

Can laws alone protect Women in Pakistan?

Outline

1) Introduction:

1.1) Hook

1.2) Thesis statement:

The laws alone could not protect women in Pakistan because of weak laws enforcement, ill literacy rate among women, economic constraints and male dominated society culture.

2) Why laws ^{alone} could not protect Women:

2.1) Tribes system and male dominated Society

Jirga system prevents women to step out from home.

2.2) Ill literacy rate among women:

~ According to World Bank Survey, 2023

almost 78% of girls are not enrolled in schools.

~ Example from Mukhtaran Mai case.

2.3) Economic Constraints and Male over-reach before law enforcement:

Jirga system creates propaganda against victims mostly put economic constraints to fight case.

~ Example of Brother of Mukhtaran Mai: illegally perisoned to prevent legal actions.

2.4) Lowest Reporting of Violence Against Women and least Conviction rate

~ Almost 10-12% cases regarding violence against women are usually reported.

~ The conviction has remained less than 2% in these cases.

2.5) Least Presence of Women in Power Structure:

~ Only two PM in the entire history of 78 years of Pakistan's emergence.

~ less than 18% are in judicial system of Pakistan.

~ less than 17% are lawyers

2.6) Least Presence of Women in Power structure of Civil Services :

~ less 5% of civil servants female opted Police Service of Pakistan.

~ less 15% of civil servants are part of PAS.

2.7) Restrictions to raise their voice through digital Media :

~ Almost 563 cases reported of honour killing mostly because use of digital media.

~ ~~least~~ Restrictions to join journalism.

2.8) Even Absence of laws to prevent digital violences

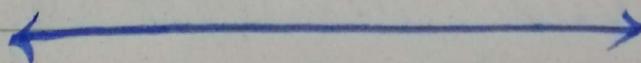
~ Almost 61% of women journalists are facing digital violence in which 41% are facing real world attack.

~ A survey conducted by Atlas.

2.9) Lack of technological literacy to report digital violence against women:

~ Due to illiteracy do not know how report and fight for their case.

3) Conclusion: ~ Restated Thesis
~ Recommendations



The Essay

"The justice in the hands of powerful often becomes injustice for powerless." These are the words of Mukhtaran Mai when she received full conviction of her case after eight years. This is the story of weak enforcement of laws against women violence in Pakistan. Almost every woman who is facing gendered base violence has the similar story. From Bano Bibi to Humaira Asghar, from Iqra Bibi to Sana Yousef, all have rendered their lives while enforcement of law remains less than one percent. There are numerous reasons owing to which alone laws could not protect women from gender impunity. The tribal system, low literacy rate and economic constraints have restricted

88% cases not to reach in the hands of law. Moreover, weak enforcement of law, absence of women from power structure of Pakistan and lack of regulation for digital violence have compounded the evidence that alone law could not protect women. Therefore, the aim of this essay to explore how law alone could not protect female gender from violence.

To begin with, Pakistan has inherited tribal ruling system in most rural areas and male dominated society from colonial era. This system subjugated women and restrained them within the walls of home. From emergence of Pakistan to modern Pakistan, this system has undermined women's rights and put them under shadow

of men. The Jirga system has used to decide the decisions of women life. This system provides conducive environment for male domination in the tribe society.

The framework of this system induces element of "gharat" (honor) which influences men to undermine women's rights. Therefore this complex system has entangled women into net where women could not reach to law and fight her.

Hence, tribe system and male dominated society do not allow women approach authorities to fight their suits. D. Kandiyoti explains this phenomenon in one of his saying:

"Patriarchal structure is not only a societal coercion but also consent shaped by authoritarian and culture."
~ D. Kandiyoti

Tribal system is not the only reasons for which women could not reach law. Illiteracy has remained consistent problem for Pakistan from its emergence. Despite numerous efforts, the state has remained fail to ignite minds of young generation particularly females through education and innovative ideas. According to report of World Bank, almost 78% of girls has remained out of school. With this literacy, how women could know about their legal rights. For instance, when Mukhtaran Mai reported her case then she was illiterate. She told that she did not know what the police officers have jotted down in her case. Therefore, many culperits were remained out of custody before law. Hence illiteracy among women

could lead to no report, low conviction and weak enforcement of law. These are the reasons which shaped Malala Yousefzai saying

**"Educate women,
Educate generations."**

Malala Y. Zai

Economic constraints has also remained one of the major reason to adopt legal rote for her safety. In the male dominated society, least number of females are ~~not~~ financially independent. The culture of the society forced women to remain subjugated men. The society do not allow women to do job and become economically independent. When women do not have financial access to fight their case then adherence law would become

just symbolic. Moreover, if woman fortunately is financially independent, the male tends to over-reach law. This results in no conviction of the case. For example, in order to restrict Mukhtaran Mai to approach before law, the tribe leaders ^{had} over-reached to police officers which resulted the FIR against her brother. Thus, the economically dependent and whirled in male dominated society, women could not get conviction of their cases.

Another reason behind the engma of women violence is low reporting of gender based violence cases. The Patriarchal structure of society has restricted women not to reach for reporting their agenda. According to Accountability department

of Pakistan, almost 10-12% of cases are being reported of the total violence cases against women. The society leaders feel ambiguous to send their women in courts. Moreover, in the reported cases, less than one percent are being convicted before law.

A report says, conviction rate against honor killing cases has remained 0.5% while in abduction it has remained 0.1% even. These two factors, low reporting and least conviction have turned laws into symbolic. Hence alone laws could not enough to protect women. While World leaders enforces it a binding duty to protect women. The former Secretary General of UNGA says:
"There is one truth which is universally applicable to every nation, every culture,

and every communities, violence against women is never excusable and never acceptable."

~ Ban-Ki-moon.

The absence of women's presence in power structures of Pakistan has also remained one of the critical reason for avoiding the writ of law in violence cases against women. Taking example from history, when Benazir Bhutto was tried to become a female pilot, interviewer asked her to go and come when there would be a female Prime Minister. And history remembers, when she became PM, numerous females had taken the opportunity to become pilot. Yet unfortunately, only two female have succeeded to reach the authority of executive authority. Moreover, less than 18%

women have been the part of Judiciary. These figures are lamentable for the application of laws to protect women from societal violence. However, above mentioned instance tells the potential of women to change the hierarchy of the society and nation. Therefore, absence of women from the power structure of Pakistan has remained significant loophole for implementation of laws. A scholarly survey reports that:

"The presence of women in power structure can eliminate seventy percent of the gender based violence cases."

In addition, the presence of women in power structure through civil services has also remained low. The yearly allocation reports show that less than

5% women have chosen PSP as their first preference for allocation. Moreover, the number of females who tend to adopt PAs have also not more than 15%. These statistics depict that the society has shaped women psychologically weak so that they do not interested even to find themselves in power structure.

This results in weakening interpretation of laws and fragile application of ~~law~~ legal process for gender base violence cases.

Technology has created easeness in approaching authorities while Patriarchy restricts female gender to use digital codes to take legal assistance. Primarily, leaders of the society prohibits the women not to use digital media. It is thought that ~~d~~ through

digital media, women may come to know about their rights and process to attain them. Therefore, society and male dominated culture influence to make honor killing on the name of ghairat. In year 2025, there has been 563 cases reported regarding honor killing and most of them were because use of social media. The case of Humaira Aghar, Bano Bibi and Sama Yousef are the recent examples of it. Furthermore, if some women possess facility of digital media fortunately, society leaders make high surveillance of them. Therefore restrictions on use of technology prevent women to know their legal rights and turn laws superficial.

Lastly, the absence of laws to prevent digital

violence has also been emerging threat to protection against women. According to survey conducted by Atlas, almost 61% of women journalists are facing digital violence in which 41% are facing real world attacks. These figures lead towards fragile nature of laws to protect women.

To sum up, the passing of legal acts are not alone can protect women from cruel nature of male dominated tribal culture. There are numerous reasons like weak enforcement of laws, illiteracy rate among women, economic constraints and absence of women presence in power structure of Pakistan which permeates violence against women invisible. However, with women educating initiatives,

offering them social protections, and solid moves to distort the net of patriarchy can be proved imperative in protecting women from gender base violence. Moreover, freedom to digital media and policy making against digital can also prove vital step regarding female protection. With legal enforcement and Awareness campaigns, Pakistan can take over this dark side of society.

Louis kennan has said, "Sunlight is the best dis-infectant" while for the current agenda imperative steps could be proved sunlight.