



POST WEBINAR REPORT

CONSTITUTIONAL PROTECTION OF **WOMEN RIGHTS** IN PAKISTAN: THEORY AND PRACTICE



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Introduction:

Every year on March 8, the world observes Women's Day. International Women's Day is celebrated in many countries around the world. It is a day when women are recognized for their achievements without regard to divisions, whether national, ethnic, linguistic, cultural, economic or political.

Since those early years, International Women's Day has assumed a new global dimension for women in developed and developing countries alike. The growing international women's movement, which has been strengthened by four global United Nations women's conferences, has helped make the commemoration a rallying point to build support for women's rights and participation in the political and economic arenas. The theme for year 2021 Women's Day is "Women in leadership: Achieving an equal future in a COVID-19 world."

In Pakistan too, the day is marked with both activism and scholarly debate revolving the issues faced by Pakistani women. Women population comprises of more than 48% of the total population in Pakistan. The constitution of Pakistan, in Article 25(2) provides the foundation of equality of rights to women. Recently, the organizing of "Aurat March" on Women's Day has somehow divided the nation on the issue of women's rights, especially the scholarship and promotion of feminist thought.

The recent divide within the society highlights the fragile structures of women empowerment and cultural values of

Pakistani society. To shed light on the constitutional safeguards, their status in terms of implementation in theory and practice, a webinar titled “Constitutional Protection of Women Rights in Pakistan: Theory and Practice”, was organized by The Human Security Institute (THSI), Islamabad. It dwell upon below mentioned areas.

1. Constitutional provisions of women’s rights in Pakistan
2. Evolution of feminist thought in Pakistan
3. Activism vs Scholarship
4. Ways to promote women’s right through unified approach

Profiles of Speakers:

INTERNATIONAL WEBINAR
CONSTITUTIONAL PROTECTION OF WOMEN RIGHTS
IN PAKISTAN: THEORY AND PRACTICE

DR. AAMER JAMAL
Topic: The Collaborative: How co-creates in Gender Justice

AMB (RET) FOUZIA NASREEN
Topic: Ways to promote Women's rights through unified approach

DR. NAHEED S GHORAYA
Topic: Developing Framework for Feminist Foreign Policy in Pakistan: Analysing the gaps in the quest for its realization.

MISS MAHROONA HUSSAIN SYED
Topic: Gender sensitive policy making

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Dr. Aamir Jamal

Dr. Aamir Jamal is an Associate Professor in the Faculty of Social Work at the University of Calgary. He carries two Administrative roles as Director, Global Engagement and International Partnerships and as the International Community Development (ICD) Specialization Program Coordinator at the Faculty of Social Work. With a unique background that combines a PhD in Social Work (International Social Development) from the University of Calgary, MBA from Adelphi University, New York, and over 25 years of work in international social work, Dr. Jamal brings a valuable blend of knowledge and experience to research, policy and practice. He is a world-class expert in the sphere of men's engagement in gender

justice, prevention of domestic violence, girls' education and women rights in global south.

Dr. Naheed S. Goraya

Dr. Naheed S. Goraya is Assistant Professor at Centre for South Asian Studies, University of the Punjab, Lahore-Punjab, Pakistan. She has done her Post Doctorate from V-Dem/ Dept. of Political Science, University of Gothenburg, Sweden. Her Research Interests are, Security Studies, Terrorism, Governance issues in South Asia.

Ambassador (R) Fauzia Nasreen

Ms. Fauzia Nasreen is a former Pakistani Ambassador. She joined the diplomatic service in 1973 and rose to be the country's ambassador to Nepal and Poland. After her retirement from the foreign services, Ms. Nasreen served as a visiting faculty at various universities. She currently serves as the Advisor (SDGs) at the Commission on Science and Technology for Sustainable Development in the South (COMSATS).

Ms. Mahroona Hussain Syed

Ms. Mahroona Hussain Syed is a PhD scholar in Public Policy at National Defence University. She is also a lecturer and public policy expert. Her academic interests are Policy formulation, policy approaches and public policy implementation.

Topic 1: The Gatekeepers: Men as allies in Gender Justice.

Speaker: Dr. Aamir Jamal:

Dr. Jamal in his opening remarks recalibrated the focus of the participants and other guest speakers towards the historical treatment of women in the world. Dr. Jamal said that we need to introspect at how the world has been treating 50 per cent of the population, i.e. women, over the course of our history. This question transcends all geographical, racial and cultural boundaries for the quest of rights, human dignity, and fairness, to be heard and to be valued. Why women, especially in our country are considered second grade citizens or as called in Urdu “Kamtar Makhloq”. Dr. Jamal also talked about how he ended doing his PhD about gender development. During his time in Peshawar, he witnessed the Afghan Refugees in camps, especially women that suffered more in such conflicts. He also raised the question of female child birth not celebrated as much as is celebrated on the birth of a male child. In shelter homes, most of the abandoned children are females. This forum and this talk would provide the much needed opportunity to reflect on these questions. 1 out of 3 women in their lifetime face sexual or physical violence. The impediment to their education and career in forms of cultural barriers or patriarchal structures is what must be addressed if we really want

women to be part of this real human development. In context of Pakistan, there are multiple constitutional protections provided to the women regarding various rights. Are these laws within the constitution practiced in letter and spirit? The rising cases of rapes, acid attacks and domestic violence highlight the inability of the institutions in implementing the laws, also providing women the protection the need. Much debate has been done previously about women rights and laws, but it is time that men must become partners in understanding their issues and work toward their emancipation. It's not just a women's issue, but a community's issue to see a gender in distress. At the end, Dr. Jamal pointed out that, women rights are not western concepts, they are our own Islamic and eastern cultural concepts. We need not to look towards west and imitate their laws, but use our own social realities and formulate laws that support women and help them become an equal part of this society.

Topic 2: Gender sensitive policy making

Speaker: Ms. Mahroona Hussain Syed

Talking about gender sensitive policy making, Ms. Mahroona said that there seems to be a global consensus that gender mainstreaming in policy making is like a silver bullet solution to achieve gender equality. She emphasized that gender sensitive policy making can only

happen when the policy makers include the lens of gender sensitivity at all levels of policy making cycle. Whether it is policy idea, formulation, implementation and monitoring, each step must be gender sensitive. There is a need to understand the threat to gender equality, where it emanates from, who benefits from it? Also, we must scrutinize the solutions put forward by a small group of women, who are generating the current knowledge about gender inequalities and advocating for the rights of women. Does their solutions fall in line with our local culture? This is the most important question to be addressed if we have to work towards gender equality. Also, if we look at the evolutionary nature of gender studies, we can see that west have included not only women, but men and transgenders in their gender studies literature. Meanwhile, in Pakistan, the feminist movements and gender studies is still stuck to issues of women. There needs a holistic approach to gender inequality, rather than only talking about women and their issues. Also, gender equality must also be defined in religio-cultural context. Rather than taking the western literature of gender and implying the issues women face in west are same as issues women face in Pakistan is flawed idea. We have examples of western democracy failing when implemented in Iraq. So, the issues of gender inequality must be addressed keeping in mind the socio-cultural and religious realities of Pakistan. At the end, Ms. Mahroona criticized the top down approach of public

policy making. She said that if we are truly to end the gender inequality and other social evils, there must be bottom-up approach where the lower part of the pyramid, having more voices and population, should be able to define their solutions.

Topic 3: Developing Framework for Feminist Foreign Policy in Pakistan: Analyzing the gaps in the quest for its realization.

Speaker: Dr. Naheed S. Goraya

While the other speakers talked at length about the concepts and ideas of gender and women rights, Dr. Goraya focused on creating a framework for a feminist foreign policy. She shared a project of her, where she was working to sensitize the foreign policy of Pakistan and make it a feminist foreign policy. According to Dr. Goraya, she got this idea while her stay in Sweden. As Sweden is one among the very few who have a feminist foreign policy, she wanted to understand how women in Sweden worked towards gender equality in terms of foreign policy and what Pakistan can learn from it? The major issue in women emancipation is that women themselves are part of reinforced patriarchy. They co-opt the patriarchal dogmas which are then passed on to their generations. Meanwhile, most of the development

economists overlook the cultural dogmas, I think as women ourselves, having examples of the likes of Sweden, Canada and other western countries, we can formulate our own feminist foreign policy literature and understand how it can impact on the gender roles within the country. In implementing the success of Sweden's gender sensitive policies based upon three R's: Rights, Representation and Resources, Pakistan should also work towards these three R's. Even if we are able to provide the literature of its success in Pakistan, we would have achieved the first step towards women emancipation and finally leading towards a feminist foreign policy for Pakistan.

Topic 4: Ways to promote Women`s rights through unified approach

Speaker: Amb. Fauzia Nasreen (R)

She highlighted the role of youth while stating that when you see youth of Pakistan coming forward and talking about women rights in Pakistan, it is a great sight for all of us. This highlights the dynamic Pakistani society where youth are looking forward to play their role in understanding, highlighting and solving social issues of the country. Ms. Nasreen appreciated the academicians before her on discussing at length the academic points over gender issues and public policy being gender

sensitive, she focused her attention on this year's theme for women's day on March 8th. She said that it is important for the society to understand that change has taken place over the years and now more and more women are coming forward for their rights. It is necessary that we rally around women and work towards bringing gender equality where all the genders are treated fairly, not just women, which resides at the centre of attention in the gender debate. Especially, in times of Covid, where everyone is suffering, women are more under pressure. But we do have examples where if a woman is supported by the society she can do wonders. For example, Prime Minister of New Zealand, Jacinda Arden made it to the spotlight after her successful Covid constraining strategy. These examples provide us the answer to women development and its positive impacts on society. So, we must formulate policies, provide legal frameworks that support women in every strata of the society to play its role in development and work towards a just and equal gendered society.