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Women in sports law in Pakistan: Addressing legal inequities, institutional exclusion, and pathways for reform Settlements in Karachi

Abdullah Solangi

Department of Law, Dadabhoy Institute of Higher Education, Pakistan
(abdullahsolangi25@gmail.com)

Dr. Tansif Ur Rehman

Department of Sociology, University of Karachi, Pakistan; and Visiting Faculty, Department of Law,
Dadabhoy Institute of Higher Education, Pakistan

tansif@live.com (<https://orcid.org/0000-0002-5454-2150>)

Aliya Saeed

PhD Fellow at School of Law, University of Karachi, Pakistan aaliasaeed@yahoo.com

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Abstract

The Women's sports law in Pakistan is a developing yet little-studied field of legal and social progress. Although the role of women in sports is slowly on the rise, the legal frameworks are usually inadequate to resolve the gender equality, safety, and representation problems. Some of the challenges that women athletes encounter include institutional support, facilities, gender-based discrimination, and the law. The law of sports in Pakistan needs to change back in order to include the aspect of equal opportunities, protection against harassment, and rewarding the success of women athletes at both national and international levels. Moreover, the percentage of women in the sport governing bodies, arbitration, and the dispute resolution procedures is still very low, which shows the necessity of inclusive policies. Through reinforcement of law and order, creation of awareness, and gender sensitive governance, Pakistan will be able to create a more equal culture in sports. It is, therefore, crucial that women be empowered through sports law towards gender equity and improving the integrity of the sports sector in general.

Keywords: challenges, historical context, laws, opportunities, theoretical context

Introduction

The status of women in sports law in Pakistan is a significant issue, which exemplifies greater gender equality, representation, and recognition challenges in the area of law and the sporting arena (Ahmad & Bhatti, 2023). Although much has been done by Pakistani women in sports, be it in international cricket, athletics, and martial arts, the fact remains that there is still no legal system that governs the involvement of women in the sport (Ali & Dickson, 2023). The sports law in Pakistan remains primitive and on such a small platform; women go through very different challenges, such as no opportunity, the poor institutional structure, and cultural stereotypes that do not favor females to engage in competitive sports (Gazquez & Barquero, 2024).

Legal means will assist in promoting equality and protecting women athletes against discrimination and harassment, yet their application is not always efficient and tends to be rather fragmented (Ali, 2021; Shahlaei, 2024). The inequality in accessing sporting facilities, inequality in remuneration, as well as lack of representation in the decision-making agencies, have been used to show the gender gap in sports governance (Shafi & Niaz, 2024). In addition, the sports law in dispute resolution systems and arbitration does not generally represent women, which makes them less influential in the process of lawmaking changes (Lim & Kim, 2024).

The necessity to empower women with the help of sports law presupposes that the legislation should be strengthened, policy should be carried out, and awareness programs should be conducted (Manzoor et al., 2020; Shahlaei, 2024). Gender-sensitive models will be in a position to treat the genders equally, create safe sporting environments, and even appreciate the efforts of women athletes both at the national and international levels (Marco, 2021). It is possible to help Pakistan promote inclusivity and integrity in its sporting culture by involving women in sports and governance, arbitration, and leadership (Sarwar, 2024).

Research Justification

The field of study is interdisciplinary, and the research on the role of women in sports law in Pakistan falls under the interdependent areas of sports law, constitutional rights, and gender studies. The constitutional system provides equality before the law in Pakistan because Article 25 of the Constitution of 1973 prohibits the act of discrimination based on gender. It is the primary legal ground of the discussion of the rights of women on the issues of sports control and participation. Moreover, the jurisdictional support of the problem of harassment, discrimination, and exclusion in sports environments is supported by the Prevention of Harassment of Women at the Workplace Act, 2010, and international conventions such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which Pakistan has ratified.

The field of study goes as far as the judicial interpretations, statutory enactments, and policy structures, all of which impose the role of women in sports. It also deals with comparative analysis of international law associated with sports with other entities like the International Olympic Committee (IOC) and the Court of Arbitration for Sport (CAS).

Research Objectives

1. To discuss the historical context of the role of women in sports law in Pakistan.
2. To highlight the theoretical context of the role of women in sports law in Pakistan
3. To analyze the role of women in sports law in Pakistan.
4. To identify the key challenges regarding the role of women in sports law in Pakistan.

5. To explore the opportunities for the role of women in sports law in Pakistan.
6. To propose effective prevention and intervention strategies.

Research Methodology

This study employed a systematic review methodology, with research objectives established accordingly. A comprehensive literature review was conducted (Komba & Lwoga, 2020). Research findings were categorized based on their content (Hiver et al., 2021; Petticrew & Roberts, 2006), and classified information was incorporated into the study by organizing it into headings (Gan et al., 2021; Pawson et al., 2005). The evaluation of classified information and titles formed the basis of the study (Page, 2021; Rahi, 2017), ensuring the integrity of the research subject and its contents (Egger et al., 2022; Victor, 2008). The criteria for selection are listed.

1. **Relevance:** Researches that directly addressed the questions posed by this study are included.
2. **Quality:** Studies that meet a certain quality threshold (e.g., methodological rigour, bias risk) are included. Most of the research is from Scopus-indexed and Clarivate Analytics journals and reputed publishers.
3. **Recency:** Consideration of the publication date to ensure that the review reflects the most current evidence. Most of the studies are from the last three years.
4. **Language:** Only studies published in English are included.
5. **Data Completeness:** Previous studies must provide sufficient data on outcomes of interest for practical synthesis; this is also ensured in this research.

This study did not use primary data from human participants; therefore, no ethics clearance letter from the ethics committee was required.

Literature Review

The issues of women in sport in Pakistan have a plethora of institutional, cultural, and legal problems that are increasingly being reflected in the literature (Ali et al., 2023). But comparatively little is being done in the study that directly talks about the sport law statutes, case law, legal enforcement, institutional regulation, versus the socio-cultural research (Khan et al., 2024). The majority of information that is available is empirical and qualitative literature, which implicitly indicates the legal gaps (Lim & Kim, 2024). Some studies have reported that women are bound by their socio-economic, religious, and cultural norms to participate in physical and sporting activities.

The other theme, which in most instances is not researched properly, is a legal protection against harassment of women in sports (Manzoor et al., 2020). The Protection Against Harassment of Women at the Workplace Act 2010 has been quoted by popular commentary as a possible tool as well as constitutional guarantees under Article 25 (equality before law) of the Pakistani Constitution (Sarwar, 2024). Nonetheless, according to researchers and publications, even written legal provisions do not work and are not well-known among female athletes and stakeholders, and sports organizations often do not put the required mechanisms in place (e.g., inquiry committees) (Shakeel et al., 2024).

Social stigma is also another theme: shame, gender performances, fear of being overt or indecent, fear of harassment or bad reputation are all impositions on women (Ahmad & Bhatti, 2023; Shahlaei, 2024). Parental and communal attitudes are also evident in Pakistan (Ali, 2021). In terms of gaps, the literature mentions that the law policy does not require any gender quotas or other requirements; most of the relevant legislation is not implemented in the context of sport, or it is unfamiliar with the group to which the protection should be provided. The sports federations are less transparent or responsible (Ali & Dickson, 2023).

Historical Context of the Role of Women in Sports Law in Pakistan

In Pakistan, women's participation in sports law has been a process that has come up through the cultural values, national laws, and global influence (Ali & Dickson, 2023). Previously, women in Pakistan were highly constrained by society and the government to take part in any sporting activities, in addition to the fact that they did not influence sports-related policies and laws (Ahmad & Bhatti, 2023). Policies in the sports legal system in Pakistan, such as the Pakistan Sports Board (which made this in 1962), did not even support gender equality until recent decades. It was not until the late 20th and first half of the 21st centuries that female contributions began to receive any attention, both in the field and in legal and administrative work (Sarwar, 2024).

International pressure also fostered gender inclusivity in sports law and policy, especially through conventions like CEDAW, which was adopted in 1996 which was ratified by Pakistan (Khan et al., 2024). The greatest ones include the formation of women's wings in sports federations and an increased focus on anti-discrimination policies (Manzoor et al., 2020). The need for legal changes has been proven by legal actions, such as the one that has assisted female athletes to protect their right to compete on the international level (Shakeel et al., 2024).

However, there are issues that are present because women continue to be underrepresented in the governing structure of the sport, the lawyers do not know the legal rights of the athletes, and cultural barriers (Lim & Kim, 2024; Shahlaei, 2024). However, the growth in the campaigns about women's rights and legal empowerment is gradually transforming the female world in sports law in Pakistan (Ahmad & Bhatti, 2023).

Theoretical Context of the Role of Women in Sports Law in Pakistan

The theoretical background on the role of women in sports law in Pakistan can be subjected to the feminist legal and gender equity perspectives on law. The feminist legal theory challenges the male-dominated legal systems, and aims at correcting the system inequalities by investigating how the systems of law are inclined to marginalize women. The theory can be applied to the field of sports law playing keeping in mind that the needs and rights of female athletes were never considered in the historical legal and institutional structures.

Gender specifics, which rely on patriarchal culture, have been ingrained in the formulation and application of sports legislation in Pakistan. The fact that there are no direct laws that would ensure women have equal rights in sports is reflective of the increased gender disparity in access and representation in the law. Socio-legal, sports law has been used as a form of control of the elite male-dominated sporting activities, marginalizing the role of females in the sport and management. The international human rights instruments, such as the CEDAW and Olympic Charter, give normative frameworks that can promote equality in sports as far as gender is concerned. These values are slowly creeping back into the domestic policy, where there have been reforms to be interested in realizing the rights of women in the sport governance systems, funding, and dispute resolution.

Laws Regarding the Role of Women in Sports Law in Pakistan

Here are the laws regarding points about the role of women in sports law in Pakistan.

1. Equality before the Law: The Constitution of Pakistan provides equality of the citizens before the law, and they should be granted protection without any form of discrimination. It

implies that women have a legal basis to seek equal chances of accessing sporting facilities, funds, representation, and opportunities.

2. Harassment and Abuse (Workplace Harassment and Cyber Laws): It includes legislation such as the Protection against Harassment of Women at the Workplace Act, 2010, that should consist of a set of rules and regulations that require sports federations, clubs, and academies to establish the mechanism of inquiry.

3. Provisions Special to Women: This might be used to support policies or laws that are specifically aimed at encouraging women to participate in sports (e.g., quotas, special funds, or women-exclusive training centers).

4. Protection of Public Service and Employment: Women cannot be subject to discrimination in services (in terms of public employment) based on sex. It may be applied in sports governing organizations or other organizations that receive financial support from the people in sports to have equal roles and responsibilities for women (coaches, administrators).

5. Right of Access to Public Places: No citizen will be refused access to public places (such as parks, stadiums, entertainment places) due to sex. It secures women the right to use communal sporting facilities.

Challenges for the Role of Women in Sports Law in Pakistan

1. Absence of Legal Protection and Accountability: Legislation like the protection against harassment at Workplace Act is available on the books, and yet most sports organizations lack the right structures (e.g., inquiry committees), and the victims themselves fail to report because they are afraid of retaliation. Moreover, athletes do not necessarily know their rights.

2. Cultural & Socio-Religious Barriers: Extensive patriarchal beliefs, family values, religious conservatism, and social stigma do not encourage girls or women to get involved in sports or even visit sports facilities. Girls might not be allowed to train or even compete, especially in rural areas.

3. Lack of Proper Infrastructure and funding: Women have very limited sports facilities where they can get their sports; the few they have might be of poor quality, unsafe, or unavailable. There is also extreme skewing of resources in men's sports; women athletes receive less sponsorship, investment, and fewer chances to compete.

4. Weak enforcement of the Sports Policies and Laws: Although Pakistan has policies like the National Sports Policy (2005), where the women's provision exists, such as the women's wings of sports federations, women coaches, women-specific facilities, etc., these are not usually implemented.

Opportunities for the Role of Women in Sports Law in Pakistan

1. Enforcement and Awareness of Legal and Policy Frameworks: Pakistan already possesses laws (e.g., constitutional guarantees against discrimination; laws on harassment) and policy frameworks (sports policy, commissions).

2. Institutional Support & Commission Bodies: The Pakistan Olympic Association (POA) has a Women's Commission and is striving to have a balance representation of females in committees and national games. These institutional frameworks offer formidable paths of impact on the policies, amplify transparency, and provide women with a voice in the decision-making.

3. Partnerships & Advocacy Programs: New partners such as UN Women and Zalmi Foundation are new to encourage sports in addition to leadership and economic empowerment among girls and women. These alliances introduce funding, technical know how and advocacy potential.

4. Specific Events and Platforms: There are special events, such as the Pink Games in Punjab, where women athletes get a platform to display their talent and compete. Similarly, regular exposure and talent identification are done through tournaments and training camps by programs such as the "Empower Her."

Discussion

The contribution of women in sports law in Pakistan is marked by improvement and inequality at the same time. The Constitution ensured gender equality (Article 25) and access to open spaces (Article 26), which gives women legal grounds in sports. Additionally, other policies like the National Sports Policy (2005) promote the participation of women in the sports federations and administrations. Nevertheless, the execution is still poor because of cultural beliefs, and absence of infrastructures, and ignorance of legal rights. Women athletes continue to experience such challenges as harassment, unequal funding, and poor media coverage.

In spite of these obstacles, the increasing advocacy, the efforts of the Pakistan Olympic Association, and the partnership with other agencies such as UN Women demonstrate some open opportunities. The gender gap can be closed by enhancing enforcement systems, promoting awareness of the measures that are in place, and having gender representation in the management of sports. Finally, gender equality and sports development in Pakistan will require the empowerment of women using the sports laws.

Conclusion

The role of women in sports law in Pakistan presents the fact that Pakistan is still grappling with the issue of constitutional equality and cultural reality. Though the Constitution and the national policies offer a solid legal framework to facilitate the involvement of women in sports, the disparity between the law and actuality is still important. Problems like poor implementation, societal constraints, and the absence of institutional responsibility remain problematic. Nevertheless, the recent attempts, such as gender inclusion programs by the Pakistan Olympic Association, awareness campaigns, as well as working with international agencies, are an indication of positive change. Enhancing the legal procedures, offering safe and convenient sports centers, and equality in funding and leadership opportunities are essential. The real measure will require the conversion of supporting legislation into long-term and viable activity at all tiers of sports.

Recommendations

1. Advance Female Legal Education amongst Female Athletes: Hold a workshop to inform women about their rights, in addition to their complaint rights and employment rights in sports.
2. Develop Women in Sports Legal Framework: Develop a comprehensive sports law on gender equality, prevention of harassment, and quotas of women representatives in sports organizations

3. Enhance Enforcement of the Current Laws and Policies: See that the constitutions and National Sports Policy (2005) are properly enforced in an effort to ensure that women's equality in sports goes on as expected through regular monitoring and evaluation.
4. Establish Harassment Redressal Committee in Sports Bodies: Implement the Protection against Harassment of Women at Workplace Act, 2010.
5. Establish International Alliances on Women's Empowerment: There should be coordination with other organizations, such as UN Women and IOC, to provide technical, legal, and financial support.
6. Invest in their Safe and Accessible Sports Infrastructure: The Government should build safe and women-friendly stadiums, training centers, and community sports facilities at the municipal and provincial levels.
7. Improve Women's Representation in Decision-Making: At least 30% of seats in national and provincial sports federations, boards, and committees should be reserved for women.
8. Provide Equal Funding and Distribution of Resources: There is a dire need for equal funding, sponsorship opportunities, and training facilities for women athletes in all sports.
9. Promote Media Publicity and Publicity: Publicize women's sports in the national broadcasting and media campaigns to alter the perception of the people.
10. Provide Scholarships and Career Development to Female Athletes: Provide scholarships, work placements, and post-retirement careers in coaching or sports law.

Research Limitations

The lack of trustworthy and recent information concerning the issue of women's involvement in sport and the legal process in Pakistan is one of the primary constraints of this study. Most sports bodies lack clear documentation, and the actual data in regards to sport is usually missing or unavailable, thus making it quite difficult to make precise conclusions. The other limitation is the lack of access to the primary sources, like interviews with female athletes, sports administrators, or lawyers. Obstacles related to culture and society do not allow women in conservative areas to openly talk about gender inequality, harassment, and discrimination in sports. It constrains the richness and breadth of the views in the study.

Finally, the absence of academic literature and policy review of sports law in Pakistan limits the scope of the research. The majority of available literature is general concerning the equality of genders or education, but not the legal dimensions of women in sport, hence the need to rely on secondary and media-based sources.

Research Implications

Research on the role of women in Pakistan has several implications:

1. Awareness and Capacity Building: The research points out the significance of informing the athletes, coaches, and officials on the legal rights of women in sporting activities, which will contribute to the creation of a culture of sensitization and empowerment.
2. Academic and Institutional Development: It promotes additional scholarly study of sports law and gender studies in Pakistan, the development of interdisciplinary research, and the curriculum.

3. Better Implementation Policies: This study highlights the lack of legislation concerning the real practice, and they should develop surveillance mechanisms and frequent tests to verify that people are not violating gender equality clauses.
4. Global Cooperation and Lobbying: The study can help Pakistan to increase the participation of the country with other international agencies, such as UN Women and the IOC, to harmonize the national legislation with the global gender equality provisions.
5. Policies and Legal Change: The results demonstrate the necessity to have more effective and gender-sensitive sports laws to guarantee the equal participation and protection of women under the law.

Future Research Directions

Future research on the role of women in Pakistan could focus on several key areas to address existing challenges and improve the system:

1. Comparative Legal Analysis: Future research ought to compare the laws governing sports in Pakistan and other Muslim and South Asian nations so that the best practices that favor the involvement of women in sports and the legal protection of women in sports can be identified.
2. Field-Based and Empirical Research: The interviews, surveys, and case studies of female athletes, coaches, and administrators will contribute to the first-hand analysis of the challenges and experiences that many current sources do not offer.
3. Impact Assessment of Policies: The researchers are advised to analyze the strength of the National Sports Policy (2005) and the gender policies in order to determine the actual impact of these policies in sports on the representation and safety of women.
4. Legal Reforms and Institutional Mechanisms: The scholars are supposed to look at the ways in which the legal changes, training of people, and institutional accountability systems can be enhanced to give sports governance gender justice.
5. Role of Media and Public Perception: Future work might investigate the ways in which media reporting and mass reporting about women athletes create opportunities and obstacles to female athletes within the current legal frameworks.

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