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Can Laws Alone Protect Women in Pakistan?

Outline:

1- Introduction:

Although laws for the protection of women exist in Pakistan, still women are subject to violence and discriminatory practices. It is due to the complexity of challenges faced by them. Therefore, proper and effective implementation of laws is necessary to ensure protection of women.

2- Existing laws for the protection of women in Pakistan:

- i) Pakistan is a signatory of United Nations' 'Convention on the Elimination of all sorts of Discrimination Against Women (CEDAW)'
- ii) Protection of Women Against Workplace Harassment Act 2010.
- iii) Acid Control Act 2011.
- iv) Protection of Women Against Domestic

Violence 2025.

- v) Offences in the Name or Pretext of Honour Act 2016.

3. Why laws alone are unable to protect women?

- i) Implementation gap in existing laws subject women to violence.

Case in point: Only 2% of rape convicts are punished in Pakistan (HRCP)

- ii) Existence of parallel justice system in Pakistan subjects women to dual violence.

Case in point: Mukhtaran Mai case (SC Report).

- iii) Women are oppressed by the religious misinterpretation.

Case in point: Early marriages and high birth system.

- iv) Traditional and cultural practices are out of the influence of law.

Case in point: 'Vani' and 'Swara' practices in tribal areas of Pakistan.

v) Economic subordination of women renders them unable to seek justice.

Case in point: Only 22% of women in Pakistan are in formal workforce (UN Women).

vii) Political subjugation of women makes them unable to express their grievances necessary for policy proposal and decision making.

Case in point: Only 3500 out of 18000 candidates were female in elections of 2024 (FAFEN).

viii) Patriarchal dominance subjects women to gender-based violence due to weak rule of law.

Case in point: 200 honour killing cases alone in 2023 (Aurat Foundation).

4- The Way Forward:

i) Government needs to cooperate with religious bodies and scholars to end violence against women due to misinterpretation. Case in point: Bangladesh employed 2100 religious scholars to reinterpret laws regarding high reproduction rates.

- ii) Government needs to strengthen rule of law to reduce implementation gap.
- iii) Government needs to encourage women participation in policy making to address their grievances.
- iv) Government needs to cooperate with civil societies and media to end harmful cultural practices.
- v) Government needs to strengthen safety nets and support women's economic participation to make them less vulnerable.
- vi) Government needs to align parallel justice system with the Pakistan's legal and constitutional procedure to strengthen law.

5- Conclusion :

In Pakistan, laws alone cannot protect women due to the complexity of challenges and implementation gap in the legal system. Hence, the aforementioned reforms need to be ensured to protect women.

In Pakistan, comprehensive laws exist to ensure women protection. Still, Pakistan ranks 148th out of 148 countries on Gender Gap Report by World Economic Forum, highlighting that women are vulnerable to violence and other forms of insecurities. Thus, it is evident that laws alone cannot protect women in Pakistan. It is due to multiple reasons. The most immediate of which are the complexity of challenges faced by women and implementation gap in existing laws. Although Pakistan is a signatory of CEDAW (Convention on the Elimination of all sorts of Discrimination Against Women) along with multiple other laws i.e. laws against harassment, domestic violence, honour killings, acid crimes etc, women are subject to all such offences despite laws. Laws are unable to protect them alone due to the implementation gaps in them. Moreover, the parallel justice

system, especially in tribal areas of Pakistan, serve as a machinery for dual violence against women. Religious misinterpretation also oppresses women by inflicting upon them the pain of higher reproduction rates and early marriage system which are unchecked by criminal law. Furthermore, traditional and cultural practices also oppress women as these are also out of influence of legal system. It is the economic subordination of women which adds fuel to the fire by rendering women unable and financially weakened to seek justice.

Their grievances remain unheard and unaddressed due to their absence from policy making and inadequate political representation. The rule of law is too weak to protect women from patriarchal practices like gender based violence. Therefore, all the grievances of women and their subjection need to be addressed by strengthening rule of law and

ending the implementation gap in existing laws to ensure women protection.

The essay discusses the existing laws for the protection of women in Pakistan briefly and throws light on the case why laws alone are unable to protect women in Pakistan.

Pakistan's legal system incorporates multiple laws to ensure women protection. The country is a signatory of the United Nations' Convention on the Elimination of all sorts of Discrimination Against Women (CEDAW). To ensure the protection of women at workplace, the country has adopted 'Protection of Women Against Workplace Harassment Act' in 2010. Furthermore, the increased acid crimes against women led to the adoption of 'Acid Control Act, 2011'. As 90% of women are subject to face domestic violence at least one stage of their lives,

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as per UN Women, Pakistan has passed bill against domestic violence in 2025. Moreover, honour killings are another curse following the legal system, 'Offences in the Name or Pretext of Honour Act, 2016' ensures the protection of the nation against this curse. However, these laws alone are unable to protect women due to multiple reasons which are discussed as follows.

Implementation gap in the existing laws is the primary cause of women's subjection to violence despite laws. In Pakistan, almost all sorts of laws exist to ensure women's protection in private lives and public spheres. However, these laws are restricted to mere existence in papers, rather than their fair implementation. It is due to the poor situation of rule of law and weakness of law enforcing bodies. Law enforcing bodies including police,

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judiciary etc. have been weakened due to corruption and politicization. One prominent case in this regard is Human Rights Commission of Pakistan's report highlighting that only 2% of rape convicts are punished in Pakistan. The rest are freed due to their powerful position. Case backlogs and repeated adjournments also serve as a barrier in ensuring effective implementation of laws. It is rightly said that justice delayed is justice denied. The delayed justice serves as a confidence booster for other agents involved in oppression. In this way, non-implementation serves as the foundation for female oppression. In addition, parallel justice system in Pakistan also plays a major role in this regard.

Parallel justice system in Pakistan leads to dual violence of women. In tribal areas of Pakistan, it replaces the country's legal machinery.

It operates on its own principles formulated by tribal heads, reflecting the image of oppressive patriarchy. It is due to the existence of this system that cases are not brought about in formal courts and are not decided by in the light of formal legal principles. As women are viewed by such tribal leaders a thing of domination, cases are not decided in the light of justice. They are more concerned ~~with~~ ensuring male hegemony. Therefore, women are usually subject to violence and oppression. The worst of all is that this parallel justice system is not checked by the country's formal justice system. It highlights the aspect that laws alone cannot protect women. A prominent case in this regard is of sexual violence against Mukhtaran Mai ordered by the parallel justice system. The ruling of informal justice system could not be checked by

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the final one. However, years of struggle and media representation of the issue led Supreme Court of Pakistan to decide the case and punish the convicts. It highlights the cause that how laws alone cannot protect women. Religious misinterpretation also plays a huge role in this regard.

In Pakistan, religious misinterpretation oppresses women in multiple ways. Laws alone are unable to ensure their protection in this case as well. Religious narratives are shaped by patriarchy in accordance of their views and biases to subjugate women. In Pakistan, early marriage system is common especially in rural and tribal areas. More than half of the female population is married below age 16 to align with religious morality. This leads to calling off their education, subjecting them to male dominance by limiting their circle of knowledge, awareness and autonomy. This, in turn,

is entrenched by propagating another belief that those who give birth to more children are liked by God.

This dilemma of the early marriages and high reproductive rate is associated with religious righteousness, which, in turn, puts a strain on the country's socio-economic system, and weakens the law and order situation.

The situation is even worsened by traditional and cultural practices.

Traditional and cultural practices in Pakistan are out of the influence of law. Hence, these practices serve to oppress women by subjecting them to unfair and oppressing system. For example, practices like 'Vani and Swara' are meant to subjugate women for promotion of patriarchal causes alone. Those who violate the norms or object to the oppressive terms are punished by inflicting pain or fear of abandonment by family. In this regard, laws

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alone ^{fail} to protect them. The absence of protective policies, shelter homes and female safety nets subject them to follow the instructions proclaimed by hegemonic masculinity. Their economic subordination also blocks them from raising voices for justice.

In Pakistan, women are economically weak and dependent on their male counterparts for sustenance. Despite being more than half in number to men, economic subordination of women renders them insecure and oppressed while laws exist. According to a report of UN Women, only 22% of women in Pakistan are in formal workforce as of 2025. This economic subjection serves as a violence against women. However, laws exist for protection of women against harassment at workplace and for their merit-based recruitment to prevent biasness,

the religious and cultural misinterpretations serve as glass ceiling. This oppresses them in two ways. First, by blocking them from benefitting themselves from economic opportunities. Second, by rendering them unable to seek justice in case of violence due to their weak economic position. In this way laws alone fail to protect women against oppressive cultural and social policies. Another important cause is their political subjugation.

Women in Pakistan are not encouraged in politics which renders them unable to express their grievances and to address them in the country's policies. Inadequate female political participation due to patriarchal dominance, cultural narratives and economic constraints translates in female oppression. It is because the non-encouragement of females in politics hinder their issues

from being highlighted and addressed. Their absence in decision making leads to the enforcement of those proposals which do not adequately address their grievances. As a result, the laws made are ineffective in ensuring female protection. According to Free and Fair Election Network, only 3500 out of 18000 candidates were female in elections of 2024, despite being more than half of population. Along with it, women are also subject to gender-based violence.

Patriarchal dominance subjects women to gender-based violence due to weak rule of law. It also occurs despite laws exist to ensure female protection from domestic abuse, honour killings and acid crimes. It is due to the patriarchal domination and weak rule of law which blocks the legal protections. According to Aural Foundation, 200 cases of honour killings were reported alone in 2023.

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This shows that laws alone cannot protect women from violence and oppression. It is the cultural, social, economic, political and misheld religious system which needs to be addressed in order to ensure women protection. Some of the solutions are suggested as follows to ensure female protection.

Government needs to cooperate with religious bodies and scholars to address the issues due to religious misinterpretation. It is the only effective way to deal with propagating ^{false} religious narratives which subjugates women. A prominent case in this regard is that of Bangladesh; it employed 2100 religious scholars all over the country to change people's minds regarding high reproductive rates by reinterpreting religious views. Pakistan can also employ this technique to end the misheld religious interpret-

ation of women as subordinate to men, and enforced to marry early. In this way, Pakistan's women protection initiatives will prove fruitful.

Government also needs to strengthen the rule of law and to align the informal justice system to the formal one to end implementation gap in existing laws. By strengthening rule of law i.e. law enforcement bodies, judicial and policing system, the country can ensure female protection. In this regard, gender-sensitive policing, gender-sensitive benches in courts, and female staff need to be hired to ensure protection from vulnerabilities. By aligning parallel justice system with the formal one, dual oppression against women can be addressed. It will strengthen rule of law and people's trust in justice system can be restored.

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Government needs to cooperate with civil societies, NGOs, media groups etc. to protect women against harmful cultural practices and economic suppression. By ending discriminatory cultural practices, women can be encouraged to participate in economic and political fields to bring benefits for them as well as for the nation. This can be done by focusing on female education as well as ending the patriarchal narratives from national curriculum. Women needs to be encouraged in labour force to make them strong enough for seeking their rights and justice as it is rightly said that power lies in the hands of those who own means of production. In this regard, government needs to support female based business initiatives and introduce microfinance programs to support them. In this way, they will be able to protect themselves in the

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light of existing laws as well as create new laws for their well-being.

In conclusion, the existing laws in Pakistan need to be strengthened by ending implementation gap. Moreover, the practices i.e. social, cultural, religious, political etc. which subjugate women need to be addressed to make existing laws effective in ensuring female protection from all sorts of violence and discrimination. Government, in cooperation with religious bodies, civil societies, media groups etc., needs to transform the existing discriminatory practices into positive ones to encourage female growth and protection. Strengthening rule of law, reinterpreting religious misinterpretations, aligning informal justice system with formal justice system, addressing discriminatory cultural practices through civil society cooperation, introducing holistic educat-

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ion curriculum and encouraging female political and economic participation are necessary to ensure women protection beyond laws. The process seems complicated and difficult to achieve. The small steps taken by government of Pakistan as well as other social groups will lead to a brighter path in future. As it is rightly said,
'O Wind! If winter comes,
Can Spring be far behind?'