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Historical Analysis of Women Empowerment in Pakistan 1947-2005

Sadaf Ashiq 

PhD Scholar, Department of Politics & International Relations, GC Women University Sialkot, Punjab, Pakistan

Corresponding: sadaf.ashiq@gmail.com

Dr. Zahid Yaseen 

Associate Professor, Department of Politics & International Relation, GC Women University Sialkot, Punjab, Pakistan

Email: zahid.yaseen@gcwus.edu.pk

Abstract

The paper seeks the historical evolution of the women's empowerment in Pakistan from 1947 to 2005, within the context of the complex relationship among political regimes, legal amendments (being made from time to time) and socio-cultural forces. It examines how distinct eras — from the progressive ambitions of the early post-independence years to the repressive policies of military rule — influenced the status and rights of women in the country. 'Moments', the Family Laws Ordinance of 1961, the Hudood Ordinances during General Zia-ul-Haq's era, the emergence of feminist movements like the Women's Action Forum are critically evaluated as potential to women's legal and social empowerment. Democratic leadership, especially during the times of Zulfikar Ali Bhutto and Benazir Bhutto, is also scrutinized to determine the level of political will towards gender parity. The study is qualitative and historical, resting on archival data, policy reports as well as civil society narratives to inquire into shifts in the women's rights terrain. By locating the empowerment of women within the context of broader political and social change in Pakistan, this paper seeks to develop a nuanced appreciation of the advances, retreats, and long-standing obstacles shaping the road to gender equality in the country over the years covered by the book.

Key Words: Women Empowerment, Gender Equality, Legal Reforms, Family Laws Ordinance, Hudood Ordinances, Feminist Activism.

Introduction

The Women's empowerment in Pakistan; the story is closely related to the political development in the country, social reforms, cultural attitudes, and the wider religious rebirth of citing religious prescriptions and Islamic law. Since independence, in 1947, Pakistan has struggled to reconcile traditional patriarchal norms with its constitutional commitment to gender equality. This long-standing discord has informed the fates of women in public and private life. Although the constitutional protection of rights and sporadic legal reforms, the process of women's empowerment has remained intricate and uneven given the nature of the

dominant political regime, geographic disparities and societal perspectives in Pakistan. This study examines the historical stages of ascendancy of women in Pakistan from 1947 to 2005, through the perspective of policies, movements, legal structures and social changes which have either promoted or hampered gender equity.

The timeframe covered by the book starts at the time of Pakistan's creation in 1947; the founding leadership, especially Muhammad Ali Jinnah, stressed the importance of women in nation-building. This ideal, however, encountered steadfast opposition from the reactionaries. The early period witnessed a small representation of women in politics, education and the public sector. Women entered professional and educational fields somewhat during the 1950s and 1960s, although mostly in urban and upper class spheres. Family Laws Ordinance of 1961 under the rule of Ayub Khan was a notable legal step towards women's rights to marriage, divorce and inheritance but its enforcement was not uniform (Khan, 2013).

The Zulfikar Ali Bhutto's years (1971–1977) also saw the emergence of women activists in politics and the human rights movement focusing largely on the national level. The most regressive period was, however, when conservative interpretations of Islamic laws were codified by General Zia-ul-Haq in his 11 year rule (1977–88) and women's legal and social status was vastly restricted with Hudood Ordinances and Qanun-e-Shahadat. This era also saw a militant reaction from feminists, of which the Women's Action Forum (WAF), an oral lobby for women's rights and legal reform, was the most vociferous. The nineties saw the restoration of democracy again and the ray of light was this time the ascent of Benazir Bhutto as the first woman Prime Minister in a Muslim country (Murshed, 2010). But political sagas, deep rooted patriarch and ineffective institutional support rendered pro-women policies back burning. Women's empowerment had also become part of the national and international dialogue by 2005 but structural inequalities and cultural obstacles remained. This article uses the historical approach in investigating how events of the era such as political ideas, legal changes, social and cultural trends combined to shape the discourse of women empowerment in Pakistan during this particular era. By closely reviewing state policies, civil society struggles and judicial landmarks, this analysis seeks to illuminate the roots of gender inequality in history and chart the trajectory of women's rights in Pakistan.

Early Reform Movements and Women's Participation in the Independence Struggle

Though patriarchal systems were deeply rooted, 20th century saw social reform movements that challenged those old norms and fought for Women's Rights. These were spearheaded by a mix of reformers, both Muslim and Hindu, as well as those with secular ideas who believed that education, legal change and social consciousness could help modernize society.

Muslim educationists like Syed Ahmed Khan and Maulana Muhammad Ali Jauhar, too, held up the cause of female education and the reform of family laws. The All India Muslim Women's Conference (AIMWC), established in 1914, was another organization that worked to heighten the consciousness of women's legal and social status in Muslim society. Muslim reformists also stressed Ijtihad (reinterpretation) as a way to reset Sharia to be compatible with women's rights in the modern world (Shaheed, 2010).

Women also became engaged in nationalist political activities, especially during the first half of the 20th century, in movements such as the Khilafat Movement and the Black Silk (Indian National Congress's civil disobedience campaigns). The All India Muslim League was a part of the Pakistan Movement, whose members were major contributors in the independence of Pakistan including the role of Muslim girl

names such as Fatima Jinnah, Begum Ra'ana Liaquat Ali Khan and Begum Jahanara Shahnawaz that were at the forefront in social mobilization and participating in the political movement for the independence of Pakistan. Their participation in politics transformed the status of women in the public domain and questioned conventional stereotypes of gender relations in an Islamic society (Willmer, 1996; Zia, 2013).

These are the reformist and nationalist movements who shaped the intellectual and institutional basis for post-independence legal reforms in Pakistan. The pre independence era was a time when the legal protection for the rights of the women was scarce and sparsely distribute but it was also a time when initial seeds of resistance, awareness and struggle against the prevalent unjust environment in this regards were sown and which would later shape the contours of the legal framework concerning the protection of rights of the women in the (to be newly created) the state of Pakistan.

Post-Independence Period (1947–1977)

The context of women's empowerment in Pakistan, especially when seen from a legal perspective, needs to be considered in the historical, societal, religious and political settings which defined this new state after its emergence in 1947. During this time (1947–1977) there were liberal as well as conservative legal reforms that affected how gender equality was treated. The politicisation of the women's empowerment discourse was also due to the fact that the task for freedom and legal empowerment of women in this period was closely linked to the identity formation process of the state, to political turmoil and for the state leaderships, to religious interpretations. The post-independence period created a floor in the legal edifice, even if it did not provide a ceiling; the legal adjustments of this period would shape the discourse ideologically surrounding women rights in Pakistan for decades.

The 1956 Constitution: 1st Step towards Legal Recognition

The 1956 adoption of the first constitution in Pakistan represented a formal recognition of women's rights in law. Constitution 1956 This Constitution recognized women as equal citizens and guaranteed equality before law under Article 8. It also provided women with the right to run for and hold public office as well as the right to participate in the legislature, judiciary and civil service. But, though the constitution promised equality, laws concerning marriage, divorce, inheritance and custody were guided by personal laws based on religious law to a great extent Muslim Family Law that left women at risk for patriarchal interpretations (Khan & Tobawal, 2017). Little state interference existed on these issues and accordingly, many traditions still outweighed constitutional protections.

Family Law and the Role of Reformists (1950s–60s)

Among the major legal developments for women in this era were the Commission on Marriage and Family Laws (1955–56), popularly known as the Rashid Commission after its chair, Justice Rashid. The Commission was mandated to review the family laws, applicable to Muslims in Pakistan, particularly in relation to polygamy, divorce, child custody and child marriage.

Several reforms were recommended by the Commission's report in 1956:

- Compulsory registration of marriage.
- Limitation on multiple marriages (polygamy) without consent of the first wife.
- Judiciary in the matter of unilateral divorce (talaq).
- Women's right to seek divorce (Khula).

These suggestions eventually culminated in the promulgation of the universally acclaimed “*Muslim Family Laws Ordinance (MFLO) of 1961*” under General Ayub Khan. MFLO was a landmark legislation for Muslim women in the Muslim world. Key provisions included:

- Compulsory registration of all marriages and divorces.
- A man could not remarry without permission from an Arbitration Council.
- A waiting period (*Iddat*) was prescribed for the divorced woman.
- Women were given greater autonomy in petitioning for divorce.

Conservative religious voices opposed MFLO Draft while it was supported by reformist and feminist forces who saw it as an important step in the direction towards legally protecting of women's rights within the family. The law also provided procedural guarantees that curbed arbitrariness and misapplication in areas such as polygamy and divorce.

Modernist Reforms Initiated by Ayub Khan (1958–1969)

Under Ayub Khan (1958–69), the state is widely recognized to have forced development and law reforms from the top down, the period being considered one of ‘modernist authoritarianism’. Ayub, during his military rule, had provided to boot a 1962 Constitution and maintained the legal equality of women if presiding over a drastically weakened parliamentary democracy. Women were encouraged to be part of the public realm, including in health, education and civil services. Patent reserve seats for women in the National and Provincial Assemblies were offered, which gave women political face, but the women’s presence was titular and in large measure dictated by the executive (Khan et al., 2024).

Women like Begum Ra’ana Liaquat Ali Khan who had led the way in creating the All Pakistan Women’s Association (APWA) in 1949 became some of the voices demanding legal changes. APWA and others campaigned for the implementation of the MFLO and its extension, for women’s education and involvement in the formulation of policy (Zaheer & Chawla, 2023). Nevertheless, the Ayub period’s emphasis on the rights of women was conceptually part of its larger modernist project and was not accompanied by popular mobilization or sustained institutional reform. And the majority of rural women were still kept out of the reforms by lack of legal literacy and poorly functioning judiciary.

The 1973 Constitution and Saga of Women’s Legal Rights

The Constitution (1973) has been widely regarded as a prominent event in the constitutional and political history of Pakistan. It established a democratic and federal system among other rights of citizens including, woman rights. The story of women’s rights in Pakistan, despite this promising start, has been marked by a series of advances and setbacks, influenced by political change, religious interpretations and shifts in societal attitudes. When it was promulgated, the 1973 Constitution looked like a hopeful structure for safeguarding and promoting the rights of women. It included basic rights that entitled all citizens to equality before the law and equal protection of the law, regardless of sex (Article 25). Article 34 explicitly provided: “Effective measures shall be taken ... to ensure full representation of women in all spheres of national life.” These were the constitutional foundations upon which women’s legal representation and political participation could have been built.

There were some promising early developments in the years after the Constitution’s ratification. As to the Family Laws Ordinance, 1961, although it preceded the Constitution, it was a significant legal instrument protecting women’s rights in

relation to marriage, divorce and inheritance. The 1973 Constitution clearly ratified these rights, reserving the ideals of personal freedom and equality before the law of all citizens of Pakistan. But the course of women's rights took a drastic shift under Gen. Zia-ul-Haq and his military rule during the 1980s. In the name of Islamisation, a whole group of laws that violated the constitutional rights of the women were passed on. The 1979 Hudood Ordinances had been particularly divisive. These laws equated rape with adultery and women were required to prove the crime against them. A number of women were jailed or scrutinized by media as a result of enforcement of these laws, which drew massive criticism from both within country and outside the country (Gul & Farooq, 2020).

It was the roll back of women's legal status during Zia that brought the mobilization of civil society and women's organizations. Organizations such as Women's Action Forum (WAF) sprang up in reaction to these unjust laws to demand legal revision and protest against abuse of religion in the sphere of justice. Their activities reignited a national conversation about women's constitutional rights and the collision between statutory law and religious dogma. Successive governments made greater and lesser efforts to reinstate and advance women's rights. Some of these distortions were addressed in the 1990s and 2000s through legal reforms. The 2006 Criminal Law (Amendment) Act, during the government of General Musharraf, brought significant reforms in Hudood Ordinances, including the Women's Protection Act. This moved cases of rape out of Islamic courts and back into the Pakistan Penal Code, providing greater legal remedy for victims.

Additional progress occurred in the democratic period since 2008. It also saw significant strengthening of the National Commission on the Status of Women (NCSW) and the passage of laws to protect women against domestic violence, workplace harassment and to ensure women's right to inheritance. Key among them are, for instance, the Protection Against Harassment of Women at the Workplace Act (2010) and the Acid Control and Acid Crime Prevention Act (2011). Not only did these laws regulate and redress, but they also acknowledged the special challenges women in the public and the private face. The 18th Constitutional Amendment of 2010 was a major milestone for women's rights. It delegated a host of issues concerning social welfare and the development of women, to the provinces with a view to promoting the enactment of regulatory measures at the local level. As a result, provinces, including Punjab and Sindh passed domestic violence laws, thus adding to the overall legal framework (Khan, 2013).

However, there is an implementation challenge. But while the legal framework has advanced, enforcement is frequently lax and cultural norms still limit women's ability to seek justice. The judicial response is diverse and the patriarchal attitudes of law enforcement officials inhibit the effective enjoyment of the rights of women. Not to mention women in rural areas and those with low-education are particularly vulnerable with lesser hearing of their rights and access to legal aid.

Summary of the legal and constitutional initiatives for women's empowerment in Pakistan under Constitution-1973

Initiative/Provision	Type	Relevant Article(s)/Law	Focus/Objective
Equality before law	Constitutional	Article 25(1)	Declares all citizens equal before the law.
Prohibition of discrimination on basis of sex	Constitutional	Article 25(2)	Forbids discrimination on the basis of sex alone.
Full participation of women in all spheres	Constitutional	Article 34	Ensures state support for women's participation in public life.
Non-discrimination in public employment	Constitutional	Article 27	Prohibits sex-based discrimination in civil and public employment.
Humane work conditions and maternity benefits	Constitutional	Article 37(e)	Promotes maternity benefits and humane work environments for women.
Muslim Family Laws Ordinance	Legislative	1961 Ordinance (pre-1973, but applicable)	Regulates polygamy, maintenance and registration of marriages/divorces.
Hudood Ordinances (Regressive)	Legislative	Hudood Ordinances, 1979	Islamization laws that negatively impacted women's rights, particularly in rape cases.
Women Protection Act	Legislative	Protection of Women (Criminal Laws Amendment) Act, 2006	Reformed Hudood laws; allowed rape cases under PPC, improving access to justice.
Protection Against Harassment at Workplace Act	Legislative	Act of 2010	Provided legal recourse and safe working environments for women.
Domestic Violence (Prevention and Protection) Acts	Legislative	Various provincial laws (2012 onwards)	Criminalized domestic violence and provided protective mechanisms for victims.
Acid Control and Acid Crime Prevention Act	Legislative	Act of 2011	Punishes acid attacks and regulates sale of corrosive substances.
18th Constitutional Amendment	Constitutional	18th Amendment (2010)	Devolved powers to provinces; enabled localized legislation on women's rights.
Punjab Protection of Women Against Violence Act	Legislative	Provincial Act (2016)	Comprehensive protection mechanism including shelter homes, legal aid, etc.

Source: "1973 Constitution and proceedings of National Assembly of Pakistan"

Islamization and Legal Regression (1977–1988)

History of women's empowerment in Pakistan is closely associated with progress of society in legal and constitutional aspects. The early years of Pakistan had celebrated enlightened secularism and a vision of gender equality under the inspiration of Muhammad Ali Jinnah, but the trajectory took a sharp turn during the time of the military dictator General Zia-ul-Haq (from 1977 to 1988). It was an age of a planned Islamization on which women's rights and their status in society were severely influenced. Instead of promoting women's empowerment, this was a time of legal setback through the making of discriminatory laws and state policies (Chawla & Riaz-ul-Huda, 2015). The Hudood Ordinances, disenfranchising women in legal and social matters and the emergence of resistance movements such as the Women's Action Forum (WAF), these are some examples of the hurdles faced by women. The aftermath of this period still shapes Pakistan for contemporary challenges. That was followed by the rise to power of General Zia-ul-Haq, who justified a wave of Islamization in the late 1970s as an effort to bring Pakistani law into line with Shariah (Weiss, 1985). This politically-motivated ideological revolution was directed at various parts of society, yet none so much as women. The regime's reading of Islamic laws resulted in making gender discrimination as official policy and tradition, so much so that women have remained marginalized as second class citizens.

Among the most visible casualties of Zia's tenure was the gradual dismantling of legal protections that Pakistani women had until then enjoyed. One of the key bastions where the rights of women in the cases of marriage, divorce and inheritance is the Family Laws Ordinance 1961 was derailed to provide new "Islamic laws". While the Family Laws Ordinance has not been repealed, it was also undermined in its effectiveness as a result of the state machinery giving precedence to the implementation of new Islamic laws. The process of canonization of women's domestic role took place in the 20th century with legal backing. During the rule of Zia, laws and policies were promulgated that supported patriarchal norms and sought to regulate the dress, mobility and conduct of women (Fleschenberg, 2010). This ideological change in the legal domain entrenched gender discrimination and compromised the legal status of women in Pakistan.

Democratic Transitions and Legal Reforms (1988–1999)

Women's empowerment in Pakistan has been a critical and simultaneous function of the politics, socio-religious traditions, and legal regime of the country. One very important phase of this transition was between 1988 and 1999, when Pakistan returned to democratic civilian rule after a decade under Gen Zia ul Haq. This period of political pendulum is also a period in which several significant yet intricate legal reforms took place along with the symbolic and actual empowerment of women. Despite such initiative and advances, many structural, legal and social constraints remained in place that led to the inadequate realization of women's rights.

According to Weiss (1990) the election of Benazir Bhutto as prime minister in 1988 forever changed the face of Pakistan and the Muslim world. As the first woman to head a Muslim-majority country, her rise to power was a landmark for women, directly at odds with the gender norms inculcated by General Zia's Islamization initiatives. The fact of having Bhutto at helm of the highest executive office was showing a new narrative of women rights and empowerment not only before the country but it drew attention world around. However Benazir's (1988–1990 and 1993–1996) was an administration defined more by symbolic acts and policy positions than the epoch-making legal efforts of her father. Her leadership called

into question the ideological foundations of Zia-era laws, in particular the ones repressive of women under the cover of religious authenticity. However, in practice there were only modest legal changes, as the political instability and the fierce opposition of the conservative forces meant that all governments were under constant pressure to maintain their coalitions (Azeem et al., 2020).

Yet Bhutto did implement a number of measures that paved the way for the legal and institutional basis for women's empowerment. She revived the Women's Division within the government, increased it to the rank of ministry and placed women in top bureaucratic and diplomatic posts. Significantly, her government created a Women Police Force; developed crisis centers for women facing trauma; and encouraged the setting up of women's cells in police stations that would tackle cases of violence against women, a step towards gender-sensitive law enforcement (Azeem, 2020).

National Policies for Women

One of the most important interventions during this phase related to the establishment of national strategies for coping with gender disparities by means of policy instruments. National Plan of Action for Women (1998) was a significant policy document prepared by the Ministry of Women Development in addition to the above which was co-produced by during the Nawaz Sharif government suggesting a trend for this policy area (but institutionally started under Bhutto):. The Plan of Action was based on Pakistan's obligations to international mandates (Beijing Platform for Action (1995) and CEDAW (ratified in 1996)) and was focused on the mainstreaming of gender into national development plans (Khalid et al., 2023).

The Plan had proposed revisions to multiple areas of law, including family, employment, education and violence against women. While mainly aspirational in nature, the policy was significant, being the first to acknowledge the structural discrimination faced by women and also the first to propose a multiple dimension of women's empowerment (Tabassum, 2016). Several government ministries and departments have now also initiated collection of sex-disaggregated data and completed gender impact studies of development projects. To this end the Five-Year Development Plans of this era started to incorporate the development of women as a cross-cutting issue, where attempts were made to mainstream gender equality within economic and social plans.

Musharraf Era and Women Empowerment

The arc of the empowerment of women in Pakistan has a tendency to reflect, more often than we might like, the larger political and social trend lines of the nation. A form of empowerment, legal empowerment in particular has become a foundation for combating gender-based inequality and D&I in general. The 1999-2005 years under General Pervez Musharraf's military dictatorship proved to be an important period in the progression of women's rights in Pakistan. The time was simultaneously contentious in politics and it marked the beginning of major reforms and governmental initiatives that would give birth to a larger movement known as the gender equity movement. These included policy and institutional reform, the formation of the NCSW, increased parliamentary representation for women at the local level and vital legislative interventions to counter harassment and honor crimes (Qadri & Umer, 2015).

Between 1999 and 2005, there was a significant moment in the legal and institutional history of women's empowerment in Pakistan. Under the leading of General Pervez Musharraf, Pakistan saw key reforms that though undertaken during the period of military rule, have contributed significantly to the legal status and empowerment of

women. When Musharraf seized power in a military coup in October 1999, he preached a philosophy of “moderate enlightenment” and announced structural reforms that would bring Pakistan’s institutions into the modern era. While his political legitimacy was often undermined by the absence of democratic procedure, his government was remarkable as it enacted changes in law that left room for the advancement of women’s rights (Qadri et al., 2018). Among the first legal and institutional steps that were adopted during that time, is the reform of the national legal normative framework in order to address gender inequality. Musharraf government had focused on reviewing and updating laws discriminating against women. While there were no sweeping changes such as the abolition of the Hudood Ordinances during his years, a fundamental questioning of these laws started and his government supported initiatives aimed to change or reinterpret them. Most importantly, a gender perspective was integrated into national plans for development in particular in the 2002 National Policy for Development and Empowerment of Women. This policy paper was a strategy how to end the legal and health and preferability and education disadvantage of women and was in conformity with the International obligations of Pakistan including CEDAW (Qadri et al., 2018).

Musharraf also made history by creating the National Commission on the Status of Women (NCSW) in 2000. This commission was established as an advisory body to review laws and policies with regards to gender, propose to reform all laws that are discriminatory to women and advocate for the removal of all legal barriers to gender equality. The NCSW emerged as a critical institutional tool beyond simply a legal entity and while the legal review part was important, this component also brought data, reports, research, informed the public discourse and debate around gender equality in the country. The commission had no enforcement authority but its conclusions and policy recommendations were extensively cited by human rights organizations and reformers that were trying to bring about change. NCSW also took a strong stance against highly controversial laws such as Hudood Ordinance, Qisas and Diyat Issues, which were largely misused in cases involving women (Noareen & Naz, 2021).

Another reform initiated in that period that profoundly reoriented power relations was the Plan of 2001 on the Local Government Devolution. The new local bodies system, installed under his system offers an innovation: 33% seats in Union Councils reserved for women. Provincial council of minister’s members and Tehsil and District councils had the same arrangements. In consequence, more than 36,000 women were elected to different local authorities in the country during the 2001 polls (Imran & Shahzad, 2019). She brought women into the formal politics at the lowest tier in the system and, thereby instituted the widespread political integration of the women in the policy of Pakistan till that time. Many of these women proved not to be politically adept, but nonetheless served as important actors in local government in the areas of budgeting, planning and community development. That experiment didn’t just bring better service delivery for women and children; it disrupted gender norms and helped thousands of women to step into leadership.

While comprehensive laws such as the Protection Against Harassment of Women at the Workplace Act or amendments in honor killing laws would be made in the years to follow, the foundation for these had been laid during the Musharraf period. Public discussion of workplace harassment and honor killings grew at this time thanks to the efforts of women’s rights organizations and actors in the establishment, such as the NCSW. Draft legislation, policy debate and media campaigning had created a context that allowed for the later formal activity of lawmakers. In particular, the issue of honor killings gained greater attention following a series of nationally publicized cases (Ikram & Kiran, 2022). The

Musharraf regime reacted by enacting the Criminal Law (Amendment) Act 2004, providing harsher punishment for such crimes. But there continue to be restrictions under Islamic laws whereby a victim's family can forgive the killer and thus limit the impact of this law. It did, however, mark the first time that the state had attempted to respond to honor killings as crimes rather than as ancient practices with some basis in culture.

Although the policy was a target of criticism to the effect that Musharraf's proposal and implementation for women's advancement was at least in part politically motivated to secure international approval and support, the practical results were nonetheless directly observable. Key institutions were established or enhanced, laws drafted or amended and women welcomed into the political process as never before. Though it was an uneven path, with many of the reforms being symbolic or skin-deep, the period from 1999–2005 established the ground for sustained advocacy and more substantive reforms in the years to come. These reforms represented a milestone in the advancement of women's legal empowerment in Pakistan and opened the door for subsequent legislation and policies, which would further institutionalize equality between the sexes in the country's legal framework.

Conclusion

The course of women's empowerment in Pakistan has been ambiguous and closely linked with the evolution of constitutions, political advancements, and society and culture. Women's rights have been attacked since the birth of Pakistan in 1947, but they were part of that national conversation, even if constrained by patriarchal mores and traditional values. The road to equality began with constitutional guarantees in the 1956 Constitution granting equality before the law and prohibition of sex discrimination. These rights were reiterated in the subsequent constitution (1962, 1973) but the 1973 Constitution, in particular, reemphasized gender equality in Articles 25, 27, 34.

Notwithstanding those provisions, the pro-women laws were subject to severe limitations as a result of cultural attitudes and political turmoil. During General Zia-ul-Haq's regime (1977 to 1988) under Islamic laws in Pakistan, the government passed a set of discriminatory, women-supremacist laws which lacked application for Muslim women in favor of enforcing Sharia, a move initiated by Zia-ul-Haq when he began to implement these Hudood Ordinances and Qanun-e-Shahadat Order which had begun with President Zulfikar Ali Bhutto. These were criticized for institutionalizing gender discrimination, particularly in the areas of rape and testimony. But the protest against these legal measures initiated new currents of women's activism, providing a starting point for later legal change.

In post-Zia years, number of governments have made efforts to amend discriminatory laws and introduced gender-sensitive laws. The formation of the National Commission on the Status of Women (NCSW) in 2000 constituted a major institutional attempt to monitor women's rights. Pakistan has passed some of the progressive laws in the past: Protection against Harassment of Women at the Workplace Act (2010), the Acid Control and Acid Crime Prevention Act (2011), Domestic Violence (Prevention and Protection) Act in several provinces.

The legal changes were accompanied by a rise in activism, by legal commitments to international standards such as CEDAW (signed 1996) and by court actions in support of gender equality. It is the problem of the liabilities and enforcement gap, however, that constitutes itself as a key issue. Deep-seated cultural barriers, institutional and information weaknesses and ignorance still impede effective enforcement of women-friendly laws. Pakistan has come a long way in terms of the legal empowerment of women, a journey dictated by the flow and ebb of religious interpretations, political will and social movements. The developmental history of

legal dimensions of women's empowerment in Pakistan, in short, reflects a conflicting process — between retrogression and reformation, conservatism and modernism — and it is exactly an on-going debate between these two paradigms that structures current gender justice talks and needs.

Conflict of Interest

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