

FRAMING JUSTICE: GENDERED LANGUAGE AND THE CONSTRUCTION OF LEGAL SUBJECTIVITY IN PAKISTAN

*Ms. Rabia Ikram¹, Muhammad Mansoor Aslam Chadhar²,
Ms. Maria Khalid³*

¹*Ph.D Scholar (Gender Studies, University of the Punjab), M.Phil,
(Philosophy, GCU, Lahore).*

²*Advocate High Court, LLM (University of Lahore), Post-Graduate
Diploma in Banking Law (University of the Punjab).*

³*Lecturer Gender Studies department, University of the Punjab. Ph.D
Scholar (Gender Studies, University of the Punjab)*

Email: rabiakram89@gmail.com

Email: mansooraslamchadhar000@gmail.com

Abstract

This research examines how Pakistani legal discourse constructs divergent legal subjectivities for women and men through gendered language. This is based on feminist legal theory and critical discourse analysis and examines the symbolic aspects of law by way of an analysis of selected constitutional provisions, statutory enactments, and court judgments. The study finds that legal writing often uses masculine generics, passive voice, and moralistic framing, placing men as normative legal subjects and women as passive, dependent, or morally judged characters. Even in progressive law, discursive patterns serve to shore up traditional gender hierarchies by situating women as objects of protection instead of independent agents of law. The discourse analysis also reveals discursive silences on issues like marital rape, reproductive rights, and structural violence that further push women to the periphery of the legal system. Simultaneously, the research identifies nascent counter-discourses in parliament debates and legal action by activists which contest the prevailing narratives and present alternative notions of justice and agency. Finally, the study contends that changing legal language is necessary to attain substantive gender justice in Pakistan since language not only represents but actually constructs legal reality.

Keywords: *gendered language, legal subjectivity, feminist legal theory, discourse analysis, Pakistani law.*

Introduction

Language is a key tool by which institutions rule, identities are constructed, and power is exercised. In law, language is more than descriptive; it is performative—it does not simply document justice, it contributes to constituting it. Legal language determines who is accorded subject status in law, who gets to speak in court, whose voice counts, and according to whom rights and duties are allocated. As feminist legal scholars have also long maintained, this language is not non-political or neutral; it reinforces and reproduces prevailing gender ideologies of law and society (Smart, 1989; Bacchi, 1999). Legal discourse in most postcolonial and patriarchal nations such as Pakistan continues to generate and reproduce gendered modes of legal subjectivity, which tend to favor masculine power and privilege while silencing feminine experience and voice.

While Pakistan has passed many laws guaranteeing protection of women's rights—ranging from the Protection of Women (Criminal Laws Amendment) Act (2006) to the

Punjab Protection of Women Against Violence Act (2015)—these changes tend to sit within a legal system that continues to use gendered and patriarchal terminology. Feminist scholars have contended that such language places women in positions of dependence, passivity, or moral judgment, while building men as the rational, rights-holding subjects of law (Zia, 2018; Parveen, 2020). Even well-intentioned legal reforms too often carry over masculine generics, passive constructions, or euphemistic and moralistic framings, which reinforce prevailing gender hierarchies and undermine women's agency (Farooq Khan & Khaleel, 2024; Khaleel, Ahmed, & Shah, 2023).

In this context, the legal situation in Pakistan is paradoxical. On the one hand, the state professes to provide gender justice; on the other, its legal terms tend to reinstate the same patriarchal values it aims to eliminate. In laws of inheritance, for instance, women are routinely portrayed not as equal stakeholders but as "dependents" or "recipients" of male largesse. In the law of the family, the voices of women are regularly silenced through references to their "modesty," "duties," or "chastity," with men represented as decision-takers, providers, and protectors (Shaheed, 2010; Mehdi, 2002). Judicial decisions usually appeal to moral and religious framings that cover up the legal subjectivity of women by representing them as exceptions to the normative male citizen (Ali, 2016). These patterns are part of a wider phenomenon of "discursive gendering," by which legal language constitutes gender not only as a social category, but as a system of institutionalized roles and expectations legitimated by the law.

This research takes a position that is at the intersection of feminist legal theory and critical discourse analysis (CDA), borrowing from thinkers such as Judith Butler (1990), Carol Smart (1989), and Norman Fairclough (1992) in its questioning of how gendered subjectivity is produced through legal discourse in Pakistan. By examining how women and men are symbolically located in legal texts—such as constitutional provisions, statutes, and judicial decisions—the research seeks to bring out into view the ideological workings of gender in legal discourse. It questions: under what conditions is who made visible in the law? What are the roles assigned through legal stories? And how does the linguistic construction of justice create unequal subjectivities?

The value of this research is its contribution to the comprehension of law not merely as a collection of rules but as a discursive formation. Although there have been many legal and sociological works on gender-based discrimination in Pakistan's legal framework, less has dealt with the symbolic aspect: how gender gets linguistically inscribed into the very fabric of legal reasoning and authority. Through the analysis of the performative role of legal language, this study aims to uncover the ways in which laws create and legitimize gender hierarchies, sometimes subtly and implicitly. It also seeks to explore how some feminist discourses—those coming from within parliamentary debate, legal activism, and judicial reform—are disrupting these linguistic norms and redefining legal subjectivity in more expansive language.

Significance of the Study

This research has both social and academic importance in that it helps to add to the new intersection between gender studies, legal discourse, and feminist theory within the context of Pakistan. It counters the commonly held belief that law is a neutral, objective institution and instead highlights how legal language actively produces gendered subjectivities and perpetuates social hierarchies. By emphasizing the

symbolic and ideological function of language, this study points to the way apparently neutral legal texts inscribe patriarchal values, perpetuating marginalization and truncating women's access to full legal personhood.

In a nation such as Pakistan, where legal reforms coexist alongside conservative social-religious attitudes, close scrutiny of the language of the law is crucial to grasping the obstacles to gender justice. The research offers useful insights into how laws are not only instruments of rule but also tools of cultural reproduction. The outcomes seek to enlighten legal practitioners, policymakers, and feminist scholars on the necessity of gender-sensitive legal drafting as well as legal interpretation. The research also adds to wider debates regarding legal subjectivity, identity, and access to justice in postcolonial and Muslim-majority contexts.

Scope of the Study

The research is confined to an examination of legal documents and texts generated within Pakistan. It addresses chosen constitutional provisions, legislation by statutes (e.g., family law, women-related criminal law, gender-based legislation), and judicial rulings from the Supreme Court and High Courts. Parliamentary debates, legal commentators, and policy papers pertinent to the formation of gender in legal terms are also considered where they shed light on the construction of gender within legal discourse.

The research does not involve empirical fieldwork or interviews, and is therefore not concerned with the practical application of laws or lived experiences of legal subjects. Rather, textual and discursive analysis based on a feminist discourse analytical framework is maintained. Although the findings are context-specific to Pakistan, they can provide theoretical and comparative insights into understanding gendered legal constructions within other postcolonial or religious-legal systems.

Research Objectives

1. To explore how gendered legal subjectivities are constructed through the language used in Pakistani laws and judicial texts.
2. To interpret the implicit meanings, assumptions, and ideologies related to gender embedded within legal discourse.
3. To analyze how legal narratives symbolically position men and women in relation to justice, authority, and legal agency.
4. To examine how Pakistani legal texts reflect, reproduce, or contest patriarchal norms and gender hierarchies.
5. To understand how gendered representations in legal discourse influence the recognition, marginalization, or empowerment of individuals within the legal system.

Research Methodology

This research takes a qualitative methodology grounded in feminist epistemology to investigate how gendered language in Pakistani legal discourse shapes legal subjectivity. Based on the premise that language is not neutral but rather constitutive of social and legal realities, the research has feminist discourse analysis as its main methodological framework. This method allows for a critical examination of how legal texts construct gendered subjects, reinforce patriarchal ideologies, and form conceptions of justice.

The research is based on a purposively chosen corpus of legal documents. These constitute provisions of constitutional law on gender equality, statutory

legislation like the Hudood Ordinances, family law rules, and women's-specific laws like the Protection of Women Act and Domestic Violence Acts. Landmark court decisions of Pakistan's Supreme Court and High Courts are also analyzed, as well as parliamentary debates, legal commentaries, and policy reports. Texts were chosen for their applicability to gender and legal subjectivity, paying attention to both overtly gendered and apparently neutral laws, in an effort to reveal submerged assumptions inherent in legal language.

Close textual reading is the method of analysis used to look at linguistic patterns of gendered pronouns, masculinist construction, legal metaphor, silences, and binary representations. The research aims to find thematic discourses, like the representation of women as inherently vulnerable, morally aberrant, or in need of state or male protection. Feminist discourse analysis (Lazar, 2005) offers the critique through which the texts are deconstructed so that an understanding of how law symbolically produces gendered hierarchies and norms can be gained. Care is taken not only to what is spoken, but also to what is left unspoken, and how legal language excludes or erases female subjectivity.

Because this study is based solely on publicly available documents, there are no ethical concerns about human subjects. Still, ethical seriousness is maintained through faithful representation, transparency in source choice, and critical reflexivity on the researcher's part. The interpretive nature of the study requires continuous awareness of one's own biases and positionality influence in the analytic process.

The research recognizes a number of limitations. It excludes empirical fieldwork and interviews with legal professionals, which may provide insight into how legal actors practice gendered discourse and interpret or reproduce it. In addition, discourse analysis is interpretive and subjective, a point of strength for critical research, but perhaps one which precludes generalizability. Context-specific application to Pakistan precludes broader generalizability, although the results may have relevance for comparative research in other postcolonial or Muslim-majority legal systems.

By questioning the ways that legal language constitutes and constrains gendered subjectivity, this study adds to burgeoning interdisciplinary debates on law, gender, and discourse. It shows the symbolic force of legal texts not only to control social conduct but also to create gendered identities and determine who gets seen in the justice system.

Research Questions

1. How is gendered subjectivity constructed through the language of Pakistani legal texts?
2. What meanings and assumptions about gender are embedded in the discourse of laws and judicial decisions in Pakistan?
3. How do legal narratives symbolically position men and women within the framework of justice?
4. In what ways do legal texts reflect, reinforce, or resist dominant patriarchal norms in the Pakistani context?
5. How do representations of gender in legal discourse shape the lived experiences and recognition of individuals as legal subjects?

Literature Review

It is necessary to approach such an understanding through interdisciplinary scholarly work at the nexus of feminist discourse studies, legal scholarship, and Pakistani socio-legal processes. Pioneering theoretical literature like Lakoff's (1973) "Language and Woman's Place" and Fairclough's (1992) critical discourse analysis have long been central to analyses of how language constructs relations of power. Lazar's (2005) refinement of feminist CDA particularly accentuates the mechanisms through which gendered discourse restabilizes patriarchal ideologies—a viewpoint that has been usefully mobilized in Pakistani contexts (Jan & Rahman, 2022; Kiani et al., 2023).

In the Pakistani context, studies of educational and media discourse show how gendered textual practices perpetuate normative binaries. Naseem (2010) research on curricula indicates that binaries—male/female—are used to naturalize male privilege, a discursive framework replicated in classroom interaction (Jumani et al., 2024). Likewise, Kiani, Umar, and Sultan (2023) indicate how female characters in Urdu plays are linguistically constructed as weak or indecisive, replicating a wider prejudice in cultural narratives. These studies highlight that language selections are not only descriptive but work to build social realities in which legal subjects are gendered prior to interacting with formal institutions.

Variety of legal discourse analysis in Pakistan further verifies that statutory and judicial text is imbued with gendered presumptions. Khaleel, Ahmed, and Shah (2023) used Fairclough's model to inheritance law, bringing to light how lexical selection systematically excludes women's rights. Farooq Khan and Khaleel (2024) analyzed draft statutes on women's rights offences and concluded that even formal modernization of legal language cannot erase patriarchal bias. Parliamentary debate has also been faulted for its explicit sexism; Mehdi, Khan, and Faisal (2021) enumerate among rhetorical devices that make women MPs "others," recalling colonial power relations.

Such textual analysis is repeated in wider feminist research on Pakistan, whereby language serves as a double-edged sword of oppression and resistance. Zia's work, referenced in civic society contexts (Anon, 2019), documents how legal tools like Zina and Hudood laws have been employed to silence women. Activist-scholars such as Shaheed (2012) and Malkani (2025) contend that even liberal legislation does not work in reality because legal language inscribes conditional women's recognition. The Pakistan Women Lawyers' Association (n.d.) campaigns on these premises actively, pinpointing how policy and legal language can move forward or hinder gender justice.

Areas of resistance and subversion are also appearing in discourse. Butt, Ahmad, and Jahan (2024) illustrate how empowerment slogans employ critical linguistic devices to undermine patriarchal norms, showing the potential for discourse to bring about social change. Parveen's (2020) study of fiction reveals that gendered identities may be renegotiated through narrative, positing such possibilities in legal texts.

Despite this rich literature, much work remains to be done. Few works have engaged in a systematic examination of legal language as a discursive medium creating legal subjectivity, especially within Pakistan's postcolonial, religious-legal context. Scholarship is usually either focused on statutory content (inheritance, Hudood laws) or extrajudicial discourse (media, education) and then fails to interlink

them through the framework of subjectivity. There is therefore a demand for an integrated feminist discourse analysis combining linguistic form and institutional function in the constitution of who counts as legal subject.

This research addresses that omission by tracing through systematically the ways in which legal language—through constitutional, statutory, and court texts—reinforces hierarchies of gender and suppresses female agency. Using feminist CDA on a purposively chosen corpus of Pakistani legal texts, the research contributes to both theoretical knowledge and potential policy relevance for gender-sensitive legal drafting and interpretation.

The question of how legal language constructs gendered subjectivity has been central to feminist legal theory and critical discourse analysis. Scholars such as Lazar (2005) and Fairclough (1992) have long argued that language is not a neutral medium but a constitutive force that shapes institutional realities and ideological frameworks. In the Pakistani legal tradition, these observations take on special significance since law frequently exists in spaces where patriarchal cultural values intersect with postcolonial state formations. Feminist critical discourse analysis (FCDA) thus provides a valuable perspective with which to question the ways in which legal texts reflect and reiterate gendered power dynamics.

Pakistani research verifies that gendered subjectivities are well entrenched in legal texts. Khaleel, Ahmed, and Shah (2023) presented a critical discourse analysis of inheritance law and determined that patterns of words consistently privilege male heirs over female claimants. The repeated deployment of masculine generics and legal categories that equate women as exceptions instead of equals builds a gendered legal identity. Likewise, Farooq Khan and Khaleel (2024) examined crime against women laws and noted that protection language comes in paternalistic and passive forms. Particular words like "the offender shall be liable" conceal male agency and define women mainly as passive victims instead of independent legal actors. These linguistic tactics not just mirror social norms but also constructively mold legal subjectivity by defining who is visible, legitimate, and empowered in law.

Gendered language can also be seen in the conceptualization of progressive laws, for example, the Protection of Women Against Violence Bill, 2015 (Punjab). While hailed as a parliamentary milestone, the Bill's passage was hotly opposed by conservative elements, who denounced its phrasing as being "anti-family" or "un-Islamic." These responses show how even where the subject matter of legislation promotes women's rights, its discursive reception is informed by deeply ingrained patriarchal understandings of legal language. The language of the law tries to place women in a position of autonomous legal subjectivity worthy of protection; however, in so doing, it tends to reinscribe paternalistic roles by creating women as inherently vulnerable and in need of control. This ambivalence illustrates that legal documents, even those intended for empowerment, can be bound to the normative frameworks they are meant to disrupt.

Parliamentary arguments frequently and judicial explanations also demonstrate how women are symbolically excluded from legal and political language. Mehdi, Khan, and Faisal (2021) describe how the semantic derogation is commonly used on female legislators, where words such as "girls" or "mothers" are applied to downplay their political power and turn them into domestic or affective roles. Riaz et al. (2024) also found that legislative proposals by women are regularly redescribed as sentimental or

moralistic, whereas male contributions are celebrated as rational and authoritative. These discursive substitutions are more than just undermining the political position of women; they affect how laws are crafted, debated, and enforced. Consequently, women's subjectivity in legal discourse is frequently mediated by conceptions of moral excess, emotional volatility, or familial dependency, further constricting women's discursive and institutional agency.

Outside of formal legislation, legal narratives around citizenship and property rights also remain gendered. In Pakistani law of inheritance, the regular deployment of masculine language for legal subjects—e.g., "heirs," "donors," and "guardians"—sets men as the normative legal subjects. Women, when they are named, are most often accompanied by conditions or exceptions that underscore their contingent status in legal discourses. Naseem (2010) is in support of this, having discovered that educational and legal discourses work in tandem to normalize the male subject and categorize the female as "other." These symbolic patterns permeate beyond language and impact access to justice in actuality, which in turn solidifies institutional biases that exclude women from full participation in legal and economic life.

Meanwhile, other discursive spaces demonstrate contestation and resistance. Butt, Ahmad, and Jahan (2024) report how women's rights activist language and slogans use counter-discourses that resist dominant norms. Their study shows that language is also a site of struggle and that feminist interventions can reorient the semiotic landscape of legality and justice. Yet such opposition is still on the margins of legal drafting and in court hearings, where patriarchal presumptions tend to go untested. Even sincere reform all too often does not modify the linguistic forms that underlie inequality. As Shaheed (2012) and Zia (2019) have suggested, short of changing the symbolic aspect of law—the language, metaphors, and silences—formal equality cannot yield substantive justice.

In spite of an ever-expanding literature in critical legal studies and discourse analysis, no comprehensive studies systematically examine how gendered discursive forms of law create subjectivity throughout the range of constitutional, statutory, and judicial texts. Existing scholarship more or less isolates areas such as family law, criminal law, or parliamentary debate, without following through on gendered discursive forms of law that create subjectivity that are broader in scope and define the legal subject as inescapably gendered. This research fills that gap by providing an integrated feminist discourse analysis of Pakistani legal discourse, with the goal of determining how gendered language creates differentiated legal personhood and affects women's recognition and treatment under the justice system.

1. Building Gendered Subjectivity in Legal Discourse

Theoretical models like Fairclough's (1992) CDA and Lazar's (2005) feminist CDA highlight that language does not simply represent reality—it constructs subject positions. In Pakistan, Khaleel, Ahmed, and Shah (2023) used CDA against Pakistani inheritance laws, which showed that legal discourse caters to male subjectivity through lexis and grammar that renders women invisible or subordinated. Likewise, Farooq Khan and Khaleel's (2024) discourse analysis of law on women's crimes concluded the continued deployment of masculine generics and victimizing constructions enhancing male-dominated legal subject positions. These works clearly demonstrate how laws create gendered subjectivities using language.

2. The Implicit Meanings and Assumptions of Legal Discourse

Legal discourse analysts in Pakistan revealed constant use of gender stereotypes in institutional texts. Kiani et al. (2023) examined Urdu dramas to reveal habitual constructions of women as passive and indecisive—habituated in legal and policy rhetoric. Butt, Ahmad, and Jahan (2024) discuss how empowerment slogans challenge stereotypes but legal reforms perpetuate them. The "male-as-norm" trope, well researched in English and international languages, also has its echo in Pakistani legal drafting where masculine pronouns are the default (Khaleel et al., 2023). This betrays implicit ideological commitments within legal rhetoric.

3. Symbolic Positioning of Women and Men

Parliamentary discourse analysis by Mehdi, Khan, and Faisal (2021) and Umar, Saif, and Afzal (2025) indicates that Pakistani female representatives are discursively marginalized—allocated roles as emotional or peripheral to male domination. Similar patterns emerge in legal texts where women are positioned as "protected" subjects instead of equal agents (Farooq Khan & Khaleel, 2024). Supreme Court and High Court decisions tend to uphold traditional roles, positioning men as legal actors and interpreters, and women as passive objects within the justice system.

4. Reflection and Resistance to Patriarchal Norms

Although legal documents predominantly mirror patriarchal conventions, there are areas of contestation. The Women's Protection Bill and Hudood Ordinances amendments reflect deliberate rephrasing in both legislation and judicial decisions—marking emerging discursive changes (Wikipedia, 2024). Butt et al. (2024) and Parveen (2020) illustrate how discourse can challenge prevailing scripts. Such interventions, however, are still in limitation and symbolic forms, with feminist critique (Shaheed, 2012; Malkani, 2025) highlighting ongoing ideological resistance.

5. Implications for Legal Recognition and Access to Justice

Legal linguistics researchers contend that gendered language affects women's formal and material access to justice. Khaleel et al. (2023) correlate discriminatory inheritance language with legal marginalization of rural landholding. Farooq Khan and Khaleel (2024) also argue that stereotypical drafting in penal codes debilitates equitable adjudication in gender-based violence matters. Parliamentary discourse analysis (Mehdi et al., 2021) also indicates that legal language masks female testimony and hence silences women in institutional practice.

Gaps and Contributions

The literature consulted attests to pervasive and significant gendered discursive trends in Pakistani legal texts. Not yet developed, however, is an integrated discourse analysis of subjectivity across constitutional, statutory, and judicial levels. The majority of current research addresses individual spheres—inheritance, criminal law, parliament—but no work yet pursues the holistic feminist discourse analysis of legal subjectivity. This project attempts to fill this gap, providing a systematic mapping of linguistic means that build gendered legal subjectivities across texts.

Findings and Discussion

An examination of Pakistani legal texts showed that gendered language has a foundational function to create legal subjectivity, making men normative legal actors and women conditional, protected, or morally regulated subjects. This symbolic construction was apparent in different legal documents such as constitutional provisions, statutory laws, and court judgments. The results illustrate how the legal

text in Pakistan is not neutral with respect to gender, but rather is textually embedded within patriarchal assumptions governing what counts as a legal subject and under what conditions.

One of the most obvious trends identified in the data is the deployment of masculine generics and male pronouns as defaults. In texts of constitutional and statute law, the citizen or legal subject is invariably spoken of as "he" or "his," even when the law is meant to be applicable to all citizens. This linguistic practice not only makes women invisible but places men symbolically in the position of default bearers of legal rights and obligations. Women, when invoked, are more likely to come up in exceptional or secondary positions — as mothers, wives, or dependents — as opposed to independent rights-holders. This is consistent with Khaleel et al.'s (2023) observation of inheritance laws, where legal acknowledgment of female heirs is commonly couched conditionally, highlighting the departure from male-centered norm.

Another dominant theme of the data is the discursive construction of women as victims, especially in laws dealing with violence or morality. For example, laws like the Hudood Ordinances and the Protection of Women Against Violence Act employ passive voice that downplays male agency but emphasizes female vulnerability. The rhetoric of "protection" is ubiquitous and frequently framed in the context of preserving women's honor or familial integrity, as opposed to their autonomy or rights. This framing supports paternalistic legal subjectivities, reinforcing the notion that women need to be regulated and be subject to state or male intervention in order to stay safe. Farooq Khan and Khaleel (2024) contend that such legal discourse reinscribes the very hierarchies it claims to challenge.

Court judgments in judicial discourse often use moralistic and gendered language, especially in cases involving sexual violence, family conflicts, and zina (adultery/fornication) charges. Judges frequently invoke religious and cultural mores in their arguments, mentioning "modesty," "chastity," or a woman's "character," thereby intermingling legal acknowledgment with moral acceptability. This moralization of legal subjectivity constructs a conditional space for women in the law — one that is subject to their conformity to prevailing gender norms. The subjectivity granted to women is therefore neither fixed nor equal but is constantly negotiated by discursive moral filters.

The research also uncovers discursive silences and absence. Fundamental concerns facing women — such as marital rape, reproductive rights, and sexual harassment in the workplace — are weakly stated or completely missing from many legal documents. When present, they tend to be expressed in euphemistic or vague terms that water down the seriousness of the matters. Such silences work as a discursive exclusion, excluding women from complete legal acknowledgment by deleting experiences that contradict hegemonic patriarchal explanations. Feminist scholars of discourse have noted that what is not said in law can be as effective as what is expressed (Lazar, 2005).

Parliamentary debates also demonstrate how gendered language frames political participation. As discussed in Mehdi et al. (2021) and Riaz et al. (2024), women legislators are frequently addressed in diminutive or paternalistic forms, and their speech is often rearticulated via emotional or moral frames. This discursive othering not just restricts women's legislative power but reflects the more general

legal framework whereby their subjectivity is defined in relational, as opposed to independent, terms. These symbolic constructions within parliamentary discourse feedback into legislation, framing how legislation is debated, interpreted, and finally passed.

Concurrently, the analysis revealed flashes of discursive resistance and re-framing, notably in the language employed in certain recent laws and advocacy reports. Gender justice legislation authored by female legislators increasingly employs inclusive and rights-based language, away from protectionist discourse towards a discourse of equality and self-governance. While such changes are still piecemeal, they indicate a changing consciousness within legal and political circles. These counter-narratives resist the dominance of patriarchal legal discourse, constructing alternative subjectivities that stress agency over dependency.

More generally, the research concludes that legal subjectivity in Pakistan is highly gendered, and legal discourse is among the principal instruments whereby this subjectivity is produced. Women are symbolically located as incomplete legal beings — appearing at once present as recipients of protection and absent as makers of law. This has deep implications for access to justice, legal recognition, and citizenship. Feminist legal scholars have all along established that altering legislation without altering the symbolic and discursive frameworks where they are situated leads to cosmetic reforms. The outcomes of this research support that argument, reiterating the necessity of discursive change in addition to legislative reform if substantive gender justice in Pakistan is to be realized.

Recommendations

Drawing from the conclusion of this study, the following proposals are made to redress the masculinized character of legal language and promote substantive justice in Pakistan:

1. Gender-Sensitive Legal Drafting

Legal instruments—statutes, regulations, and constitutional provisions—ought to be amended to exclude masculine generics and use gender-neutral or inclusive terms. Legislative drafters need to be sensitized in gender-sensitive writing techniques that eschew embedding binary and hierarchical gender notions.

2. Legal Education and Training Reform

Feminist discourse analysis and jurisprudence must be integrated into the curriculum of law schools and bar associations to make future legal professionals attuned to the ideological role of legal language. Judges, lawyers, and lawmakers must receive regular training to recognize and counter gendered presuppositions in legal argument and adjudication.

3. Institutional Review of Judicial Language

Judicial rulings, particularly gender-based violence, personal status, and family law, ought to undergo discursive audits. Legal review institutions and high courts ought to scrutinize language that enshrines stereotypes or moralizing, substituting them with vocabulary that is respectful of dignity and agency.

4. Incorporation of Feminist Legal Theory into Policy Reform

Policymakers must use feminist legal theory as a basis for drafting gender-specific legislation. This entails transcending protectionist or moralistic language and instead framing language in terms of autonomy, equality, and empowerment.

5. Collaborative Discourse Reform

Civil society organizations, women's rights organizations, and legal advocacy institutions must work together to draft problematic legal language and alternative formulations. Strategic litigation and public campaigns may take a crucial role in highlighting discursive injustice and exerting pressure to reform.

6. Documentation and Archiving of Gendered Legal Narratives

There is a necessity to construct repositories that map how legal discourse has interactively constructed gendered subjectivities in the past. Archiving legal texts, judicial rulings, and legislative debates from a feminist perspective would facilitate future scholarship and activism.

These recommendations aim to transform not only what the law says but also how it speaks. A feminist legal transformation in Pakistan must begin with the recognition that language is not a passive medium, but an active site of struggle, exclusion, and potential justice. To ensure that law serves all citizens equitably, its language must reflect the plural, complex, and equal subjectivities of those it governs.

Conclusion

This research aimed to analyze how legal discourse in Pakistan makes gendered legal subjectivity through a feminist critical discourse analysis of statutory laws, constitutional documents, court rulings, and parliamentary debates. The results indicated that gender is not peripheral within legal discourse; it is very much at the center of the discursive construction of legal personhood. Women are habitually placed in a passive, protected, or morally inspected position, whereas men are framed as the normal legal agents—holders of rights, obligations, and power.

The analysis showed that linguistic options like masculine generics, passives, euphemisms, and moralizing expressions support patriarchal standards within the very discourse of law. These patterns of discourse exclude women's agency, limit their access to justice, and maintain structural inequalities in the name of legal impartiality. Furthermore, the symbolic erasure of critical gendered experiences like sexual violence, economic exclusion, and reproductive autonomy further enhances women's legal marginalization.

Still, the research also identified new sites of resistance. The discourses of a few recent legislations and parliamentary interventions by female legislators show an increasing consciousness about the necessity to draft legislation sensibly attuned to gender. Such alternative discourses of autonomy, rights, and inclusion indicate the possibility of discursive change. Still, such occurrences are isolated and too few to transform the larger legal discourse that remains influenced by firmly rooted patriarchal frameworks.

The implication of this study is categorical: absent a self-reflexive challenge and reframing of legal language, reform will be incomplete and performative. Legal equality for women cannot be secured by the mere insertion of protective provisions or numerals alone; rather, it calls for a substantive reconception of the ways in which legal subjectivity is expressed, legitimated, and institutionally imposed.

Ethical Considerations

Since this study is qualitative in nature, drawing from secondary sources such as publicly available legal documents, statutes, court rulings, and parliament documents, it entailed no direct contact with human subjects. Hence, issues related to informed consent or confidentiality did not arise. Despite that, ethical issues remained at the forefront of the research. The research ensured academic honesty in its portrayal of the sources it used, the proper citation of all sources, and refraining from misinterpretation or decontextualization of legal texts. The researcher also ensured cultural sensitivity in its analysis, especially considering that gender, religion, and law have an intricate relation in Pakistan. There were attempts to critique law's gendered language without perpetuating orientalist or reductionist accounts of Pakistani society. Furthermore, the research was undertaken under a social justice and feminist ethics agenda, with the goal of not only critiquing current legal discourse but also promoting more just and equitable legal practice. All sources were retrieved from legal and academic databases or open-access government archives, so that data was obtained responsibly and transparently.

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