

Topic: 96 women are not protected socially, Legal Action protect them?

Outline

1. Introduction
2. ~~Understanding Legal Actions and role of society in protection~~

1. Introduction

Thesis statement: Legal protection and society's role in protection are two approaches to address women inequality. However, social protection is a prerequisite for legal protection as barbaric countries do not respect laws.

2. Understanding Legal Actions and role of society in protection of women: An overview

3. Legal protections cannot protect women without societal protection (thesis)

- a. Patriarchal mindsets
- b. Society makes law
- c. Legal protection on papers
- d. Discriminatory laws
- e. Social empowerment

4. Legal Actions can protect Women without Social protection (Antithesis)

- a) Legal actions address patriarchy
- b) Laws influence society
- c) Legal protections as cornerstones
- d) Accountability for discrimination
- e) Laws: prerequisite for empowerment

5. Social protection is the key player (Antithesis)

- a) Legal reforms are acceptable for a society based on equality rather than patriarchy
- b) Societal values are reflected in legal system
- c) A society based on equality makes laws for equality
- d) Socially empowered groups have confidence to struggle for their rights

6. Conclusion

Topic: 96 Women are Not Protected

Socially, can legal actions protect them?

Essay

"Good people do not need laws to tell them to act responsibly while bad people will find a way around the law." - plato. This quotation of plato underscore the significance of civilized minds that do not need legal constraint to be in their boundaries. These individual minds then shape the values of a society that will either protect or harm its marginalized members.

Legal protection and social protection are closely related approaches to ensure women rights and well-being. However, social protection is a prerequisite for legal protection because barbaric societies do not respect any law. Societies build on patriarchal norms cannot be changed by legal actions only. Even if such a society makes any laws they will not implement them and laws just in papers do not ensure protection. Moreover, a patriarchal society makes biased and discriminating laws and do not empower women to demand unbiased laws to protect them. Although, advocates of legal actions consider laws as prerequisite for social protection of women. They claim that legal actions can change

patriarchal mindsets and shape and influence societies. It is the law that holds societies accountable for their discrimination and empower women to fight for their rights.

Social protection and legal actions for protection are two approaches to ensure equality, protection of human rights and well-being of individuals. Legal action refer to laws and judicial system to address violation of fundamental human rights and ensure justice. It does so by holding perpetrators accountable for their violations of laws. On the other hand societal protections encompass strategies and norms to prevent human rights violations by establishing healthy and safe environment. In short, societal protections address the root cause to prevent discrimination.

Legal action cannot protect women in a patriarchal society. patriarchal societies. Patriarchal societies legitimize subordination and deprivation of women on the basis of different cultural values that even women themselves do not question their subordination. As proposed by psycho-analytical Feminist that patriarchal societies establish men dominance

over women and submissive roles in women. So, patriarchal mindsets cannot be changed by legal actions.

Legal actions for protection of women are taken by members of society. A society that is based on patriarchal norms will not take actions against patriarchy and violations based on patriarchal norms because they do not consider it a violation. For example, Pakistani society did not consider honor killing a crime; till 2005 there were no laws against honor killing. In short, societies make laws and take legal actions.

Legal actions that exist only on papers do not benefit any individual. For instance, Pakistan passed the Acid and Burn Crime Bill in 2017, but according to Pulitzer Center, ^{about} 200 cases of acid attacks are reported annually because laws are not implemented efficiently. So, laws may stand tall on papers but they are of no use if they fail in society.

Women can struggle for their rights only when they are empowered and supported by society. Without support from society, women cannot protect their rights. An example is Mukhtaran Mai Case who was assaulted but

society and family pressurized her to stay silent as reported by her ownself in an interview in 2011. So, it is society that empowers women to fight for their rights.

However, many believe that legal actions can address patriarchal mindsets. Legal actions can change the patriarchal norms by acting against them. An example that can be quoted here is of second wave feminism which achieved "equal pay" in patriarchal British society of 1960s and 1970s and now women receive equal pays equal to men in many professions. In this way, legal actions can address patriarchal mindsets of societies if framed efficiently.

As legal actions can change patriarchal mindset, they can shape and influence societies. They can legitimize and illegitimize certain behaviour and norms on which societies are based. A legal action taken for a certain violence sets example for the society and others follow suit. In 1983-1987 only one centre for women studies was established only in Karachi University and now almost every

prestigious university in Pakistan offer Gender Studies programs. In short, legal actions can set a good example that can shape and influence societies at large. Legal actions even on paper are cornerstones of societal protection of women. When laws are drafted they are implemented eventually even if the process is slow. Prevention of Anti-Women Practices Act, 2011 prevented anti-women practices across Pakistan. Although its results are not attained fully, but in modern and developed Pakistan societies early marriages etc. have decreased as National Library of Medicine reported that Punjab had the highest proportion of never married in the 15-19 age group both in urban and rural areas. So, legal reforms are cornerstones of societal protection.

If societies discriminate on the basis of gender, it is the law that holds them accountable. When laws are passed and legal actions are taken, legislative bodies decide punishments for the violators. For instance, Transgender Person Act 2018, Chapter IV proposes imprisonment up to six months and fine up to ₹50,000 rupees in case of employing or compelling Transgender

for begging.

Laws are a prerequisite for social empowerment of women. Without ^{making} fundamental rights a part of legal framework, women cannot protest effectively against violation of those rights; they will have to struggle more when their rights are violated. For example, in Mukhtaran Mai case there was a need for an efficient law relevant to contemporary time for evidence collection. So, legal actions are a prerequisite for women empowerment.

However, these claims overlook the fact that legal actions are acceptable for a society that is based on equality rather than patriarchy. Despite laws against child marriages, the patriarchal norms of society are still a reason of prevalent child marriages. Pakistan has the 6th highest number of girls under 18 married in the world as reported by UN women. So, patriarchal societies do not act according to laws.

Legal reforms sometimes reflect the society. As Pakistan's society is patriarchal, that patriarchy is highly reflected in

its laws. For instance Hudood Ordinance 1979 was a reflection of patriarchal society that not even governments headed by women like Benazir Bhutto could repeal it. So legal actions are reflections of society.

Societal transformation is not possible without targeting the underlying issues of societies. 96 societies have norms that find it legitimate to oppress women, no law in ^{that} society cannot protect women. That is why psychoanalytical feminism suggest changing the mindset and unconscious beliefs in desires. So social transformation cannot achieved by legal actions only.

On a nutshell, although legal actions and societal protection both play role in protection of women, society is key player in protecting women. Patriarchal societies do not accept laws against their norms, they create biased and discriminatory law and do not empower woman to fight for their cause. legal reforms although provide strong ground for women protection, they need a safe and healthy society that accepts legal reforms and implement them