

Right to Education in Pakistan: Legal Obligations and Social Barriers

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Abstract

This study aims to critically analyze the right to education in Pakistan within the two terms of the legal framework and socio-cultural resistance. Even though the free and mandatory education age is 5 to 16 years in Article 25-A of the Constitution of Pakistan, the difference between the law and the practice is not less impressive. Simultaneously, it examines the social barriers in society that lie behind such issues as gender discrimination, poverty, and child labor, which continue to deny access to education, girls in particular, and people experiencing poverty in society, particularly. The work, based on a sociological study and a legal analysis of the doctrine, presents the interaction of systematic malfunctions and dogmatized attitudes in society in depriving millions of the right to the Constitution. It has been concluded in the paper that it is possible to suggest policy reforms and community-based interventions in order to reconcile the difference between the legal and real educational reality of the Pakistani youth.

Keywords: Challenges, Historical Context, Laws, Opportunities, Theoretical Context

Introduction

It is common knowledge that education is a universal human right and the cornerstone of individual and national development (Shakirova et al., 2023). This right is officially ensured by the Constitution of Pakistan, where Article 25-A states the right of children between the ages of 5 and 16 to free and compulsory education (Gaviria, 2022). However, Pakistan is still facing one of the worst rates of out-of-school children in the world, which means that there is a significant disconnect between the aspiration of education and the practice (Asghar & Bhatti, 2023). This contradiction poses a seminal necessity to research the interactive nature of policies and realities in determining the educational achievements of the country (Hassan & Khan, 2024).

The education policy structure in Pakistan is frequently reported to be weak, which is mainly due to the lack of funding and accountability, as well as ineffective distribution of resources (Rani et al., 2022). These system failures are only reflective of a policy gap but structural inequalities that contribute to gaps in accessing quality education that is highly uneven in regions and communities (Hanane et al., 2024). Weak governance and poor state capacity increase these challenges, leaving schools with inadequate resources and children with insufficient services (Siddiqui et al., 2025).

Social-cultural barriers that impede progress are also equally important (Pirzada et al., 2024). The children are not always able to receive an education due to gender discrimination, the unwillingness of the community to modern schooling, and the traditional norms (Yasir et al., 2025). These legal, structural, and cultural barriers, which overlap, confirm that the education crisis in Pakistan would need legal reform as well as social change (Alam et al., 2023).

Research Justification

Right to education is an essential human right, and Article 25-A legislation in the Constitution of Pakistan states that children between the ages of 5 and 16 years are entitled to free and compulsory education. Although this right is

mandated by the law, there are enormous challenges that Pakistan encounters in meeting this right owing to the prevalent social, economic, and administrative indirection. These are poverty, gender inequality, culture, and the absence of infrastructure and poor governance. Millions of children lack access to schooling, especially in rural regions and disadvantaged communities. The research is warranted because it aims at looking critically look at the disjuncture between the constitutional and international contracts of Pakistan and the actual situation of access to education.

The research will determine and examine the legal structures, policies, and institutional processes that are present to implement the right to education, as well as discuss the main social barriers to their success. The study will also inform policymakers, educators, and civil society stakeholders on the need to reform educational systems to achieve favorable educational outcomes by mitigating structural inequalities. This research indicates legal requirements and social constraints; therefore, the study contributes to the wider discussions concerning human rights, social justice, and sustainable development in Pakistan.

Research Objectives

1. To discuss the historical context of the right to education in Pakistan.
2. To highlight the theoretical context of the right to education in Pakistan.
3. To analyze the laws regarding the right to education in Pakistan.
4. To identify the key challenges regarding the right to education in Pakistan.
5. To explore the opportunities for the right to education in Pakistan.
6. To propose effective prevention and intervention strategies.

Research Methodology

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

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

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

Literature Review

The right to education has been widely addressed at both international and national levels, addressing the legal and social aspects of it (Hassan & Khan, 2024). International conventions like the Universal Declaration of Human Rights and the Convention on the Rights of the Child have enshrined education as a fundamental right, and thus, states in Pakistan have a constitutional provision under the Art 25-A (Rani et al., 2022). That enacts the right to education; nevertheless, scholars point to a disparity between the law and practice Government of Pakistan (Asghar & Bhatti, 2023). Research shows that poor execution of policies, insufficient financial resources, and a poor administrative infrastructure compromise the capacity of the state to develop its educational mandate (Shakirova et al., 2023).

Socio-cultural impediments also make it harder to achieve educational rights. One of the biggest barriers is gender discrimination, where girls have less access because of the patriarchal value system and security issues (Alam et al., 2023). Poverty and child labor also lower school attendance and retention, with lower levels again in marginalized communities (Yasir et al., 2025). Illuminates that social perceptions tend to underscore education, particularly in girls, and thus become a perpetuation of the cycle of illiteracy and socioeconomic disparities (Siddiqui et al., 2025).

Additionally, ignorance of legal rights and resistance towards formal schooling in the community are identified as significant issues. A number of studies also highlight the necessity to take these two aspects with combined measures (Pirzada et al., 2024). As an example, the need to overhaul budgetary commitments and accountability structures has to be followed by community empowerment (Gaviria, 2022). That sensitization to change the social norms and guarantee education to all children in Pakistan (Hanane et al., 2024).

Historical Context of Right to Education in Pakistan

The reform of the rights to education in Pakistan is a complex social-political process, which has taken place since the independence of country in 1947 (Yasir et al., 2025). First, the policies of access expansion were hindered by resources and infrastructural aspects (Siddiqui et al., 2025). The initial important legal innovation was taking the form of inclusion of education in the 1973 Constitution as a state responsibility, which became the foundation of the idea of free and compulsory education (Gaviria, 2022). But education was a provincial matter, and there were differences in the implementation of the policies across different regions (Rani et al., 2022).

In 2010, Article 25-A was added to the Constitution directly in Amendment 18 and is compulsory (Hassan & Khan, 2024). Free education for children aged between 5 and 16 years of age became mandatory in Pakistan (Shakirova et al., 2023). It was a massive legal mandate of increasing rights on education, hence in line with international standards in Pakistan (Asghar & Bhatti, 2023).

However, the reality of such historical trends of poor financing, ineffective government, and societal opposition, such as gender inequality and existing norms, is required in order to overcome (Pirzada et al., 2024). The legal and social conditions that have obstructed the realization of education in Pakistan, particularly in marginalized communities (Hanane et al., 2024). This historical background is crucial in dealing with both legal and social barriers in the education sector in Pakistan (Alam et al., 2023).

Theoretical Context of Right to Education in Pakistan

The concept of the right to education is based on the notion that education is a basic human right that is necessary for personal development and growth, equality, and social justice. This view asserts that the state has a duty to ensure that every citizen has access to education as one of the factors of empowerment and to minimize social inequalities.

The social constructivist theory aids in understanding how education depends on social values, cultural, and power relations in society. The availability of education is more than a legal matter, but is significantly affected by the social lifestyle and group ideologies. Strong-rooted patriarchal attitudes, poverty, and conservative values, in most cases, are the main impediments to education, especially to girls and the underprivileged. Moreover, legal pluralism theory emphasizes on co-existence of various systems of norms in a society, formal laws and traditional social practices, and informal cultural practices. These tend to be competitive or opposing each other, and the implementation of the formal educational rights becomes a more complicated matter.

Blocking the working implementation of education rights can be made by societal opposition to legal requirements. These theoretical approaches as a whole provide a holistic perspective through which the complex association between law and society in the provision of the right to education can be understood.

Laws Regarding Right to Education in Pakistan

The legal space in relation to the right to education in Pakistan is constructed upon the basis of various policies and laws that are aimed at ensuring free and compulsory education and regulating the education sector.

1. Article 25-A of the Constitution (2010): This is an amendment of the Constitution that requires free and compulsory education to children between the ages of 5-16. It is the fundamental legal right of educational rights in Pakistan, and the state has the obligation to provide quality education.

2. The National Education Policy: This policy, which is periodically revised, gives the vision of the government, objectives, and policies of enhancing access, equity, and quality of education in Pakistan. It aims at putting Article 25-A in action by embarking on real educational changes.

3. Provincial Education Acts: Education is essentially provincial after the 18th Amendment. That is, every province has developed laws to formalize educational provisions, govern schools, and keep track of adherence to mandatory education.

4. The Right to Free and Compulsory Education Act: A few provinces, like Sindh and Punjab, have targeted legislation that stipulates precise actions that ought to be taken to make education free and punitive action against its non-observance.

It has not been without challenges, as there are difficulties in implementing the said laws because of a shortage of resources, accountability, and the socio-cultural factors that restrict access to education in an actual sense. It is a vital work that the education sector of Pakistan continues to play with regard to bridging this legal-practical gap.

Challenges for the Right to Education in Pakistan

1. Funding Deficiencies: The issue of the wrong funding of education is numbered among the most problematic ones. The GDP on education is relatively low in Pakistan than the global levels. The consequence of this is the poor infrastructure in schools, ineffective teachers, classes overcrowded, and inappropriate learning materials, especially in the rural and marginalized regions.

2. Gender Disparities: With traditional patriarchy, there exists a strong limitation on the accessibility of girls in the education sector due to the socio-cultural norm. Boys' education is given so much focus as compared to that of girls, particularly because of the traditional beliefs, security, and marriage habits of the people. The outcome of such a gender disparity is reduced enrolment and high turnover rates of girls.

3. Poverty and Child Labor: A large number of children are forced to leave school at an early level to provide for their families through child labor, which is a high level of poverty in the country. Economic hardships disproportionately affect the vulnerable groups, and they lead to additional poverty and education access, not to mention other poverty-related cycles.

4. Socio-cultural Resistance: There exists a socio-cultural resistance to conservative thinking, and the ignorance of the masses towards the importance of education, especially for girls and marginalized societies. It sabotages school enrolment and completion campaigns

5. Weak Governance and Implementation of the Policies: Despite the fact that the Constitution has assured education laws, there is poor institutional capacity, bureaucracy, and accountability that hinder the implementation of the education bills successfully. The federal and provincial governments have issues of coordination that lead to poor performance and allocation of resources in the implementation of policies.

Opportunities for Right to Education in Pakistan

1. Community Engagement: The socio-cultural attitude would be in a position to evolve since awareness of the need for education will be created, particularly for the girls. The resistance can be reduced by involving the local communities and NGOs in advocacy practices, which can escalate the rate of enrolment and retention.

2. Decentralized Governance: More responsiveness and effectiveness in meeting education challenges can be achieved by assigning an authority to the provincial and district education powers to make solutions better suited to their needs.

3. Digital Education: With the development of online learning programs and mobile learning initiatives, digital technology can be applied to access remote and unreachable children. The technology will provide other opportunities to overcome the geographical and social barriers to learning.

4. Legal Strengthening: The legal provision of free and compulsory education offers a good legal platform for reforms in the Constitution. Certain laws can be used to increase access, quality, and equity in education in all provinces by enforcing the rules and ensuring their proper enforcement.

5. Policy Development: It will be the opportunity to revise and harmonize national and provincial education policy to the international standards and make the update of the curriculums and promotion of inclusiveness possible. Educational inequalities and dealing with training.

6. Public-Private Partnerships: Government, private sector, and civil society cooperation were able to improve in mobilizing resources, developing infrastructure, and training teachers through collaboration, and thus improving the delivery of education.

Discussion

The Pakistani Constitution entails the right to education, which is firmly anchored in a strong legal framework. Still, its actual implementation has yet to be realized due to major socio-cultural and institutional issues. Although the Constitution offers a strong platform, challenges such as gender discrimination and poverty, and ineffective governance continue to be obstacles to achieving access and quality, as Article 25-A. The presence of progressive legislation and well-established traditional norms introduces a complicated situation in which the legal requirements do not always find their implementation.

New opportunities, however, present hope of change. Gaps can be closed, particularly with the use of community intervention and government decentralization through legal changes, greater publicity, and technological advances. The improvement of the situation with socio-cultural opposition to girls' education is essential in order to make any changes. Finally, it is necessary to have a complex strategy of combining law enforcement, social transformation, and mobilization of resources.

Conclusion

Pakistan has ensured that the right to education is ingrained in the legal framework of this nation, but its efforts to ensure its complete realization have been frustrated by socio-cultural barriers as well as institutional frailties. Although constitutional provisions and policies would provide a solid work, the issue of gender inequalities, poverty, and governance issues should be taken care of too many sure that meaningful access to all children is achieved. Legal reforms, community participation, and technology innovations are some of the avenues of opportunity to work with. Finally, to close the divide between law and society, a complex, interdependent strategy should be adopted that will address structural and cultural barriers and help Pakistan meet its educational obligations and create an inclusive, sustainable development.

Recommendations

1. **Child labor in combat:** Implement legislation that forbids child labor and add social protection programs aimed at supporting the household so that their children remain in school and do not work.
2. **Create awareness among the people:** Hold national awareness campaigns to educate the citizens on their right to education and the need to obtain schooling as a way of long-term development.
3. **Enhance the school facilities:** All schools should be equipped with basic facilities like clean drinking water, toilets, electricity, and a secure building.
4. **Encourage female education:** Initiate special programs to eliminate gender inequalities. Provide incentives, such as stipends, free uniforms, and safe school environments that would promote the enrolment and retention of girls.
5. **Ensure continuity of Article 25-A:** Enforce the constitutional right to free and compulsory education: Articulate to the federal and provincial governments in working on the development of the law.
6. **Fund more education:** Use a greater proportion of the national budget to fund the education sector. Invest in infrastructural development, the educating of teachers, and the provision of learning facilities.
7. **Increase online learning opportunities:** Access education online classes and educational smartphone applications in remote or underserved locations can be used to increase access to quality learning using technology.
8. **Institute measuring and checking mechanisms:** Develop autonomous checking bodies to oversee the enforcement of the education policy and ensure the institutions are accountable for their performance.
9. **Improve teacher quality:** Use extensive training and constant increments of professionalism to boost teacher quality and student achievement.
10. **Talk on socio-cultural resistance:** Collaborate with local community, religious leaders, and media to break vicious practices and advance the importance of education across (and particularly among girls).

Research Limitations

Although this research project gives a critical examination of the legal and socio-cultural aspects of the right to education in Pakistan, it is limited by a number of factors. First, the study is based on secondary data, mainly government reports, academic resources, and policy reports, and might lack inclusion of most contemporary realities on the ground. Second, the study did not have time to examine the provincial situations in detail.

Moreover, there is a lack of primary fieldwork that restricts the knowledge about lived experiences (in cases where marginalized populations and direct experience in dealing with these issues are concerned), among teachers, too. The cultural resistance and social norms are also multifaceted and differ in many aspects, and they cannot be generalized throughout the whole country. Nevertheless, the study provides a conceptual backbone and points out the areas that would be the main ones that in-depth, localized research and the policy should examine more closely.

Research Implications

The research implication about the Right to Education in Pakistan is as follows:

1. **Community participation:** The analysis of the social tendency of the opposing education will allow developing the locally differentiated interventions with the assistance of the community and religious leaders.
2. **Digital innovation:** The realization of the technology deprivation in the remote areas can enhance the use of e-learning systems and mobile learning to reach marginalized communities.
3. **Planning inclusive education:** The emphasis on the vulnerable groups might lead to the initiation of the issues of reforming the sphere of education, where all children, minority groups, and people experiencing poverty, including those with disabilities, would have access to education.
4. **Policy reform:** The findings could be utilized to make sure that the education policy is reformed to be more effective in implementing Article 25-A, equity, and there are no gaps in the inter-provincial implementation.
5. **Resource allocation:** The knowledge of money and infrastructure questions can be applied so that the budget spending and investing choices in under-served areas can become more effective.
6. **Social awareness campaigns:** The research presents the need to address the gender prejudices and cultural resistance through particular awareness campaigns to overcome the enrollment of schools and especially among the girls.

Future Research Directions

Innovations in future studies of the right to education in Pakistan could include some of the major directions to overcome the existing gaps and include it in policy reforms:

1. **Barriers of gender:** Discuss the socio-cultural and economic determinants of access to education by girls, and evaluate the efficiency of programs that are currently in place to achieve gender equity in schools.
2. **Education and quality of teachers:** Evaluate the status of teacher training and their influence on classroom performance and student learning achievements.

- 3. Impact of digital education:** For what purposes can e-learning tools and online platforms be useful in enhancing rural or conflict-affected area educational access, especially after COVID-19?
- 4. Inclusive education:** Learn about the barriers of children with disabilities, minority groups, and populations of refugees to access quality education and suggest inclusive education practices in the context of Pakistan.
- 5. Provincial differences:** Explore the ways in which provincial governments are applying Article 25-A and establish factors that might account for the differences in the education outcomes of various regions.

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