which is responsible for running bureaucratic operations and the secretaries of Cabinet of Pakistan (Government of Pakistan 2007). When Asif Ali Zardari was the President of Pakistan from 2008 to 2013, many women were appointed to important positions, including: Dr. Fehmida Mirza, first female speaker of the National Assembly-the first in the South Asian region; Hina Rabbani Khar, Pakistan's first female Foreign Minister; and Nargis Sethi, Pakistan's first female Defence Secretary (Tahseen and Ahmed 2014). Many other women held prestigious positions in Zardari's administration. In 2010, Zardari signed the Protection Against Harassment of Women at Workplace Act and other bills that criminalized the practices of Watta Satta (exchange marriages between brothers and sisters from two different households), Swara (traditional child marriage), Vani (forced/arrange child marriage), and marriage to the Quran and punished acid-throwing with life imprisonment (GEO News 2011).

In the year 2016, the Pakistani parliament unanimously passed the "Criminal Law (Amendment) (Offences Related to Rape) Act 2016," which is an anti-rape and anti-honour killings bill. This bill protects the rights of sexual

assault victims, promises severe punishments to the rapists, and deemed the rape trials to be concluded in three months; and if rape trials took longer, they would be brought to the attention of the Chief Justice of High Court (Scroll.In 2016). In 2019, the Chief Justice Asif Saeed Khosa announced the opening of one thousand courts focused on battling violence against women throughout Pakistan (Reuters 2019).

Pakistan's first ever Female Engagement Team received UN medals for serving in a UN peacekeeping mission in 2020 (UN Peacekeeping 2020). In 2022, Pakistan appointed its first ever female judge to the Supreme Court (Treisman 2022). Saima Saleem, Counselor at the Permanent Mission of Pakistan to the United Nations, was the first Pakistani blind person and civil servant to address United Nations General Assembly in 2021 (Arab News PK 2021). According to Tanoli (2022), as of 2022, 21 percent of the members in Pakistani National Assembly are women which is higher than half of the world. Since 1997, Pakistan also gives women abortion rights before the arms and legs of a fetus are formed. Essentially, this means that abortion is legal during the first 120 days of fetus formation after which it is considered to be illegal to abort (Siddiqui 2020). Women working in Pakistani government offices are also provided a six-month paid maternity leave (ANI News 2021).

When it comes to transgender rights, Khwaja Siras (third gender people) got the right to use "X" gender on their passports and official documents in 2012. However, this was changed in 2018, when the parliament passed the "Transgender Persons (Protection of Rights) Act," which allowed anyone to change their legal gender on official documents without any psychological, medical, or legal examination (Ingber 2018). The act also guaranteed protection from harassment and granted legal status to the transgender community in Pakistan. This allowed trans women in Pakistan to pursue professions like medicine, nursing, and journalism whereas before they had been forced into sex work or solicitation (National Assembly Pakistan 2018).

Policy Implications

Pakistan does have a progressive domestic policy in favour of women. Even though it had been in dark times during the era of Zia-ul-Haq and the years that followed, Pakistan has almost recovered, as almost all of the Hudood Ordinances have been repealed. Even though Pakistan's current laws are very progressive in regard to women's and transgender rights, the world does not know it because its foreign policy does not include communicating these laws and facts globally. For that reason, the rest of the world considers Pakistan to be conservative and extremist Islamic state.

This may ensure a positive image of Pakistan to the conservative extremist Muslim world that believes in keeping women in veils and behind closed doors, but it also means the rest of the world views Pakistan as a regressive nation when, in reality, it is much more progressive—even though Pakistan still has a long way to go. Such assumptions are reflected in Western media when Pakistan is portrayed as something that's very far from the truth. Some of these examples of these media include the TV show *Homeland* (2011-2020) and the film *Zero Dark Thirty* (2012).

Opportunities

Pakistan needs to use diplomacy to portray its true image, which is negatively skewed in the global lens. For the purpose of rectifying its image, Pakistan has to project its positive image globally, preferably through investing in a good public relations campaign that highlights current women's rights movements and progressive laws in Pakistan. Additionally, the Government of Pakistan can amplify these movements and take measures to reflect how Pakistan is really doing domestically. The foreign offices in other countries have an opportunity to take on this responsibility.

Media also plays a great part in constructing a country's image. It could be used to promote Pakistani classical dance, which is centred around women, to promote folk music and stories about the acceptance of women and the history of trans

people within the culture. This way, many aspects of Pakistani culture would become well known around the world. Additionally, the promotion of Pakistani culture would counter the conflation of South Asian culture to Indian culture, while also showing the progressive nature of Pakistan.

Pakistan could also project the contemporary youth culture in the main cities of Pakistan, which has been very accepting and advocative towards the introduction of progressive policies for people of all gender and sexualities, as well as a more adaptive towards a lifestyle in which women can feel more at home among their friends and partners. Western concepts of feminism and inclusion of women in politics and Indigenous movements are gaining a lot more traction. Because we live in a globalized world, we can gain inspiration from each other's progress.

The current Pakistani government does include women in high offices and administration; however, it can be said that they are not a significant number. Pakistan must work on increasing that number and including more diversity. Women make up 21 percent of the Pakistani National Assembly; however, it would be for the betterment of the country to hasten progress and appoint more women to positions of high authority. This would give more perspective and diversity to Pakistan's national assembly and government.

Conclusion

Pakistan has had a turbulent history when it comes to women's rights. However, it has become a much better place to live for women as it can be seen with the introduction of laws in favour of women, inclusion of women in parliament and increasing participation of women in policymaking and decision-making roles in the Government. The world remains unaware of these progressions because Pakistan's foreign policy does not communicate these facts, hence steps should be taken to integrate the communication of these laws and practices into its foreign policy.

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Author Biography

Javeria Malik is a BBA graduate from IBA Karachi, one of the top business schools of Pakistan. She is also an alumna of the prestigious Global-UGRAD scholarship. Javeria has always been passionate about women's empowerment. She has not only contributed to empowering women in her own country through her work with CIRCLE Women and being one of the first office bearers of her university's first Feminist society, but she has also volunteered for the survivors of domestic violence with Growing Strong in the United States. She is driven by a profound commitment to fostering women empowerment and bringing positive change.