**[Paternity leave is feminist](https://www.dawn.com/news/1768171/paternity-leave-is-feminist)**

[Maheer Irshad](https://www.dawn.com/authors/10526/maheer-irshad) Published August 3, 2023

THE need for equality and inclusivity at the workplace does not go unnoticed — as is clear from the recent enactment of the Maternity and Paternity Leave Act, 2023, by the federal government (with provincial governments hopefully to follow suit). The Act aims to provide maternity and paternity leave to “employees of public and private establishments under the administrative control of the Federal Government”, thereby encompassing all private and public workplaces in the Islamabad Capital Territory. It inter alia provides leave for parents-to-be up to three times during the course of their employment. Women can avail up to six months’ paid leave for the birth of the first child during their employment, four months’ for the second, and three months’ for the third, whereas fathers-to-be are entitled to a meagre 30 days’ leave each time.

The Act came into being shortly after the birth of my nephew whose father — let’s call him U — works for a major Pakistani conglomerate. U availed all five days’ worth of paternity leave provided through his company’s employment policy, in conjunction with his other time off work, to be able to spend the first three weeks of his first child’s life with him. In the days succeeding the recommencement of U’s work, it dawned on me that it takes an army to raise a child this small. Mothers, young or old, deserve all the help and support they can get, specifically from the father of their child.

Maternity leave is a concept adequately recognised in Pakistani and international legal jurisprudence, with the Islamabad High Court ruling in ‘Dr Aamna Saleem Khan vs Nust’ that all female employees, regardless of the nature of their employment, are entitled to maternity leave with pay. In fact, even the Lahore High Court, in its recent judgement in ‘Sabeen Asghar vs Province of Punjab’, has held that safe motherhood is the fundamental right of every woman and the right to maternity leave has the same status. However, the courts in Pakistan have yet to analyse another important facet of safe motherhood, ie, paternity leave, for which there had been no legislative development in Pakistan until this year.

By providing a right to paternity leave, the Act has, perhaps unwittingly, posed a challenge to traditional gender roles. It calls into question the long-standing practice of denying fathers time off to care for their newborns and support their wives during this time. Nonetheless, there is still a strong need to increase the duration of paternity leave afforded to fathers through the Act to truly realise the benefits that paternity leave can have for women as well.

There is a strong need to increase the duration of paternity leave.

It is no surprise that, historically, parental responsibilities have been disproportionately allocated to women, reinforcing the ‘caregiver/ breadwinner’ gender stereotypes. Therefore, increasing the duration of paternity leave challenges societal norms by recognising the importance of involved fatherhood in the early stages of child-rearing. It legitimises the notion that raising children is a shared responsibility between both parents, empowering fathers to be present caregivers from the very beginning.

Furthermore, research has demonstrated the positive impact paternity leave can have on women’s overall postpartum health. A study from Sweden, heralded as a role model for parental leave policies, indicates that mothers whose partners had access to flexible paid leave in the year after childbirth were less likely to require antibiotics and anti-anxiety medication. Additionally, increased paternal involvement in baby care is shown to contribute to better maternal postpartum depression outcomes too. A study conducted in rural Pakistan also found that involved fatherhood in the first year of life may predict future developmental milestones, as well as better maternal mental health.

Moreover, extended paternity leave may also help combat workplace gender bias. Women commonly face discrimination in hiring and promotions due to the perception that they are more likely to take extended breaks from work for child-rearing. For example, in the legal profession, many law firms/ chambers in Pakistan are known to actively avoid hiring female employees fearing that they will eventually leave to get married and raise children. A longer period of paternity leave in the law signals a positive step towards equalising the expectations around parental leave. This in turn may help promote a workplace culture that values family life for all employees, regardless of their gender, and may make it less likely for employers to discriminate against women based on potential future childcare commitments.

While the duration of paternity leave may depend on cultural and economic factors, international examples provide valuable insights into successful paternity leave policies. In Sweden, a total of 480 days of parental leave per child are offered, of which 90 days are reserved specifically for each parent. This ‘use-it-or-lose-it’ approach encourages fathers to take time off for caregiving, promoting a more balanced distribution of parental responsibilities. Similarly, Norway provides a generous paternity leave policy of up to 15 weeks at full pay and 19 weeks at 80 per cent pay, allowing fathers to actively participate in their children’s early lives.

Paternity leave has significant feminist undertones as it extends beyond workplace policies; it signals a transformative shift in societal attitudes towards traditional gender roles and caregiving responsibilities. By acknowledging fathers as equally capable caregivers, this transformation fosters a fairer division of labour within families, providing women with increased opportunities to engage in the workforce and pursue their careers. Consequently, it dismantles the gendered constraints that have hindered female economic empowerment for generations. It can be seen that paternity leave is an important contributing factor to women’s rights and safe motherhood, therefore, an increased duration for paternity leave in the law is warranted.

*The writer is a lawyer based in Lahore.*

*Published in Dawn, August 3rd, 2023*