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Impacts of Gender Disparity and Socio-Educational Structure on Legal Awareness of Women Inmates: A Case Study of Prisons in Sindh, Pakistan

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Abstract

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Key Words: Education System, Criminal Justice System, Gender Discrimination, Legal Rights, Socio-Legal Norms

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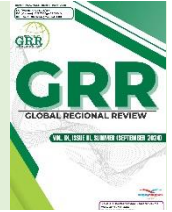
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Title

Impacts of Gender Disparity and Socio-Educational Structure on Legal Awareness of Women Inmates: A Case Study of Prisons in Sindh, Pakistan

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Abstract

The study is an endeavor to undertake an in-depth analysis of the prevailing injustices faced by women inmates incarcerated in one of the merged prisons(merger of 2 districts)of Sindh Province Pakistan. It aims to explore how social norms, education system, and gender discrimination, collectively influence the women inmates' legal awareness and struggles for availing their legal rights and equitable treatment. By employing a mixed-method research design, including in-depth interviews with women inmates, questionnaires, and an interview guide with open-ended questions, the study uncovered the multifaceted barriers they encounter. The study also advocates fostering a more inclusive and gender-responsive criminal justice system and concludes that the intersectional nature of these challenges impacts legal awareness of women inmates and also has some significant implications for stakeholders and reformists in the context of entertaining the female inmates without gender discrimination as ensuring Article-4 of the 1973 constitution of the Islamic Republic of Pakistan.

Keywords: [Education System](#), [Criminal Justice System](#), [Gender Discrimination](#), [Legal Rights](#), [Socio-Legal Norms](#)

Introduction

Women make up approximately 49.6% of the global population (World Bank, 2023). They are foundational elements to societal progress and prosperity. Napoleon Bonaparte stated, "Give me an educated mother, and I shall promise you the birth of a civilized, educated nation." His assertion

actually endorsed the transformative power of education for women. Women can drive societal advancement significantly if they are given equal opportunities.

In the Pakistani context, women face stark gender disparity, particularly when they are retained in the custodial system. The United Nations Convention on



the Elimination of All Forms of Discrimination Against Women (1979) affirms that women's rights are human rights. However, Pakistani society's patriarchal structure often limits women's opportunities and rights. Article 4 of the Constitution of the Islamic Republic of Pakistan (1973), granted and guarantees the right to be protected and to be treated equally before the law which implies that women prisoners, as citizens of Pakistan, should not be treated with the adopted discriminatory approach by the authorities. Similarly, according to Pakistan Prison Rules (1978), women inmates cannot be deprived of educational facilities. Rule 679 affirms that inmates shall be given education of at least primary standard and shall be taught two hours every day by paid teachers)

Currently, there are approximately 19,447 women in prisons in Sindh, with 888 imprisoned in Larkana Ladies Jail (Sindh Prisons Department, 2024). Many of these women are uneducated and unaware of their basic legal rights, hampering their ability to advocate for themselves or seek professional help. The increasing number of female prisoners, which has grown by 20% in the past decade, highlights a systemic issue (World Economic Forum, 2024). The Pakistan Penal Code and Prison Rules emphasize the importance of providing educational opportunities to female inmates, recognizing that education can play a critical role in their rehabilitation and reintegration into society (Pakistan Prison Rules, 1978).

Women inmates, in one of the merged prisons of Sindh Province, face numerous obstacles in the context of Art.4 of the constitution of the Islamic Republic of Pakistan. In fact, theoretical differences made them more vulnerable to accessing their legal rights. Additionally, the socio-educational structural framework exacerbates their hardships. However, the Study was designed to achieve its aims of exploring the principal factors contributing to the legal illiteracy of women prisoners, with a focus on the impact of the social, educational, and legal structured systems of Pakistan.

Literature Review

The increase in the female prison population is a growing concern globally, with the number of incarcerated women and girls rising by nearly 60% since 2000, compared to a 22% increase in men

(Fair & Walmsley, 2022). This disparity underscores the multifaceted challenges women face within justice systems, particularly in countries like Pakistan, where gender inequalities persist despite legal frameworks aimed at protecting women's rights. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979), a landmark United Nations treaty, sought to address these issues by promoting gender equality and eliminating discrimination. However, in Pakistan, entrenched societal norms, patriarchal structures, and legal barriers continue to marginalize women, especially those behind bars.

The intersection of gender disparity, social norms, and limited access to education plays a pivotal role in shaping the experiences of women prisoners in Pakistan. According to the Global Gender Gap Report (2023), Pakistan ranks 142 out of 146 countries, reflecting a significant gap in gender parity (World Economic Forum, 2023). This inequality manifests in various sectors, including education and justice, leaving women vulnerable to systemic discrimination. The Ministry of Human Rights, 2021 reported that women constitute only 1.5% of Pakistan's prison population, with 1,121 out of 73,242 prisoners being female. Most of these women are incarcerated in Punjab (727), followed by Sindh (205), KPK (166), Baluchistan (20), and Gilgit-Baltistan (3) (Ministry of Human Rights, 2021). Despite their relatively small numbers, these women face significant barriers to justice and rehabilitation due to the deeply ingrained patriarchal and discriminatory practices in Pakistan's criminal justice system (Khalid & Khan, 2013).

The persistence of gender disparities is not unique to Pakistan. Studies reveal that women in developing countries face more significant gender inequalities than their counterparts in developed nations (Jayachandran, 2015). This inequality is further exacerbated by cultural practices that favor men, limiting women's access to resources, education, and social mobility. Radical feminist theories argue that patriarchal systems, including the legal and political structures, fail to provide adequate liberation for women and must be reformed (Lewis, 2021). Liberal feminism, on the other hand, supports equality through legal reform; yet, as scholars such as Ritz (2010) point out, these reforms are not adequate to overcome the systemic

gender disparities that are deep-rooted in the legal system.

The importance of intersectionality in addressing the multifaceted oppression women experience is highlighted by feminist philosophers. As opined by Crenshaw (2017) in his theory of intersectionality, intolerance against women is shaped because of the claustrophobic stereotypes of gender, race, and class. It is predominately prevalent in the legal system, where mostly women are sentenced to strict punishments as compared to male offenders (Smith, 2018). Butler (2014) analyzed theories of gender performativity, which shed light on how social norms make and manipulate gender identities, which further cut out incarcerated women.

Education is the only tool to reverse these disparities. Scholars like Freire (2018) and Nussbaum (2016) underpin progressive educational approaches that foster women with the strength to face the discrimination they go through. Moreover, it also helps them be empowered individually, education also serves as a tool against the established roadblocks that support gender disparity (Banerjee, 2011). Unfortunately, Pakistan's current educational framework neglects the necessities of incarcerated women, which further limits their prospects of a better life and reintegration into society (Reshi & Sudha, 2022).

Incarcerated women mostly lack legal literacy, which makes them prone to injustice and biases in acquiring their rights and navigating the legal system. Research revealed that being unable to understand legal jargon, lack of access to legal aid, and mistrust of the legal system are major challenges faced by incarcerated women (Richie, 2012; Goodmark, 2015). Initiatives with the aim of educating women about the legal system and how it functions are the need of the hour for curtailing this knowledge gap and fostering women's autonomy. However, Challenges like scarcity of resources and discrimination continue legal ignorance among women in prison, further excluding them (Brooks, 2016).

To enable females in the criminal justice system, structural barricades must be eradicated, and an environment that endorses independence has to be developed. Supporters of feminist theory such as Kabeer (2019) and Alsop et al. (2006) are the main

supporters of the theory of feminism, emphasizing that societal support, enforcement of women's rights, literacy, and prosperity in the context of economic prospects are essential elements of women empowerment. However, structural biases and institutional barricades still obstruct women from practically achieving their full potential, requiring wide reforms to maintain gender equality and advance justice (Sen, 2017). Since 1995, there has been only slow-paced and unreliable advancement to gender equality specifically in the context of physical health, literacy, job opportunities, and enforcement of legal rights. It is essential to highlight the need for unpretentious determinations to eliminate patriarchal systems of power (Van Eerdewijk et al., 2017).

Various studies show that societal standards, legal unawareness, and gender discrimination are the core reasons for the numerous kinds of domination that females in jails in Pakistan suffer from. International standards like 1979 the Convention on Elimination of All Forms of Discrimination against Women and the feminist theories offer a roadmap towards gender equality but still women face structural and societal hurdles that exist in the criminal justice system of Pakistan and the broader social environment. A comprehensive approach is required to minimize or address these hindrances, which may implementation of legal rules, taking reformative measures to educate and empower the female section of society, and bringing a change in societal norms to assurance that imprisoned women can easily avail and also exercise their privileges and legal rights; that ultimately facilitate them to reintegrate as a responsible and independent citizen of the state.

Research Methodology:

Research Design

This study employs a mix approaches qualitative and quantitative research designs to discover the acquaintances of incarcerated females in one of the merged prisons of Sindh Province. This is considered a flexible research approach, allowing researchers to sightsee an array of studies that have received limited earlier consideration (Watson, 2015). This design was deemed most suitable for the current research, which focused on how social

norms, the education system, and gender disparity impact their struggle for legal rights.

Sampling of Study

The study was conducted in one of the emerging prisons of the Sindh Province of Pakistan. A total of

11 women inmates were taken as the main interviewees who contributed to this study. The majority of women inmates were alleged for murder and a few for kidnapping, drug selling, and stealing property under the penal laws of the state. All participants were above the age of 20 and below 45 years (see Table .01).

Table 1

Principal Contributors of the Study

Serial.No.	Participants'ID Woman Inmate	Crime Alleged	Age	Incarceration Period	Educational Background
01	(WI.1)	Kidnapping	40	02 years	Primary
02	(WI.2)	Murder	20	02 years	illiterate
03	(WI.3)	Murder	40	03 years	illiterate
04	(WI.4)	Theft	35	06 years	illiterate
05	(WI.5)	Murder	35	03 years	illiterate
06	(WI.6)	Murder	38	06 years	illiterate
07	(WI.7)	Murder	34	14 years	illiterate
08	(WI.8)	Murder	38	08 years	illiterate
09	(WI.9)	Murder	45	01 years	illiterate
10	(WI.10)	Drugs	29	01 years	illiterate
11	(WI.11)	Murder	30	01 years	illiterate

Data Collection

Data was collected using a developed interview guide, semi-structured interviews, and questionnaires. Semi-structured interviews, the interview guide comprised open-ended questions and questionnaires are useful data collection tools for qualitative data collection processes. 11 female inmates from one the the merged prisons of Sindh Province, participated in the interviews. Due to restrictions on electronic recording devices, interviews were meticulously documented using handwritten notes by the Principal author. Additionally, document analysis was conducted on relevant legal texts, including the Pakistan Penal Code (ACT XLV OF 1860), the Criminal Procedural Code (ACT V OF 1898), and other pertinent legal references, to contextualize the relevant data.

Data Analysis

The method for theme analysis developed by Braun and Clarke (2006) was used to conduct the analysis. To find reoccurring themes and patterns in societal norms, education, and gender inequality, the interview transcripts and document content had to be coded. The methodical structure Braun and

Clarke's technique offered for data analysis ensured a thorough comprehension of the problems. The results of the document analysis and theme analysis were combined to provide a thorough understanding of the difficulties experienced by female prisoners, emphasizing the systemic problems and intersectional elements that impact their experiences (Braun & Clarke, 2006).

Ethical Considerations

Prior to the interview, all women prisoners (participants) were informed about the purpose of the study. Throughout this study, confidentiality was strictly maintained. Participants' identities were protected, keeping them confidential. Further, Interviews were conducted with kindness, maintaining respect and a comfortable environment for the participants. The study adhered to the regulations of the correctional facilities regarding data collection methods and access to participants.

Findings of the Study

The findings of the study unveiled numerous challenges that subsidize the legal illiteracy of women inmates incarcerated in the emerged Prison

of Sindh Balochistan; in context to the particular impact of societal, scholastic, and legal structural backgrounds. The findings of the study have been grouped into the following main themes.

Social Neglect and Exclusion

Data revealed that inmates behind bars in the merged prison of Sindh Province are socially neglected and abandoned by their families and society. Their stories highlighted the deep sense of isolation and rejection they experience, both within the prison walls and in the broader community. One of the woman inmates (WI.1) reported that she is socially abandoned by her family and other relatives. One of the respondents stated, "My relatives don't talk to me or my family (WI.2) and another female inmate (WI.3) expressed that after being in jail nobody respects me anymore.

Gender Discrimination

The data indicate that female inmates have experienced pervasive gender discrimination both within and outside the prison system. Responses by many woman inmates (WI.5) and (WI.7) specifically exposed how they face discrimination in courtrooms, and how gender biases extend into legal proceedings.

"My brother talks to my lawyer and then they dictate to me what to say or not say in front of the judge." said one of the female prisoners (WI.4). This demonstrates how gender discrimination affects their capacity to independently advocate for themselves as well as how they interact with the legal system. These women's persistent encounters with prejudice highlight more general structural problems that impede their access to justice and equitable treatment.

Lack of Effective Councils

Findings revealed that the majority of woman inmates don't have access to effective legal representation which ultimately leads to prolonged custody or unfair detention. The lack of effective councils is compounded by corruption, as some lawyers and officials exploit their vulnerable positions, demanding bribes or favors in exchange for legal aid or favorable treatment. One of the female inmates stated, "It has been 4 years that my advocate hasn't made any progress in my case."

(WI.1) Same case was reported by one of the female inmates, "I am tired of court trials; no fruitful result has yet been seen." (WI.9) and another said "I have a government counsel, but he is busy, so I get late court hearings." (WI.8)

Illiteracy as a Barrier to Legal Empowerment

The illiteracy of woman inmates is explored as a significant barrier to their legal empowerment. Illiteracy creates substantial obstacles in navigating legal processes. As (WI.1) stated we don't understand the legal procedures and rely on our lawyers and family members to handle our cases. One of the other inmates also said, "I don't know anything about how the legal process works; my family and lawyer deal with everything." (WI.2) Same response was recorded by WI.3 that We are completely dependent on others for our legal matters because we don't understand the legal system. These quotes underscore the critical gap in legal knowledge and the heavy reliance on others to manage their legal affairs, highlighting the need for better legal.

Structural Barrier to Illiteracy

Structural barriers like entrenched societal norms, traditions, and customs are also revealed as one of the core factors that are collectively responsible for making the female section of society unaware of their legal rights. Consequently, a significant number of women end up committing crimes and being incarcerated. The same perception was reflected in the response shared by one of the women inmates, "I didn't go to school because in my tribe girls weren't allowed to study." (WI.11) Same response was given by another women inmate (WI.9) that she didn't know the importance of education in childhood, but now she has realized the importance of education. Another participant of the study added, "I have been earning since my teenage years as a household; if I were educated, I could have had a better life." (WI.7) One of the woman inmates (WI.5) recounted that her elder brother didn't let her study because he thought it would make her rebellious.

These statements illustrate actually evident that how systemic factors, including restrictive educational opportunities and social expectations, contribute to illiteracy and perpetuate the cycle of

disenfranchisement and legal vulnerability among these women.

Demographic Findings

According to Creswell (2014), demographic information is crucial to the interpretation of research findings because it gives researchers a better understanding of the ways in which factors

like age, education, socioeconomic status, and family history affect individuals' experiences. The study's demographic data provides a thorough knowledge of the intersectional variables that increase these women's vulnerability by shedding light on the particular struggles they experience, including social marginalization, gender discrimination, and legal illiteracy.

Table 2

Rate of Literacy Among Respondents

Legal Literacy		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Inmates/Women prisoners were aware of their legal rights	11	100.0	100.0	100.0

Table 02 illustrates a notable deficiency of knowledge among the incarcerated population, as just 11% of the inmates were aware of their legal rights. The cumulative proportion of 100% validates that every respondent is impacted by this problem.

This research emphasizes how important it is for prisons to have educational initiatives that help prisoners better grasp their legal rights and how to represent themselves in court.

Table 3

Conviction and Under-Trial Cases

Crime Convinced/Accused		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Drug Traffic/ Selling Narcotics	1	9.1	9.1	9.1
	Kidnaping And Firouti	2	18.2	18.2	27.3
	Murdered Her Employe (Land Lady)	1	9.1	9.1	36.4
	Murdered Her Husband	7	63.6	63.6	100.0
	Total	11	100.0	100.0	

Table 03 highlights the frequency of offenses related to domestic violence by revealing that 63.6% of surveyed convicts are serving time in prison for killing a spouse. In addition, 9.1% are on trial for drug trafficking, 9.1% for boss murder, and 18.2%

are charged with kidnapping or abduction. These results highlight the necessity of focused interventions that address both the causes of domestic violence and other serious crimes.

Table 4

Marital Status of Women Inmates.

Marital Status		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Window	8	72.7	72.7	72.7
	Married	3	27.3	27.3	100.0
	Total	11	100.0	100.0	

Table 04 reveals that of the convicts polled, 27.3% are married and 72.7% are widows. The significant proportion of widows raises the possibility that their engagement in criminal conduct was affected by

their marital loss. This emphasizes how important it is to take into account a prisoner's marital status together with other relevant social and emotional aspects when providing rehabilitation and support.

Table 5

Chronological Age of The Female Inmates.

Ages of Inmates					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	31 years to 40 years	9	81.8	81.8	81.8
	41 years to 50 years	1	9.1	9.1	90.9
	Age More than 50 years	1	9.1	9.1	100.0
	Total	11	100.0	100.0	

Table 05 shows The analysis of the data shows that a significant percentage of questioned prisoners (81.8%) are between the ages of 31 and 40, suggesting that the majority of the population is middle-aged. One prisoner (9.1%) in the 41–50 age

range and one (9.1%) over 50 belong to smaller groupings. This implies that the requirements of middle-aged and older prisoners should be the primary focus of rehabilitation programs.

Table 6

Illiteracy Rate of Women Inmates

Education Of Inmates					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Educated with Lower Secondary	1	9.1	9.1	9.1
	illiterate	10	90.9	90.9	100.0
	Total	11	100.0	100.0	

Table 06 shows that only 1 inmate (9.1%) has less than secondary education, whereas 90.9% of prisoners are illiterate. This emphasizes how important it is for educational initiatives to address

the deficiency in fundamental knowledge that impedes reintegration and leaves them vulnerable to the law.

Table 7

Financial Empowerment.

Financially Dependent/Independent Status					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Independent and supporting their family and solely breadwinners for their children's	11	100.0	100.0	100.0

Table 07 demonstrates that before being imprisoned, 100% of the inmates surveyed were self-sufficient in their finances. This implies

financial independence, but it also emphasizes that it might not be enough to keep people from committing crimes. This study raises concerns about

the difficulties these people faced and how their situation resulted in incarceration, which may help focus rehabilitation efforts.

Table 8

Incarceration Period in Prison.

Time Spend in Prison		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Less than 1 year in prison	6	54.5	54.5	54.5
	1 year to 2 years in prison	3	27.3	27.3	81.8
	3 years to 4 years in prison	2	18.2	18.2	100.0
	Total	11	100.0	100.0	

Table 08 lists the inmates' varying prison terms. Six prisoners (54.5%) have been behind bars for less than a year, followed by three (27.3%) who have been there for one to two years and two (18.2%) who have been there for three to four years. This

distribution shows that while a sizeable percentage of the offenders have served longer sentences, which affects their rehabilitation and reintegration needs, the majority of them are relatively recent additions to the system.

Table 9

Status of The Trial of Inmates.

Status of trial		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Under trial	11	100.0	100.0	100.0

Table 09 reveals that every prisoner examined (100%) is presently awaiting trial, so no convictions have been made as of yet. In order to achieve prompt justice and reduce the detrimental impacts

of protracted pre-trial incarceration, this draws attention to the problem of prolonged pre-trial detention and emphasizes the need to address legal delays.

Table 10

The Progress of Trials

Trail Started or Awaited		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Trail is Started	10	90.9	90.9	90.9
	The trial is not started because to procedure is not clear.		9.1	9.1	100.0
	Total	11	100.0	100.0	

Table 10 reveals that 90.9% of the prisoners surveyed are in the middle of their trials, with just one prisoner (9.1%) reporting delays because of procedural problems. This highlights the necessity of operative legal measures in order to prevent unnecessary stays and extended imprisonment.

Conclusion and Recommendations

The study concludes that among the difficulties faced by female convicts include gender biases in Pakistan's court system and a lack of awareness of their legal rights. The worth of social standards

cannot be flamboyant, as they serve primarily to uphold old-fashioned stereotypes and obstruct women's progression, thereby degrading them. Insufficient education, which exacerbates these problems and teaches inadequate legal knowledge, fuels the flames by adding women's vulnerability to discrimination, abuse, and dishonesty. Furthermore, because it mostly disregards their concerns and sufferings, discrimination against women inmates both within and outside of the boundaries poses a serious obstacle to women's ambitions for justice.

Systemic reforms that support gender equality and empower women even in jail are desperately needed to overcome these serious problems. This entails dismantling conventional societal norms that support gender inequality, promoting legal education, and boosting the representation of women in society. By overcoming these hindrances, positive steps can be accomplished in the direction of a more progressive, just, and equitable society where all persons, irrespective of gender, have equal access to the legal system and justice. Policymakers, attorneys, and social service providers must collaborate to structure a more gender-inclusive legal system that protects the rights of all citizens.

However, the study ends with the following significant recommendations, which aim to remove the obstacles that women prisoners in Pakistan's

Sindh Province's emerging prisons, Larkana and Sukkur, face.

1. Programs to strengthen community bonds, reduce stigma, and support inmates' reintegration into society awareness may be introduced with support at all fronts.
2. To ensure fair treatment and mandate gender sensitivity, professional training may be arranged for legal and prison staff.
3. To ensure access to appropriate legal aid and to promote corruption-free services by the stakeholders may be promoted.
4. There is a dire need to implement either educational programs or awareness workshops, within prisons to educate women inmates about their basic legal rights and court procedures, partnering with NGOs to empower inmates.
5. Educational access for girls may compulsorily be ensured, especially in tribal areas, and further in context to incarcerated women inmates, adult education programs may be launched in prisons to reduce illiteracy and empower them.
6. Post-incarceration services or mentorship programs may be introduced to provide assistance to reintegrate into society, after the release of women inmates.

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