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Print ISSN: [3006-2497](#) Online ISSN: [3006-2500](#)Platform & Workflow by: [Open Journal Systems](#)**Women's Rights in Khyber Pakhtunkhwa: Challenges, Progress, and Empowerment****Azra Bibi**

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azmatullahkhan40404@gmail.com**Abstract**

The purpose of this research paper is to present the research on the status of women in the rights in Khyber Pakhtunkhwa (KP) region in Pakistan, which has traditionally been a land dominated by conservative tribal and cultural values. It examines the issues women experience when pursuing education, health care, and works, as well as it focuses on the widespread occurrence of gender-based violence. Irrespective of these obstacles, the government and other non-governmental organizations together with international agencies have helped to effect changes and projects, which have helped gain the rights of women and empower women in the province. Such attempts, such as law reform and bottom up campaigns, have resulted in noticeable improvements, however; implementation and enforcement of the same policies still present a challenge, particularly in the countryside where tradition is predominant. The following paper is supposed to give a deep insight into the socio-cultural, political, and economic background of women rights in KP, examine the work of government and society in enhancing these rights, and indicate the further steps to be taken. In this way, the paper enriches this discussion concerning gender equality in Pakistan and the place of KP in promoting the rights of women in Pakistan.

Introduction**Overview of Khyber Pakhtunkhwa (KP)**

Khyber Pakhtunkhwa (KP) is a province inhabiting north-western Pakistan, which encloses four territories of the nation. In the past KP has been an area where tribal practices and traditions are of great importance in dictating the everyday lives of its inhabitants especially the women. Conservatism has always been a characteristic feature of the socio-political life of the province, as gender roles are usually rigidly established on the level of family and community. KP however has a richer cultural heritage yet these days women, particularly women are facing hardships, more so in the area of mobility and access to education, healthcare and employment, etc. Northern region has a rough terrain and its political and economic difficulties have made it slow in its development than other provinces. Besides these challenges, the cultural conservatism of the region poses numerous obstacles on the way of gender equality. Khyber Pakhtunkhwa or KP (Khyber Pakhtunkhwa) is one of the four Pakistani provinces and is located in the country, in the north-west, with Afghanistan to the west, Azad Jammu and Kashmir and Gilgit-Baltistan to the north, and the two Pakistani provinces of Punjab and Balochistan in the east and the south. It

lies over an area of more than 101,000 square kilometers and thus is the third-largest province in Pakistan in terms of area. It has a population of about 35 million, most of whom are ethnic Pashtuns, there are also some communities of Hindkowan, Gujar and others. KP is geopolitically and culturally significant to the region, where it forms the heart of Pakistan transactions with the neighboring Afghanistan and Central Asia. The province is endowed with a rich natural scenery which include high mountains found in Hindu Kush and Kohistan hills and the well-known Khyber Pass on one side and fertile plains on both the southern and the eastern ends. Khyber Pass has always been a significant passage between India subcontinent and Central Asia, and its strategic importance remains at the center of world relations especially with regard to trade routes and access to and exit of the instrumental country Afghanistan. Khyber Pakhtunkhwa has been a meeting ground of numerous civilizations in the past owing to the geographical positioning of the province. There are many empires and cultures that influenced the province and they have gone back in antiquity to the ancient Mauryas and forward to the Mughal and even the British colonial empire. During this period, the area has been maintaining a unique culture with a considerable impact of Pashtunwali- the traditional code of Pashtun people. Pashtunwali pays great attention to the ideas of honor, hospitality, respect to elders, and defense of the rights of women, but, at the same time, it imposes strict gender and social roles that, in practical terms, exclude women as much as possible in their possibilities of freedom and opportunities. The Pashtun culture of KP is patriarchal and men are largely controlling the political, economic aspects as well as in the social aspects of the society and the women are set to the domestic arena and are only limited to the family setup. This historical and cultural context has not given women in the province the option of education, healthcare and employment. Their functions are mostly perceived as caretakers and housewives, which to a great extent limits their involvement in the life of society. Although Pashtunwali can be considered to bring people of the same community together, it also creates gender norms that limit the choices of women and their ability to move freely, leading to the persistence of gender inequality in KP. Khyber Pakhtunkhwa has not been in a good position economically. Even though the province is endowed with natural resources like minerals, hydropower potential, and fertile agricultural land, the province has not been developing industrially as other parts of Pakistan. Particularly rural areas have not yet developed and they do not have access to infrastructure, basic services and modern amenities. There is no industrial formation and poor labor provision has led to the high poverty level, particularly in the northern and tribal districts of KP. KP has been improving in recent years despite its economic problems especially with infrastructural and service delivery. The provincial government has also emphasized on improvement of education, medical facilities and energy provision to elevate the living standard of its people. These have however sometimes been discouraged by political instability, security matters and limited resources at the disposal of the provincial government. Further, the rural parts of the province which accommodates majority of the population are still disadvantaged in social-economic aspects in limiting the general development of the province. (Khan, 2017)

KP is one of the most conservative provinces in terms of women right in Pakistan. Rural women are socially isolated and they are usually restricted to their traditional roles. They do not receive a lot of education, healthcare, and job opportunities. The number of forced marriages among young girls in the rural areas has been seen to reduce the growth and education of the girls a lot. This disempowerment exposes them to exploitation, violence, and inability to make contributions to social, economic, and political growth and development of their people. There has been positive change in the province though in the past few years, the focus has been to improve the situation of women. Some of the legislative reforms enacted by the provincial

government are laws against domestic violence, laws that encourage women to be involved in politics and laws that defend women against detrimental traditional behaviors. Special initiatives of raising the literacy levels of women and offering them vocational trainings to empower them economically have been initiated. Civil society organizations have also been vocal in promoting women rights besides what the government is doing. The role of NGOs like Aware Girls, Blue Veins, and The Aurat Foundation have played a significant role in spreading awareness about the gender issue and aiding women to enter the educational, political and professional circuits. These groups have offered important avenues through which the women have raised their voices against gender-based violence, claim their rights as well as receive support services. In spite of these, equality between genders in Khyber Pakhtunkhwa is still a far fantasy. The firmly-established patriarchal systems and the conservative attitude remain the impediments to women empowerment. But nevertheless the current activities of the provincial government, the civil society organizations and international partners are gradually and gradually causing positive changes but there are still a lot to be done. The correlation consists of two components, and these are the correlation between the change in interest among the respondents and the interest of the respondents who self-select (Ali & Khan, 2018).

1. Socio-Cultural Barriers to Women's Rights in KP

1.1 Patriarchy and Cultural Norms

Khyber Pakhtunkhwa has very strong patriarchy and women have to be very strict in their gender roles in family and society. The cultural settings in most of the rural areas of the province require women to stay in the domestic environments and have few decision-making rights. Such patriarchy bars women to education, work, and life outside the homes. The conventional role of men is of the main provider whereas women are mainly limited to the role of caregivers and homemakers. These cultural limitations take a very strong effect on the mental and physical health of women as they are not able to fulfill their hopes and their potential in life. Societal pressure on women in such regions to fit in gender roles may come as harsh social implications in women who break gender rules and may include, social isolation.

1.2 Gender-Based Violence

One of the most prevailing problems in KP is gender-based violence (GBV). Women are subjected to all kinds of violence such as domestic violence, honor killing, marriage, as well as sexual violence. Reports of civil society organizations indicate that a lot of cases are not reported because of fear of retribution or stigma within the society. The legal system of KP is not well equipped to protect women against violence especially in tribal and rural regions where customary justice supersedes the state law. Especially, honor killings are an ongoing issue, and families and communities rationalize it as the means of maintaining family honor. Although government has been fighting against GBV, the general feelings towards rights of women tend to make the application of laws possible. The world of finance is dominated by a few people and the numbers are few (World Bank, 2019).

1.3 Limited Access to Education and Healthcare

Education is greatly denied to women in Khyber Pakhtunkhwa and so is in mostly rural parts of the province. Conventional ideas of the role of women in the family and in society also result in early marriages thus denying young girls the right to attend school. Consequently, the literacy rate of women in such regions is low in comparison with that of men hence a vicious cycle of poverty and lack of opportunities among women. Women within KP encounter many difficulties, concerning the sphere of healthcare, one of which is the restricted accessibility to maternal and reproductive health services. Most women are forced to walk long distances to seek medical attention and cultural taboos compel most of them not to seek medical attention. These facilitate

high levels of maternal deaths and unhealthy status of the woman at large. Government of Khyber Pakhtunkhwa, 2015).

2. Government Efforts to Improve Women's Rights

2.1 Legislative Reforms

The Khyber Pakhtunkhwa government has tried to grapple with the gender inequality problems that the women encounter in the province on numerous occasions. Through its formation, it is important to note that the Khyber Pakhtunkhwa Commission on the Status of Women (KPCSW) established in 2015 has played a critical role in the formulation of policies and initiatives that aim at enhancing women rights. Legislative reforms have been used by the provincial government to increase the protection and empowerment of women. Among the major legislative reforms has been the Domestic Violence Bill that has criminalized violence in homes. Although things have been improving in this regard, implementation is a thorny issue particularly in more conservative regions. Legislative reforms have been very important in Khyber Pakhtunkhwa (KP) in resolving the historical and structural handicap that women have been experiencing. The provincial government has been trying in the recent decades to come up with laws that are aimed at enhancing gender equality, safeguarding women against violence and providing economic, educational and other social opportunities to them. Although these reforms are commendable in their spirit, they are usually troubled with steep uphill toward implementation because of cultural beats, social norms as well as political realities. (Government of Khyber Pakhtunkhwa, 2015).

Domestic Violence (Prevention and Protection) Act, 2012

Domestic Violence (Prevention and Protection) Act, 2012 was one of the most important legislation to be introduced in Khyber Pakhtunkhwa. This was a landmark legislation to offer women protection under the law against domestic abuse which was rife in the province. According to this law, domestic violence is considered as a crime and the state must do something to prevent this act of violence and help the victims. Prominent elements of the law are:

Establishment of local shelters against domestic violence and other assistance to its victims. • The introduction of protection over to prevent the abusers to approach the victims. • Free legal advice and compensation to the victims of violence. Even though these are progressive provisions, implementation of the law has been a major challenge. Women residing in the rural and tribal regions tend to be reluctant to report abuse as they fear retaliation or embarrassment as the traditional power hierarchy is still dominant in the region. Also in most of the cases, the law is simply shadowed by ordinary justice systems like jirgas which even to this day, is practiced to settle disputes according to the tribal traditions that through may condone various kinds of violence against women, especially honor killings as well as marital issues. (UNDP, 2020). **Khyber**

Pakhtunkhwa Women's Representation Act

The Women Representation Act came up with a set of policies that are envisaged to maximize the involvement of women in Khyber Pakhtunkhwa with regard to politics. This act requires that women should be a given percentage in the provincial assembly and local government structures. The idea of this law is to make sure that women are included in making policies and running the country, which will mean that there will be enough attention to problems that are related to gender, including maternal health, education, and gender-based violence. (UNDP, 2020). The law has provision on legislative quotas as well as encouraging women participation in political parties through the requirements that political parties nominate women to participate in elections. This is to ensure political playing field is even and more women get into the public life. Nevertheless, although the law has resulted in a rise in the number of women in the political

offices, the real impact and decision making capability of the women has been minimal. A good number of the women who win elections through the quota system tend to get marginalized when it comes to holding political debates and some are even used as token figures with no much say when it comes to drawing policies. There are usually cultural obstacles to full participation of women in political matters such as resistance by male political leaders and male voters. (UNDP, 2020).

The Khyber Pakhtunkhwa Commission on the Status of Women (KPCSW)

To institutionalize the promotion of women rights, Khyber Pakhtunkhwa Commission on the Status of Women (KPCSW) was formed in 2015. This commission has a duty of facilitating gender equality by making suggestions to the provincial government on policies, raising awareness on women issues and also seeing to it that the current laws associated with gender are implemented.

The KPCSW plays a crucial role in:

- Keeping track and reporting processes on the way the women rights in the province are progressing.
- Supporting the integration of gender considerations in all the government policies.
- Giving women a platform to file their grievances in regard to discrimination, violence, and other gender related matters.

Even though the creation of KPCSW is a step in the right direction, the commission continues to encounter many challenges, such as lack of funding, political manipulation, as well as the overall patriarchal society that is unwilling to accept any changes. The absence of an effective implementation system usually negates its efforts particularly in the most far-flung and conservative regions of the province.

The Protection of Women from Harassment at the Workplace Act, 2010

Due to the increased rate of workplace harassment in Pakistan, the Protection of Women from Harassment at the Workplace Act came into being in 2010. This legislation requires that it is the duty of every employer including employers in KP to provide the working environment of women with safety. It involves setting up of internal committees to address harassment grievances and giving women a legal option of making complaints against harassment without any fear of retaliation. The legislation also provides that there be developed a Code of Conduct to guide employers on how they can conduct themselves in the work place. Harassed women can now document the matter in a special committee within their organization or can also file a case against the harassers in the court of law.

Although the law has provided a force to most women in KP to act against harassment at their workplace, the law has lacked consistency in its application. A good number of businesses including rural areas and the informal sectors fail to fully comply with the demands of the law. Moreover, females in the employment areas of low-wage informal jobs do not understand or are not supported in terms of reporting harassment, which makes them vulnerable to exploitation.

Women's Inheritance Rights and Property Laws

Historically, women have been exposed to a strong disadvantage in the inheritance of property in Khyber Pakhtunkhwa, particularly in the rural and tribal regions. The normal laws and patriarchal customs have deprived women their rights to inheritance. To counter this, the provincial government has enacted laws whereby the rights of women to inheritance with respect to the Islamic laws are made clear.

The Khyber Pakhtunkhwa Women Inheritance Law was meant to safeguard the rights of women with regards to the rights on property and ensure that women are not disinherited by their male relatives. These legislations are essential because women in this part of the world

usually depend on their inheritance as the means of ensuring that they become financially independent.

In spite of these reforms, women remain to struggle in claiming their inheritance rights. In most instances, the families undermine women into surrendering their rights over land and property. Cultural practices in the country that highly favor male heirs over female heirs also present a big challenge towards the full implementation.

The Khyber Pakhtunkhwa Gender-Based Violence (GBV) Prevention Law

To curb the levels of gender-based violence in the province, Khyber Pakhtunkhwa came up with a Gender-Based Violence (GBV) Prevention Law. This legislation focuses on preventing any instance of GBV domestic violence, sexual harassment, and honor killings. It orders the establishment of victim support services like shelters, legal assistance and psychological counseling. The legislation also hands harsh punishment to GBV perpetrators.

The GBV law aims at developing a legal and institutional framework that would provide the survivor with the needed protection and support. It is also seeking to guarantee access to justice by women and girls who are victims of violence and never get victimized by the justice system.

Nonetheless, like any other law, the implementation of the GBV prevention law is not even. Cases of GBV in rural settings may not be reported and the victims are forced to reconcile with the perpetrators as the traditional values and culture always prevail in such settings. There is also the fact that law enforcement agencies are in general not competent or willing to thoroughly probe cases of gender-based violence.

Challenges in Implementation and Enforcement

Although the women rights legislative framework in Khyber Pakhtunkhwa has been developed, there is still some problem faced when it comes to actual implementation and enforcement of the laws. The following are the greatest obstacles:

- **Cultural Resistance:** The patriarchal attitude still prevails in the enforcement of laws and most people in rural settings and tribal areas are not ready to be changed so that the women can be empowered.
- **Unawareness:** A large number of women especially in the rural areas are unaware of their legal rights and thus are easily exploited and abused.
- **Lax Enforcement Mechanism:** Law enforcement agencies and the judicial system in KP cannot effectively enforce the law especially in conservative parts where the tribal tradition dominates over the law of the land.
- **Scarce resources:** Although laws are available there are limited resources in terms of finances, personnel and infrastructure to enforce the law.

6.1 Recommendations

In order to fill these gaps and improve the position of women in Khyber Pakhtunkhwa even more, the following recommendations are made:

1. Strengthen Law Enforcement and Accountability

- **Action:** In order to have such laws like the Domestic Violence Act and Gender-Based Violence Prevention Law have the greatest impact, law enforcement agencies should be more gender-sensitive in their training. This entails the training of the police officers, judges as well as the prosecutors on case handling of violence and discrimination of women. They should have clear accountability mechanisms in place so that offenders who violate or abuse women are punished fully due to their actions.

- **Goal:** To establish a legal framework in which women rights are respected, those who practice violence are prosecuted and women have hope of accessing justice.

2. Increase Awareness and Education

- **Action:** Organize large scale public consciousness programs to be done in particular in towns and rural and tribal regions to make women aware of their legal rights and support available help and the necessity of gender equality. Further, gender equity should have been included in the national education system so that the forthcoming generation of Pakistanis can learn to know and respect the rights of women.
- **Goal:** To build women with knowledge on their rights and the assistance that is available to them under the law so that they can act when they have to do so. Change the society to be more gender equal by education of women and men.

3. Expand Access to Education and Vocational Training

- **Action:** The government of the province ought to do more to better access by girls to education in the rural and underdeveloped regions. This will involve the construction of additional schools, provision of scholarships and removal of obstacles like early marriage and distances to schools. Women should be given vocational training and that should be increased so that they have skills to join the working sector especially when it is in demand.
- **Goal:** To minimize the number of educational disparity between men and women so that the women will have a chance to secure better employment and eventually raise their financial status..

4. Enhance Protection for Survivors of Gender-Based Violence

- **Action:** Create and expand services such as shelters, legal assistance, counseling, and health support for survivors of gender-based violence. It is essential that these services are easily accessible to women, particularly in rural areas. Healthcare providers should be trained to properly address the needs of survivors of violence, ensuring they receive the right medical care, counseling, and support.
- **Goal:** To provide comprehensive support to survivors of violence, helping them to rebuild their lives and access justice.

5. Promote Women's Political Participation and Leadership

- **Action:** Develop and grow programs like shelters, legal aid, and counseling and health services to the survivors of gender-based violence. These services should be made readily available to women especially in the rural setting. Medical workers are supposed to be trained on how to handle better the situation of survivors of violence, provide them with the adequate medical care, counseling, and support.
- **Goal:** To deliver holistic service to the survivors of violence so that they can restructure their lives and obtain justice.

6. Address Economic Barriers to Women's Empowerment

- **Action:** Enforce property rights legislation so that access to property and inheritance becomes equal between women. Increase access to financial services, especially microfinance, so that women may enter business and become economically empowered. Training and resources should also be given by the government to enable the women entrepreneurs to succeed.
- **Goal:** To enhance economic independence of women and to decrease the obstacles that the women encounter on the way to financial stability..

7. Engage Traditional and Religious Leaders in Promoting Gender Equality

- **Action:** Mobilize community leaders who have influence in the community especially the religious and tribal leaders to advocate gender equality and the rights of the women. Such leaders have a lot of influence in the rural and conservative regions, and their influence can be used to change the culture to more gender-inclusive behavior.
- **Goal:** Use the power of the traditional or religious leaders to defy patriarchal culture and instill the value of gender equality within the society..

8. Increase Funding for Women's Rights Programs

- **Action:** The government and the international donors are urged to invest more funds in women rights programs such as education, healthcare and legal support. Patronage should go to those organizations that offer assistance to the women who have become victims of gender-based violence as well as organizations that concentrate on empowering women economically and politically.
- **Goal:** To make the programs sustainable and effective with the aim of enhancing the lives of the women in Khyber Pakhtunkhwa.

6.2 Conclusion

The province of Khyber Pakhtunkhwa has achieved significant progress over the last ten years regarding improving the status of women by enacting legislative interventions, governmental efforts and the active participation of civil society organizations. Legislation like the Domestic Violence Act, the Protection of Women against harassment at the work place Act and the Women Representation Act has provided a platform through which critical challenges like domestic violence, sexual harassment at workplace and political representation have been mitigated.

But all these legal changes are yet to be achieved practically. Patriarchal norms that are deeply rooted, the related cultural opposition, as well as the difficulty of applying these laws in rural and tribal regions remain major challenges. Jirga system and other traditional practices tend to contradict the state law and reinforce the gender-based violence and discrimination.

Illiteracy, poverty and inaccessibility to healthcare to women especially in the rural setting is a major problem. Other challenges that women in KP are still struggling with include early marriage, inaccessibility to vocational training and lack of participation in economic decision making. These obstacles lead to the fact that women remain dependent on men and cannot become completely independent and empowered.

Nevertheless, the positive change is coming through the work of the provincial government, civil society organizations and international agencies despite these challenges. The increasing awareness that women empowerment is key towards the socio-economic development of the province is a factor that has been identified. The work of the organizations such as Aware Girls, Blue Veins and the Khyber Pakhtunkhwa Commission on the Status of Women (KPCSW) has been instrumental in the promotion of the rights of women and the delivery of the required support services.

The path ahead is not easy, the road to gender equality is a long and bumpy one in Khyber Pakhtunkhwa but as long as there is sustained legal, social, and economic reforms, and the province continues to put in efforts to engage both men and women in the change, then the province can slowly eradicate the obstacles that stand in the way of women reaching their full potential. Gender equality is not only about law enforcement but it is a change of attitude in society, more political will and the participation of all stakeholders in the realization of change.

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