



INFLUENCE OF WOMEN ENACTMENTS (2000-2015) IN PAKISTAN

*Abdul Saboor,
Research Scholar
Shaheed Zulfiqar Ali Bhutto University of law
Karachi – Pakistan
saboor_abdulsaboor@yahoo.com*

*Prof. Dr. Jawed Aziz Masudi
SZABUL
Karachi – Pakistan
jawedmasudi@gmail.com*

Abstract

Legislation is always made with the goal for progress and ensuring equality in the society. Resultantly the laws take on the role of catalyst for social modifications. The current review is meant to know the relationship between regulation and social change in specific areas of women's empowerment, focusing on women-related laws in Pakistan from 2000 to 2015. The Karachi metropolis is nucleus of the qualitative review; utilizing the purposive sampling technique, twenty lawyers were interviewed who are pleading Civil, Family and Criminal matters in the Courts. The outcomes of such legislation were regarded as progressive. This important enactment process changed the social status of Pakistani women. Media and education, along with these laws, have been identified as factors driving change in women's groups. Our female population is less aware of the laws they support rather than create new laws or change existing ones. These laws must be strictly enforced.

Keywords: women empowerment, Legislation, Social status, Social Study, women laws, customs.

Introduction

Pro-women legislation have been started to be adopted as a result of the global debate around women's empowerment and equality. This idea of legal empowerment for women expanded throughout the entire planet. Following independence, the Pakistani government made every effort to pass specific legislation that would help the women in the community. The Women



Action Forum (WAF) is said to be Pakistan's first feminist group, but since then several initiatives have been launched and many forums have been established to protect women's rights in the country. The forum was established in September 1981 by women from civil society groups in Karachi.

According to Khan (2001), women's movements in Pakistan have gone through various stages, including political and military epochs. In contrast, researchers confirmed the appointment of Mrs. Fehmida Mirza, who was Pakistan's first female Speaker of the National Assembly and Musharraf government to promote women's empowerment in Pakistan (Mirza, 2011; Noreen & Musarrat, 2013). (Ovais, 2014), the real feminist struggle in Pakistan is said to have begun in the 1980s. Women's empowerment in Pakistan benefited greatly from Benazir Bhutto's two terms in office. When it comes to pro-women legislation in Pakistan, the years 2004 to 2011 are generally acknowledged as the most significant. According to Jatoi (2015), the pace of pro-women legislation has slowed recently, with no women-specific bills becoming Acts between March 2014 and May 2015.

The National Action Plan (NAP), the Millennium Development Goals (MDGs), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and a number of other international and national obligations are signed by Pakistani governments to promote gender equality, uniformity, and women's advancement. Pakistani women are still more likely to be pitiable, malnourished, illiterate, and have less access to basic leadership, property, credit, provisions and jobs than men (Nasir, 2012). And this is despite the cohesive force of all these global and national responsibilities. Although women make nearly more than half of Pakistan's population, they face systemic gender subordination in their lives. As a result of cruel practices like enforced prostitution, acid throwing abuse, honour killing, and mandatory marriages etc. many women are still suffering, particularly in rural areas (Hali, 2013). 60% to 70% of Pakistani women have been victims of the internal violence's at various stages in their lives. In 2014, there were more cases of violence against women (VAW), and this year was ranked as the worst of the years between 2008 and 2014. The numbers of violence-cases against women reported in 2014 were improved by 28.2 percent as compare to 2013. The preceding data make it profusely clear that the number of violence cases against women fluctuated during 2008 – 2012; it went up from 7,571 in 2008 to 8,548 in 2009, and fell in 2010. Nonetheless, detailed occurrences extended to 8,539 in the year 2009 however the figure dropped extensively to 7,516 in 2012 (Hadi, 2014). In contrast, a law is a set of rules and procedures established by a state, town, or country's government. The establishment of peace, harmony, and tranquility in society is the primary objective when drafting a rule or law. Beyond their position and influence in society, everyone is treated equally before the law, which is also the primary goal of any legislation. Since the law has always been written with the current state of society in mind, it is more important for any society to have laws because they keep a society together and functioning. In this context, the law is seen as an agent of social change. Regulations are the main devices to acquire change all



circles of life. This was also supported by Moore (1973), who argued that only legal modernism can influence the social change.

Roscoe Pound asserts that using the law as a socially producing mechanism because laws are always passed with the welfare and well-being of society in mind, they have a direct impact on social change in society. This has the effect of altering public perception. In light of these facts, the significance of the law, and the idea of equality, the State Constitution 1973 safeguards the rights of women in article 25 in addition to other legal segments. It also guarantees the equality of all citizens and expressly forbids discrimination based on gender. The state is also permitted to enact unique legislation to shield women and children under the Article-34 which guarantees the women participation in all spheres of their social life.

Problem Statement

In Pakistani society, gender disparities are prevalent since its independence; the governments have been taking every effort to enact laws that would make women equal to men. International agreements were ratified and laws were enacted. The state of affairs shows that the rule and regulations are found in books only; not a single study has been conducted to determine the efficiency and benefits of such legislations. How these laws and conventions have transformed women's role at work, at home, and in public settings? In what ways these laws have helped to reduce internal violence and other common societal mischiefs, such as honour killing and acid attacks? The researcher in this study has made an effort to answer all of the said questions, which are considered essential for the welfare of women.

Significance of Study

The extensive connection between social change in society and law has been highlighted by all of the studies related to this research. The law must be proactive and more intelligent in order to effect the desired social change and perform its duties to the best of its abilities (Negi & Negi, 2016). According to Patel (2013), academic institutions need to investigate issues affecting women. Better understanding the connection between social change and development particularly with regard to women's rights, it is essential to know the role that law plays in shaping social life. In this vein, this study will attempt to establish the theoretical and scientific foundations for women's equality and empowerment.

Research Questions

1. How women-laws improved their standing and protected them from abuse & exploitation?
2. How have laws transformed their position and stopped gender discrimination against them?
3. What legal recourse is for women at the workplace and in public areas afforded?



4. How the pro-women laws are shielding them from societal problems?
5. What remedies do laws provide for domestic violence?

Literature Review

According to UN women (2012), developments in women related laws have revealed that Pakistani government and civil society groups working for women empowerment are generating results. The author believes that pro-women laws in Pakistan have changed public's attitude on gender inequality. Based on the basics of Sharia philosophy, the law ought to be constructed. Pakeeza (2015) observed that introduction of Sharia laws as a strategy; the social change will elevate awareness about women rights in Pakistan. Whereas Stacey (2018) says Sharia implies a well-known route to the source of water. It is a concept which portrays the Islam as complete way of life. The Sharia is a set of rules that provides clear path of happiness in the existing time and success in the life after death. It also establishes the outlines for functioning of the society with clearly defined social, political, and moral norms. Its regulations provide humanity with direction and ensure that good will triumphs over evil. It is the responsibility of the federal and provincial governments to ensure that women have stress-free access to gender responsive police (Mirza, 2011; 2015 International Crisis Group). Legislation that could address employment, social safety, and financial opportunities for women are desperately needed. Legitimate strengthening is a vital part of the insurance of the social, monetary, and social privileges of ladies. According to Noreen & Musarrat (2013), there is sufficient legislation in Pakistan to safeguard the rights of women. According to Zaka (2012), the most effective method for securing women's rights in Pakistan is to provide administrators with precise, applicable, and convenient information regarding the challenges that the general population faces. According to Abbas & Riaz (2013), legislation that is in favor of women has been effective in promoting and safeguarding women's rights. According to Lakhvi & Suhaib (2010), the various categories of laws are including the constitution, other regulations, and Islam being the state religion, guarantees equal rights to all its society members comprising women. Until and unless women workers are given special protection, progress in their working conditions cannot be made. Plus, established insurance to forestall separation in view of race, religion, sex, and so forth. Imran (2013) focused on assault and state regulations that administers it, in particular the Hudood Law of 1979 and the Law of evidence-1984. He argues that these laws are prejudiced based on genders. By his study, Krook (2008) mentions the efforts of legislatures in more than fifty nations that have enacted proportional laws to control the selection or decision of women for political office. He admires and stated that this planning will promote women's social, economic, and political status and include them in public life.

Law is a powerful instrument for social change. The purpose of laws is to bring about, initiate, and accelerate organized social change. According to Shambhunath (2016), laws that are in favour of women ought to provide pertinent information regarding their rights and



responsibilities. One of the researchers has appreciated the Nigerian Supreme Court for its decisions which demonstrate that protecting women's rights in Nigeria is an essential step. It has demonstrated the court's unwavering readiness to defend women's rights in Nigeria. According to Worugji & Ugbe (2016), these declarations to be a decisive legal opinion regarding the status of usual laws and practices that foster gender equality.

Research Methodology

The instant study makes use of an explanatory research paradigm and a qualitative method, to comprehend the relationship of regulation with social change topical technique used by Braun and Clarke (2006) has been embraced for the information assortment and analysis. A semi-structured interview questionnaire was created for data collection. The nucleus of the study is Karachi, and twenty detailed interviews with prominent lawyers who practice there were carried out with a focus on their work for women rights and advocacy for women laws using a purposive sampling method. The small sample size of this study is justified because qualitative research places emphasis on comprehension and interpretation of the phenomenon than generalization. According to Polit & Beck (2010), the qualitative study doesn't aim to make generalizations; rather aiming to provide a contextualized and in-depth understanding of a few aspects of the phenomenon by examining specific instances of human experience. Laerd Dissertation (2019) states that a qualitative study can be energetically generated from samples of the study by using the purposive sampling technique because the study's primary concern is a specific population in which we are interested. Data was investigated specifically by which crude information which were recorded and tapped and then interpreted word for word. Following this, the essential collection of comparable data was extracted, rearranged, and grouped into themes and clusters in order to safeguard the experience's fundamental core. Last but not least, the phenomenon was illustrated by established associations.

Findings and Discussions

This topical examination gives a detailed record of the results that were taken from the members' meetings and the very results after that coordinated with the subjects, these subjects were then inferred into unequivocal derivations to shape exhaustive results and discoveries. The themes that were created from the perspectives of the respondents are listed below. The rate of this phenomenon of law as a source of social change varies from interview to interview, and its perspectives vary.

Table 1. Demographic of Participants

Gender	Participants	Practicing place	Practicing Field	Tool
Female	10	Karachi	Family, Civil, Criminal matters	Detailed interview
Male	10	Karachi	Family, Civil, Criminal matters	Detailed interview



Participants' reports also showed that while law is not the preeminent vehicle for social change, it can be seen as an important and vital role for law in the course of social change. One respondent said, they are, but in my view, these laws are not great tools for change, but they do play an important role in change, such as protecting against honour killings.

The respondents' numerous accounts and implicit and explicit understandings revealed that Pakistani women's law from 2000 to 2015 was regarded as progressive. Rates of social and cultural misfortunes for women were higher before these laws. However, women-friendly laws have sufficiently mitigated these problems. Our society has benefited socially and economically from these laws, which have also contributed to the social change. Previous research, such as Shambhunath (2016), which views the law as a powerful tool for social change, lends credence to this conclusion. The social, cultural and political aspects of women's lives have changed with these laws.

According to the narratives provided by the respondents, they are of the opinion that the legislation pertaining to women that was specifically enacted from 2001 to 2016 is the only solution for Pakistani women. "That's an interesting question... my experience has been that law is an agent of change if it is properly implemented," said one participant. Presumably regulations are the source of social change and similar wealth is driven by women through such laws.

Participants' reports also indicated that while law is not very effective in bringing about social change, it can play an important and important role in the process of social change. I think about it, but in my view, these laws aren't very effective at changing things.

Table 2. Whether women Laws are source of cultural and socio-political adjustment for women. (No.20)

Cultural & Socio-political adjustment	No.of respondents who opined that laws brought deviations	% of respondents who opined that laws brought deviations
Protection against abuse & manipulation	18	90
Social status improved	19	95
Patriarchal in families	17	85

As per the narratives of the majority of participants, this legislation has reduced the rate of women's exploitation and abuse. Legal empowerment is a crucial component of women's empowerment, according to Noreen and Musarrat (2013).

According to one respondent, "Good question, according to my analysis, women in Pakistan are now more advanced, and this has happened because of this series of laws." As a result, there has



been a decrease in the exploitation of women. Answers to questions about the male-controlled structure of families were interesting and noteworthy.

One participant described his experiences as follows: "I consider the patriarchal form of society to be a "mindset," and as a result, mindsets change over time." This also reflects the belief that our society is dominated by men however the position of women has changed as a result of these laws which are revealing their role in this concern.

Another respondent said that male members have more decision-making control than women in family issues however in certain cases only elderly women were consulted for opinion in making, females are customarily constrained to stay at home to care for their children.

Table 3. Has Pro-women legislation prevented the gender discrimination (No.20)

Discrimination	No.of respondents who opined about positivity of laws	% of respondents who opined about positivity of laws
Educational	18	90
Employment	17	85
Within Family	16	80

One participant spoke that although the constitution provides all equal rights to all citizens including ladies and girls but enactment of women legislation has enhanced a level of confidence amongst them and the superior courts are delivering speaking judgments in their favour.

Relating to the question, the members' portrayals uncovered the significance of regulations / law making and preparing for diminishing orientation oppression of ladies. The Gupta (2013) constitution has taken great care to avoid inequalities based on sex, race, religion, or other influences.

Regarding the topic, another participant stated, "Very well!" Laws and training on gender sensitivity contributed to this although the conditions haven't changed completely; we still have to work continuously if have to get further better results.

In this manner, one of the respondents provided an extremely significant and fascinating account of experience: Gender discrimination has decreased as a result of these pro-women laws, and women are now commonly treated equally to men in the most areas. I believe they have more rights than men do at the moment. In addition to such laws; the media generally and social media particularly has contributed to the advancement of women's status.



Table 4. Has women decorum protected at workplace and public places (No.20)

Women decorum	No.of respondents who opined about positivity of laws	% of respondents who opined about positivity of laws
workable in male society	16	80
Working women increasing	15	75
Public places	10	50

In this perception, respondents agree that laws are protecting working women and covering up their decorum in various areas and a particular law for protection of women at workplace also exists and an ombudsman heads a high level office which is operating throughout the country. One participant suggested the formation of committees by all the governmental and nongovernmental organizations to resolve complaints of the working women within their administrations.

According to one study participant, when compared to rural working women, educated women and women living in urban areas fully benefit from these laws. These women's laws do not include domestic worker women in their scope. The ratios of working women are increasing not only as a result of laws, but also because women want to be financially secure themselves. In this situation, I don't disagree that laws, particularly women-friendly laws, have proven to be effective tools for protecting women in the workplace.

Some of the people who took part in this study said that laws do not help ladies in public places and there isn't any specific law which could help them. The following were the participants' experiences: It is schooling and mindfulness which are safeguarding ladies openly puts. There is no one-size-fits-all law, and cases of harassment in public places continue to be reported.

Table 5. Whether pro-women Laws are remedial for social evils in Pakistan (No.20)

Evils in society	No.of respondents who opined about positivity of laws	% of respondents who opined about positivity of laws
Sawara, Vani, Watta Satta	11	55
Forced marriages	13	65
Marriages in lieu dispute settings.	13	65

In the wake of global declarations Pakistan has enacted a number of special laws related to women, which basically provide a legal framework for achieving their equality and specifically to address discrimination and inequality practices. Women-related laws have triumphed in institutional recognition punishing honour killings, sexual abuse of women, domestic violence, acid-throwing and holding jirgas and panchayats etc.



According to the respondents, numerous social immoralities against women are prevalent in this society. Even though the law has made every effort to compensate those who have been harmed by such social and cultural vices, further efforts are still required to be taken. Pakistani women were protected from social ills by laws, and according to some estimates, the rate of ill treatment of women has dropped to 55%. In this view of the social problems, not only have laws changed women's status, but development and education are also good partners in this process. On the other hand, participants appreciated and value the significance of all types of the media's role; when it is reported, laws are put into effect.

According to the respondents, it is necessary to report these sins for laws to be implemented. In such manner, the genuine record of a member is as under:

"I applaud a Sindh High Court's rulings, in which it mentioned the eradication of these social evils that are used against women, like forced marriages," the High Court is likewise having its successful impact through its decisions in forestalling constrained relationships and dealings in the settlement of common questions.

In regard to social problems that persist, the respondents expressed regret in the following way: Social ills like, Sawara, Watta Satta and the Honour Killing are still going on, but little is known about them in different areas of the country. The culprits of these social ills should be punished severely without any concession; only strict enforcement of laws can reduce incidents.

Table 6. Domestic Violence against women (No.20)

Domestic violence	No.of respondents who opined about positivity of laws	% of respondents who opined about positivity of laws
Un-covered by these laws	17	85
Family-matters	17	85
Un-reported cases	18	90

Most respondents felt that said laws have reflected a legal voice to safeguard women from all forms of violence against them, and the practices that blatantly undermine their social standing in society. The 18th Amendment to the Pakistani Constitution is of high legal weight, empowering provincial governments to promote gender equality. It is very common form of violence that many women suffer silently; primarily (but not exclusively) a physical, sexual, or psychological abuse of power committed by a man over a woman during relationship or after a breakup.

The problem of such violence is, it is rarely reported and is often treated as a private matter with men threatening or physically harassing their wives as remedial actions when women are perceived to be disobedient. I believe that people have the right to abuse others. Ironically, in



most cases of domestic violence, women do not even realize that they are being abused in some way by their partners and treat domestic violence as socially acceptable behaviour.

Aware of the problem of domestic violence, the Sindh parliament passed her 2013 Domestic Violence (Prevention and Protection) Act. It provides penalties for some crimes that constitute domestic violence against women. The law is a welcome law, but until women themselves recognize domestic violence as a violation of their rights and come forward for legal help, few laws will change it.

The laws against domestic violence towards women are still evolving the issue which is not specifically addressed by the local laws. Some sections of the Pakistan Penal Code (PPC) have been used to alleviate domestic violence in the absence of specific laws.

According to one of the respondents, change has taken place, but due to the fact that domestic violence are considered as a family issue, between 85 and 90 percent of incidents are not reported or resolved in homes internally.

Table 7. Other factors for social changes of women status except legislation (No. 20)

Factors	No. of Participants who attributed other factors to changes in women	% Participants who attributed other factors to changes in women
Education	19	95
Relocation	15	75
Media	18	90
Women right movements	13	65

In response to this query, the members signified a rundown of different elements which has added to the changing status of ladies in the public eye. The respondents acknowledged that the law has played its proper role in preventing evil and protecting the women; because the society is now more rational and aware, there are a number of other factors which have made the women more aware. Relocation or their right of movement, education, and the Medias are examples of such factors.

In this regard the participant's true account follows that the media coverage on honour killings has been significant. They are sufficiently aware of and involved in a variety of life spheres due to the increasing proportion of women with education. Certain geographic changes can certainly affect social life and causes major changes leading to collective social change. Human life is closely related to the geography of the earth; generally speaking, demography deals with the size and structure of a population which can affect the family structures, kinship, politics, and other traditions.



One participant noted that poverty is related to health and family size; countries with large populations (such as China and India) are more affected by poverty than countries with small populations. Polygamy was generally found in areas where there were more women than men. It is culturally recognized element that there is a close link between beliefs and social institutions, values, and social relationships. Values, beliefs, ideas, and institutions are the integral parts of a culture. Factually, every cultural change is accompanied by a social change while the social and cultural aspects are closely knotted.

Another member talks about the broadest economic impact of industrialization. It has revolutionized entire lifestyles, institutions, organizations, and community life. In traditional production systems, production levels were fair and static to meet regular demand. Modern industrial capitalism encourages constant revision of productive techniques, and science is increasingly involved in the process.

One of the participants explained that the state is the most powerful organization that regulates social relations and has the power to create new laws and abolish old ones to bring about social change in society. Further, political forces influence the pace and direction of change. In many societies, politics dominate the economy as there is a direct link between the type of political associations and social change. Political developments have certainly influenced economic changes, just as the economic change influences the politics.

Table 8. Whether women population is fully aware about the laws favours them (No.20)

Women	No.of participants who opined that women are aware of the laws which favour them	% of participants who opined that women are aware of the laws which favour them
Educated females	18	90
Working ladies	10	50
Rural women	02	01
Urban women	06	30

Many rural as well as urban less educated or uneducated women in Pakistan are unaware of the laws made for them which make them suffer at the hands of violence. Even the women lack a thorough understanding of their rights and the laws that protect them. Educated, uneducated, employed, and domestic women all face the same problem. The actual narrative of the Respondent is as follows:

‘The pro-women laws are not fully understood by even the female parliamentarians who sign these bills presumably they are unaware of the content of these laws however in this context the practicing lady lawyers are aware of these laws and their rights only because of their profession which is an exceptional example.



Table 9. Whether further Amendments to present Laws are needed (No.20)

Modifications	No.of participants who opined in favour of changes in present laws	% of participants who opined in favour of changes in present laws
Gender perception	02	10
Shelter at public places	08	40
Social evils	04	20
Domestic violence	04	20

A complex pattern of victories and defeats illustrates the history of laws affecting women's rights and empowerment in Pakistan. State attempts to define their rights are hampered by the need to reconcile dissent about women's place in society.

Despite these advances, new legislation is still needed to address persistent issues such as women's sovereignty over inherited lands and human trafficking. Suppose the state takes significant steps to resolve these and other issues affecting the legal status of women. In this case, she advocates for solutions that benefit women and promotes national consensus on the best and most practical strategies for prioritizing women's rights internationally while upholding Islamic principles. I have to find it.

The Women Harassment Act 2010 has only been little amended, and it should be amended to include definitions of the word "harassment in public places." The laws must be changed to prohibit compounding for social evil violations and must forbid victim's siblings, parents, or other family members from breaking the law.

Table 10. Further legislation (No. 20)

More legislation	No. of participants who opined in favour of more laws	% of participants who opined in favour of more laws
Gender perception	02	10
Protection women at workplace	12	60
Protection of rural working women & girls education	12	60
Social evils	04	20
Domestic violence	12	60

Majority of the respondents replied in negative; all that is required is knowledge of the issue and strict adherence to the regulations already in place that support women. Offenders should not be released on bond, and punishments should be harsh in character and exemplary.



Laws that are harming women and men equally should be changed. Participants urged against enacting any new laws that would affect women. Laws in existence were beneficial, and they are also effective. Regarding women, excellent legislation has been accomplished. Probably this has the strongest laws protecting women of any nation in the world.

Existing laws must be followed and their acknowledgement must be enhanced. The participants in this discussion proposed that new and unique legislation be passed to safeguard rural working women's modesty and to address domestic violence, as they operate in a different social environment than metropolitan women. A separate legislation should be created to protect women rights to education, especially those of the rural girls.

Table 11. Whether the Implementation of Pro-Women Laws is satisfactory (No.20)

Implementation	No.of participants who opined improper implementation	% of participants who opined improper implementation
Execution	16	80

Majority of the interview participants stated that pro-women laws are not being implemented accurately in their letter and spirit. When these rules are rigorously enforced, the women may find that they benefit more from the pro-women enactments.

One of the participants' opinions is that it is preferable to execute laws pertaining to women than to introduce a large number of laws.

The discussion revealed that main obstacles in implementation and execution of women laws are structural obstacles at the judicial, police, and prosecution systems levels. Society's sociocultural normative system is firmly patriarchal and the issue of legal applications is also undermined by the political agendas of various leaders and political groups.

Conclusion and Recommendations

According to the findings of this study, Pakistani legislation pertaining to women during 2000-2015 is regarded as progressive and favorable to women. The rate of women being exploited and mistreated has, to some extent, decreased as a result of these laws. These legislations have helped to reduce discrimination against women and also sheltered working women. Additionally, they have also protected working women's modesty in a variety of areas. However, the domestic workers who are not covered by these pro-women enactments are an exception in this regard. Likewise, regulations are not changing to ladies in broad daylight spots and there is no single exceptional regulation with this impact. The laws have made every effort to compensate those who have been harmed by customs and social norms. Domestic violence laws are also in the



process of evolving. The study identifies the education, the media, women right movements, relocation, and development as supporting factors to the changing status of women besides these enactments.

In terms of new laws and changes to the previous laws that are already in place, there is no need to ordain new laws at this stage, just awareness and strict adherence to existing ones are needed. The study suggests that women should be made aware of such laws, and in this regard, it also recommends that the media play its proper role in making women aware of their favouring laws. Further, it is the duty of government agencies, particularly literacy department and women development departments, to promote awareness of these laws. It is unequivocally suggested that for mindfulness purposes legislative and common society associations ought to work in joint effort. It is possible to organize seminars, symposiums, and workshops because these would be more beneficial from an awareness standpoint. Legislation that is favorable to women ought to be strictly adhered to. In this regard, it is recommended that the courts, police, and other relevant authorities carry out their responsibilities. The Constitution and Shariah preaching's should not be violated that are in favour of women. Women who work as domestic workers ought to be brought in definition and scope of the laws that support them.



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