Pathways of Empowerment: Bodily Integrity and Women’s Empowerment

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1. Introduction

This paper seeks to provide an input towards developing the proposal for the research project, “Pathways of Women’s Empowerment” to investigate the determinants of women’s empowerment where and when it occurs. It primarily attempts to give an overview of the trends in research, thinking and programmes in Pakistan from 1975\(^1\) onwards in the area of women’s empowerment and bodily integrity in order to understand what makes change happen. Secondly, it seeks to identify areas that need to be further explored in the main phase of the above mentioned research.

Thus the paper will:

- Provide an overview of the major historical trends with regard to bodily integrity and women’s empowerment;
- Identify anticipated and unanticipated drivers of change and enabling factors;
- Describe what women have done themselves to establish their rights;
- Identify what might have been planned and didn’t happen and the costs of this;
- Identify possible threats for the future and disappearing rights;
- Suggest what some possible future trends might be;
- Suggest areas of future research. \(^2\)

Prior to the overview the paper will reflect upon the concept of “empowerment” as well as try and unpack the term “bodily integrity” and examine the “social constructions” of the woman’s body in Pakistan.

2. Notions of Empowerment

The dictionary meaning of empowerment is “giving authority to somebody”; or “to give somebody a sense of confidence or self-esteem.” The Beijing Platform for Action (1995) defines women’s empowerment as “women’s active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political...

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\(^1\) The second international Conference on women in Mexico and the Decade for Women’s Development form 1975 to 1985 marked increased awareness on gender equality and discrimination and led to various governments undertaking concerted action to address these issues.
decision-making.” The control of all aspects of health by women, “in particular their own fertility” is seen as basic to their empowerment in the Beijing POA.

UNDP includes women’s seats in parliament, the number of female legislators, senior officials and managers, female professional and technical workers, and the ratio of estimated female to male earned income to measure Gender Empowerment. Under Millennium Development Goals women’s empowerment is to be achieved through elimination of gender parity in primary, secondary and all levels of education, and elimination of gender disparities in political, economic and social sphere (Goal 3). Other institutions/organizations have similar or varying determinants of women’s empowerment. For example, Shirkat Gah considers women’s empowerment and social justice as mutually dependent. Empowerment in its reckoning is “self-confidence, self awareness and self reliance, freedom to decide and act for oneself with regards to education, marriage, mobility, economic activity, and the ability to create new options and choices.”

It is obvious from the above that the definitions vary from the gender neutral dictionary ones to a range of others. Education, mobility, choice regarding marriage, and economic activity with control over income, are the usual measures employed for assessing levels of women’s empowerment. Some recent studies however have challenged the notion of mobility as a measure of women’s autonomy or independence in the context of Pakistan. Mumtaz and Salway’s conclusion, after examining national data set and carrying out empirical qualitative work in a village of northern Punjab, is that unaccompanied mobility is neither a sign of women’s independence nor has a correlation with usage of reproductive health services. On the other hand we have examples of hitherto cloistered women feeling a strong sense of self-worth in a Shirkat Gah intervention site in a Karachi squatter settlement when they could go and purchase the raw material for the handloom cloth they produced and SG marketed. The income generated was certainly an important contributing factor to that feeling.

Elimination of violence and threat of violence against women, and women’s participation in decision making are later additions to the list of determinants of women’s empowerment. Definitions are changing and will continue to do so as the indicators of women’s well-being become increasingly focused upon and linked to the state of social development, political and economic development, and the understanding of the causes of women’s social exclusion deepens.

Feminists in Pakistan have for some time now strongly pointed to prevailing social structures for perpetuating discrimination against women. Women interviewed in a

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4 The indicators for the goal are somewhat limited confined to ratio of girls and boys in primary, secondary and tertiary education, ratio of literate males and females, seats in parliament and the share of women in wage employment in the non agriculture sector.
6 For a detailed discussion on this see Zubia Mumtaz, Sarah Salway, “I never go anywhere’: extracting the links between women’s mobility and update of reproductive health services in Pakistan”. Social Science & Medicine. No 60 (2005). pp. 1751-1765
Shirkat Gah study investigating women’s participation in political life and governance revealed that in women’s perception decision-making, mobility and limited access to opportunities were at the root of male-female inequality. The Pakistan Participatory Poverty Assessment reaffirmed this perception adding lack of assets as an intrinsic aspect of unequal gender relations.

The above sampling of examples from various studies in Pakistan show that the definition of empowerment may vary from woman to woman depending on the circumstances and parameters of her life and is determined by where she is located (rural, urban, region), the local culture, class, age and position in family hierarchy, among others. The PPA revealed “regional variations in the degree of control” and that this was “mediated by [women’s] age, caste and class.” Nur ul Huda Shah, the leading and popular woman Pakistani playwright stated the same very succinctly when she said, “The extent of women’s autonomy depends on the class, whether she’s from the rural or urban areas….But there is an invisible chain tied around [all women’s] necks, the control of which is in other people’s hands; the extent of the chain defines the limits of her freedom.” She also made another strong point, endorsed by women in the same study, and elsewhere, that the feeling of empowerment is relative to the level of subjugation that a woman suffers so that “If she can make a decision about her own or her daughter’s marriage she is happy…. If the husband says you run the household expenses, we feel we’ve been given a kingdom itself…. If she takes her child to school for admission she thinks she’s found freedom.”

Women (65%) in a study of home based pieceworkers in a low income neighbourhood of Lahore claimed a positive impact of their earnings. It made them feel more self-confident, they had a greater say in family matters, and had gained self respect and respect within the family. As one woman said “since I have started work, I no longer need to beg my husband for money for small things.” A couple of young girls said, “Before we started working, my brothers used to boss us around all the time….Now we are earning… we are equal to them…. They can’t tell us what to do any more, we are very happy working.” The study, however, highlighted that there was a correlation between the volume of earning and the level of reported gains. On the other hand the PPA showed that poor women whose informal work was one of the “most used risk mitigating strategies” for their households did not feel empowered rather they suffered from exhaustion and being overburdened.

It is obvious that any examination of the empowerment process will need to be with reference to the nuances and imperatives of the social-cultural milieu, women’s specific situations within it and more importantly their perceptions of empowerment. If the

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9 *Ibid*. p. 105
10 *Opicit. Imagined Citizenship*. p.35
11 Farida Shaheed and Khawar Mumtaz, *Invisible Workers; piecework labour amongst women in Lahore*. Women’s Division, GOP. Islamabad. 1982. p.58
ultimate objective is to understand “pathways of transformation” of women’s lives then the approach would need to be that of “place-based” politics or “politics of place” where the emphasis is on women’s everyday experience and its location a “potentially transformative site of political practice.” In other words to move away from generalities to concrete empirical circumstances recognizing the right of agency of those women who are experiencing the oppression and exploitation.\textsuperscript{12}

3. Bodily Integrity

“Bodily integrity” as a term got currency in the run up to ICPD (1994). In the declaration at the International Women’s Conference for Cairo ’94 held in January of that year and sent to the drafters of the Cairo Programme of Action, bodily integrity was defined as follows: “Women are entitled to bodily integrity. Within this principle, violence against women and harmful practices like female genital mutilation must be recognized as a major reproductive rights and health issue.”\textsuperscript{13} ICPD POA states that “Equal relationships between men and women in matters of sexual relations and reproduction, including full respect for the physical integrity of the human body…” (7.35 ICPD POA). Violence against women, domestic violence and rape, female genital mutilation are seen as violations affecting women’s health and posing life long risks. Fear of violence is as potent a dimension of bodily integrity as violence itself.

Violence against women encompasses acts of gender-based violence that can lead to physical, sexual or psychological harm or suffering and can range from that occurring in the family (sexual abuse, battering, dowry related violence, marital rape) to that in the community (rape, sexual harassment) and that condoned by the state (custodial or hospital based violence, for instance). Among others is the VAW in situations of armed conflict (rape, murder, sex slavery), and forced sterilization and abortion, female infanticide, and pre-natal sex selection (Beijing POA). In addition, cultural norms (e.g. son preference, child marriages, honour killing), the lack of control over fertility, coercive sex, the absence of services and information, combine to threaten women’s bodily integrity.

Central to women’s prescribed role in Pakistan is their biological reproductive function. This aspect however does not receive due attention/recognition in the discourse on violence against women. The fact that there is such a high rate of maternal mortality in Pakistan (350-450/100,000) and widespread morbidities like fistula and prolapsed uteruses, natural and induced abortions, frequent pregnancies that leave women’s bodies drained, marital rape, and now the threat of HIV-AIDS through afflicted husbands suggest that the definition of bodily integrity needs to be made holistic and broadened to incorporate the dimensions of both, violence in its diverse manifestations as well as all aspects of reproductive health. Women’s rights and control over their bodies need to be integral to this broader concept of bodily integrity.

\textsuperscript{12} For a theoretical discussion on women and politics of place see Wendy Harcourt and Arturo Escobar, *Women and the Politics of Place*. Kumarian Press Inc., Bloomfield. 2005

4. Social Constructions of the Body:

Essentially, in Pakistan as probably in other countries of South Asia, women’s bodies are socially constructed and bound by the norms of community and public space. For women homes are the spaces where they may sometimes exercise power but are also where they are often more vulnerable to physical abuse.

In the context of Pakistan, women are bound by “patriarchal structures, rigid orthodox norms, and stifling socio-cultural customs and traditions.”¹⁴ Purdah (literally the veil) that includes both segregation and seclusion is one such institution. It defines the boundaries of women’s mobility and by extension her role usually to be performed within the confines of the home (private space; public space being the male domain). Justified in the name of protecting women purdah in effect closes avenues of economic, social and political decision making for women.

Segregation and seclusion is unevenly practiced in different parts of Pakistan with stricter applications in tribal Baluchistan and NWFP and feudal strongholds of south Punjab and Sindh.¹⁵ There is variation by rural-urban location as well as class/social status. Seclusion is a symbol of social status in rural areas implying that the family can afford to not have women working in the fields. On the other hand it also means that women are prevented from participating in public activities including elections.¹⁶ For these women moving outside the home entails the wearing of the burqa (head to toe garment worn over clothes). In urban areas the burqa till quite recently was associated with the lower middle class distinguishing it from the working class. In the wake of the assertion of extremist Islam and Muslim identity in recent years the head scarf and other forms of hejab have made a widespread appearance in urban educational institutions, places of work, the market place, etc. The hejab, however does not necessarily imply seclusion in fact for some women it can facilitate mobility and give a sense of security. Segregation on the basis of sex, with or without the burqa/hejab, is deeply entrenched in society as evidenced in separate sections in public transport, women’s common rooms in co-educational institutions, lack of comfort felt by women in male company, etc.

Patriarchal structures are reinforced by invoking religion to justify unequal treatment of women and exercise control over them. Interestingly where custom comes in conflict with law or religion, custom prevails. Customary practices exemplifying male control over women and by extension their bodies (and lives) are widespread in varying degree in

different parts of the country. These range from the sale of girls for marriage (parts of NWFP and Balochistan - known as *walwar* in the latter), to *watta satta* (exchange marriage) whereby a boy and girl of one family is married to a boy and girl in another (whether the couples are matched is not given much consideration: a girl of 12 may be married to a man three times her senior), to marriage to the Quran (in pockets of Sindh) if a suitable boy is not available in the family to prevent the division of family property, to giving women to settle family feuds (*swara* in some areas of NWFP; *wani* in south Punjab) and *karo kari* (so called “honour killing”).

A woman’s identity in Pakistan is not hers but associated with that of her father, husband and son depending upon her life cycle stage. She is thus conditioned to see herself as inferior to men and dependent on them with her primary role that of reproduction. From this stems the strong societal obsession with female sexuality and the need to control and regulate it. *Purdah* norms also serve to exercise control over women’s sexuality. Girls are socialized to believe marriage as their purpose in life, and virginity and chastity as their primary assets, to be closely guarded, as a threat to these would lead to the loss of family’s honour/izzat. A mere hint of suspicion of interacting with a *na mehram* (someone you can be married to) may in many instances lead to death. Segregation and seclusion norms are therefore strictly imposed and women’s mobility as well as visibility remains restricted in most parts of Pakistan.

Given the Pakistan social context and its complexities, characteristics of age and number of living sons accord women some authority in household affairs as well as mobility. Mumtaz and Salway’s study confirms a positive correlation between women’s unaccompanied mobility and their age and number of sons. Livelihood needs may give women the space to go unaccompanied to the fields, or for domestic service but with the ever present fear of sexual harassment. Deaths, marriages and attending religious functions are sometimes acceptable events for women’s independent participation.17

With marriage as the goal in life and protection of honour (chastity) a priority for the family, early marriage is the norm in many parts of the country, especially in rural areas despite the fact that the legal age of marriage is 16 years for females (the mean age of marriage in Pakistan currently is 22.7 years—reflecting changing norms in urban areas where education for daughters is gradually taking precedence). After marriage a woman is valued for her capacity to give birth to sons which jacks up her status in the family. The son preference norm cuts across classes, the implications however are worse in terms of bodily integrity for poor women in rural areas who undergo repeated pregnancies if they fail to produce a male offspring. It is therefore not surprising that the mean number of children in the lowest quintile is three time higher than in the richest groups.

Systematic documentation of violence against women has not been carried out in Pakistan so no overall figures are available except for Human Rights Commission of Pakistan’s annual reports where information gleaned from the press on the subject is compiled. These reveal that the reporting of domestic violence as well as other forms of

17 A time use study by Shirkat G also revealed that a woman’s extensive time spent at a *mazaar* (mausoleum) was not questioned by the family or community and was seen as an acceptable activity. Farida Shaheed, Khawar Mumtaz. *FAO Pilot Project On Time Use Surveys, Case - Study Pakistan*, 1991.
violence against women is on the rise especially that related to verdicts by local systems (jirgas, panchayats) of conflict resolution. These often lead to brutal action against women ranging from vani (where a woman including girl child may be handed over to an adversary to settle a conflict) to death. The recent case of Mukhatran Mai is a case in point where the local panchayat ordered her rape as compensation for the alleged affair of her brother with a woman of a powerful local family. Women’s bodies thus become the location of vendettas in many parts of Pakistan. The ultimate insult is to insult females of a rival’s family.

Social conditioning with reference to women is so strong that legislators from across the political parties united to oppose the government’s “honour killing” Bill 2005 epitomising the mindset regarding women’s lives and male control over them. Seeking to outlaw adjudication from jirgas and panchayats on murders in the name of honour the Bill got watered down by making it possible for the murderer to get pardoned by the family of the killed women. Given that most of the so called “honour killings” are by family members, pardon from the heirs of the dead woman is easy. More recently (August 2006) a bill on Domestic Violence moved by a woman member of the ruling party as a Private Member’s Bill was most vociferously opposed by the Minister of Parliamentary Affairs as being un-Islamic. According to him men have the right to beat their wives in Islam. The Hudood Ordinances, 1979 continue to be opposed by the religious parties and men in the mainstream political parties on the grounds of tradition, custom and religion.

Rape largely goes unreported due to social taboos a point reaffirmed by Mumtaz and Salway’s study. They found that the “culture of silence” is exploited by the local landlords to have forced sex with poor women going to the fields for work. Wife burning, mutilation by throwing acid and cutting off women’s nose are other forms of crimes that violate women’s bodily integrity.

The media widely reports crimes against women. There is however a difference in the reporting in the English and Urdu media. The former at times is sympathetic while the latter tends to be sensational and titillating. Most of the cases picked up by women’s rights activists for their campaigns have been from press reports, and newspapers remain the main source of information regarding these. Private television channels, allowed to operate since the past couple of years, bring atrocities against women to everyone’s home, but at the same time also bring in equal measure obscurantist views (through talk shows) on women’s issues. Women’s rights activists protesting discriminatory laws and violence against women are repeatedly confronted by the religious lobby which has greater access and influence in the Urdu press as also space on TV channels. Overall the print and electronic media, with the exception of a few English language newspapers, reinforce socially entrenched views of women, their roles and their place at home, family and society. Simultaneously the commodification of women’s bodies is on the rise as is evident from the nature of print and electronic advertisements and giant sized hoardings that have cropped up all over the cities.

18 Fortunately his argument did not prevail and the Bill was admitted and referred to Parliament’s Standing Committee
The religious lobby is a vocal opponent of women’s demand for reverting or reforming laws that were promulgated in the name of Islam (like the Law of Evidence, 1984 and the Hudood Ordinances 1979, or the Family laws Ordinance, 1961). With reference to bodily integrity the obscurantist’s positions are a major hurdle to achieving women’s bodily rights, for instance their stance that puberty of a female marks her adulthood thus justifying child marriages; or their refusal to grant the right of choice in marriage to daughters by invoking approval by the wali (guardian) even when this is not a stipulation of the Hanafi fiqh (jurisprudence) followed in Pakistan. 19

5. Literature Review

Keeping within the definition of women’s bodily integrity made earlier in this paper writings in Pakistan may be divided into the broad sub categories of crimes/violence against women and women’s biological reproductive function that affects their bodies. However the fact that bodily integrity is closely intertwined with social and economic structures that determine gender relations in Pakistan must be kept in mind as very succinctly highlighted by Neelum Hussain in “Narrative Appropriations of Saima: Coercion and Consent in Muslim Pakistan.” 20 The study shows “how state apparatuses, social institutions and the community colluded in the interests of maintaining both legal and social control over women’s sexuality” (p.202) through the case of Saima Waheed, a young woman whose marriage against the wishes of her parents led to her being physically beaten and kept incarcerated as the parents challenged her right to marriage of her own choice and sought to assert the father’s right as wali. 21

A look at literature on women starting from 1975 reveals that the volume of writings rapidly accelerated in the successive decades and continues to the present time. The dramatic change in writings in the eighties to more women centred ones may be traced to the growth of feminism and the challenge posed by the then military government to women’s rights through a series of legislative and administrative measures (discussed below). This saw the emergence not only of the women’s movement but also of the heated debate on women’s rights and status encompassing a wide range of subjects from participation in politics and sports, to moving unescorted, to the form of dress, the veil, choice in marriage to the status of women in Islam. Discriminatory laws and their impact on women was the major subject of discussion. The period also evidenced the commissioning of research by the Women’s Division on hitherto untouched themes like prostitution, battered women, and destitute and abducted women, all subjects very close to the issue of bodily integrity. While most of the commissioned researches were published the latter were not. 22 Also found is the close relationship between the research

19 Within the Sunni sect of Islam there are four schools of jurisprudence: Hanafi, Hambali, Maliki and Shafaii.
20 The article is published in Neelum Hussain, samiya Mumtaz, Rubina Saigol, Engendering the Nation State. Simorgh, Lahore. 1997. pp 199-241
21 The court ruled in favour of Saima who as an adult under the law has the right to marry a man of her choice.
(mostly by women) on women’s issues (status, rights work, purdah, employment, violence feminism, patriarchy) and the women’s movement.  

While violence against women and reproductive rights were not subjects of writing in the seventies demography and health were as also fertility with a focus on family planning and women’s knowledge, attitudes and use of contraceptives. The concern was with how best to control women’s fertility in view of Pakistan’s high population growth rate. A concern is carried over in the eighties with research mostly by demographers examining the correlation of family planning practice with work and education. Demographers from Pakistan Institute of Development Economics (PIDE) took the lead in this and raised a number of associated issues like data inadequacies (Nasra Shah, *Pakistani Women: A Socio –Economic & Demographic Profile*), female education resulting in delayed marriages or reduced fertility, son preference norm and its implications on women among others.

Crimes against women as a theme surfaces in this period because of the agitation against discriminatory laws particularly the *Hudood* Ordinances (discussed below). There was extensive work begun in the eighties that continued to gain momentum into the nineties highlighting the physical vulnerabilities of women due to the said law and government’s view of women being inferior to men. The writings of women activists-cum-journalists (Najma Sadeque, Hilda Saeed, Zohra Yusuf, Razia Bondrey, Kausar S. Khan, and later Nafisa Shah among many others) were responsible for bringing forward evidence on issues like incest, rape, custodial rape, honour killing, use of women’s bodies as sites of revenge, etc. Khawar Mumtaz and Farida Shaheed’s *Women of Pakistan: Two Steps Forward One Step Back?* (1987) consolidated the debates within the contemporary women’s movement and Asma Jahangir and Hina Jilani’s *The Hudood Ordinances. A Divine Sanction?* (1990), highlighted the violations that women suffer under this law. Simorgh Collective and Shazreh Hussain’s publication *Rape* (1990) ventured to expose “the realities that underlie rape” and the silence that surrounds it. The Collective’s focus has continued to be violence against women.

The run up to ICPD and subsequently the Conference itself mark the turning point in writings on reproductive health and rights in the country. Shirkat Gah’s *Woman Not the Womb: Population Control vs. Women’s Reproductive Rights* was perhaps the first critique of population policies and their tunnel vision whereby the reality of women’s lives was completely overlooked. A spate of writings followed the ICPD focusing on issues integral to women’s well-being and bodily integrity like maternal mortality, abortion and morbidities among others. Zeba Sathar and Shahnaz Kazi’s, *Women’s

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Autonomy, Livelihood and Fertility, A Study of Rural Punjab (PIDE. 1997). Hilda Saeed’s “Gender and the Discourse on Health” (Simorgh: 1997), the Aga Kahn University’s various studies, Shirkat Gah’s Special Bulletin, Time to Speak Out: Illegal Abortion and Women’s Health in Pakistan (1996) are illustrative of this shift. By the turn of the century abortion adolescents, women’s sexual health, poverty and health, etc. became increasingly investigated and the interconnections made between different aspects of women’s lives. AKU and Population Council have carried out systematic research in these areas. While some of these are surveys and others case studies they have been valuable for the advocacy efforts of women health and rights activists.

**Movements for Bodily Integrity**

The International Women’s Year 1975 and the launching of the UN Decade for the Development of Women at the Mexico women’s conference the same year lead to setting up of the 13-member Women’s Rights Committee (9 women members), by the Prime Minister of Pakistan under the Chairmanship of the Attorney General of Pakistan. The Committee was given the task of proposing law reforms “to improve the social, legal and economic conditions of the women of Pakistan” and suggesting “speedier legal remedies” to matters mostly in the domain of personal laws. The Report of the Pakistan Women’s Rights Committee, in 1976 represents the first official document to look at women’s rights and associated issues. The report did not get requisite publicity nor was implemented because of the fall of government through a military coup in 1977 shortly after its completion.

The Committee acknowledged the prevalence of customary practices and these being responsible for the reduced status of women in society and as barriers to women’s emancipation. It made several recommendations with reference to family laws, political participation, education and awareness on women’s rights but did not specifically address either dimension of bodily integrity encompassed in our definition i.e. crimes/violence against women and problems related to reproductive health. It proposed an amendment to the penal code for providing compensation to women if anyone was convicted in case of offences of rape and “outraging modesty of women” but later withdrew this recommendation “in view of the wide and vague nature of the offence.” The Committee took cognizance of prostitution and noted that existing legislation did not address the complex problem and recommended the setting up of an expert committee to do an in-depth study of the problem.

The decade of the eighties marks the beginning of the strong articulation of women’s rights including that of bodily rights (although not using this terminology). The coming into power of general Zia-ul-Haq through a military coup in 1977 and his ruthless policy of “Islamisation,” primarily to gain legitimacy for his rule, was the trigger for the emergence of the new face of the women’s movement in Pakistan. Among the most

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28 Ibid. p.37
pernicious and discriminatory were the Hudood Ordinances, 1979. The law does not make a distinction between adultery (sexual activity outside marriage undertaken with the consent of the woman) and rape (violation of a woman through forced sex). It excludes the evidence of women and religious minorities, and provides for stoning to death and flogging if Hadd (maximum violation under the law) is proved. Thousands of women have been victimized under this law and hundreds are in prison due to it.

The first conviction under this law in 1981 mobilised urban professional women, and women’s organisations to form the Women’s Action Forum (WAF). 29 A woman, Fehmida and a man, Allah Bux were convicted of committing adultery and sentenced to a hundred stripes and stoning to death, respectively. The corporal punishment under the law and the denial of a woman’s right to marry a man of her choice infuriated the women. The next decade witnessed not only the vociferous challenging of discriminatory legislation but also of issues that had remained in the domain of custom and tradition. Thus the agitation by WAF at the conviction of an almost blind rape victim, the public disrobing of women for their brother’s alleged affair with a woman, and others brought to the centre stage the issue of bodily crimes against women. The veil of taboo on sex crimes was thus publicly lifted in a very far reaching way as also on incest, denied at the time by officials and religious leaders alike. For the first time in Pakistan’s history WAF spoke about abortion, hitherto swept under the carpet, and demanded the right to abortion especially in cases of conception following sexual violence. Similarly acid throwing, custodial rape, child marriage, killing in the name of honour began to be highlighted in the media.

It needs to be mentioned that the English media gave prominence to WAF’s campaigns during this period (probably as it was one of the very few loud voices against martial law). Monthly English news magazines played a significant role through investigative reports about karo kari, different kinds of violence against women, rape, etc. 30 One of the spin offs of WAF was its sub-committee, War Against Rape (WAR) that became autonomous and focused essentially on bodily crimes against women.

While crimes against women (the terminology changed to violence against women during the UN conferences of the nineties) received a great deal of attention from women activists, reproductive health and the damage to bodily integrity through practices related to it remained outside the ambit of their concerns. This was due partly to the fact that women’s reproduction in Pakistan has historically been seen from the lens of family planning. Those working on reproductive health issues at the time dealt with these in medical/technical terms sans their social and development dimensions.

30 The fact that women journalists produced and edited the leading magazines of the day facilitated this. Monthly Herald, Newsline, She and the daily Star were edited by women who were also activists.
The women’s rights discourse of that period included women’s control over their lives and fertility but these issues remained on a rhetorical plane. Women’s reproductive rights did not see pointed articulation in Pakistan up until the run up to the International Conference on Population and Development in 1994 (ICPD). It took almost five years after that for reproductive health and rights to be considered a part of the mainstream discourse on women’s rights. For some even now it comes second to political, legal and economic rights.

The reactivation of the Pakistan Reproductive Health Network (PRHN) in 1999 marked the recognition of the need to focus on RH and RR. The Network was created around the time of ICPD but had become dormant. With a membership of 132 civil society organizations (with the majority community based) and 260 individual members (largely health professionals) it is organised through seven City Chapters across the four Provinces of Pakistan. Using ICPD as its point of reference PRHN focuses on advocacy both at the grassroots and the policy level based on local evidence. From its platform ICPD’s five and ten year reviews have been carried out as well as lobbying on MDGs. It however has a low public profile and needs to link up more organically with women’s rights platforms. The tendency to look at issues sector-wise still prevails and the effort to transcend it is required.

Despite the fact that “reproductive health and rights” has now become acceptable terminology sexual and reproductive health and rights (SRHR) is resisted. Due perhaps to the fact that sex and sexuality continue to be taboo subjects in Pakistan. The women’s movement in Pakistan has taken up issues with reference to sexuality but matters like sexual orientation have generally been side stepped. Similarly women’s rights activism has skirted sex workers and their issues remain inadequately documented and addressed. In the recent official attention and priority to HIV and AIDS and sex workers as one of the vulnerable groups some organizations, not necessarily human or women’s rights ones, have started to reach out to sex workers.

6. Influencing Policy

That WAF has had a marked influence on official policy initiatives related to women in Pakistan cannot be denied. This influence has extended to right wing governments. It can take credit for putting women on the agenda of national concerns as well as for the appointment by General Zia-ul-Haq of the second Pakistan Commission on the Status of Women in 1983 with Zari Sarfaraz, a Freedom Movement activist as its chair. 31 The formation of the Commission was one of WAF’s demands as it agitated for the repeal of the Hudood Odinances, against crimes against women, and protested the promulgation of the Law of Evidence in the streets of Lahore, directly challenging Zia’s brutal martial law in February 1983. The Commission spent two years in compiling its report and went from city to city inviting suggestions. The report was comprehensive and candid to the embarrassment of the government which promptly declared it classified and shelved it. It linked women’s poor health status to their lower status in society as well as documented

31 Zari Sarfaraz was a member of the earlier Women’s Rights Committee too and a member of WAF from NWFP.
all the customary practices prevalent in different parts of the country which, according to it, were “violation of rights granted by Islam to women and considered today inviolable in all civilized societies.”

Subsequently, due to WAF’s intense lobbying the Law of Evidence, 1984 was watered down to the point that it rarely got invoked. The Shariat Act 1991 (to make Sharia the supreme law of the country) and the Law of Qisas and Diyat (to cover crimes related to murder and bodily offences) were inconclusively debated in the assembly. The former took seven years to pass with its original character “drastically” altered, and the latter was promulgated as an ordinance. During the relatively liberal government of Pakistan Peoples Party and Benazir Bhutto women activists jointly with the government wrote the candid and critical Pakistan National Report for the Beijing Conference; CEDAW was signed and ratified in the same period. Fortunately, the Beijing related process begun by the earlier government did not get suspended by the next right wing government. The National Plan of Action was drawn for the implementation of the Beijing commitments in a two-year long broad-based collaboration between NGOs and the Ministry of Women Development. The NPA was adopted as policy in 1998 and continues to be the guiding policy for women’s development in the four priority areas of poverty, education, health including reproductive health, and violence against women.

An important initiative during the Bhutto government was the setting up of the Commission of Inquiry for Women by the Senate in 1994. Headed by a sitting superior court judge it included two leading women’s rights lawyers among its eleven members. It began functioning in 1996. The Commission was asked to review all the laws for their implications for women and presented its report in 1997. It recommended the repeal of the Hudood Ordinances, had a chapter on violence against women and highlighted the issue of reproductive rights and its “direct nexus” with women’s empowerment. It stated that “Women’s reproductive rights rest on the solid basis of their human rights of equality and freedom of choice…” It recommended the legal right to abortion to women within the first trimester and the right to abortion beyond 120 days if her pregnancy was due to rape, in the case of “seriously disabled girls and women” and if the woman’s life was in danger. The Report however was ignored as its recommendations were not in line with the thinking of the, by then changed, government.

There are many more initiatives by different governments that are traceable to the issues raised and demands made by WAF and women’s rights researchers and activists e.g. the Crimes Ordinance, 1984 under which death punishment is prescribed for anyone disrobing women publicly; the creation of permanent National Commission on the Status of Women (NCSW) in 2000; the National Policy on Women’s Empowerment and Development 2000; the reservation of women’s seats in legislatures and local government; the inclusion of the rate of abortion in reproductive health statistics; setting up of crisis centres; legislation regarding “honour killing;” the current debate on the repeal of the Hudood Ordinances and government intent to bring amendments in the

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34 This came as a direct response to WAF agitation on the Nawabpur case mentioned earlier.
Ordinances in sections dealing with rape and adultery and false accusation. A Gender Reform Action Plan has been introduced in all provinces (not in operation yet in NWFP) to reform government implementation machinery. Similarly other institutional reforms are being introduced to sensitise administrators and bureaucrats in project planning at all levels, among others. All these are donor supported initiatives.

The policy changes have two kinds of implications: one symbolic and the other of implementation leading to behaviour/practice change. Among those listed above the most important have been the reports of the three inquiry commissions (1976, 1983, and 1996). All three reports were not owned by governments of the day but by explicitly acknowledging the multiple dimensions of violation of women’s rights legitimized the demands of the women’s movement. The reports of the last two commissions became potent advocacy tools for activists to pursue their demands.

However, policy implementation has been a major problem in Pakistan. The best of policies loses its force as it comes down from the federal to the provincial level and almost dissipates by the time it is implemented on the ground. The lack of political will, demonstrated through half hearted measures, or active resistance to initiatives by government functionaries underlie the failure to bring about substantive change. For instance the “honour killing” bill is weakened because of the “escape” clause for the one committing the crime; the NCSW has no judicial powers and does not report to the parliament; the innovative Tawana school feeding programme for girls to improve their nutritional status and encourage their school enrolment was resisted by the education department itself.

Related to matters of bodily integrity while violence against women gets more media space and courts are more frequently resorted to there is not much evidence of decline in it. There is however greater evidence of women asserting their right in choice of marriage and of courts protecting their rights. In short it is difficult to gauge the extent of change in behaviour but awareness seems to have increased, focus on reproductive health services is present and initiatives apparent in varying degrees of seriousness. The experience in Pakistan has been of women’s issues being given attention when women have made a noise and campaigned (this is true for the period prior to 1975 also). The adage that no rights are available without struggle holds true in Pakistan. The women’s movement has succeeded in getting rights recognized, a wider movement at the grassroots level is now needed for ensuring rights of all women.

7. Reproductive Health

Women’s health indicators in Pakistan are extremely poor. There is a persistently high maternal mortality ratio of 300-400/100,000 with about 12% deaths due to unsafe abortions.) Female mortality rate of 1 to 4 year olds is 66% higher for girls than boys and is seen to be one of the reasons for the country’s negative sex ratio. Maternal morbidity is
amongst the highest in Asia attributed to 71% deliveries by untrained birth attendants. 26% of pregnant or lactating mothers suffer from iron deficiency anaemia. The contraceptive prevalence rate is 36% and the fertility rate has declined to 4.3 (from 6.7 in 1985) but a high unmet need remains. The incidence of sex selection has not been studied in the country and if established may be one of the reasons for the negative sex ratio. Poverty, lack of information, absence of emergency obstetric care, inadequate reproductive health services, anaemia (40%) and poor nutrition contribute to women’s poor health status. According to WHO the expectation in Pakistan of lost healthy years at birth due to poor health are 6.9 years for males and 9.3 years for females.

ICPD marked a turning point in the country’s approach to population, moving it from the narrow family planning framework to a more integrated health and reproductive health program. The immediate impact was the modification of policy (Eight Five Year Plan, 1993-1998). National Health, Population and HIV/AIDS policies were formulated (the latest in 2002, 2001, and 2000 respectively), with emphasis on a broader-based RH approach, maternal and child health care, rural outreach and improved service delivery. It led to greater coordination between the Ministry of Health and Population in joint implementation of field level delivery of services by a new cadre of Lady Health Workers. The adoption of the ICPD definition of including mental health as integral to well-being is however not evident in practical terms.

Public health services are sorely inadequate. The Basic Health Unit, the first accessible port of call for the majority of rural women is poorly equipped with the doctor frequently absent. According to the most recent national survey only 36% of the people expressed satisfaction with the BHU. Distance to services, poor roads and transport act as deterrents and it is only in emergencies that they are taken to a health service. The PPA and the National Human Development Report, 2003 point to the inadequacies of the public health system and the reliance therefore on the more expensive and not always good quality private services. One of SG intervention (mentioned below) includes local mobilisation for getting the local BHU activated. The official response from different locations has ranged from that of cooperation to active resistance and hostility. The government recognizes this situation and moving towards the adoption of the policy of public-private partnership and is sub-contracting BHUs to non-government organizations to run them. There is controversy over this move which is seen as government’s abdication from its primary responsibility of providing health care, particularly to the poor.

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35 The average of 71% deliveries at home consists of 81% in rural and 56% in urban areas according to the latest Pakistan Standard of Living Measurement Survey 2004-05 data. Of these 24% are with a doctor or an LHV in attendance, the rest are assisted by trained dais, traditional birth attendants (TBAs), or family members.


37 WHO website.

38 See for a 10-year review of ICPD in Pakistan, Khawar Mumtaz, *ICPD Ten Years On, Pakistan*. Shirkat Gah & ARROW. Lahore. 2004
Lack of information among women in particular is a serious problem. One of the findings during Shirkat Gah’s work in rural and peri-urban areas in Sindh and Punjab is the lack of knowledge among young women about their own bodies. They are unaware and unprepared for bodily changes both when they reach puberty and subsequently when they are married and get pregnant. They are embarrassed to reveal or discuss their pregnancy and fail to recognize any abnormal developments during the pregnancy. National statistics reveal that only about 50% of pregnant women go for a pre-natal check up. Post-natal checks within six weeks after delivery are low across the country at 34% in urban areas and 16% in rural in 2004-05. Family members, especially husbands are equally unaware about a woman’s needs during pregnancy and see it as a “natural” function not necessarily requiring special care.

There are a number of donor-supported health and reproductive health projects e.g. the Woman’s Health Project, the Maternal and Neo-natal Health and others in various stages of formulation and implementation. These range from measures to strengthen health systems, to the formulation of a maternal and neo-natal health policy and a youth policy, quality services, to building capacities of ministries of health and population, etc.

Several non government organisations are working in the area of reproductive health though mostly in service delivery. These include FPAP, PAVHNA, Marie Stopes Society, and a number of local level organizations. Since ICPD they have incorporated the rights framework and advocacy in their programme documents but their focus primarily remains on service delivery. Their interventions have certainly brought relief to service starved women in their areas of operation. CPR in these areas has increased, they have involved males and local religious leaders and enhanced acceptance of spaced childbirths, immunization of children, etc. Some organisations, like Shirkat Gah have tried to address women’s RH issues by providing relevant information to men and women at the household level, building capacity of local organizations to monitor the practices of untrained birth attendants (dais), training the dais to prevent mal-practices, encouraging them to make referrals, mobilising local councilors, men and women to lobby for properly functioning health services. The initiatives have resulted in better health practices, greater sense of responsibility among males, fewer birth related complications, and a sense of achievement by the local CBO and women. It needs to be pointed out that SG’s programme in its field areas also includes components of legal awareness and paralegal training, leadership and conflict resolution skills among others.

8. Conclusions

The above review shows that the initial driver of change in Pakistan has been the women’s movement that has succeeded in getting women’s issues recognised nationally at all policy making levels. The international conferences of the nineties brought additional pressure on the government and contributed in giving legitimacy to women’s needs and demands. Donor pressure has played a significant role as also the emergence of civil society organizations. The mix of advocacy, research and service delivery organizations have contributed to an ongoing discourse, critique and awareness. While the synergies could definitely be improved among different types of CSOs they remain important drivers of change demonstrating the ability of collective action when needed
e.g. on *Hudood* Ordinances, against religious extremists, on honour killing, etc. Finally the government too has taken measures e.g. reserved seats for women in local government and parliament, which have the potential to impact on women’s lives in terms of bodily integrity but the jury is still out. While some change is taking place the pace of it is not rapid enough and the pressure from women and human rights activists as well as international donors continues.

The resistance to change for women comes primarily from the obscurantists concentrated in religious parties and from those with feudal mindsets in the ranks of almost all political parties who cannot conceive of equality between genders. There are also those in the administration including the judiciary who prefer the status quo. The future depends a great deal on political imperatives as women’s rights have often been compromised in political bargaining. The increased share of the religious parties in political power since the elections of 2002 and the shape politics will take in the run up to the next elections in 2007 will have implications for women.

In terms of research with reference to bodily integrity and women’s empowerment it would be useful to:

- Capture women’s perceptions of empowerment and the most essential ingredients or mix of ingredients absolutely critical to feel empowered.
- Investigate domestic violence and ways that women deal with it (other than being silent because of its threat).
- Intra household power relations and the factors that contribute to change in relations.
- Intersections of awareness, political participation, income generation and control over the body.
- Policy review and analysis.
- Study the impact of government’s initiatives for women’s bodily integrity to assess the missing elements for women’s empowerment.
- Carry out in-depth studies of interventions that have succeeded in changing women’s lives and the nature of change.