**Parenthood and the state**

Nayab Jan

Wednesday, May 31, 2023

The story is all too familiar in Pakistan; for far too long, we have witnessed the various manifestations of the unfair choices working parents are subjected to in the face of relentless socio-economic pressures. Whereas child birth brings with it unquantifiable joy, skewed expectations and pressures can make it an overwhelming experience. For women particularly, the bargain can be brutal, as childbirth brings with it the painful realization that the very ethos of our workplaces makes their careers and ambitions discardable commodities. However, there are days we are reminded of the monumental role the state can play in navigating the arduous terrain of parenthood. On May 15, 2023 three historic bills that seek to effectively respond to the contemporary realities of parenthood were passed by parliament in a joint sitting.

The bills are monumental for ensuring fair and sustainable employment for both men and women. According to the bill regarding maternity and paternity leaves for parents, women are entitled to paid maternity leave of: 180 days (six months) on first birth; 120 days (four months) on second birth; and 90 days (three months) on the third birth.

Male employees will be entitled to paid paternity leave of: 30 days (one month) a total of three times during service.

As per the bill, the maternity/paternity leave policy will be applicable to both public and private establishments in the federal capital territory of Islamabad. Whereas implementation comes under the purview of the executive, the bills mention explicit penalties for non-compliance. Employers who do not comply face up to six months of imprisonment and/or a fine of Rs100,000.

Similarly, the bill concerning daycare centres requires all government and private establishments which have at least 70 employees, to provide daycare facilities, in light of more women entering the workforce. Non compliance can be punishable by a fine of Rs100,000 and/or up to six months in prison. Lastly, the bill pertaining to paramedics in schools requires all public and private schools, with an enrolment of over 30 students to have trained paramedical staff who can provide immediate medical assistance and administer first aid to the students.

Senator Quratulain Marri, the architect behind these landmark bills, holds a special affinity for legislation around various social issues. Like numerous Pakistanis, she has witnessed close friends and family face a myriad of hard choices and anxieties while starting or expanding their families. A time which should otherwise be momentous and joyous, she says, becomes riddled with financial worries and societal burdens.

The lack of adequate paid maternity leave leads numerous women to opt out of the workforce or take prolonged breaks, which eventually hampers their future career prospects, and has far reaching consequences for the economy. Even where maternity leave is provided, it is followed by the abject lack of daycare facilities, which leaves new mothers disgruntled and may affect productivity. For those who cannot rely on families or paid helpers for child care, the workday seems bleak. Consequently, the financial expectations from fathers are no less worrisome, who are unable to adequately participate in the child’s early months, leading to unbalanced familial relationships.

The benefits of employers acknowledging and responding to the needs of parents are enormous. There is overwhelming evidence to support the numerous positive outcomes of female workforce participation, both to the workplace, and to the economy and society at large. Pakistan’s current female labour force participation stands at around 22 per cent, which is one of the lowest in South Asia and globally. This is a lost opportunity in terms of productivity and economic growth.

The State Bank of Pakistan has recently estimated that reducing the gap in female labour force participation can generate 19.3 million jobs and can boost GDP by almost 23 per cent. Similar figures have been presented by the World Bank and the ILO. In a recent report, the World Bank has emphasized the need to remove barriers that limit women’s workforce participation and recognise the potential of this massive untapped reservoir. Per Najy Benhassine, World Bank country director for Pakistan, “Women in Pakistan have made progress in educational attainment, but this accumulated human capital is underused because of constraints they face to participate in the labour force.”

These bills go to the root of the problem; they remove the impossible and unfair constraints women are subjected to which become the primary reason for their exit from the workplace. The choice between a satisfying career and a fulfilling family life lies at the very heart of the patriarchal bargain. Very few women are able to convince their families that they can balance both responsibilities, and unfortunately the way workplaces are structured makes failure almost inevitable. Hence, the system sets women up for failure, depriving society of financially empowered women and the economy of additional growth and productivity.

It is also well documented how workplaces negatively view female employees who choose to get married or start families during their employment tenures. Numerous women choose to conceal the news of their weddings and pregnancies from their employers due to the fear of negative stereotyping. Meanwhile, workplaces are known to try and evade responsibility under such circumstances which skews the balance against working mothers. The state must act responsibly and enact legislation which enables workplaces to become fairer places of employment for both men and women.

Many of these constraints are interconnected and require targeted state interventions, such as these bills, to address them. The gendered cultural norms that seek to limit women’s workforce participation also place the entirety of financial burdens on fathers. New fathers are expected to resume work, unfazed, soon after the birth of their children, whereas new mothers are to forget the world outside their homes. Several studies suggest the importance of the early close relationship between a father and child which has long term implications. It is important to recognize the role of both parents in the childcare process as a necessary step towards healthier family structures. It is positive to see the state recognize this.

It is equally important to note that bills pertaining to such sensitive issues undergo vigorous debate which often last for several months. Oftentimes, external audiences are unaware of the dedication and consistency the passage of bills, especially those as monumental as these, requires. Senator Marri credits the leadership of the PPP, especially Chairman Bilawal Bhutto Zardari, for always standing behind such initiatives and lending credence to them.

Legislation such as these three recent bills also reaffirms the PPP’s commitment to women’s economic empowerment, which was integral to the PPP Manifesto in 2018. Furthermore, it will also assist in the mainstreaming of women in public life. Previously, the Protection against Harassment of Women at the Workplace Act 2010 was another milestone achieved under the PPP-led government. Senator Marri is also hopeful that the Sindh government will follow the precedent set and pass these bills in the provincial assembly too.

In order to respond to the mounting challenges faced by contemporary families, the state must change its outlook and respond according to these new realities. With higher educational attainment of women, we must find ways to translate this potential into increased economic opportunities and sustainable employment for women. Just as change in social realities is the law of life, responding to such changes is the life of law.

As women increasingly join the workforce and break the proverbial glass ceiling, the law too must yield to these changes and affirm that women need not choose between their career and their homes. While women’s dreams have often been shattered by patriarchy and other pressures, such legislation is a significant step towards preserving such dreams and keeping the flickering flame of hope alive.

The writer is a women’s rights activist and political worker for the Pakistan People’s Party,

currently holding the office of deputy information secretary for PPP Central Punjab. She tweets @NayabGJan