

**The Case of Malala Yousafzai: Examining the Disconnect Between International Pressure  
and Domestic Action**

**Introduction**

***Malala Yousafzai: A Symbol of Resilience and Advocacy***

Malala Yousafzai has cemented her place in the world of activism for girls' education and the broader area of women's rights. Malala's story exemplifies the notion that the ability to effect positive change in the lives of others is not contingent on demographic factors such as age or gender but rather on an individual's determination and unwavering faith in the feasibility of the transformations they envision.<sup>1</sup> The narrative surrounding Malala transcends personal limitations, cementing her status as a symbolic figure who represents fortitude and steadfast support for the cause of women's rights, particularly concerning equal access to education.<sup>2</sup> Malala, who was born and raised in the Swat Valley of northwestern Pakistan, exhibited an unwavering dedication to education during her formative years despite mounting pressure from extremist factions that opposed the education of girls.<sup>3</sup>

Malala began her advocacy as a BBC blogger at the tender age of eleven.<sup>4</sup> Her writing focused primarily on the arduous existence of women and children during the Taliban regime. Through her writing, she employed her narrative as a means of advocacy, which motivated populations beyond Pakistan regarding the significance of perseverance and advocacy.<sup>5</sup> In an

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<sup>1</sup>Jolie, Angelina. "We All Are Malala." The Daily Beast. Last modified October 16, 2012. <https://www.thedailybeast.com/angelina-jolie-we-all-are-malala>.

<sup>2</sup> Sanchez, Interviewing Ms., Mr. Klassen, Interviewing Mr. DeBruzzi, and Mr. Woodbury. "Malala Yousafzai: A Path to Courage and Women's Rights." History (2023). <https://mpafreethinker.com/408/opinion/malala-yousafzai/>

<sup>3</sup> Malala Fund. "Malala's Story." Malala Fund. Accessed November 25, 2023. <https://malala.org/malalas-story>.

<sup>4</sup> Boutilier, Sophia. "Growing Up Malala: Is Today's Educated Girl Tomorrow's Neoliberal Woman?." Journal of International Development 32, no. 2 (2020): 186–206. <https://doi.org/10.1002/jid.3442>

<sup>5</sup> Khan, Hassan, Anila Khan, and Zafar Iqbal Bhatti. "Politics Of Representation, Racialization And Marginalization In I Am Malala By Christina Lamb And Malala Yousafzai." Webology (ISSN: 1735-188X) 18, no. 6 (2021). [https://www.webology.org/data-cms/articles/20220713110806amwebology%2018%20\(6\)%20-%20521.pdf](https://www.webology.org/data-cms/articles/20220713110806amwebology%2018%20(6)%20-%20521.pdf)

oppressive system, she frequently had to exchange her uniform for plain clothes. She concealed her books beneath her shawl to attend school undetected by the Taliban when she was a young girl yearning for an education.<sup>6</sup> She was eventually forced to discontinue all academic pursuits, but this did not deter her commitment to obtaining an education and advocating for girls' education. Malala's challenges extended beyond the Taliban's repressive policies and opposition to female education; they also confronted Pakistan's inflexible patriarchal structure, which paid scant attention to the empowerment and academic development of girls and women. The 2012 Taliban assassination attempt on Malala, motivated by her media coverage and advocacy for girls' education, served as a turning point in her determination and advocacy. Although this action intended to muzzle her and halt her advocacy permanently, it inadvertently strengthened her resolve. It led to more significant local and international acclaim and backing for her work.<sup>7</sup> Following her recovery from the precarious situation, she has continued to advocate for women's rights and girls' education, elevating her to the epitome of grit and advocacy.

### ***Setting the Context: International Spotlight vs. Domestic Action***

The narrative and enduring impact of Malala Yousafzai has garnered international acclaim, inspiring solidarity and backing for the cause of women's rights and girls' education as fundamental human rights that should be advocated for by all individuals, irrespective of their background or situation.<sup>8</sup> Although her narrative and campaign have garnered global attention, the larger framework in which her story develops demonstrates a glaring contrast between domestic activism and international attention. A discernible disparity exists between the level of domestic involvement and the global attention directed towards the particular and more extensive concerns

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<sup>6</sup> Jolie, 2012

<sup>7</sup> Boutillier, 2020

<sup>8</sup> Li, Siyu. "Saving" Muslim Women from Their Own Culture: Three Case Studies of Humanitarian Intervention." *Journal of Arts and Humanities* 10, no. 08 (2021): 37–45. <https://doi.org/10.18533/jah.v10i08.2171>

exemplified in Malala's advocacy, which encompasses the empowerment of women and girls. A multitude of contextual elements causes this disconnect. Social, economic, and political elements are ingrained in the cultural tapestry of regional communities and systems.<sup>9</sup>

Women confront numerous systemic challenges in pursuing empowerment and equality in politics, economics, and society. This is particularly noticeable in areas afflicted by substantial degrees of gender-based structural discrimination, where males are conferred preferential treatment by the dominant systems.<sup>10</sup> The majority of these regions are situated in third-world nations that adhere to extremely conservative values and are resistant to empowering women and girls.<sup>11</sup> This is even though many countries, such as Pakistan, have signed various international commitments to women's rights, such as education access. Consequently, the global attention directed towards women's rights, as exemplified by the situation in Malala, is frequently accompanied by insufficient and perfunctory measures within Pakistan that fail to address the severe human rights challenges that impact women.

Notably, legal instruments and international advocacy possess the potential to instigate substantive transformation. In practice, however, such international attention is merely a catalyst for discourse concerning the rights of minority groups.<sup>12</sup> Infrequently, these endeavors result in concrete domestic legal reforms that aim to tackle the underlying causes of these concerns. Moreover, these discussions frequently need more authentic political dedication to reform, resulting in reforms that primarily exist in rhetoric but are seldom implemented in practice to attain their intended objectives. Mainly, the commitment to safeguarding women's human rights within

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<sup>9</sup> Ozgen, Zeynep, and Matthias Koenig. "When Global Scripts Do Not Resonate: International Minority Rights and Local Repertoires of Diversity in Southern Turkey." *Qualitative Sociology* (2022): 1-39.

<https://doi.org/10.1007/s11133-021-09504-0>

<sup>10</sup> Khan et al., 2021

<sup>11</sup> Li, 2021

<sup>12</sup> Ozgen and Koenig, 2022

national borders is frequently symbolic and conceptual, needing more authentic commitment and a sincere intention to translate global attention into concrete measures. Consequently, the international attention directed toward concerns exemplified by Malala's narrative and advocacy for the rights of women and girls yields superficial and restricted tangible results on a domestic level. As a result, the persistent nature of the issue of women's rights violations is likely to persist, despite its prominence in international human rights discussions, unless there is a successful bridge between domestic efforts and international pressure.

### **Malala's Story: A Microcosm of Broader Issues**

#### ***Brief Biography: From Swat Valley to Global Advocacy***

Malala Yousafzai was born in the Swat District of northwestern Pakistan on July 12, 1997.<sup>13</sup> Her father, an educator and poet, belonged to the Sunni Muslim Pashtun ethnic group and was a member of the lower-middle class. Her father, who also advocated for girls' education, inspired her to be an advocate herself. In 2008, she commenced her activist endeavors at the young age of eleven, maintaining an anonymous blog for BBC Urdu under the name Gul Makai, in which she detailed her experiences living in the Swat Valley during the Taliban's brutal and oppressive rule.<sup>14</sup> In Swat, the Taliban's rise presented a grave threat to the education of young women, which they assiduously suppressed as a religious obligation.<sup>15</sup> In light of this context, Malala emerged as an outspoken advocate, publishing an account of her ordeals on the BBC. Her initial prodigious advocacy and subsequent rise to global recognition as an advocate for the right to education of girls and women offer valuable perspectives on the challenges young women encounter in conservative societies, where educational opportunities are frequently restricted. As a result of her

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<sup>13</sup> Malala Fund, n.d.

<sup>14</sup> Boutillier, 2020

<sup>15</sup> Ibid.

outspoken support for the education of females through the media, Malala was targeted for execution by the Taliban in 2012.<sup>16</sup> The attempted assassination served to elevate the prominence of Malala's advocacy in Pakistan to a global scale.

### ***The Assassination Attempt and its Symbolic Weight***

As Malala's advocacy gained prominence, she encountered heightened threats, most notably from the Taliban, who vowed to assassinate her on account of her position on the education of girls. The death threats leveled against Malala were disseminated through social media and newspapers. The culmination of the threats was a Taliban consensus to execute Malala to muzzle her permanently. On October 9, 2012, a Taliban terrorist in Swat Valley opened fire on 15-year-old Malala and two other girls while she was on a school bus following an exam.<sup>17</sup> The attempted assassination of Malala holds major symbolic significance, transcending the individual level to symbolize a more extensive violation of the educational rights of women. Following the attempted assassination, Malala received an international outpouring of support and sympathy for her advocacy. The attempted assassination consequently propelled Malala to international recognition, elevating her to the status of a symbolic figure who opposes repressive entities that seek to silence the voices and rights of girls and women.

As the gunfire targeted Malala, it appeared that the entire nation of Pakistan was also affected. Subsequently, numerous street demonstrations transpired in prominent cities of Pakistan, during which adults and children held placards that read "I Am Malala" in support of her.<sup>18</sup> The Taliban intended for the shooting of Malala to serve as a cautionary tale for individuals who oppose their stance on the promotion of women's education. Nevertheless, the assassination attempt failed

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<sup>16</sup> Li, 2021

<sup>17</sup> Ibid.

<sup>18</sup> Jolie, 2012

to accomplish its intended purpose; instead, it inspired Pakistanis to advocate more vehemently against the Taliban and for the educational rights of women.<sup>19</sup> Thus, the shooting served as a reminder that education is a fundamental human right to which every female is entitled and that violent groups such as the Taliban should not be permitted to impede this right. Moreover, it represented the unwavering determination to advocate for women's rights despite the existing obstacles and the discrepancy between global scrutiny and domestic efforts.

The attempted assassination of Malala thus demonstrated that the courage of a single individual can motivate an entire generation, including children, men, and women, to advocate for a fair and equitable course of action. Following her recovery, Malala resumed her advocacy efforts, exhibiting heightened determination and global influence. This demonstrates how the assassination attempt served to advance the cause Malala stood for rather than stifle it. In essence, the advocacy had expanded beyond the borders of Pakistan. International governments, human rights organizations, and feminist organizations denounced the Taliban, which maintained its steadfast stance and suggested the potential for an ongoing religious obligation to eliminate Malala.<sup>20</sup> Following her recovery, Malala relocated to the United Kingdom, sustaining her global advocacy for girls in Pakistan and worldwide. At seventeen, she was awarded the youngest-ever Nobel Prize in 2014.<sup>21</sup> Since then, her continuous advocacy for girls' education and broader issues of women's rights has garnered her innumerable honors.

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<sup>19</sup> Jolie, 2012

<sup>20</sup> Li, 2021

<sup>21</sup> Malala Fund, n.d.

## **The Disparity Between International Condemnation and Domestic Action**

### ***Global Outcry and Its Immediate Impact***

An international community's outpouring of anger greeted the Taliban's assault on Malala. The aforementioned global reaction increased the pressure on Pakistan to bolster its counterterrorism efforts and advocate for universal child education.<sup>22</sup> Following the assassination attempt on Malala, cities throughout Pakistan witnessed demonstrations that resulted in the ratification of the nation's inaugural Right to Education Bill. This legislation ensured that all children, irrespective of gender, would have equal access to education.<sup>23</sup> In response to increasing domestic and international pressure, Pakistan escalated its counterterrorism efforts. The president of Pakistan characterized the assault on Malala as a cowardly act perpetrated by terrorists against civilized individuals, thereby conveying the nation's commitment and concern regarding counterterrorism. The international community condemned the assassination attempt on Malala as a contemptible endeavor committed by terrorists who perceived the empowerment of girls and women as a threat.

As a result, Pakistan faced increased international pressure to cease support of terrorism and ensure universal human rights. The condemnation of the attack by a collective of Islamic clerics in Pakistan was a further indication of the disapproval towards the Taliban and their acts of terrorism. Diverse Islamic religious organizations condemned the Taliban's efforts to justify their attempted assassination of Malala on religious grounds, thereby demonstrating the increasing anti-terrorism sentiment in Pakistan.<sup>24</sup>

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<sup>22</sup> Li, 2021

<sup>23</sup> Boutillier, 2020

<sup>24</sup> Kirwale, Ms. Manisha Sitaram, and Dr. Vijaykumar S. Bandal. "Human Rights of Women and Children: A Study of Malala Yousafzai's I Am Malala."

### *Domestic Legal Response: Shortcomings and Controversies*

Before the global recognition and attention brought about by the attempted assassination of Malala Yousafzai in 2012, Pakistan encountered numerous obstacles in its efforts to protect the human rights of women, particularly in education and protection against extremist organizations such as the Taliban.<sup>25</sup> The failure to adequately protect the rights of women and girls can be attributed to a multitude of factors. As an illustration, Pakistan enacted several discriminatory statutes that marginalized women and neglected to safeguard their rights sufficiently. Moreover, education access for females in Pakistan was unequal, particularly in conflict-affected and conservative regions such as the Swat Valley.<sup>26</sup> The education of girls was constrained by traditional norms and cultural practices, while mechanisms to mandate compulsory fundamental formal education for all children were nonexistent or ineffective.

In the northwest of Pakistan, extremist groups such as the Taliban imposed restrictive policies, including the exclusion of girls from attending school. These groups restricted the rights of girls and women through the application of strict and frequently misconstrued interpretations of Islamic law and religious teachings. For example, the Taliban in Swat Valley considered female students and girls who attended school to be infidels deserving of punishment. Despite the presence of legislation aimed at safeguarding the rights of women and girls, its implementation frequently proved to be ineffectual. Many factors contributed to this inadequate law enforcement, including insufficient funding and training for police concerning gender equality in education and other human rights domains as well as an absence of political goodwill.<sup>27</sup>

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<sup>25</sup> Li, 2021

<sup>26</sup> Boutilier, 2020

<sup>27</sup> Kirwale and Vijaykumar, n.d.

The cultural dynamics of Pakistani society systematically disadvantage girls and women.<sup>28</sup> Because the legal system is an outcome of the sociocultural norms and contexts that form its foundation, the aforementioned legal provisions cannot adequately address matters highly valued within particular cultural contexts that generate said laws. Honor killings, child marriage, and limitations on the socioeconomic mobility of women were pervasive societal practices that eluded legal intervention.

It is noteworthy to mention that Pakistan has implemented legislative and policy modifications to enhance the rights of women after the attempted assassination of Malala. These encompass the ratification of the Right to Education Bill alongside various policy and legal amendments to foster a society devoid of discrimination. However, the efficacy of these modifications is contingent upon their grassroots implementation and enforcement, a process that can be intricate and continuous. Immediately following the incident, the assailants of Malala were apprehended and formally charged in court. Surprisingly, however, these human rights violators were acquitted because there was allegedly insufficient evidence connecting them to the attack on Malala. The Pakistani government's decision to acquit the perpetrators indicates that the nation's domestic systems are inadequate in their responsibility to safeguard the rights of women and girls. Therefore, the effectiveness of the domestic justice system is compromised, and it fails to align with the global demand for accountability and respect for human rights.

### **Challenges of Legal Dualism**

#### ***Navigating Secular, Religious, and Tribal Justice Systems***

Societal systems frequently enshrine cultural dynamics that delineate and mold the society.<sup>29</sup> Likewise, nations' legal systems frequently emerge from their social and cultural

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<sup>28</sup> Boutilier, 2020

<sup>29</sup> Ozgen and Koenig, 2022

underpinnings. Secular laws ingrained in numerous nations' legal systems frequently coexist with tribal and religious law systems. Although the intention behind this coexistence is often to foster a more holistic and contextual understanding of law and justice, the dualism itself can impede the achievement of universal rights, such as education and equality for women. Legal dualism is more pronounced in nations characterized by conservative cultural tendencies, such as Pakistan.<sup>30</sup> In these legally dualistic nations, the coexistence of secular, religious, and tribal law systems can frequently lead to contradictory rulings that undermine the international effort for universal enforcement of laws promoting women's rights on a domestic level.

Inconsistencies and tensions may result from the coexistence of religious, secular, and tribal justice systems about the preservation of the rights of women and girls. Secular laws frequently originate from colonial legacies and are supported by the demand for legal protections and universal human rights.<sup>31</sup> The governance of secular laws primarily relies on international treaties, conventions, or overarching principles, such as the United Nations Charter on Human Rights. Conversely, tribal and religious legislation frequently originates from the fundamental religious tenets and cultural conventions delineating a particular nation or people. The intention of the customary laws and practices ingrained in tribal laws is frequently to promote coexistence and harmony in communities, as the group's ancestors envisioned.<sup>32</sup> Secular legislation strives to establish universal human rights and justice, whereas religious and tribal laws foster harmony and order.<sup>33</sup> The criminal justice system in conservative societies such as Pakistan, which is predominantly grounded in secular law, is considerably influenced by religious and tribal law.

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<sup>30</sup> Li, 2021

<sup>31</sup> Cooke, Samantha. "Power, Secularism, and Divorce: Women's Rights in Egypt and Iran." *National Identities* 22, no. 5 (2020): 479–497. <https://doi.org/10.1080/14608944.2019.1634034>

<sup>32</sup> Ozgen and Koenig, 2022

<sup>33</sup> Cooke, 2020

Consequently, individuals in positions of criminal justice, such as judges and law enforcement officials, within these societies may inadvertently be swayed by the desire to advance religious and tribal law doctrines. This could result in decisions and consequences that contradict the established legal norms that are supported internationally. For instance, judges have discreetly released convicted criminals without public knowledge for offenses committed in furtherance of religious or tribal principles, such as honor killing.<sup>34</sup> This dualism potentially accounts for the lack of successful convictions for the perpetrators and organizers of Malala's assassination plot: they are all presumed to be in the care of Islamic extremists and are, therefore, free.

***Case Studies: Conflicting Judgments and Women's Rights***

It is imperative to examine particular case studies to exemplify the challenges girls and women encounter in pursuing fundamental rights such as empowerment and education. The presented case studies reveal how legal dualism contributes to the advancement of systemic inequity against women and girls, whereby religious and tribal law systems deliberately and unintentionally influence unjust legal decisions. The examination of these case studies demonstrates that cultural biases, inconsistent enforcement, and divergent interpretations of the law all contribute to barriers that prevent women whose rights have been violated from accessing justice.

An instance of this can be found in a case study that examines Pakistani legal dualism and the peril of honor killings through the lens of the 2016 murder of social media celebrity Fouzia Azeem. The presence of legal dualism in Pakistan presents obstacles in the efforts to combat honor murders, particularly those that target women. Honor killing is prohibited and criminal under

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<sup>34</sup> Sadiq, Bhanbhro. "Honour Crimes." In *Gender-Based Violence: A Comprehensive Guide*, pp. 285–297. Cham: Springer International Publishing, 2023. [https://doi.org/10.1007/978-3-031-05640-6\\_21](https://doi.org/10.1007/978-3-031-05640-6_21)

secular law ratified by Pakistan and enshrined in the country's constitution.<sup>35</sup> Even though honor killings are not permitted by secular law in the country, tribal and extremist religious statutes frequently condone such acts when the victim engages in conduct that is considered a social disgrace. On the night of July 15, 2016, this was the fate of Qandeel Baloch, who was drugged and suffocated to death in her sleep by her brother.<sup>36</sup> The assailant maintained that he assassinated Baloch in the name of family honor, given that the celebrity had disgraced her family. Although the perpetrator was sentenced to life in prison with the possibility of parole and release after 25 years, the judge released him covertly after only three years of incarceration. Therefore, in the end, the religious doctrine that sanctioned honor killings took precedence in the Baloch case, rendering secular law largely symbolic.<sup>37</sup>

In the second instance, religious law and legal dualism are utilized to propagate injustice against women in Nigeria. Nigeria's legal system encompasses secular and religious principles, most notably the Islamic Sharia. The Amina Lawal case serves as an illustration of the contradiction between secular and Sharia law. The subordinate Sharia court in Katsina State imposed the death penalty by stoning Lawal on March 22, 2002, for adultery and bearing a child outside of wedlock.<sup>38</sup> In contrast, the court acquitted the individual identified by Lawal as the father of the child for his guilt because he had taken an oath per the Holy Qur'an. Regrettably, Lawal was denied the chance to affix her signature to the Holy Qur'an, as the mere existence of the infant was deemed sufficient evidence of her guilt and rationale for her brutal capital punishment. The appellate Sharia court reversed Lawal's conviction because it contravened Islamic

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<sup>35</sup> Bhanbhro, 2023

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Quadri, Maryam Omolara. "Non-State Actors and Violence against Women in Africa." In *The Palgrave Handbook of African Women's Studies*, pp. 955–967. Cham: Springer International Publishing, 2021. [https://doi.org/10.1007/978-3-030-28099-4\\_104](https://doi.org/10.1007/978-3-030-28099-4_104)

law.<sup>39</sup> Although Lawal's acquittal on appeal resulted from international pressure, the case brought to light the challenges women confront when navigating dualistic legal systems in which religious and tribal law principles frequently supersede the universality of secular law provisions. Thus, legal dualism can obstruct fundamental women's rights, such as the right to life.

Regarding the third case study, the presence of legal dualism—consisting of secular laws and Islamic Sharia—and its contribution to the advancement of gender-based discrimination against women becomes evident within the framework of guardianship laws in Saudi Arabia. Saudi Arabia has made notable advancements in women's and girls' empowerment since the accession of Crown Prince Mohamad bin Salman.<sup>40</sup> This has conferred greater autonomy and empowerment to Saudi women. However, in Saudi Arabia, the male guardianship system continues to endure, mandating that women seek male relatives' consent before making significant decisions.<sup>41</sup> The principle of male guardianship is firmly established in Islamic law and teachings derived from the Holy Qur'an. According to this teaching, men are entrusted with caring for and sustaining women, as divinely ordained by God, and men provide the means to do so. This concept, which is endorsed by religious legislation, reinforces the objectification of women and may potentially undermine the progress achieved through secular law in safeguarding women and promoting equality in Saudi Arabia.<sup>42</sup> Women will continue to face injustice and inequality so long as such ingrained beliefs from religious teachings and law endure, notwithstanding the progress made in secular laws at the international and local levels that seek to establish equality and universality for specific rights such as education.

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<sup>39</sup> Ibid.

<sup>40</sup> Jones, Calvert W. "Does Interacting with Women Encourage Civic and Prosocial Attitudes? Evidence from Simulated Contact Experiments in Saudi Arabia and Kuwait." *Journal of Experimental Political Science* (2023): 1–15. <https://doi.org/10.1017/XPS.2023.15>

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

### **The Symbolic Adoption of International Legal Instruments**

Constant international efforts, coordinated by organizations such as the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), have emphasized the demand for human rights, especially those of women and girls. Additionally, numerous nations have ratified treaties pledging to promote the rights of girls and women. Utilizing these international legal instruments can be instrumental in safeguarding women's rights. Nevertheless, numerous nations must demonstrate tangible dedication and kindness towards the progress advocated for by said conventions to consent to these conventions. Consequently, certain conventions at the domestic level continue to be merely symbolic gestures devoid of sincere commitment to their execution.<sup>43</sup> Thus, treaties' ratification and practical implementation within domestic legal frameworks must be synchronized.

The case of Malala highlights the complex interplay between fundamental rights and the safeguarding of individuals, specifically young women and girls, from diverse manifestations of violence and discrimination. An international human rights seminal document, the Universal Declaration of Human Rights (UDHR), delineates universal human rights, such as education, which should not be withheld from anyone based on gender or other capricious characteristics. Article 26 of the UDHR states that education is an indispensable instrument for human development.<sup>44</sup> Despite the international recognition of this provision, including in Pakistan, a significant number of girls and women continue to be denied access to education based on their gender alone.

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<sup>43</sup> Ozgen and Koenig, 2022

<sup>44</sup> United Nations. "Universal Declaration of Human Rights." United Nations. Accessed November 25, 2023. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

While the UDHR establishes standards for universal rights, its efficacy is contingent on how nations execute and maintain these principles within their borders. A review of Pakistan's responsibilities under the UDHR demonstrates the possible discrepancy between global ambitions and domestic implementation. Currently, Pakistan is positioned 153rd among 156 countries in the Global Gender Gap Report.<sup>45</sup> Moreover, according to a report published by United Nations Women, an estimated 54% of women in Pakistan lack opportunities for education, training, and employment. Comparatively, slightly more than 7% of males in Pakistan lack access to these fundamental liberties.<sup>46</sup>

Although poverty is frequently cited as an impediment to women's access to education in Pakistan, the significant discrepancy in the number of children who are out of school between men and women suggests that gendered notions may be the sole underlying causes in Pakistani society. Out-of-school Pakistani children, the majority of whom are female, are frequently forced to perform domestic labor or engage in housework within the family household. A subset of these young women is additionally forced into child marriages; 21 percent of Pakistani females are wed before the age of 15.<sup>47</sup> The majority of child marriages are instigated by the male parents as well as members of society who objectify girls and women, regarding them as mere possessions of the man. These exacerbate the predicament of girls and women, who remain vulnerable to systemic and entrenched injustices and human rights transgressions even though their nations have ratified the UDHR.

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<sup>45</sup> Ommara, R., Ali, and Hannah Hilali. "Empowering Girls Through Education in Pakistan." Opportunity International Edufinance. Last modified April 15, 2021. <https://edufinance.org/latest/blog/2021/empowering-girls-through-education-in-pakistan>.

<sup>46</sup> Ali and Hilali, 2021

<sup>47</sup> Ibid.

During the period when the Taliban intended to assassinate Malala, she was a minor. Consequently, her entitlements, along with those of other young females, are safeguarded by the Charter of the Rights of the Child (CRC), which unequivocally ascribes universal recognition to the right to education for children in Article 28.<sup>48</sup> The state is obligated to protect all children from violence and ensure their access to education.<sup>49</sup> In addition to infringing upon Malala's rights, the assault also contravened Pakistan's international commitments as a signatory to the CRC. This situation prompts inquiries regarding the effectiveness of global legal instruments and mechanisms in ensuring state responsibility for such transgressions occurring domestically, as well as the degree to which the CRC can be utilized to safeguard the rights of girls in regions affected by conflict, such as the Swat Valley.

Many United Nations conventions are also relevant to the Malala case and the more thorough inquiry into the rights of women and girls. As an illustration, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international treaty that addresses women-specific rights. The CEDAW is instrumental in combating gender-based discrimination.<sup>50</sup> The Convention stipulates in Article 10 that all women and girls have the right to obtain an education. This article underscores the criticality of eliminating all manifestations of gender bias and stereotyping that hinder equitable educational opportunities. Malala's case illustrates a divergence between the CEDAW principles and the challenges young women encounter in Pakistan and other regions with socioeconomic circumstances comparable to Pakistan's. The effectiveness of CEDAW concerning the Malala incident prompts inquiries into

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<sup>48</sup> UN Human Rights. "Convention on the Rights of the Child." United Nations. Accessed November 25, 2023. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

<sup>49</sup> Ibid.

<sup>50</sup> UN Women. "Convention on the Elimination of All Forms of Discrimination Against Women." United Nations. Accessed November 25, 2023. <https://www.un.org/womenwatch/daw/cedaw/>.

the Convention's practical capacity to alter profoundly entrenched cultural and societal conventions that sustain gender-based prejudice. This further illustrates the disparity between domestic change initiatives and international standards.

Although ratifying international legal instruments signifies a nation's dedication to women's rights, the state of affairs frequently needs to be revised between stated objectives and progress. As demonstrated by the numerous case studies, ratification of these instruments rarely results in substantial advancements for women's rights beyond the international and local denunciation of violations of those rights. Therefore, despite the ratification of international conventions and legal instruments, entrenched sociocultural norms frequently converge to obstruct such endeavors, which are commonly disconnected from local circumstances.<sup>51</sup> Changing societal perceptions must be the most effective starting point for achieving substantive changes and advancing women's rights at the domestic level. The notion that an empowered woman poses a threat to the patriarchal order must be altered. On the contrary, widespread awareness should be raised regarding the synergy women's empowerment can bring to propel societal, political, and economic progress.<sup>52</sup>

### **Political Instrumentalization of Women's Rights**

A significant obstacle to the achievement of gender equality and empowerment for girls and women is the political opportunists' exploitation of similar cases to the one involving Malala and others for their benefit. The genuine pursuit of women's rights, such as the right to education for women, is weakened by the exploitation of women's rights issues for political gain.<sup>53</sup> This phenomenon has been documented in local and international contexts. For instance, in response to

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<sup>51</sup> Ozgen and Koenig, 2022

<sup>52</sup> Juan, D., Barón, and May Bend. "Facing the Challenges of Girls' Education in Pakistan." World Bank Blogs. Last modified March 5, 2023. <https://blogs.worldbank.org/education/facing-challenges-girls-education-pakistan>.

<sup>53</sup> Li, 2021

the Taliban's attempt to assassinate Malala for her activism, political leaders worldwide, including the president of the United States and the prime minister of the United Kingdom, issued statements of outrage. Nevertheless, a significant portion of this censure failed to manifest in actionable repercussions and dedication. It may be interpreted as political leaders striving to maintain their standing as advocates for women's rights without undertaking tangible measures to tackle the fundamental challenges that impact women and girls on a global scale. Beyond Malala and Pakistan, this trend of exploiting women's rights issues for political capital and etiquette rather than sincere commitment to change through action has also been observed.

The re-establishment of Taliban political authority in Afghanistan in 2021 exemplified the utilization of women's suffering for political gain. The restoration of the Taliban as a political force in the country has had a detrimental impact on the rights of women, given its extremist nature. Amid the global community's prioritization of protecting the rights of women, concerns arose that the Taliban might exploit this discourse to enhance their credibility. In response to this apprehension, the Taliban made a modest retreat from their extremist position. They permitted Afghan women and girls to attend school at a primary level, following an initial phase of restricting these rights.<sup>54</sup> This decision resulted in an improved public perception of the Taliban and their governance in the country; it demonstrated that the group had exploited women's rights for political gain rather than showing genuine concern for women's rights.<sup>55</sup> This case highlights the intricate equilibrium that must be maintained between global advocacy for women's rights and the potential for domestic political actors to exploit discussions and efforts to obscure their interests and advance their political interests. This marginalizes the sincere endeavors to advocate for the rights of women.

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<sup>54</sup> Abbas, Hassan. *The Return of the Taliban: Afghanistan after the Americans Left*. Yale University Press, 2023.

<sup>55</sup> Abbas, 2023

It has also been argued that the Iranian government's approach to women's empowerment and liberties demonstrates the political exploitation of such issues. Although gender equality is officially recognized in Iran's constitution, the implementation and interpretation of legislation frequently reflect conservative ideologies that marginalize women and girls. Often, such liberties are only alluded to for political expediency within the nation. This can be seen in the 2009 Green Movement, which targeted electoral integrity. In response, the government strategically employed women's participation as a political instrument to convey an atmosphere of transparency while stifling opposition. Thus, political capital was acquired at the expense of women's political participation rights, which were manipulated and exploited. In contrast, the same political actors presided over the suppression of women's political opinion rights through the suppression of dissent.<sup>56</sup>

### **Recommendations and Conclusions**

Unquestionably, substantial advancements have been achieved concerning women's liberties in Pakistan and worldwide. Nevertheless, challenges persist, and these can solely be surmounted by employing comprehensive strategies that place the welfare of girls and women first while involving entire communities in promoting a sustainable and grounded approach to women's empowerment and equality.<sup>57</sup> In pursuing change, the absence of comprehensive domestic support systems renders the endeavors of individuals such as Malala, who have garnered international acclaim and support, ineffective. Justice and equality for women are invariably hindered by entrenched societal attitudes as well as religious and tribal norms despite the existence of explicit prohibitions against gender-based violence established by secular legislation and international

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<sup>56</sup> Shahi, Afshin, and Ehsan Abdoh-Tabrizi. "Iran's 2019–2020 Demonstrations: The Changing Dynamics of Political Protests in Iran." *Asian Affairs* 51, no. 1 (2020): 1-41.

<sup>57</sup> Boutilier, 2020

norms. As a result, to significantly advance women's rights and authentically effect change, comprehensive initiatives should commence by safeguarding whistleblowers and activists. Activists and whistleblowers encounter tangible barriers in their line of work, such as death threats and threats to the safety of themselves and their loved ones. This was evident in the instance involving Malala, who was explicitly singled out following a phase of death threats and abusers. The situation above was reenacted in the example of Qandeel Baloch, who on multiple occasions detailed receiving direct threats to her life, safety, and that of her family due to her opposition to prevalent conservative and discriminatory viewpoints in her culture. One of these entailed the online dissemination of her identification information to expose her to malicious actors. The lack of sufficient domestic legal protection for these women (and men who face threats for advocating for women's rights) will render futile international pressure and advocacy endeavors.

In addition, efforts to empower women locally and globally should impact every aspect of society via education and societal rehabilitation to alter prevalent conservative perspectives. Only by adopting such a comprehensive strategy can enduring transformation and sustained equality be realized. Society-focused interventions aim to address the underlying causes of the issue to advance sustainable gender equality and safeguard women's rights. Precisely, this type of education ought to strive to alter conservative and uninformed narratives.<sup>58</sup> Instead, educating communities about the advantages of empowering women and girls is imperative, including its potential to enhance social, political, and economic progress.<sup>59</sup> Integration of gender equality and the empowerment of all members of society, irrespective of gender, throughout the formal

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<sup>58</sup> Cislighi, Beniamino, Elaine K. Denny, Mady Cissé, Penda Gueye, Binita Shrestha, Prabin Nanicha Shrestha, Gemma Ferguson, Claire Hughes, and Cari Jo Clark. "Changing Social Norms: The Importance of "Organized Diffusion" for Scaling up Community Health Promotion and Women Empowerment Interventions." *Prevention Science* 20 (2019): 936–946. <https://link.springer.com/article/10.1007/s11121-019-00998-3>

<sup>59</sup> Barón and Bend, 2023

education systems, spanning from pre-school to college and post-graduate studies, is imperative for enhancing the efficacy of efforts to alter conservative societal attitudes and perceptions. It is particularly crucial to introduce such concepts during the pre-school years, as it is during this critical period that children form their perspectives and attitudes, including acquired gender roles and stereotypes.<sup>60</sup> Therefore, by instilling gender consciousness and empowerment in young children, societies are fostering a generation that is not subjected to detrimental and stereotypical beliefs about gender, which perpetuate discrimination and inequity against women.<sup>61</sup> As a result, the women's rights movement can be considered a sustainable endeavor that is comparatively less susceptible to being undermined by prevailing notions attained in subsequent phases of progress.

To optimize the efficacy of awareness and educational initiatives aimed at reforming societal perspectives towards progressive and liberal ideologies as opposed to extremist conservative ones, active engagement and participation of tribal and religious leaders, influential figures such as elders, and spiritual teachers are crucial. These individuals are central in the process of indoctrinating society with conservative ideologies. Therefore, to effectuate societal rehabilitation, it is imperative to initially realign the perspectives and viewpoints of these individuals and groups. By doing so, they can serve as pivotal conduits that transmit and reinforce the message and mindsets necessary to effectuate a shift towards protecting women's rights within communities.<sup>62</sup>

By implementing robust support systems and shifting societal attitudes and perceptions to prioritize preserving women's rights and inclusivity, it is feasible to harmonize domestic efforts

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<sup>60</sup> Tseer, Tobias, Constance Awinpoka Akurugu, and Robert Yakubu Ajuik. "The Gap Between Us: Perceptions of Feminism and Womanhood in Northern Ghana-Evidence from Sagnarigu Municipal District." *Cogent Arts & Humanities* 10, no. 1 (2023): 2174480. <https://doi.org/10.1080/23311983.2023.2174480>

<sup>61</sup> Ibid.

<sup>62</sup> Cislighi et al., 2019

with international pressure. Sincere support from local communities for women's rights initiatives will inevitably end the political exploitation of these matters. Since the legitimacy and support of the political class are derived from the populace, they are therefore obligated to either authentically advocate for women's rights or modify initiatives that do not jeopardize their standing with the people – their primary source of influence and power. Furthermore, regarding political authenticity concerning women's rights and the credibility of the political elite, governments and their agencies would be obliged to comply with and implement international treaties and legal instruments to address violations of women's rights effectively. This would be possible by eliminating domestic impediments posed by religious and tribal traditions, contrasting legal systems, and prevailing public opinion.

This paper acknowledges that the fundamental issue is not a shortage of domestic policies and legal frameworks to advance women's rights but rather an authentic lack of dedication within the country to implement these provisions effectively. The resistance and subsequent lack of alignment between global demands and domestic efforts can be attributed to the influence of deeply ingrained societal norms, attitudes, and non-secular legal frameworks. These factors shape the conduct and decisions of individuals within society, including those responsible for upholding secular international laws that promote the equality of women's rights, such as the right to education. Hence, this paper has demonstrated that the international community's responsibility to address domestic women's rights concerns must be considered. To effectively implement practical and sustainable solutions that promote the rights of women and girls, it is crucial to actively involve domestic actors and systems to translate international pressure and support into tangible outcomes. Lacking these efforts, the global demand and cries for the empowerment and rights of women run

the risk of being rendered futile and unanswered. Society should not allow the sacrifices of people like Malala Yousafzai and Qandeel Baloch to be in vain.