

The Gender of Justice

Where Law Meets Lens: Unveiling Gender Bias in the Constitution

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List of Acronyms

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CII	Council of Islamic Ideology
HRCP	Human Rights Commission of Pakistan
IDEA	International Institute for Democracy and Electoral Assistance
M&E	Monitoring and Evaluation
MP	Member of Parliament
NGO	Non-Governmental Organization
SDG	Sustainable Development Goals
UN	United Nations
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
WPC	Women's Parliamentary Caucus
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WPC	Women's Parliamentary Caucus
HEC	Higher Education Commission

Key Definitions

Constitutional Language: The specific wording, terminology, and phrasing used in a country's constitution to describe rights, authority, citizenship, and leadership. In this project, constitutional language is analyzed for its role in shaping gendered access to power.

Gender-Transformative Approach: A strategy that seeks not only to recognize gender differences but to challenge and change the norms, structures, and relationships that perpetuate gender inequality (Hillenbrand et al., 2015).

Feminist Legal Theory: A body of scholarship that critiques the law as a structure historically created by and for men, which systematically excludes or marginalizes women's experiences and interests (MacKinnon, 1989).

Political Legitimacy: The right to exercise power, rooted in the consent of the governed, adherence to law, and alignment with social norms. In feminist frameworks, legitimacy also requires inclusivity and recognition of all citizens (Coicaud, 2002).

Participatory Consultation: A method of stakeholder engagement that involves affected communities and political actors in shaping reforms, ensuring that changes reflect diverse perspectives and foster collective ownership.

Reserved Seats (Pakistan): Out of 366 Parliamentary seats 60 are allocated specifically for women and 10 for minorities, often filled through party nomination rather than direct election. These seats aim to increase descriptive representation but do not necessarily challenge systemic barriers to leadership.

Article 263 (Constitution of Pakistan): The interpretive clause stating that masculine terms in the Constitution shall be taken to include females. Feminist critiques argue that such grammatical provisions do not compensate for systemic symbolic exclusion.

Symbolic Erasure: The process by which groups—particularly women—are rendered invisible or secondary through language, legal frameworks, historical narratives, or cultural representation.

People's History: A method used to centers the experiences and agency of ordinary people, in understanding political and social change.

Adaptive Learning: A project management approach where strategies are continuously updated based on real-time monitoring, stakeholder feedback, and changing external conditions.

Executive Summary

The Constitution of Pakistan, enacted in 1973, commits to the principles of equality and democracy. Yet, through its language and structure, it continues to reflect and reinforce a deeply gendered vision of citizenship, leadership, and legal personhood. Masculine-coded terminology dominates references to power and authority, while women and gender minorities are relegated to symbolic, familial, or exceptional roles. This constitutional exclusion is not incidental—it is structural, historical, and deeply embedded in the way legitimacy itself is constructed.

This project seeks to challenge and transform that exclusion. It aims to introduce and advocate for the *Equal Access to Leadership Bill*, a constitutional amendment mandating gender-inclusive language across all references to leadership and authority. While recognizing that constitutional reform requires more than legislative drafting, to shift the narrative and attitudes, considering that the project adopts a holistic strategy: participatory consultations with parliamentarians, civil society, and legal experts; and documentary campaign to shift public narratives.

Grounded in feminist legal theory, an analysis of world constitutional experiences, and Pakistan's own political history, the project envisions constitutional language not simply as grammar, but as power. By rewriting who is seen, who is named, and who is imagined as a rightful bearer of authority, the project aspires to democratize both the text and the spirit of Pakistan's foundational law.

Ultimately, this initiative is not merely about reforming words. It is about restoring political subjectivity to those historically excluded, and about creating a constitutional order where leadership is not assumed to be male, but open to all citizens as a matter of right, dignity, and democratic principle.

1.1 Overview

The Constitution of Pakistan is considered to be the supreme legal document that assures equality, citizenship, and representation. Yet for half of its citizens, this promise has remained largely symbolic. While the text offers broad commitments to equality and non-discrimination, it is steeped in a language that assumes authority to be male—linguistically, structurally, and ideologically (MacKinnon, 1989; Cameron, 1998). Women are included as dependents, not political subjects; as beneficiaries of special provisions, not authors of the law. This is not a matter of oversight—it is the outcome of a constitutional imagination shaped by patriarchal history, political exclusion, and religious statecraft (Zia, 2009).

This project begins with a simple but radical question: *What does it mean to be written into the Constitution?* To be named, not symbolically as a mother, but as a legitimate bearer of authority, as someone entitled to lead, to decide, and to judge. Women in Pakistan continue to be underrepresented in judicial and legislative leadership, and their exclusion is not merely cultural—it is legal, it is textual, it is constitutional. This exclusion begins with language. From the masculine pronouns used to describe the President, Prime Minister, and Chief Justice, to the absence of women from the very debates that drafted the 1973 Constitution, the message is clear: leadership was never imagined as female (PILDAT, 2021; Shirkat Gah, 2013).

Drawing on feminist legal theory and a people's history of constitutional erasure, this project aims to challenge the gender-exclusive language and normative bias embedded in Pakistan's Constitution. It proposes a multi-pronged intervention: legal reform through a constitutional amendment—**The Equal Access to Leadership Bill**—alongside a documentary and narrative campaign that seeks to shift public understanding of leadership, law, and legitimacy. The goal is not just about to change the words but it rather aim to reshape the symbolic and political understanding in which women are seen, heard, and empowered as equal authors of Pakistan's future.

1.2 Global Lessons: Comparative Constitutional Reform

The exclusion of women from constitutional authorship is not unique to Pakistan. Across the world, foundational legal texts have historically centered the male citizen, casting women as secondary or invisible. Yet in recent decades, movements across diverse contexts have demanded—and in some cases achieved—structural interventions that embed gender equality within the architecture of constitutional law. These examples provide both a warning and a roadmap: they show how difficult it is to amend patriarchal law once it hardens into tradition, and how necessary it is to pair legal reform with cultural transformation (Crenshaw, 2019; IDEA, 2022).

The **Equal Rights Amendment (ERA)** in the United States, first introduced in 1923, sought to constitutionally guarantee gender equality with the clause: "Equality of rights under the law shall not be denied or abridged... on account of sex" (MacKinnon & Crenshaw, 2019). A century later, it remains unratified. Despite mass mobilization, the amendment has stalled due to political resistance and the complexities of federal ratification. This long delay illustrates the consequences of constitutional silence. As Crenshaw (2019) argues, when there is absence of explicit gender equality in the Constitution it allows courts to address discrimination inconsistently, often leaving women to rely on piecemeal protections rather than fundamental rights. This project learns from the ERA's example by asserting that constitutional change must not be deferred, it also highlights the struggle attached to such demand that even in a country which is flag bearer of freedom took its time to change this law what can be the situation in a legal system like Pakistan's where patriarchal norms are already deeply institutionalized.

In the quest of learning from more examples Argentina offers a contrasting case. In 1991, the country enacted **Quota Law 24,012**, mandating that 30% of party electoral lists be composed of women. This legislative intervention led to a dramatic increase in female political representation and challenged the assumption that leadership is naturally male (Carrió, 2002). But the question of the law's implementation revealed deeper cultural barriers: women were sometimes placed in unwinnable positions or pressured to step down in favor of male alternates (Dahlerup, 2006). This duality—symbolic progress amid institutional resistance—reinforces the argument that law alone cannot shift norms. It must

be accompanied by a change in narrative. Pakistan faces the same dilemma where even with the quota for women seats we see that women are never offered winable seats by parties. That is why this project couples legal amendment with a media campaign, documentary production, and engagement with parliamentarians to transform the cultural meanings attached to leadership and legitimacy.

Taking another example, in 2022, Chile took a bold step to attempt to rewrite its Constitution through a **gender-balanced Constitutional Convention**—a global first. The draft document included commitments to parity democracy, care work, and gender-based violence protections, redefining the Constitution as an inclusive social contract (IDEA, 2022). The result was that the draft was rejected in the voting, the process cleared out a radical shift in who gets to imagine and author constitutional futures, who's need would be considered essential. It affirmed that gender-inclusive reform is not simply about changing words, but about democratizing authorship. This principle informs our project's participatory model, which engages women parliamentarians, civil society actors, and historically excluded voices in the reform process—not just as consultants, but as co-authors of Pakistan's constitutional transformation.

These global experiences collectively underscore a critical lesson: constitutional reform cannot succeed through technical revision alone. It must name exclusion, democratize participation, and reframe who counts as a citizen-legislator. This project is rooted in that belief—and designed with those lessons in mind.

1.3 Legal Overview: Constitutional Structure in Pakistan

The 1973 Constitution of Pakistan was came into being after a long struggle and many reigns of dictatorship so it is often presented as a democratic milestone—a social contract between state and citizen, grounded in the principles of Islam and parliamentary sovereignty. It outlines a federal parliamentary system, with the principle of tricotmy of power representing separation of powers between the judiciary, legislature, and executive. But like most constitutions born of political compromise, its foundations were shaped by exclusion as much as consensus. The Constitution emerged from a historical moment where the state was grappling with identity, ideology, and authority, and its text reflects the anxieties of a

postcolonial, patriarchal order seeking to secure power through tradition and control (Newberg, 1995).

The legal framework rests on a paradox: while Article 25 of the Constitution guarantees equality before the law, but looking deep into the broader constitutional language it constructs power as masculine. Article 263 offers an interpretive clause stating that masculine pronouns are to be understood as inclusive of the feminine (Constitution of Pakistan, 1973). But such a provision only reinforces the symbolic normativity of the male citizen—it assumes women will be included through grammatical footnotes rather than explicit recognition. Leadership roles—from the President to the Chief Justice—are all defined using male pronouns. This linguistic structure is not incidental; it encodes an assumption about who governs and who follows (Liddicoat, 2011).

Which we see reflecting in the everyday system out of 100 highcourt Justices only three are women.

The process of constitutional amendment in Pakistan is governed by Article 239, which requires a two-thirds majority in both the National Assembly and the Senate for any amendment to pass. In cases, where the amendments is deciding the matters relating to provincial governments it also require ratification by a majority of the provincial assemblies (Constitution of Pakistan, 1973). This threshold reflects the Constitution's status as a foundational document—but it also means that reform requires broad political consensus, sustained advocacy, and cultural legitimacy. Recent amendments, such as the 26th Constitutional Amendment (2024)—which restructured judicial appointments by transferring powers to a parliamentary committee—demonstrate that constitutional change is possible when coordinated political will is mobilized (Al Jazeera, 2024).

Yet, these amendments rarely address gender-based exclusions embedded in the text. The Constitution continues to be treated as a fixed script rather than a living document, and women remain absent not only from its language but also from the processes that shape its interpretation. This does make us understand how constitutional silence, interpretive evasions, and procedural rigidity have together created a legal structure that resists gender inclusivity—not by law alone, but by design (Barnett, 2009; Schauer, 2000).

1.4 Religion, Culture, and Law

The constitutional framework of Pakistan cannot be understood without tracing how religion and culture have been woven into its legal architecture—not as background influences, but as instruments of statecraft. From its inception, Pakistan was conceived as a nation where Islam would serve as a moral and political foundation. However, this relationship between religion and law became far more pronounced—and strategically manipulated—during the military regime of General Zia-ul-Haq in the late 1970s and 1980s. Under Zia’s rule, Islamization was not merely a spiritual project; it was a political reordering of the legal system to consolidate patriarchal control under the banner of religious authenticity (Shaheed, 2009; Lau, 2006).

This era came with one of the most critical developments that changed the course of future for Pakistan as it introduced **Article 2-A**, which inserted the **Objectives Resolution** into the operative part of the Constitution, effectively making Islamic injunctions a foundational source of law (Constitution of Pakistan, 1973). This altogether changed the balance between civil rights and religious doctrine, allowing for the development of parallel legal codes—including the Hudood Ordinances—that redefined gender roles and codified male authority (Kennedy, 1991). The **Council of Islamic Ideology (CII)**, empowered under Article 228, became a formal advisory body with the mandate to ensure all laws conformed to Islamic principles. In practice, this power has often been used to reinforce gendered restrictions and resist progressive legal reforms (Shirkat Gah, 2013).

These changes were not simply doctrinal—they were deeply gendered. Laws concerning evidence, adultery, and family structure were rewritten to reflect a vision of social order in which women were legally and morally subordinate (Ali, 2000). As feminist historians and legal scholars have pointed out, this was not an inevitable religious trajectory, but a **state-sponsored fusion of cultural patriarchy and theological interpretation** (Zia, 2009). The Constitution, far from resisting this fusion, absorbed it—becoming both a legal document and a cultural script that legitimized exclusion.

The effects of this fusion endure. Gender roles in Pakistan are often framed not as social constructs, but as divine mandates, reinforced through law and institutions. The

symbolic authority of religious morality has been translated into legal hierarchies where male guardianship, judicial bias, and political gatekeeping are normalized. For any constitutional reform project that seeks to revise the language of leadership and power, it is essential to understand that resistance is not only legal—it is cultural, religious, and historical. To change the text is to contest the very vision of society that has been inscribed into law through decades of ideological engineering.

Key Milestones: Islamization of Law in Pakistan (1949-1988)

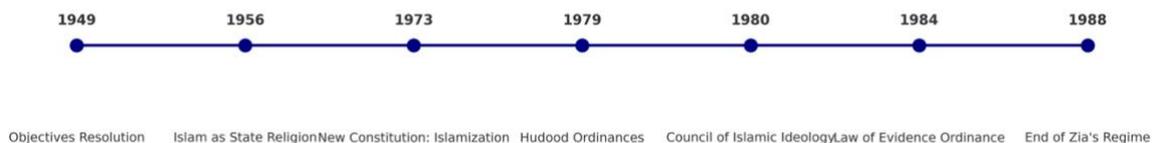


Figure : Key Milestones: Islamization of Law in Pakistan (1949–1988)

1.5 What Is Law?

Law is often defined as a system of rules designed to govern social behavior, maintain order, and resolve disputes. In classical legal theory, particularly in the work of scholars like H.L.A. Hart, law is framed as a rational, objective framework grounded in procedural logic and rule-following (Hart, 1961). This view assumes that law stands apart from ideology or social influence—that it can be applied neutrally, regardless of who interprets or is subject to it.

But, critical legal theorists challenge this abstraction. The argument is that the law cannot be defined just as a set of rules, but as a social and cultural construct—shaped by historical contexts, political power, and dominant ideologies (Barnett, 2009; Giudice, 2020). From this perspective, the law is not neutral, but actively participates in constructing and maintaining social hierarchies. In Pakistan, this construction is deeply entangled with colonial legal inheritance, religious codification, and a patriarchal cultural order that has defined who speaks the law, and for whom it speaks.

Feminist legal scholars take this critique further. Catharine A. MacKinnon (1989) argues that law systematically reflects male experiences as the normative baseline. Legal language, in her analysis, is not simply blind to gender—it is structured by it. "The law sees and treats women the way men see and treat women," ((MacKinnon, 1989, p. 237), pointing to how male dominance becomes naturalized through the legal claim to objectivity. Frederick Schauer (2000) reinforces this by suggesting that legal concepts are not discovered but socially constructed—they are defined by who has the power to name, interpret, and enforce them. In such systems, women are not only silenced but are constructed legally as "other"—as exceptions to the male norm.

When trying to understand law through this lens, it allows us to interpret not only legal rules, but the assumptions hidden in them. In Pakistan, where the Constitution's masculine language has long defined authority, and legitimacy, this lens highlight the urgent need for structural and symbolic change. To amend the law, in this framing, is not merely to revise the word but to reimagine the social order it as whole.

1.6 Pakistan and Gender Equality

Pakistan remains one of the most gender-unequal countries in the world. According to the **Global Gender Gap Report 2024**, Pakistan ranks **145th out of 146 countries**, placing it among the lowest in the world for women's political empowerment, educational attainment, and economic participation (World Economic Forum, 2024). These figures are not merely statistical—they reflect the deep structural barriers that continue to deny women equal status in law, politics, and public life. They also reflect the internalized logic of a state that continues to associate authority, legitimacy, and leadership with men.

The United Nations has noted that as of 2024, only **26.5%** of parliamentary seats globally are held by women, and over **75% of constitutions worldwide** still contain language or provisions that reflect gender bias (UN Women, 2024). Pakistan's Constitution is no exception. Even where the law does not overtly discriminate, the symbolic erasure of women from leadership language and institutional norms continues to marginalize them in practice. These figures are not merely statistical—they reflect the deep structural barriers that continue to deny women equal status in law, politics, and public life. As Rosalind Miles (1989) observes

in *The Women’s History of the World*, the erasure of women from written power structures is not incidental; it is a historical strategy to maintain male control through permanence, memory, and silence. The Constitution, written without women’s voices, preserves this legacy—presenting inequality not as ideology, but as default. Gender-specific laws—such as those concerning evidence, marriage, and inheritance—have deepened the exclusion. While Pakistan has ratified international agreements such as **CEDAW** and is committed to **Sustainable Development Goal 5 (Gender Equality)**, domestic implementation remains fragmented, under-resourced, and politically contested.

To speak of gender equality in Pakistan, therefore, is to speak of a legal, political, and cultural terrain in which progress is both symbolically promised and structurally obstructed. This project addresses not only the language of the Constitution but the logic behind it—the idea that to be male is to be naturalized as a leader, and to be female is to be written in only as exception, protection, or afterthought.

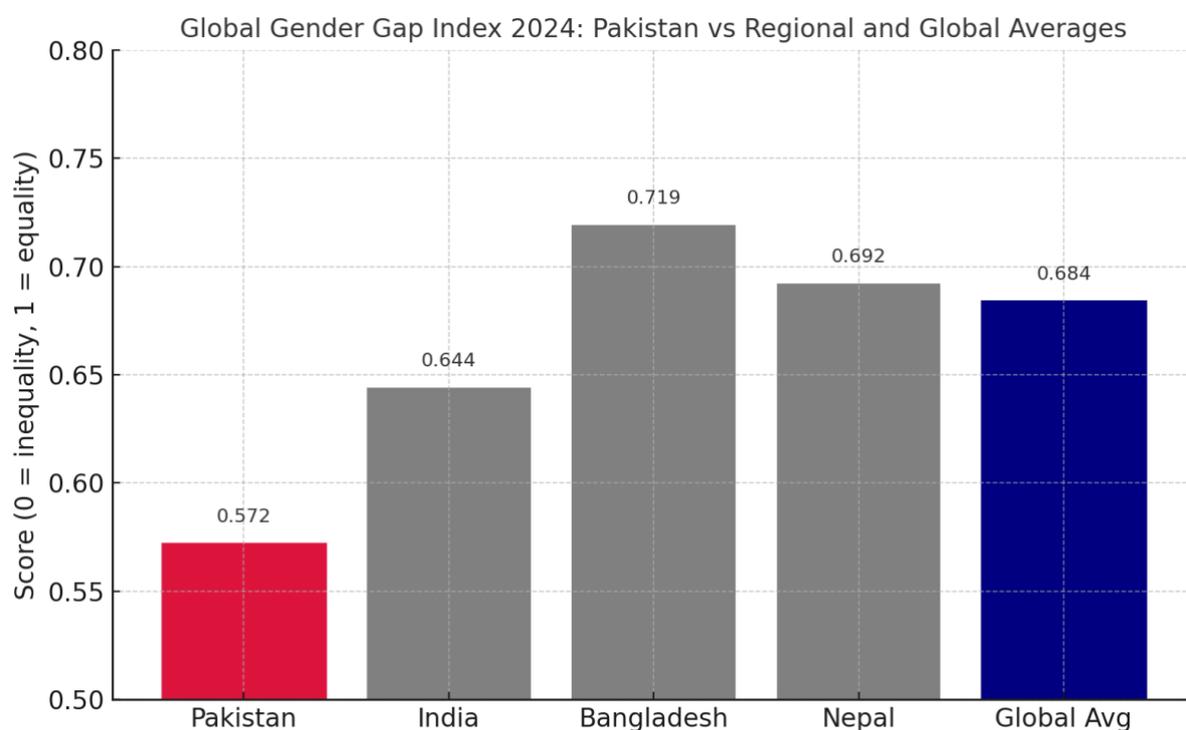


Figure 2 Global Gender Gap Index 2024: Pakistan vs Regional and Global Averages

2. Language and Women

Language is not simply a means of communication—it is a system through which power is produced, identities are assigned, and social hierarchies are maintained. As Robin Lakoff (1975) famously argued, women experience linguistic discrimination in two ways: first, through how they are socialized to speak, and second, through how language is used to frame and interpret their presence. These forms of marginalization are not accidental. They reflect a deeper cultural logic in which authority is linguistically coded as male, and submission as female.

Lakoff introduced the concept of “women’s language,” identifying features such as tag questions, hedging, empty adjectives, and excessive politeness as common traits of female speech. Far from being natural, these traits are shaped by societal expectations that associate femininity with deference, softness, and emotionality—qualities long positioned in opposition to leadership and rational authority. This linguistic framing casts women’s voices as tentative and unqualified, rendering them incompatible with the assertiveness expected in legal, political, and institutional spaces.

While Lakoff emphasized socialization, others have extended the critique to systems of power. Deborah Tannen (1990), for example, described how women are taught “rapport talk”—speech aimed at connection—while men are socialized into “report talk”—oriented around information and dominance. Though Tannen stops short of calling this hierarchy, the implication is clear: in spaces like parliaments or courtrooms, male-coded speech aligns with institutional authority, while female-coded speech is easily dismissed.

Dale Spender (1980) takes the critique further, arguing that language itself is “man-made.” It does not merely reflect a male worldview—it is built to preserve it. In this system, women are not only described differently; they are denied the linguistic tools through which power is recognized and exercised. Spender’s insight—that the rules of discourse are designed to exclude—mirrors the way Pakistan’s legal and political systems structure public speech. Women who enter public life are often perceived as emotional, irrational, or out of place—not only because of what they say, but because the system was never built to recognize them as legitimate speakers.

In Pakistan, these linguistic dynamics are reinforced by legal, religious, and cultural codes. Women's speech in political forums is often judged more harshly, interpreted as emotional or inappropriate, while male aggression is normalized as leadership. The perception that women are less rational or less authoritative is not just cultural bias—it is embedded in the very structure of how voice, law, and authority are linked. Any effort to challenge gender bias in constitutional language must begin here: with an acknowledgment that language is not neutral, and that the power to name, speak, and be heard is itself a political act.

2.1 Language and Law

Legal language carries an authority that few other forms of discourse possess. It does not merely describe reality—it defines it, enforces it, and embeds it into institutional life. When laws are written, their language signals not just who is protected or punished, but who is imagined as a subject of the law. In most constitutional and legal systems, including Pakistan's, this subject has historically been male—not by accident, but by design.

The Constitution of Pakistan, drafted in 1973, is a clear example of this masculinized legal subjectivity. While Article 25(1) guarantees equality before the law, the document overwhelmingly uses masculine pronouns—"he," "his," "him"—to refer to officeholders, legislators, judges, and citizens. Article 263(a) includes an interpretive clause stating that masculine terms should be read as inclusive of the feminine (Constitution of Pakistan, 1973). However, as feminist linguists have long argued, inclusion through interpretive footnotes is not the same as representation. As Liddicoat (2011) notes, grammatical inclusivity without explicit visibility reinforces a default male subjectivity, relegating all others to symbolic or secondary status.

The consequences of this linguistic framing are material. Leadership roles in Pakistan—whether in politics, the judiciary, or bureaucracy—are culturally and legally constructed as masculine. Women's presence in these spaces is often justified through special provisions, such as reserved seats in the National and Provincial Assemblies under Article 51(3), rather than treated as a normative right. These provisions, while important, reinforce

the notion that women require separate, exceptional channels to access power—channels that are both limited in scope and vulnerable to political manipulation (PILDAT, 2021).

Feminist legal theorists such as MacKinnon (1989) have argued that legal language constructs gender hierarchy by universalizing male experience. The law does not simply ignore women—it absorbs them as anomalies. It speaks in masculine terms, and then assures women that they are “implied.” But implication is not the same as presence. It is a form of symbolic erasure that allows legal systems to appear neutral while systematically excluding those who do not fit the mold of the rational, authoritative, male subject.

In the Pakistani context, this erasure is amplified by cultural and religious discourses that already frame women as subordinate. When constitutional language fails to name women as leaders—when it does not imagine them as Presidents, Prime Ministers, or Chief Justices—it does more than reflect bias. It codifies it. The result is a legal and cultural environment where women's leadership is perceived as exceptional, controversial, or undeserved. To challenge gendered power in Pakistan, we must first challenge the constitutional language that legitimizes it.

2.2 Constitutional Review

The exclusion of women in Pakistan’s Constitution is not only linguistic—it is symbolic, structural, and deeply embedded in how power is imagined. Women are rarely named as political subjects; when they do appear, they are often grouped alongside children, the elderly, or other dependent categories. Articles such as 25(3) and 26(2) allow the state to make “special provisions” for “women and children,” collapsing distinct identities into a single frame of dependency and protection (Constitution of Pakistan, 1973). This legal pairing is not incidental—it reflects a broader political logic in which women are not seen as autonomous citizens, but as vulnerable bodies in need of paternalistic care.

The use of masculine pronouns across nearly all constitutional articles that define leadership—from the President to the Prime Minister and the Chief Justice—further entrenches this hierarchy. Article 263(a) attempts to resolve this imbalance by stating that masculine terms “shall be taken to include females.” Yet, as feminist theorist Anthony

Liddicoat (2011) notes, these clauses supposedly interpretive do nothing to alter how language functions, they are there only to help system in deflecting accountability for exclusion. A woman may be “included” in theory, but she remains invisible in text—unseen, unnamed, and structurally peripheral.

Looking into Pakistan's political history we see we remember women ledaers not for their leadership, but for their relational roles: Fatima Jinnah as "Mother of the Nation," Benazir Bhutto as the "Daughter of the East." These titles, while meant to honor, function to contain. These titles they reduce political authority to familial archetypes, reaffirming that women's legitimacy is derived not from autonomy but from moral virtue, sacrifice, or lineage. As Rosalind Miles (1989) reminds us, when women are memorialized as mothers rather than makers of history, it is a strategy of containment disguised as praise.

While women’s seats in Parliament mark a formal step toward gender parity, their role within legislative processes remains largely ceremonial. Their presence often functions to satisfy political correctness rather than reflect substantive inclusion in policymaking or leadership decisions. This illusion of progress, as MacKinnon (1989) warns, is the legal system’s most insidious move—appearing neutral while upholding hierarchy.

To conduct a constitutional review is to ask not only what is written, but how it is written, and for whom. A feminist review reveals that the Constitution, as it stands, does not simply fail to empower women—it encodes their marginality, often through the very language that claims to include them. Rewriting this text is not a matter of correction. It is a matter of political reclamation.

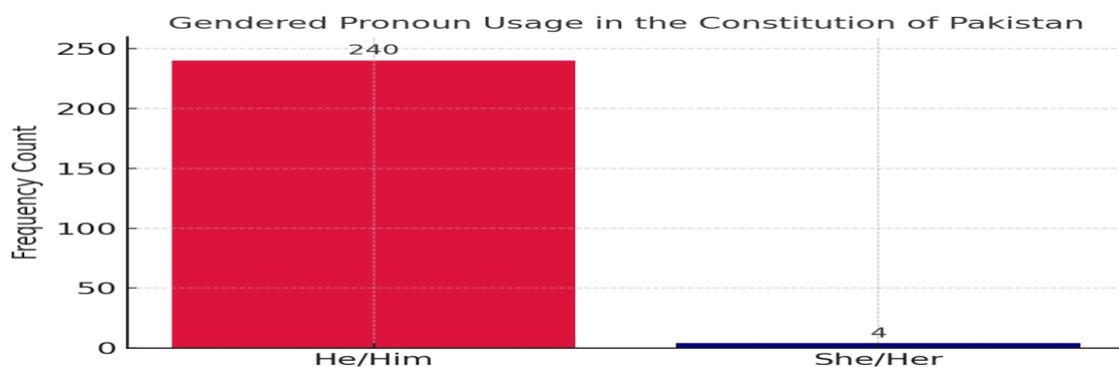


Figure 3 Gendered Pronoun Usage in the Constitution of Pakistan

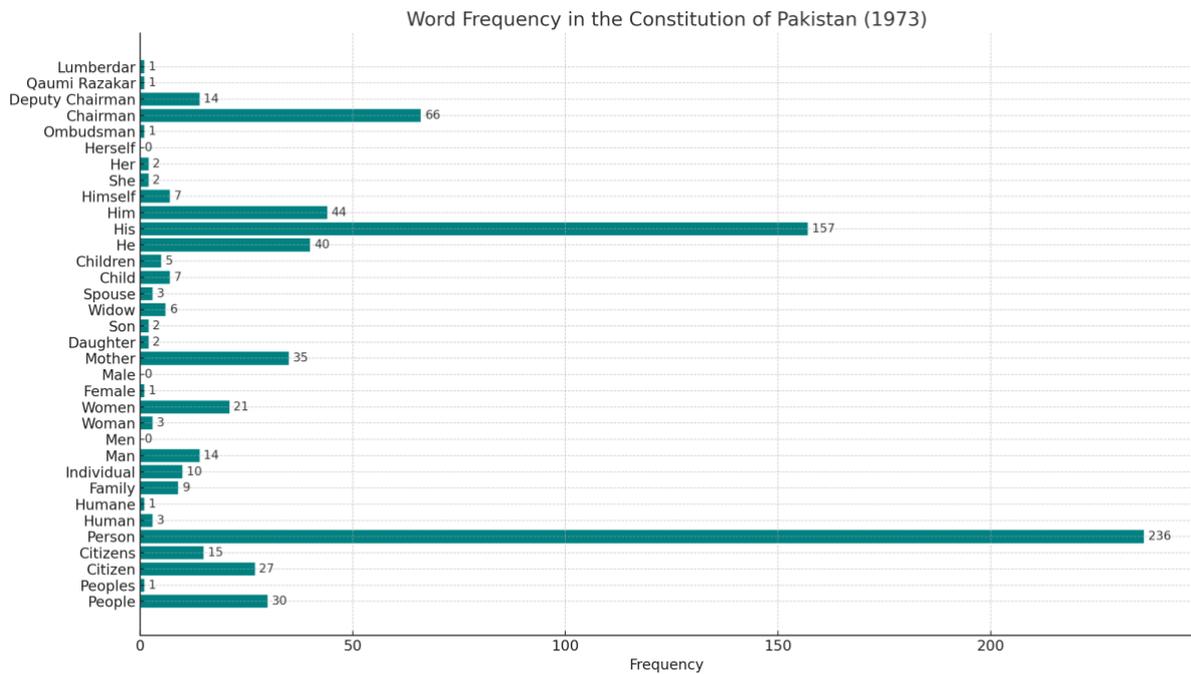


Figure 4 Gendered words Usage in the Constitution of Pakistan

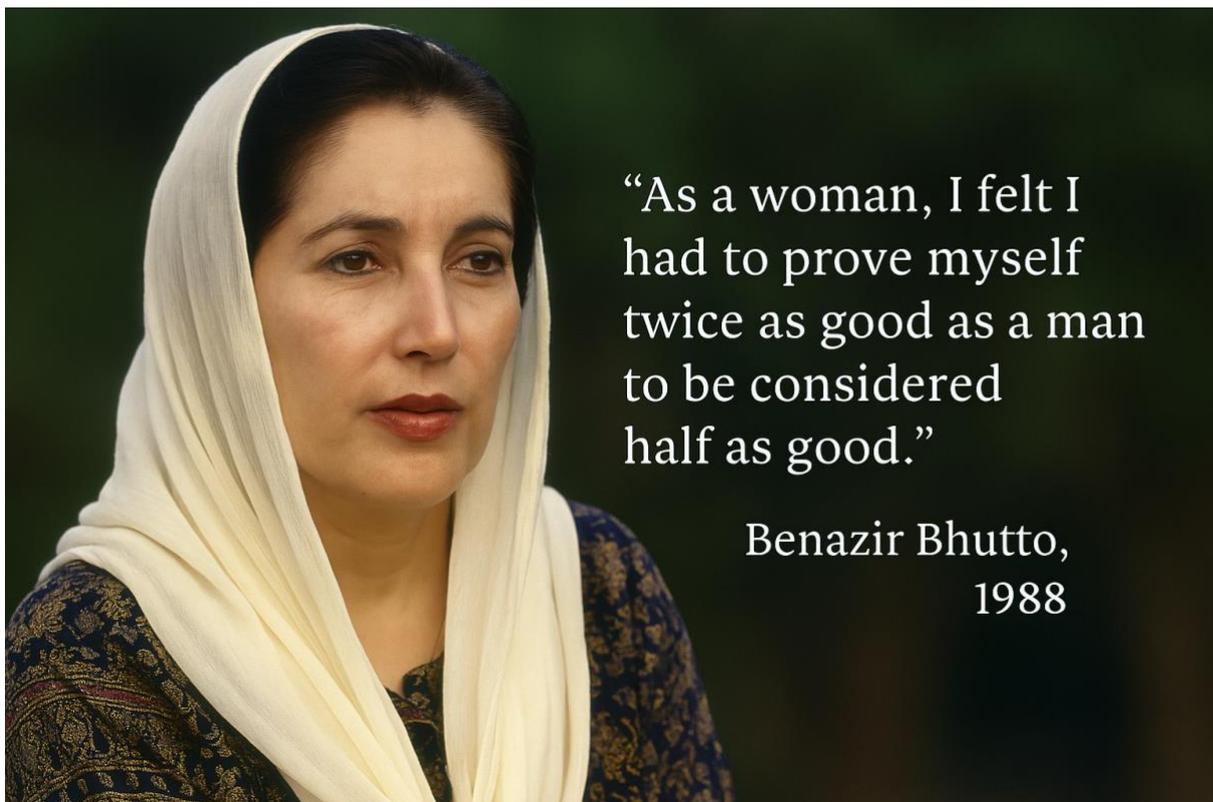
2.3 Erased Histories and Feminist Absences

History, like law, is often authored by those in power—and women, when remembered, are rarely remembered on their own terms. In Pakistan, the few women who have reached the political or judicial forefront have had their authority questioned, their identities redefined, and their legacies softened into symbols of virtue rather than acts of power. Their presence in the public record is not absent, but curated—framed in a way that affirms, rather than threatens, the masculine foundations of statehood.

Fatima Jinnah, a women who fought along side her brother for the making of Pakistan was revered as the "Mother of the Nation," while her brother was declared "Quaid-e-Azam" meaning the great leader, she stands as a striking example. Her leadership during the 1965 presidential election, in which she openly challenged the military regime of Ayub Khan, was met not with celebration but with suspicion. She was accused of defying gender norms, dressing "inappropriately," and stepping outside her designated role. Ayub Khan famously remarked, "If she is the mother of the nation, she should behave like one" (TIME, 1965).

Despite her role as a political trailblazer, the Constitution never speaks her name. Her memory has been preserved, not as a democratic contender, but as a familial figure—respected, but politically disarmed.

Benazir Bhutto, the first woman to lead a Muslim-majority nation, similarly navigated a terrain that accepted her image but resisted her power. Her political rise was cast as both exceptional and problematic. Opponents questioned her eligibility under Islamic law, challenged her authority in court, and sought to discredit her through the use of personal imagery, including doctored photographs and accusations of moral impropriety (Lamb, 1991). During General Zia-ul-Haq’s regime, her very ambition was framed as immodest and threatening: “It is Miss Bhutto's unnecessary and impractical ambition which is objectionable,” he once said (Dawn, 2015). Even after her election, she was treated more as a symbolic break than a constitutional norm.



The case of **Justice Ayesha Malik**, appointed in 2022 as the first woman to serve in Pakistan's Supreme Court, reflects the persistence of this resistance. But to reach that place it was a task, Her nomination was met with unprecedented backlash from the legal fraternity—not because of her qualifications, but because of her gender. Questions were

raised about her seniority, her "merit," and whether she was playing the "woman card." The vote on her appointment was delayed by six months amid protests, a delay that would have been unthinkable for a male nominee with comparable credentials (HRCP, 2022). The fact that her appointment had to be defended in the public sphere revealed just how deeply the Constitution has normalized male presence in positions of legal authority.

These women—Jinnah, Bhutto, Malik—are not missing from history. They are erased from it in more subtle ways: through silence in constitutional language, through their reduction to symbolic roles, and through the constant need to justify their presence in spaces that were never built for them. As MacKinnon (1989) argues, when law is structured by male dominance, women appear in it only when they become useful to its narrative—not when they challenge it. To correct this requires more than commemorative gestures. It requires rewriting the law itself—its language, its vision, and its assumptions about who belongs.

2.4 Summary of Structural Consequences

From the socialization of speech patterns to the masculinized grammar of legal texts, from the symbolic containment of political women to their marginalization in the judiciary, every layer of the constitutional framework reproduces the idea that leadership is male by default. Feminist legal theory shows that such exclusions are not accidental—they are strategic omissions that reinforce hierarchy through the appearance of neutrality (MacKinnon, 1989; Spender, 1980)

In Pakistan, these exclusions have had tangible consequences. Women continue to occupy the margins of political power, often present in tokenized roles or via reserved seats rather than through recognized constitutional legitimacy. Even historic appointments, such as that of Justice Ayesha Malik, are treated as anomalies—debated not on merit but on gender. Meanwhile, the Constitution maintains its silence: it does not name women in leadership, nor does it imagine them in power.

This chapter has shown that language is not only descriptive; it is formative. It builds realities. When constitutions consistently describe public authority using masculine terms, they embed the assumption that leadership, governance, and judgment are inherently male

domains. The result is a system that welcomes women only when they conform to exceptional standards—or not at all.

This is not simply a symbolic injury. It is a structural constraint that narrows the space of political imagination and legal entitlement. To revise constitutional language is not to correct a grammatical error—it is to reclaim authorship over who is visible, who is entitled, and who is written into the future of the law.

3. Theory of Change

To transform a constitution is to transform a country's imagination of who belongs, who leads, and who matters. But change at this level—especially around gender—cannot be achieved by technical reform alone. It requires confronting the symbolic, political, and cultural structures that have sustained gender exclusion across decades (MacKinnon, 1989; Cameron, 1998). This project begins with the understanding that the Constitution of Pakistan, in its language and structure, has historically centered male authority and rendered women's political presence symbolic, conditional, or invisible (MacKinnon, 1989).

The Theory of Change guiding this initiative is grounded in feminist legal theory (MacKinnon, 1989), narrative strategy (Jhally, 2009), and participatory action frameworks that emphasize gender-transformative leadership and inclusive coalition-building (Hillenbrand, Karim, Mohanraj, & Wu, 2015; Shields, 2020). The project recognizes that changing constitutional language can't be done with **legal intervention** only it need a **cultural shift**, and the the process for that must begin with dialogue: participatory consultations with lawmakers, civil society actors, and legal experts that surface collective knowledge and resistance. These conversations, when amplified through strategic **media and storytelling**, can shift public narratives, build momentum, and open political space.

From that groundwork emerges the possibility of **legal drafting**—not as a top-down process, but as a collaborative articulation of the future. The final goal is not just a grammatically inclusive Constitution, but one that **symbolically and structurally legitimizes the leadership of women and gender minorities**.

Theory of Change Flowchart: Constitutional Gender Reform in Pakistan



Figure 5 Theory of Change Flowchart: Constitutional Gender Reform in Pakistan

3.1 Why It Is Important to Change These Words

To change constitutional language is to intervene at the source of legal meaning. Words are not passive instruments in the law—they are the architecture of who is seen, who is recognized, and who is authorized to lead. When power is consistently described in the masculine, the very grammar of governance encodes hierarchy. It tells the public, the judiciary, and future generations who the Constitution imagines as a rightful bearer of authority. In Pakistan, where leadership has long been gendered through law, language is not a technicality—it is a mechanism of political exclusion.

The feminist slogan “*the personal is political*” offers a powerful frame for understanding why language matters. It reminds us that everyday expressions, symbolic roles, and official titles are not separate from structural power—they are how that power is lived, legitimated, and enforced. As Sut Jhally (2009) argues in *The Codes of Gender*, modern femininity is systemically equated with submission, vulnerability, and uncertainty.

So, when Article 263's attempt to retroactively include women through interpretive grammar has failed to produce meaningful change. Inclusion must be explicit, not implied. To

amend the language of the Constitution is to signal that women do not enter politics or law as exceptions. They enter as equals—as subjects of law, and not merely its objects.

Rewriting these words is not only about representation. It is about recognition. It is about shifting the symbolic order so that power no longer appears male by default. It is also about historical repair: ensuring that future generations inherit a Constitution that names them, sees them, and builds space for their leadership without qualification. This project begins from that belief—that **language is not peripheral to justice**. It is where justice begins.

3.2 Gender Transformative Framework

Changing the language of the Constitution requires more than substituting words; it demands a transformation in the underlying logics of power, legitimacy, and participation. A gender transformative approach aims to challenge and change the structures, norms, and relationships that perpetuate gender inequality—rather than merely accommodating women within pre-existing frameworks. This approach is rooted in the understanding that gender is not a fixed category, but a social construct, continuously produced and reproduced through legal, political, and cultural practices (Hillenbrand et al., 2015; Shields, 2020).

At its core, gender transformative leadership is collaborative and diffuse. Shields (2020) describes it as a process of questioning what always has been believed to be accurate, actions, and systems that maintain inequity, and reiterate these beliefs, while emphasising on inclusion, reflection, and shared authority. Rather than treating gender as a technical variable, this approach insists on addressing the ways in which law, policy, and language shape access to power. Montuori and Donnelly (2018) further emphasize the importance of adaptive leadership—where change is not imposed from above, but emerges from participatory processes that involve those most affected by exclusion.

In the context of constitutional reform in Pakistan, a gender transformative strategy requires not only amending the text but engaging the entire political and cultural ecosystem. This project does not aim for mere symbolic change; it seeks to build coalitions across parliament, media, and civil society that will challenge the logic of male-default authority. This means working with women parliamentarians as leaders—not token representatives—while

also developing targeted engagement with men using models such as Rus Funk's continuum of male engagement. This project is a combination of legal movement and documentary storytelling, to create the cultural in which women's leadership is no longer seen as anomaly, but as a democratic norm.

3.3 Political Legitimacy and Gender-Inclusive Reform

Traditionally, the legitimacy of leaders has been imagined through masculine ideals: reason, strength, impartiality. These associations are not accidental. They are maintained through constitutional language, institutional precedent, and the everyday rituals of governance (Coicaud, 2002; Phillips, 1998).

Max Weber described political legitimacy as resting on three pillars: the legal, the traditional, and the charismatic (Weber, 1978). In Pakistan's case, the Constitution was meant to create a system in which legality was paramount. Yet, as feminist theorists have shown, the law can only be legitimate if it is inclusive—if it recognizes the full spectrum of those it claims to govern (Phillips, 1998). A constitution that systematically erases women from its language and symbolic universe is not merely incomplete; it is structurally illegitimate.

Gender-inclusive constitutional reform is thus not just a matter of equity—it is essential to the health of democracy itself. When women and marginalized genders are named as political subjects, the relationship between state and citizen becomes more honest, more representative, and more stable. As Coicaud (2002) argues, legitimacy arises when the domains of consent, law, and norms are in alignment. Constitutional language that recognizes women as rightful leaders does not only repair a historic exclusion; it reaffirms the mutual obligations at the heart of democratic rule.

This project is founded on the principle that legitimacy cannot rest on silence or omission. By working to revise constitutional language and to build public consensus through participatory methods, it seeks to create a legal order in which all citizens—regardless of gender—can recognize themselves as authors and subjects of the law.

3.4 What Is Required to Change the Constitution in Pakistan

Changing the language of a constitution is never a technical process alone; it is a negotiation with history, power, and public imagination. In Pakistan, constitutional amendment is governed by Article 239, which sets a high bar for reform: any proposed change must secure a two-thirds majority in both the National Assembly and the Senate. In cases where provincial interests are involved, the consent of a majority of the provincial assemblies is also required (Constitution of Pakistan, 1973). This process is deliberately rigorous, reflecting the Constitution's status as a foundational social contract and a political archive.

Yet, history shows that amendment is possible—but not without risk. The recent 26th Constitutional Amendment (2024), which rebuild the procedure of appointment of judges taken it from Judicial Commission and to a parliamentary committee, was introduced and passed swiftly by the ruling coalition. This process unfolded in a climate of political polarization, and the amendment faced significant backlash from the judiciary, legal community, and many segments of civil society (Al Jazeera, 2024; International Crisis Group, 2023). It is clear example of political will, where the parliament believed in changing and despite all the backlash amended the constitution within days. This also open the door for our project as the sitting government is open to such legislative changes.

Though political instability remains a constant risk in Pakistan. Shifting alliances, coalition breakdowns, and regional tensions can delay or derail amendment efforts. Even with a legislative majority, constitutional reform can be stymied by procedural tactics, strategic opposition, or sudden dissolutions of Parliament. Cultural and religious resistance also plays a role. Amendments that are seen to challenge established gender hierarchies or religious principles can provoke backlash, both in Parliament and in public debate.

This is a project of multi-faceted strategy. Legal drafting and lobbying alone will not suffice. Instead, the effort must be rooted in coalition-building, narrative change, and sustained advocacy that anticipates and addresses resistance at every level. It is not enough to have the right words; the project must also create the right conditions for those words to be accepted, ratified, and lived.

4. Project Rationale

This project emerges from the recognition that Pakistan's Constitution, while claiming inclusivity, has long served as a script of selective silence—naming men as leaders, lawmakers, and judges, while rendering women and gender minorities symbolically peripheral and structurally dependent. Decades of feminist legal critique, historical inquiry, and policy reform have made clear that such exclusions are not inevitable. They are written, rewritten, and—crucially—can be unwritten.

Legal systems are not neutral frameworks but cultural products shaped by those who wield power (Barnett, 2009; Schauer, 2000). In Pakistan, constitutional language has not only reflected patriarchal authority, but has also naturalized it. The repeated use of masculine pronouns, and the relegation of female leaders to symbolic or familial roles all point to a deeper architecture of exclusion (MacKinnon, 1989; Miles, 1989). The result is a constitutional order in which women's leadership is an anomaly, and their full citizenship perpetually in question.

This project is grounded in the belief that to change a law's language is to change its world. Drawing from comparative lessons—where mere quotas or interpretive clauses have failed to shift structural power (Dahlerup, 2006; Liddicoat, 2011)—the initiative recognizes that constitutional reform must be accompanied by shifts in narrative, public imagination, and institutional practice. The most recent amendment controversies demonstrate that technical legal change is vulnerable to backlash and instability when it is not built on social consensus or participatory process (International Crisis Group, 2023).

Accordingly, the project proposes a multi-dimensional strategy. It aims not just to introduce an Equal Access to Leadership Bill to revise constitutional language, but also to foster a national conversation—through documentary filmmaking, media engagement, and coalition-building—that restores women's political presence and transforms the meanings of power, legitimacy, and belonging in the Pakistani imagination. By challenging not only the letter, but the spirit, of the Constitution, the project hopes to reclaim history from below and re-author a future in which justice is neither grammatical nor symbolic, but lived.

4.1 Methodology

This project is divided in different phases, participatory initiative, recognizing that sustainable constitutional reform require coalitions, and to shift narratives, it needs to be embedded within cultural and political realities.

1. Participatory Consultations

The project understands the subject's sensitivity and will start with a consultation session of national and provincial parliamentarians, moving forward to include legal experts and media professionals to discuss the anticipated challenges. Focus group discussions will be organised for male parliamentarians to identify allies and address sources of resistance. The consultation phase is essential for understanding the support or hurdles that the project might face; it would also help generate broad-based ownership and legitimacy for the proposed reforms.

2. Documentary Production and Media Campaign

The second most important part of the project is the documentary film and media campaign which will be initiated to shift public narratives, to bring the idea of how language shapes women's access to power and why there is a need to equal power sharing. The documentary will not just center the voices of women leaders but also grassroots activists and routine working women to question if they have felt the exclusion could also be based in the language of the constitution and how that impacts their lives, providing a human face to the legal arguments and creating pressure for change through storytelling. Public screenings, media engagement, and social media campaigns will help expand the reach and impact of these stories.

3. Legal Reform and Parliamentary Engagement

Once the phase of consultations is completed the project will have a clear idea of allies, the specific work required to draft and present the bill. For an inclusive concrete work drafting workshop with Legal and policy experts, women and male allies from Parliament, and key civil

society voices will be held to ensure the proposed amendment is contextually relevant and politically viable.

After the development of the draft the parliamentarians already part of the project will help with targeted lobbying in National Assembly and with Senate members, focusing on non-partisan approach, procedural strategy, and negotiation with key committees.

4. Adaptive Learning and Monitoring

During all phases, the project will focus on adaptive learning. All the engagement through media will be tracked. The engagement during consultations will be tracked using baseline and endline surveys. Feedback will drive quarterly reviews, enabling the project to adapt tactics, messaging, and partnership strategies to maximize the likelihood of both short-term wins and long-term impact.

4.2 Target Groups

1. Parliamentarians

The core target group for this project comprises members of the National Assembly and Senate, as well as provincial legislators. Both women and men parliamentarians will be engaged as co-creators, sponsors, and advocates of the constitutional amendment. Special attention will be given to building alliances within the Women's Parliamentary Caucus, parliamentary committees on law and justice, and reform-minded male MPs. Engagement strategies will be tailored according to Rus Funk's Continuum of Male Engagement, ranging from awareness-raising for those resistant to change, to partnership and championing among early adopters and allies.

2. General Public and Civil Society

The success of this project lies in the shifting of public attitudes. To reach the general public documentary film, media campaign, and participatory forums will be used. Within civil society, the project will prioritize partnerships with organizations working on women's rights, gender justice, legal reform, youth empowerment, and media freedom. Partners like Media matters

for democracy, Jawad Sharif films, Shoor Foundation and Bargad, whom we have a long standing working relation will help amplify advocacy efforts, and provide technical input during consultations.

4.3 Timeline and Implementation

A. Narrative Overview

This project will be implemented over a 36-month (3-year) period, divided into six interconnected phases. Each phase builds on the lessons and relationships of the previous one, creating a cumulative process of narrative shift, participatory engagement, legal advocacy, and cultural transformation. The implementation strategy is intentionally feminist, iterative, and multi-stakeholder in nature—anchored in legal reform, but propelled by the lived realities, aspirations, and participation of those historically excluded from Pakistan’s constitutional imagination.

B. Implementation Phases

Year	Phase(s)	Key Periods (Months)
Year 1	Foundation & Stakeholder Engagement → Participatory Consultations & Coalition Building	Months 1-12
Year 2	Narrative Shift & Drafting → Legislative Advocacy & Campaign	Months 13-24
Year 3	Passage & Implementation Support → Evaluation & Knowledge Sharing	Months 25-36

Table 1: Implementation phases

4.3.1 Phase 1 (Months 1–3): Foundation and Stakeholder Engagement

Why this phase matters:

This initial phase is important to lay foundation of the institutional and relational work for the entire initiative. It will focus on team building, recruitment of consultants, logistics, and identification of key parliamentary, legal, and media allies. Trust-building and early visibility are central objectives of this phase.

Key Activities:

- Hiring legal researchers, communications staff, and gender experts
- Holding initial scoping sessions with Women’s Parliamentary Caucus leadership
- Mapping of relevant MPs, lawyers, media professionals, and allies
- Formation of advisory group for consultation and validation
- Internal planning for advocacy toolkits and training materials
- Designing M&E systems and a baseline engagement tracker

Expected Outputs:

- Core team and consultant pool finalized
- Internal workplans and advocacy material outlines completed
- Stakeholder map and outreach calendar developed

4.3.2 Phase 2 (Months 4–6): Participatory Consultations and Coalition Building

Why this phase matters:

To establish the legitimacy and sustainability of aimed reforms, early and meaningful engagement with diverse stakeholders is essential. This phase is dedicated to creating participatory spaces where women MPs, constitutional experts, and gender justice activists can contribute to shaping the bill and advocacy language.

Key Activities:

- Two training sessions for women MPs on constitutional gender analysis
- WhatsApp group setup for ongoing engagement and coordination
- One consultation each with lawyers, feminist activists, and media professionals
- Development of FAQs and narrative strategy to pre-empt backlash
- Preparation of the first advocacy briefing

Expected Outputs:

- Over 75 stakeholders engaged through consultations
- Summary reports prepared and shared for each session
- First round of feedback incorporated into draft policy language

4.3.3 Phase 3 (Months 7–12): Narrative Shift and Drafting

Why this phase matters:

This phase is the heart of the project. It focuses on reshaping how leadership and authority are imagined in Pakistan by centering women's stories and disrupting symbolic exclusion through documentary and legal language reform.

Key Activities:

- Full production and post-production of the documentary
- Launch of a national media campaign with scheduled screenings
- One-on-one lobbying sessions with influential male MPs
- Technical drafting workshops involving cross-sector experts
- Validation sessions for bill language with women MPs

Expected Outputs:

- Gender-just documentary produced and screened in 10+ cities
- Public engagement through media partnerships and influencer outreach
- Equal Access to Leadership Bill (First Draft) prepared
- Final list of supporters and co-signatories initiated

4.3.4 Phase 4 (Months 13–24): Legislative Advocacy and Parliamentary Engagement

Why this phase matters:

As the project already aims to work with parliamentarians, this phase is aimed at getting that support in action, with introduction of the bill in parliament building a non-partisan support for it to handle any backlash or procedural delays.

Key Activities:

- Formal submission of the bill to the National Assembly
- One-on-one and group lobbying with opposition and treasury members
- Technical briefings with parliamentary secretariat/legal committee

- Social media monitoring and rebuttal strategy for opposition narratives
- Second round of consultations if significant amendments arise

Expected Outputs:

- The Equal Access to Leadership Bill tabled in Parliament
- Hansard entries and meeting minutes documenting support
- Updated advocacy and rebuttal materials in circulation
- Parliamentary debates monitored and analyzed

4.3.5 Phase 5 (Months 25–33): Passage and Implementation Support

Why this phase matters:

With the passage of any bill from parliament starts the effort of its implementation and public messaging. This phase hopes to make sure that constitutional language reform is not symbolic but structurally enacted.

Key Activities:

- Engagement with Ministry of Law for implementation logistics
- Work with textbook boards, ECP, and state broadcasters to revise official texts
- Development of simplified constitutional language guides
- Production of civic education tools based on revised articles

Expected Outputs:

- Public-facing civic materials with inclusive constitutional language
- Ministerial briefs for institutional uptake
- Engagements with HEC and educational institutions for curriculum integration

4.3.6 Phase 6 (Months 34–36): Evaluation and Knowledge Sharing

Why this phase matters:

This phase is the final phase of the project focusing on the learnings of what's done right and what were the mistakes made to ensure that the project's insights and outcomes can inform future efforts and are not lost.

Key Activities:

- External evaluation of process and impact
- Reflection meeting with all core partners and stakeholders
- Production of a final project report with visual documentation

Expected Outputs:

- Final project report with policy and process recommendations
- Short video summary and infographic materials for wider dissemination
- Digital archive of tools, FAQs, bill drafts, and advocacy content

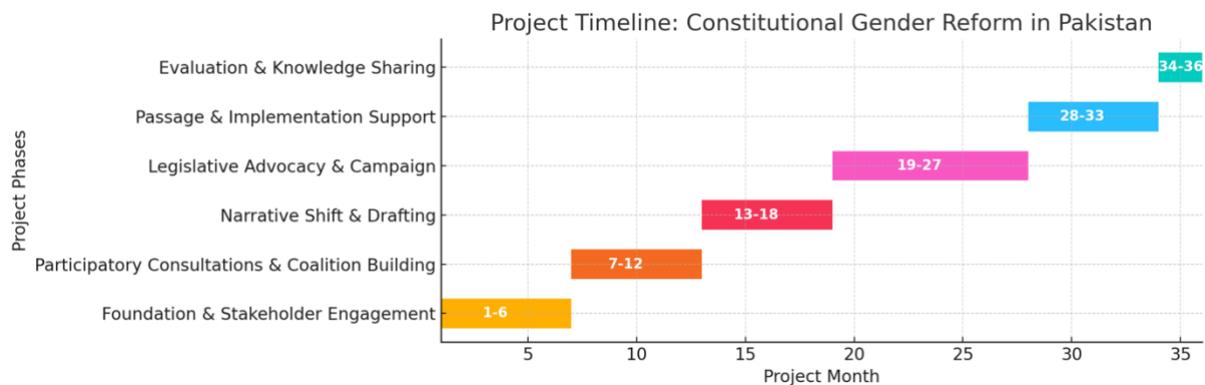


Figure 6. Project Timeline: Phased Implementation of Constitutional Gender Reform in Pakistan

4.4 Stakeholder Analysis

Constitutional change does not unfold in isolation. It is neither a technical fix nor the outcome of ideal consensus—it is a confrontation with history, power, and the everyday structures that normalize exclusion. In Pakistan, where law, religion, and gender have long been woven into a hierarchy that decides who gets to govern and who is governed, any attempt to change

constitutional language must begin with an honest mapping of those who hold the levers of influence.

This project does not consider stakeholders static or neutral actors. Their positions—whether supportive, resistant, or ambivalent—are shaped by history, and it doesn't just bring strategy but also the story of what it has meant to speak, dissent, legislate, or be silenced.

We don't seek to engage their influence or positions; we meet them where they are: in the rooms where laws are made, in the courtrooms where precedents are argued, in media cycles that decide public meaning, and in movements that remember what the Constitution forgets. Our task is not to flatten their perspectives but to create political conditions for transformation.

1. Women Parliamentarians

Position: Lived Experts and Potential Champions

Power: Medium to High (Context-Dependent)

Women parliamentarians—especially those within the Women's Parliamentary Caucus—carry the embodied knowledge of what it means to be marginalized by a Constitution that names only "he" in every position of power. Yet even as potential champions of reform, they operate within party hierarchies and risk backlash when they step beyond expected roles. This project sees them not as passive vote-holders but as co-strategists. Through consultations workshops, interviews, roundtable discussions we aim to shift the terrain from isolation to shared leadership.

2. Male Parliamentarians

Position: Gatekeepers of Legislative Passage

Power: High

Men dominate legislative decision-making, numerically and ideologically. But not all men in Parliament are the same. We use Rus Funk's continuum of male engagement—ranging from

unaware, to passive allies, to active champions—to tailor our approach. For some, this means offering theological justifications; for others, it may mean political framing or direct engagement with masculinities. Public endorsement by key male allies will be a strategic priority—not as a token gesture, but as a crack in the wall of institutional resistance.

3. Legal Experts and Judicial Actors

Position: Institutional Gatekeepers

Power: High

Judges, lawyers, and bar councils have long defined the limits of legal imagination. Some will call this amendment symbolic, others unnecessary. But law has always been symbolic—and symbols shape legitimacy. We will engage senior lawyers and retired judges early in the drafting process, co-develop language that holds up in constitutional scrutiny, and build a network of legal allies who can intervene in case of judicial obstruction.

4. Media Professionals and Influencers

Position: Narrative Shapers

Power: High

Media tells the public what matters—and what is dismissed as "too niche" or "too feminist." In a society where language is policed, the media becomes the frontline of resistance or distortion. We will collaborate with feminist editors, train journalists on constitutional discourse, and co-create counter-narratives with digital influencers. Not just to inform—but to reframe.

5. Feminist Civil Society and Grassroots Organizers

Position: Backbone of Democratic Struggle (Amplified in Numbers)

Power: Medium

This project would not exist without the histories carried by feminist organizations across Pakistan. Their knowledge of community, resistance, and survival is central—not supplementary. The knowledge that is never acknowledged or given the position it deserves, through co-designing campaigns and crafting language that speaks beyond Parliament, these allies will help us ensure that the amendment isn't just passed—it's owned by the people it is for.

6. Institutions

Influential Stakeholders (Ministry of Law, Election Commission, Secretariat)

Position: Technical Actors

Power: High

These are the rooms that hold silence where progress often delays, under the weight and wait of bureaucracy. The Ministry of Law, the Parliamentary Secretariat, and the Election Commission may not oppose reform outright, but their procedural inertia can kill momentum. We aim to brief them early, secure allies within their ranks, and ensure that the bureaucratic path for the bill is as clear as its moral urgency.

7. Religious Institutions and Right-Wing Groups

Influence: Discourse Controllers

Position: High in Public Opinion

We do not expect endorsement. But we do prepare for resistance. Conservative clerics and right-wing voices may accuse the project of being anti-Islamic or "Westernized." To preempt this, we will draw on gender-progressive Islamic scholarship, engage selective religious

scholars willing to speak publicly, and prepare parliamentarians and journalists with FAQ sheets that dismantle false dichotomies between Islam and gender justice.

5. Risk Analysis and Feminist Mitigation Strategies

The task of questioning and changing the constitutional language is not a procedural endeavor—it is a political act. And like all political acts that challenge entrenched norms, it comes with risks. These are not simply logistical hurdles; they are manifestations of power that resist change, any change that can reorder their legitimacy and power. Below is our strategy to anticipate, respond to, and navigate these forces with clarity, care, and courage.

1. Political Instability

Risk: Dissolution of Parliament, reshuffling of ministries, or snap elections could derail legislative momentum.

Mitigation:

- Secure cross-party endorsements early to insulate the bill from regime changes.
- Archive and institutionalize drafts and communications so that transitions don't erase progress.
- Develop fallback timelines that adjust to electoral cycles.

2. Resistance from Male Legislators

Risk: Male MPs may block or dilute the bill, perceiving it as symbolic, radical, or unnecessary.

Mitigation:

- Use Rus Funk's model to tailor engagement.
- Provide religious, constitutional, and developmental rationales.
- Spotlight male champions to reduce perceived polarization.

3. Religious Backlash

Risk: Clerics or religious groups may label the reform un-Islamic, fuelling public backlash.

Mitigation:

- Pre-emptively engage scholars aligned with gender-equitable interpretations.
- Distribute talking points and theological FAQs.
- Activate crisis-response communication teams with a network of allies.

4. Judicial Challenges

Risk: Post-passage legal challenges could delay or nullify implementation.

Mitigation:

- Involve judicial actors during the drafting phase.
- Clarify legislative intent in explanatory notes.
- Prepare a constitutional defense brief with supportive precedents.

5. Low Engagement from Women MPs

Risk: Political caution or internal party dynamics may keep women MPs from active support.

Mitigation:

- Foster backchannel solidarity spaces (e.g., WhatsApp groups).
- Create testimonial platforms for private endorsement.
- Host closed-door consultations to build trust and confidence.

6. Media Gatekeeping

Risk: Dominant media may ignore, misframe, or trivialize the amendment.

Mitigation:

- Partner with feminist editors and independent outlets.
- Use the documentary and screenings to mobilize grassroots narratives.
- Consultations with journalists through workshops and providing curated briefings.

7. Donor Fatigue

Risk: Funding priorities may shift, threatening long-term sustainability.

Mitigation:

- Align the project with CEDAW, SDG 5 and other global frameworks.
- Document milestones for future phases.
- Develop scaled-down options that retain impact.

6. Budget

The total estimated budget for this three-year project is **€75,000**. This budget is designed to support inclusive and feminist legislative reform through participatory consultations, parliamentary engagement, legal drafting, advocacy, and a nationwide media campaign.

It includes allocations for personnel, consultations, training, legal drafting, stakeholder outreach, media production, and monitoring and evaluation. The structure of this budget ensures a balance between core activities, process facilitation, and adaptive learning.

6.1 Budget Breakdown

Description	Unit	No. of Units	Cost per Unit (€)	Total Cost (€)	Annual Allocation (€)	Donor Contribution (€)	Self-Funding / In-Kind (€)
Project Director (Legal Expert & Producer)	Monthly	36	1500.0	17724.29	5908.1	15065.65	2658.64
Senior Researcher & Policy Lead	Monthly	24	1200.0	9452.95	3150.98	8035.01	1417.94
Filmmaker & Field Director	Monthly	18	1000.0	5908.1	1969.37	5021.88	886.22
Communications & Advocacy Manager	Monthly	24	800.0	6301.97	2100.66	5356.67	945.3
Finance & Admin Officer	Monthly	36	600.0	7089.72	2363.24	6026.26	1063.46
Venue Rental (Legal Consultations, Screenings, Workshops)	Per Event	10	1000.0	3279.52	1093.17	2787.59	491.93
Travel for Field Documentation	Per Trip	15	600.0	2947.62	982.54	2505.48	442.14

(Multiple Provinces)							
Accommodation & Meals (Field Teams)	Per Day	60	250.0	4913.1	1637.7	4176.14	736.96
Honoraria for Interviewees / Participants	Per Person	40	50.0	654.76	218.25	556.55	98.21
Professional Camera & Audio Equipment Rental	Per Day	30	350.0	3432.38	1144.13	2917.52	514.86
Archival Footage / Licensing Costs	Lump Sum	1	3000.0	983.81	327.94	836.24	147.57
Post-Production: Editing, Sound, Color	Lump Sum	1	6000.0	1967.62	655.87	1672.48	295.14
Design & Printing of Reports / Briefs	Per Batch	3	1000.0	983.81	327.94	836.24	147.57
Website, social media, & Digital Hosting	Annual	3	800.0	787.05	262.35	668.99	118.06
Media Campaigns & Advocacy Events	Lump Sum	1	5000.0	1630.48	543.49	1385.91	244.57
Translations & Subtitling (Legal + Media Outputs)	Lump Sum	1	2000.0	654.76	218.25	556.55	98.21
Monitoring, Evaluation & Learning (MEL)	Lump Sum	1	4000.0	1309.52	436.51	1113.09	196.43
Contingency Fund (10%)	Lump Sum	1	15000.0	4912.86	1637.62	4175.93	736.93

Table 2: Budget breakdown

6.2 Budget Justification

1. Personnel.

Funds are allocated to a team that blends legal expertise, feminist organizing, political strategy, and documentary storytelling. This is not a traditional staff structure—it is a coalition of thinkers and doers. These individuals will be responsible for anchoring the

reform effort, coordinating with parliamentarians, facilitating stakeholder consultations, and producing research and advocacy materials rooted in constitutional and feminist analysis.

2. Consultations and Capacity-Building

Transforming a constitution requires dialogue, not decree. Budget is dedicated to hosting participatory workshops—both in-person and hybrid—with women and male parliamentarians, legal professionals, civil society actors, and media allies. These sessions are designed not as top-down briefings but as collaborative political education spaces. Costs include venue access, facilitation materials, accessibility accommodations, and the development of multilingual advocacy toolkit.

3. Media and Documentary Campaign

Public discourse shapes constitutional possibility. A significant portion of the budget is reserved for media production, especially the development of a documentary that brings women's erasure—and resistance—into the frame. Funds will support pre-production research, filming across provinces, post-production, and strategic dissemination across broadcast, digital, and community platforms. This is not a publicity campaign—it is an archive of resistance.

4. Legal Drafting and Advisory

Amending the Constitution is a legal act—but also a linguistic and ideological one. This line item includes expert consultations, comparative legal analysis, and the hiring of constitutional drafters to develop robust, inclusive amendment language. It also includes the drafting of an explanatory memorandum and legal briefs to pre-empt procedural and judicial challenges.

5. Monitoring, Evaluation, and Learning (MEL)

Rather than treating monitoring as compliance, this project sees MEL as an opportunity for critical reflection and adaptive learning. Budget is allocated for baseline, midline, and endline evaluations—designed in partnership with feminist researchers and political strategists—to assess shifts in stakeholder positions, public discourse, and legislative progress.

6. Operational Costs

This includes administrative support, office communication systems, and mobility for fieldwork. These funds enable the day-to-day work of organizing—quiet but essential labor that sustains momentum.

7. Contingency and Flexibility

In a political context as volatile as Pakistan's, responsiveness is not optional—it is strategic necessity. A contingency line is included to adapt to risks such as government dissolution, public backlash, or sudden shifts in the legislative calendar. This flexibility ensures the project remains resilient and grounded, even when the terrain changes.

7. Monitoring and Evaluation

The monitoring and evaluation (M&E) strategy for this project is guided by feminist and learning-centered principles, ensuring that both measurable outcomes and contextual insights are captured throughout implementation. The goal is not only to measure performance but to remain accountable to the communities the project seeks to serve. Monitoring will be continuous and adaptive, with structured feedback loops and midcourse corrections built into the implementation plan. The M&E strategy draws on the project's Theory of Change and is aligned with its objectives and outputs as detailed in the LogFrame. A dedicated M&E focal person will oversee data collection, analysis, and reporting throughout the three-year cycle

7.1 Monitoring Approach

Monitoring activities will occur at two levels

Activity-Level Monitoring

1. Each output—consultations, documentary production, parliamentary lobbying, and media campaigns—will be tracked against monthly timelines. Tools such as attendance sheets, digital engagement analytics, feedback forms, and meeting minutes will be used. Project staff will maintain a shared data dashboard updated biweekly.

Outcome-Level Monitoring

1. The project will use pre/post engagement surveys, media sentiment analysis, and qualitative interviews with stakeholders (MPs, activists, journalists) to assess changes in narrative alignment, political will, and institutional readiness.

7.2 Evaluation Milestones

- **Baseline Assessment (Month 1–2):**

A stakeholder analysis and public perception scan to establish benchmarks on constitutional literacy and gender leadership narratives.

- **Midline Evaluation (Month 18):**

An internal evaluation report assessing the campaign's reach, legislative traction, and evolving stakeholder positions. Recommendations will feed into phase four strategy adaptations.

- **Final Evaluation (Month 34–36):**

An external evaluator will assess overall impact, with a focus on, shifts in political discourse, Legal outcomes (introduction or passage of the bill) and lessons learned for future feminist legal reform initiatives

8. Way Forward: Carrying the Language of Justice Beyond the Text

To change the Constitution is not to win the battle. It is to open a door—one that has, for decades, remained sealed to those never meant to enter.

We walk forward by embedding gender audits into our constitutional interpretation, ensuring that gender inclusion becomes a living, breathing habit of governance rather than a ceremonial gesture.

The journey does not stop at the Constitution. This model must extend into other terrains of law—family law, criminal law, evidence law—where the exclusions have long been etched in different dialects of power. This project, then, is not an endpoint, but the first ripple in a much larger wave of transformation. And as we walk further, we aim to build a regional

forum for constitutional gender justice across South Asia—one that recognizes our shared histories of colonialism, resistance, and patriarchy, and forges solidarities to reimagine what justice can mean when everyone is seen as a rightful subject of the law.

Conclusion

This project stands at the intersection of language, law, and lived realities. Pakistan's Constitution, while claiming to serve all citizens equally, has historically framed leadership, authority, and citizenship in masculine terms—both through its explicit language and its underlying assumptions. This project recognizes that changing the text of the Constitution is not a cosmetic exercise, but a profound act of rewriting who is visible, who is recognized, and who holds legitimate power.

The journey toward gender-inclusive constitutional language demands more than legal drafting. It requires building alliances across political divides, shifting public narratives that naturalize male authority, and challenging historical processes of exclusion that have shaped law and culture alike. It is both a technical and a symbolic intervention—transforming not just how leadership is described, but who gets to participate in the future of the state.

Grounded in memory and resistance, this project does not see constitutional reform as a clean slate but as a reckoning—with what has been excluded, erased, or silenced. It turns to consultations, public narratives, legislative pathways, and reflective learning not as isolated strategies, but as threads woven into a larger political fabric that demands justice as presence, not exception. Drawing from feminist legal traditions, global movements, and Pakistan's own unfinished struggles for dignity, the effort insists that **language is** not an afterthought in governance—it is its foundation.

To revise the Constitution's words is not to chase symbolism, but to shift who is imagined as the rightful bearer of power. This work seeks to create space in law for those whose lives have long been footnotes in its margins—women, gender minorities, and the many others who have lived under the weight of silences. This is not just a reform proposal. It is an invitation to reimagine the contract between state and citizen, rooted in equality, memory, and rightful claim.

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Annexure 1.

Log Frame

Objective	Indicators	Means of Verification	Assumptions
Goal: Reform the Constitution of Pakistan to replace gendered pronouns in articles defining political leadership with inclusive terminology.	<ol style="list-style-type: none"> 1. Bill passed by both Houses of Parliament 2. Gender-inclusive language adopted in Articles relating to the President, Prime Minister, Chief Justice, etc. 	<ol style="list-style-type: none"> 1. Parliamentary record (Hansard) 2. Official Gazette notifications 3. Constitution (amended text) 	Political will exists to pursue gender parity as a constitutional priority. Judiciary and civil society support legitimacy of the reform.
Outcome: Introduction of “The Equal Access to Leadership Bill” in Parliament	<ol style="list-style-type: none"> 1. Bill formally tabled in the National Assembly and Senate 2. Number of parliamentarians in support 3. Bill language finalized and submitted to Law & Justice Committee 	<ol style="list-style-type: none"> 1. Parliamentary attendance and voting record 2. Committee minutes 3. Public parliamentary documents 	Sufficient momentum built among parliamentarians, especially women and progressive allies.
Output 1: Advocacy and capacity-building with Women Parliamentarians	<ol style="list-style-type: none"> 1. Number of women MPs engaged 2. Training sessions conducted 3. Participation in documentary and campaign messaging 	<ol style="list-style-type: none"> 1. Attendance sheets 2. Pre/post-training surveys 3. Documentary engagement records 	Interest of women MPs sustained across parties. Party leadership supports women MPs' autonomy.
Output 2: Tailored engagement with Male Parliamentarians using Rus Funk’s Continuum	<ol style="list-style-type: none"> 1. MPs categorized across 4 levels: Unaware, Aware but Passive, Supportive, Champions 2. Number of men publicly endorsing the Bill 3. Number of MPs who change stance during the project 	<ol style="list-style-type: none"> 1. Survey forms 2. Statements and interviews 3. Session records 	MPs are open to reframing gender justice through religious, constitutional, and political lenses.
Output 3: Media & Public Narrative Campaign	<ol style="list-style-type: none"> 1. Documentary produced and screened 	<ol style="list-style-type: none"> 1. Social media analytics 	The media environment remains open to reform messaging.

	<ul style="list-style-type: none"> 2. Number of social media impressions 3. Engagement by influencers and journalists 	<ul style="list-style-type: none"> 2. Viewer feedback 3. Press coverage and media toolkits disseminated 	Security risks for feminist narratives are mitigated.
Output 4: Drafting and Legal Validation of the Constitutional Amendment	<ul style="list-style-type: none"> 1. Bill text finalized 2. Co-signatures secured from 1/3rd of MPs 3. Legal experts consulted and endorsements secured 	<ul style="list-style-type: none"> 1. Final bill draft 2. Meeting minutes 3. Memos from bar councils or legal endorsements 	<p>Legal networks support symbolic and structural reform.</p> <p>No judicial intervention blocks the Bill's introduction.</p>
Output 5: Stakeholder Mobilization and Regional Coalition Building	<ul style="list-style-type: none"> 1. Number of consultations with civil society, lawyers, and scholars 2. Statements of support from feminist scholars and religious allies 3. Inception of South Asian Forum for Constitutional Gender Justice 	<ul style="list-style-type: none"> 1. Consultation reports 2. MoUs or joint statements 3. Event documentation 	Regional learning and cross-border solidarity strengthen the legitimacy of reform in Pakistan.

Table 3: Log frame