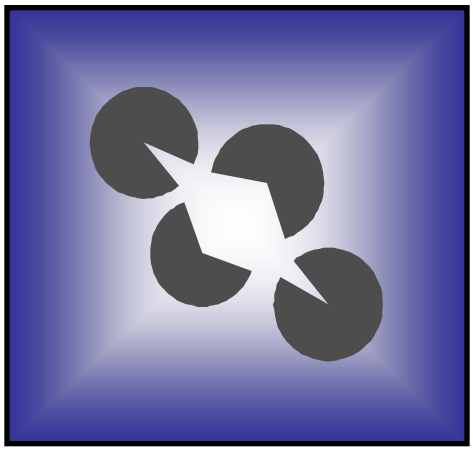

HUMAN DEVELOPMENT IN SOUTH ASIA 2000

The Gender Question

Published for

The Mahbub ul Haq Human Development Centre

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DEDICATED TO

MAHBUB UL HAQ

Who changed the debate on gender relations
by analysing the real issues and asserting that,

'*Human development, if not engendered, is fatally endangered.*'

Foreword

I could not but start the Foreword to this Report on the state of women in South Asia without quoting some memorable words of Mahbub ul Haq, the creator of the 1995 UNDP Human Development Report—the Report that changed the debate on gender relations in the world. At that time Mahbub ul Haq wrote, 'As we approach the 21st century, we hear the quiet steps of a rising revolution for gender equality. The basic parameters of such a revolution have already changed. Women have greatly expanded their capabilities over the last few decades through a liberal investment in their education. At the same time, women are acquiring much greater control over their lives through dramatic improvements in reproductive health. They stand ready and prepared to assume greater economic and political responsibilities. And technological advances and democratic processes are on their side in this struggle. Progress in technology is already overcoming the handicaps women suffer in holding jobs in the market, since jobs in the future industrial societies will be based not on muscular strength but on skills and discipline. And the democratic transition that is sweeping the globe will make sure that women exercise more political power as they begin to realise the real value of the majority votes that they control. It is quite clear that the 21st century will be a century of much greater gender equality than the world has ever seen before.' These insights of the founder of the Human Development Centre set the tone and the substance of this year's Report.

Mahbub ul Haq made visible the issue of women's invisibility in national accounting systems, and he wrote gender into the human development indicators. This was the quiet revolution that Mahbub ul Haq was talking about. With the release of the UNDP Human Development Report 1995 the gender debate experienced a paradigm shift: it is equality that is important and not only equity.

In 1998, when we were discussing themes for the forthcoming South Asia Human Development Reports, Mahbub ul Haq decided that the theme for the year 2000 Report should be 'The Gender Question' in order to assess the progress made in the region five years after the Beijing Conference. He not only prepared the outline for the Report that far in advance, he also talked at length about how he was going to shock the world by telling the truth about the inhuman condition of South Asian women. In 1997, he had already termed South Asia 'the least gender-sensitive region in the world.' So we had the outline and we had Mahbub ul Haq's innumerable articles and ideas to draw inspiration from.

The earlier Reports on *Human Development in South Asia 1997*, *1998* and *1999* documented the magnitude of human deprivation in the region. This year's Report focuses on the disproportionate share of this burden of deprivation that is borne by the women of South Asia. The Report analyses gender-discriminatory practices in the legal, economic, political and social spheres and it raises the following questions: How have patriarchal systems affected women's lives? Why are women invisible in economic and political spheres? How can women's capabilities be enhanced? How can women's economic and political opportunities be enlarged? And what institutional mechanisms are needed to bridge the prevalent gender gaps in South Asia?

The Report contains nine chapters, in

addition to the Overview. Chapter one presents a brief snapshot of South Asia's socio-economic scenario over the past half century. Chapter two introduces the theme of this year's Report by presenting a conceptual framework for analysing gender issues in South Asia. Chapter three assesses the follow-up actions in the region five years after the Beijing Conference. Chapter four focuses on the invisibility of South Asian women in the economy. Chapter five analyses legal systems in South Asia and examines their impact on women. Chapters six and seven analyse South Asian women's educational, health and nutritional deprivation. Chapter eight gives an overview of the systems of governance that perpetuate women's unequal position everywhere in society and the state. And finally, in chapter nine, the Report proposes an agenda that identifies the most pressing policy and institutional changes required to achieve gender equality in South Asia.

This year we have been very fortunate in having some of the best gender experts in the region write background papers. I am extremely grateful to three great legal experts for writing background papers on 'Women and the Law'. Savitri Goonesekere, Vice Chancellor of Colombo University, wrote on India, Sri Lanka and Nepal; Salma Sobhan from Ain-o-Salish Kendro in Bangladesh and Shahla Zia from Aurat Foundation in Pakistan wrote on Bangladesh and Pakistan respectively. The contributions of these legal experts to women's issues are well-known. But what is not known is that, despite their heavy commitments elsewhere, each of them readily agreed to do a paper for the Report. This showed their commitment to the cause of women as well as their willingness to help the Centre.

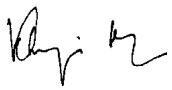
Other experts from the region were equally committed and professionally competent. The background papers on 'Women and the Economy' were written by Meena Acharya of Nepal, Aasha Kapoor Mehta of India, Simeen Mahmud of Bangladesh, and Danny Atapattu of Sri Lanka. The papers on 'Gender and Governance' were written by Bal Gopal Baidya of Nepal, Sarala Gopalan of India, Meghna Guhathakurta of Bangladesh and Kumari Jayawardena of Sri Lanka. My heartfelt thanks to all of them for making such important contributions to this Report.

In compiling this Report we have benefitted enormously from the help extended to us by the field offices of UNDP in South Asia, particularly Onder Yucer and Brenda McSweeney, UNDP Representatives in Pakistan and India. I am grateful to Nay Htun, UNDP Regional Director for Asia and the Pacific, for providing UNDP support for this project. Nafis Sadik, Executive Director of UNFPA, was particularly helpful in guiding this project in numerous ways. Chandni Joshi, UNIFEM Regional Adviser for South Asia, consistently supported this work through her network of experts. And Nazir Ladhani, Chief Executive Officer of the Aga Khan Foundation Canada, provided the best support the Centre needed—two dedicated professionals from Canada to work with us in the preparation of the Report. This in-kind contribution is much appreciated.

The research team at the Centre worked hard and for long hours to complete this Report. I must recognise, in particular, Virginia Appell and Karen Moore who came from Canada to work for this Report. Both of them worked with complete dedication and made enormous contributions to the outcome of the final product. Our own research team consisting of Aasim Akhtar, Shazra Azhar, Tazeen Fasih, Seemeen Saadat, and Hyder Yusafzai, young and utterly committed to the cause of human development, once again rose to the occasion and did whatever was needed to be done without complaint. That was the tradition set by Mahbub, and each time we get a new team it works with the same dedication, idealism and team spirit as the very first team did. They are the best example of the new generation of

professionals that Pakistan can truly be proud of. I also thank Farhan Haq for writing the Overview in his wonderful, reader-friendly style.

Once again, we dedicate the Report to Mahbub ul Haq whose ideas and words dominate every page of this Report.



Islamabad
21 June 2000

Khadija Haq

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Several national, regional and international institutions shared their research materials and data with the MHHDC team. The Report benefited from the data provided by the UNFPA South Asia Country Support Team, UNIFEM South Asia Regional Office, UNESCO Pakistan country office, International Labour Organisation, United Nations Children's Fund, United Nations Development Programme, United Nations Information Centre and The World Bank. We are grateful to the following Pakistani institutions: Aurat Foundation, Federal Bureau of Statistics, First Women Bank Ltd., Pakistan Institute of Development Economics (PIDE), Institute of Regional Studies (IRS), Shirkat Gah, Orangi Pilot Project, and Women's Studies Centre of Quaid-e-Azam University. The kind assistance provided by the librarians of the World Bank (Pakistan), UNDP (Pakistan), ILO (Pakistan), IRS and PIDE is also acknowledged.

The Report is heavily indebted to several South Asian scholars who prepared background papers for the Report. They are: Meena Acharya (Nepal), Danny Atapattu (Sri Lanka), Bal Gopal Baidya (Nepal), Sarala Gopalan (India), Savitri Goonesekere (Sri Lanka), Meghna Guhathakurta (Bangladesh), Kumari Jayawardena (Sri Lanka), Simeen Mahmud (Bangladesh), Aasha Kapur Mehta (India), Salma Sobhan (Bangladesh), and Shahla Zia (Pakistan). Special assistance was provided by Chandni Joshi (UNIFEM) and Wasim Zaman (UNFPA).

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The research work for this Report was done by the Centre's team consisting of Aasim Akhtar, Virginia Appell, Shazra Azhar, Tazeen Fasih, Cindy Huang, Karen Moore, Seemeen Saadat, and Hyder Yusafzai. Other members of the team included Syed Mohammad Ali, Malia Asim and Nasreen Mahmood. Special thanks are due to Farhan Haq for preparing a draft Overview of the Report.

We are always thankful to Oxford University Press, Pakistan for the

professional manner in which they handle the publication of our Reports. We wish to thank particularly Ameena Saiyid for her special commitment to this project. We would also like to place on record our thanks to Rana Ghulam Shabbir, Riaz Tahir and Mohammad Waseem for continuing to provide logistical support to the Centre.

About the Mahbub ul Haq Human Development Centre

Mahbub ul Haq Human Development Centre was set up in November 1995 in Islamabad, Pakistan by the late Dr Mahbub ul Haq, founder and chief architect of UNDP Human Development Reports. With a special focus on South Asia, the Centre is a policy research institute and think tank, committed to the promotion of the human development paradigm as a powerful tool for informing people-centered development policy nationally and regionally, in order to reduce human deprivation.

The Centre organises professional research, policy studies and seminars on issues of economic and social development as they affect people's well being. Believing in the shared histories of the people of this region and in their shared destinies, Dr Haq was convinced of the need for co-operation among the seven countries of the region. His vision extended to a comparative analysis of the region with the outside world, providing a yardstick for the progress achieved by South Asia in terms of socio-economic development. The Centre's research work is presented annually through a Report titled, *Human Development in South Asia.*

Continuing Mahbub ul Haq's legacy, the Centre provides a unique perspective in three ways: first, by analysing the process of human development, the analytical work of the Centre puts people at the centre of economic, political and social policies; second, the South Asia regional focus of the Centre enables a rich examination of issues of regional importance; and third, the Centre's comparative analysis provides a yardstick for the progress and setbacks of South Asia *vis-à-vis* the rest of the world.

The current activities of the Centre include: preparation of annual reports on *Human Development in South Asia;* preparation of policy papers and research reports on poverty reduction strategies; organisation of seminars and conferences on global and regional human development issues, South Asian co-operation, peace in the region and women's empowerment; and publication of a semi-annual journal, Mahbub ul Haq Human Development Review. The Centre also organises an annual Mahbub ul Haq Memorial Seminar and a Mahbub ul Haq Lecture.

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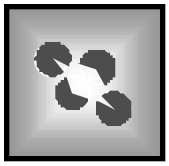
Overview

While growing up in South Asia is a perpetual struggle, to be a woman in this region is to be a non-person. Women bear the greatest burden of human deprivation in South Asia.

– Mahbub ul Haq



Overview

Discrimination against South Asian women begins at, or even before, birth

Five years ago, when some 17,000 government delegates and 30,000 civil society representatives met for the Fourth World Conference on Women in Beijing, the situation of South Asian women was one of the bleakest faced by women in any part of the world. That bleak scenario, remarkable in itself, was all the more depressing given that, as the Beijing Conference began in 1995, the Prime Ministers of Bangladesh, Pakistan and Sri Lanka, as well as the President of Sri Lanka, were all women. Indeed, these countries were headed by women who proclaimed their whole-hearted support for gender equality. Pakistan's then Prime Minister, Benazir Bhutto, wrote in UNDP's 1995 Human Development Report that 'the trend we have set in gender equality through emancipation of women is now irreversible.' Sri Lankan President Chandrika Bandaranaike Kumaratunga asserted that, 'Women should be empowered to share equal roles with men in holding positions of power, in participating in decision-making processes, in controlling and managing scarce resources and also in sharing the incomes and benefits.'

Five years after those optimistic words, however, women in South Asia remain far behind men in enjoying basic human rights, let alone in participating on an equal footing with men in educational institutions, the job market or in government. As this year's *Human Development in South Asia* Report—the fourth annual Report by the Mahbub ul Haq Centre for Human Development—makes clear, women in South Asia may work from dawn to dusk, but their economic contribution is scarcely acknowledged at the national level and their access to health, educational and other facilities lags far behind that of men.

• As a region, South Asia has both the lowest literacy rates and the largest gap between the rates of male and female literacy—64.1 per cent and 37.2 per cent respectively in 1997. While South Asian women make up about 21 per cent of the world's female population, 44 per cent of the world's illiterate women are South Asian.

• Discrimination against South Asian women begins at, or even before, birth. Female foeticide and infanticide, neglect of health, and gender-biased feeding practices combined with heavy work burdens, all are manifestations of son preference and the patriarchal structures which prevail across the region. South Asia has one of the most distorted sex ratios in the world—there are only 940 females for every 1000 males.

• Official statistics in South Asia show women's economic participation as a mere fraction of that of men. As the majority of South Asian women work in the informal sector and as unpaid family helpers, their work goes unrecognised in national systems of accounting.

• Women's political representation is very poor in South Asia: only 7 per cent of South Asian parliamentarians are women.

• South Asian women's real GDP per capita at US$874 is lower than any other region in the world, including Sub-Saharan Africa.

The Gender Question that this Report addresses is: why are women so severely disadvantaged and how can specific and structural disadvantages be redressed? The pervasive discriminatory practices which result from and perpetuate the systems of patriarchy are analysed in an effort to answer the question in everyone's mind: How can a region, so rich in culture and tradition and with women leaders holding the highest

political positions, be so cruel in its treatment of the vast majority of women? This is the central question which we try to answer in this Report.

Gender discrimination in South Asia is situated within deeply ingrained systems of patriarchy which limit and confine women to subordinate roles.

Part of the problem is that the structures of South Asian patriarchy remain firmly in place. The Report explores the key concepts underpinning gender analysis and notes Bhasin's observation that, although South Asian languages do not have terms to define 'gender,' Hindi, Urdu and Bangla all have words—respectively, *pitrasatta*, *pidarshahi*, and *pitratontro*—to define patriarchy (see chapter 2). Small wonder that patriarchy remains unassailable in South Asia, under the cover of gender-blind policies that take existing gender relations for granted, while women's particular concerns are relegated to 'women's issues.'

The culture of patriarchy is deeply entrenched in the region and gender biases are held not only by men but also by women. Women are often convinced that the work they do for their family is their duty and as such women do not expect any recognition, monetary or otherwise; while the work that men do is truly valuable, both socially and economically. Similarly, many women do not participate in decision-making, believing it to be the realm of men. Attitude shifts in society as a whole are required to break out of this culture of patriarchy, and this is why the gender question is not just one about women, but about both women and men and how they interact.

As nations this year review the progress made in the five years since the Beijing Summit, the record of South Asian governments is mixed. In chapter 3, the accomplishments and the persistent challenges and policy gaps remaining since the Beijing conference are detailed. On the one hand, over the past five years, the practice of developing National Plans for Action has fostered increased understanding of women's rights and status. On the other, very little progress has been achieved in matters of substance rather than those of process, with discriminatory laws still on the books, protective laws weakly enforced and social-sector budgets remaining severely inadequate.

The overall picture for gender-related development is poor in South Asia, even in comparison to the region's human development levels. In every South Asian country, the gender-related development index (GDI) is lower than the human development index (HDI). All the South Asian countries except Sri Lanka and the Maldives have GDIs of less than 0.500, subjecting women not only to low overall achievement in human development but also to lower achievement than men. Even worse is the gender empowerment measure (GEM), which highlights the extent to which women are involved in economic activities and active in the political realm. The highest any South Asian country stands is 80th out of 102, while Pakistan's GEM ranking is second to last.

The gender question is not just one about women, but about both women and men and how they interact

Invisibility of women in the economy is a worldwide phenomenon, but in South Asia its impact on women is pernicious.

Chapters 4 through 8 of the Report shift the focus from the overall lack of gender-related development in South Asia to problems faced by the region's women in particular fields: respectively, in the economy, in the legal system, in education, in health and in government. Underlying the inequalities faced by women in all those arenas is one fundamental dilemma: the economic invisibility of South Asian women. Because their labour—in such activities as family care, household maintenance and the informal-sector market—is excluded from systems of national accounts, the work they do remains

unappreciated and inadequately compensated. Because legislation has codified male privilege, women remain unable to gain equal access to inheritance or property and face other restrictions—from *purdah* to so-called honour killings—that effectively maintain their invisibility in society as a whole while subjecting them to terror and to violations of their basic human rights.

Similarly, the ingrained preference for boys ensures that girls do not have the same access to education; that they do not receive the same levels of nutrition; or the same consideration in the political sphere. Invisibility in this case becomes the recipe for exclusion and therefore for the maintenance of continued inequality.

A gendered division of labour reinforces unequal and discriminatory practices

In chapter 4 the Report argues that invisibility in the economic sphere is perhaps the most acute problem faced by women. It is clear that women participate in and contribute to household and market economies; it is also clear that women's contributions are rendered invisible. A gendered division of labour reinforces unequal and discriminatory practices. Although women perform some of the heaviest, dirtiest and most labour-intensive work, much of that labour remains invisible as it occurs either within the household or in the unregulated informal-sector. One Indian study estimates the amount of work outside the home by married women to be between 6.15 and 7.53 hours each day. In Bangladesh, some studies estimate that women spend between 70 and 88 per cent of their time in non-market work. The vast majority of South Asian women work in the informal sector or in unpaid family assistance, with the informal sector accounting for the employment of 96 per cent of economically-active women in India, 75 per cent in Nepal and Bangladesh and nearly 65 per cent in Pakistan.

Women also endure a heavy workload in the agricultural sector, notably in crop farming, livestock husbandry and off-farm activities, but even in these activities, much of their work is not recognised. Women are not counted as agricultural workers. Nor do they have an appropriate legal share in ownership of the means of production. In some instances, technological change has reduced or eliminated much of the agricultural labour traditionally performed by women, including weeding in paddy-producing areas in Sri Lanka, or the hand-pounding of rice in Bangladesh and Sri Lanka. The new and rapid forces of globalization, left unchecked, have put further pressures on the women of the region, who have as yet benefited only minimally from open markets.

Ultimately, the Report proposes that women's labour be included in systems of national accounting. Until that happens, the true impact of their labour will never be fully compensated, nor will development strategies accurately account for the work that is actually being done by women in South Asia. Women have a right to equal recognition, opportunity, and compensation; the continued economic marginalization of women and their work retards the economic progress of the region.

The legal system as it is practiced in the region is heavily biased against women and often victimizes rather than protects them.

Chapter 5 takes the problem of women's invisibility into the legal arena, where a complex network of religious and cultural practices interacts with the traditions of British jurisprudence to create a terrain which is particularly treacherous for women. Many legal structures are also simply *ad hoc*, reflecting the proliferation of personal laws—civil laws that largely focus on the family—which enshrine religious traditions but are not always codified. (Indian Muslims, for example, lack codified personal laws, although India's Hindus and Christians have them). The end result is that although women's legal equality with men is constitutionally guaranteed throughout South Asia, in many cases, those guarantees are contradicted by other laws or by customs.

Similarly, although all of South Asia's governments have ratified the Convention on the Elimination of All Forms of Discrimination against Women, four of them—India, Pakistan, Bangladesh and the Maldives—have entered reservations to their ratification.

The Report notes some positive legal steps that are being taken, including India's legislation to combat sexual harassment, Bangladesh's special provisions against cruelty to women and children and the efforts by Pakistan to treat 'honour killings' as murder. But overall, the laws on the books—including Pakistan's Hudood Ordinance and its Law of Evidence—continue to relegate women's rights to the shadows, enforcing instead traditions under which a women's testimony is only worth half that of a man's while violence against women is barely dealt with in the legal system.

Educational indicators of South Asian women, although recording improvement in recent years, are some of the worst in the world, especially at technical and higher levels.

The importance of legal protection for women is tied to their awareness of their own rights and indeed to education in general. Despite some improvements, South Asia continues to lag far behind the developing world in providing equal educational opportunities for women (see chapter 6). Between 1970 and 1997, the average rate of female literacy in developing countries as a whole rose from 32 to 63 per cent; in South Asia, however, it rose only from 17 to 37 per cent. Three out of every five South Asian women are illiterate, including three-quarters of Pakistani women and nearly four-fifths of Nepalese women. Only Sri Lanka has met the minimum target of universal primary education for all, although Bangladesh and India have made progress in bringing school enrolments for girls nearly in line with the level for boys. However, in India, Nepal, Bangladesh, Pakistan and Bhutan, girls receive on average less than 1.2 years of schooling.

Educational opportunities for girls vary dramatically between urban and rural areas and among different states and provinces. In India, for example, females in urban areas have a literacy rate above 72 per cent, while rural females have a literacy rate less than half that, at 34 per cent. In some cases, the problems stem from a shortage of female teachers; in others, from the shortage of single-sex schools or from the distances required to travel to school. But the bottom line remains that, at an early age, girls in South Asia continue to face barriers to obtaining an education, which worsen at every level through to higher education and most types of vocational and technical education.

Women constitute only 17 per cent of technical students, and South Asian governments spend approximately 4.4 per cent of their education budgets on technical/scientific education. Expenditure on female vocational students comprises less than one per cent of the education budget. These figures highlight how limited and constrained women are, and explain much of their invisibility in the economic sphere in particular.

At an early age, girls in South Asia continue to face barriers to obtaining an education, which worsen at every level

The vast majority of South Asian women lack even the most rudimentary health facilities, resulting in high maternal and infant mortality rates.

Women's access to health, described in chapter 7, is scarcely better. While in industrialised countries, maternal mortality is rare, and can be as low as 13 deaths per 100,000 births, in developing regions such as South Asia, this rate is extremely high, averaging 480 deaths per 100,000 live births. An estimated 208,000 women die each year in South Asia due to pregnancy and birth-related complications. Meanwhile, South Asian girls and women continue to lack what they need for basic

The overall picture, is one of overlapping and complementary forms of exclusion

nutrition, with a majority of women in the region suffering from chronic energy deficit because their daily caloric intake is well below the daily adult minimum requirement of 2250 calories.

In South Asia, women's inequality begins at birth, with the ratio of women to men abnormally low compared to the rest of the world. Excluding South Asia, the ratio of females to males in the world is 106 to 100; in South Asia, it is only 94 to 100, a discrepancy suggesting that 79 million women are simply 'missing'—never born, or dying of chronic malnutrition, or never receiving medical care.

- In India, 18 per cent more girls than boys die before their fifth birthday.
- In Maldives, female children are 51 per cent more likely than males to die before their fifth birthday.
- In Bombay, where 84 per cent of gynaecologists admit that they perform sex-determination tests, there were 40,000 known cases of foeticide in 1984 alone.

Discrimination in all of the above areas has resulted in invisibility of women in governance structures and in decision-making bodies.

Gender exclusion is no less prevalent in political governance, in a region which has boasted women heads of government in India, Pakistan, Bangladesh and Sri Lanka—and yet in which women hold only 7 per cent of parliamentary seats and 9 per cent of the seats in government cabinets. Only 6 per cent of the region's judges are women, and only 9 per cent of civil services posts are held by women, with less than 1 per cent of all female civil servants in decision-making positions in all countries of the region but Sri Lanka. Of South Asian countries, only Bangladesh can boast a proportion of female parliamentarians that is on par with the world average. Even when women lead political parties, they face tokenism and exclusion from certain portfolios—such as finance, defence and foreign affairs—that are still male bastions. The largest concentration of female civil servants throughout South Asia is in the social sectors such as health and education.

The role of civil society in increasing women's participation in public life is one of the few positive factors amidst the general gloom. Civil society initiatives have helped to organise women and to create awareness on a range of issues from health to education to basic rights. A significant number of women work for civil society organisations, either on a voluntary basis or as paid employees. This means that development-oriented initiatives reach more women in both urban and rural areas. The role of trade unions however has been less positive. They have failed to organise working women, with only a small minority actually joining unions. The result is that women's employment-related issues and concerns are usually not a priority within the unions.

The overall picture, then, is one of overlapping and complementary forms of exclusion. Because the traditionalism of South Asian cultural and religious practices is enshrined in legal codes, measures which discriminate against women are normalised in the legal sphere. Because such discrimination is seen as normal, the work women do—regardless of how much it actually contributes to South Asian societies—is uncounted and largely uncompensated. Because little monetary benefit is expected to result from women's labour, families spend less effort in feeding or educating girls, and governments offer few facilities to ensure that their schooling and health is on par with boys. Because mothers realise that their girl children will face such discrimination all their lives, many of them make the painful decision to abort the foetuses of girls rather than subject them to lives of hardship. Up and down the line, the network of invisibility, exclusion and inequality is constantly reinforced.

Each South Asian country must formulate and implement its own agenda for the equality of women with men. This is a *sine qua non* for both development and peace in the region.

In chapter 9 the Report provides the framework of an agenda for women's complete equality with men in critical areas such as building capabilities through education and health and providing economic and political opportunities. The agenda identifies achieving gender equality in at least four areas as imperative from the point of view of sustainable economic growth, human development and gender equity. These are: equality under the law, equality in access to capability building, equality in economic opportunity, and equality in governance.

To achieve legal equality, action is required in at least seven areas: enforcement of women's constitutional rights; review and repeal of discriminatory laws; application of the principle of affirmative action; treatment of rape as a crime against humanity, and so-called 'honour killing' as murder; equitable application of family laws; and gender-sensitive legal education across the board.

To achieve equality in access to education and health services, governments must implement the National Plans of Action prepared after the Jomtien and Cairo Conferences. Some of the targets and timetables have been reset at the UN Special Session on Beijing plus Five. However, there is an overwhelming urgency to eliminate gender disparities in education and health if governments are to honour any of the global commitments made in the 1990s.

For economic equality, a combination of enlightened legislation, affirmative action, macro and micro-economic policies, research and gender-disaggregated data collection is needed. In South Asia, women's role in the economy is probably the most neglected area of research.

Actions in five areas have been identified as vital for empowering women in governance structures: the critical threshold of 33 per cent of seats must be reserved for women in all executive, legislative and judicial bodies; political parties must have minimum quotas for women candidates in decision-making bodies and in contesting elections; women must hold powerful cabinet and high-ranking jobs in the public sector; women's capacity to work in decision-making jobs must be enhanced through training; and gender-sensitisation training of male officials at all levels must be undertaken.

To implement the agenda for women's equality outlined in the Report, it is imperative that strong and dedicated institutional structures be in place at the national as well as global levels. At the national level, the Report advocates for a stronger women's ministry with authority and human and financial resources as the ministry of finance or foreign affairs. At the global level, the Report asserts that without a strong UN agency for women women's equality in this century will remain elusive. Women need a powerful advocate at the United Nations to provide leadership to national level bodies to fight for their rights.

The founder of the Human Development Centre, Mahbub ul Haq, coined a deceptively simple phrase prior to the Beijing Summit in 1995 to sum up the effect that gender-based exclusion would have on the cause of development as a whole: If development is not engendered, it is endangered. Simply put, no society has ever developed—or indeed, can ever develop—unless women are fully part of the process and unless they are at least firmly on their way to achieving an equal footing with men. The fact that South Asia lags so far behind in this area is a worrying sign that it will remain mired in poverty, as the poorest, most illiterate and most malnourished region in the world, as well as the least gender-sensitive. The vast majority of the deprived in South Asia are women and girls, and until policy planners in the region see their empowerment as the key to the region's development, their unequal

To implement the agenda for women's equality, it is imperative that strong and dedicated institutional structures be in place at the national as well as global levels

status will guarantee the region's continuing misery.

At the turn of the last century, South Asia was just beginning the battle that eventually freed the region of British colonialism. Now, at the turn of this century, South Asians—men and women alike—must break the shackles of gender inequality and free themselves from centuries of patriarchy. Otherwise, the years ahead will be just as desolate for millions upon millions of South Asians as those that followed the end of colonialism, with true freedom and prosperity still out of reach.

1

Human Development in South Asia at the Dawn of the 21st Century

South Asia's real wealth is its people. We can completely change the economic and political destiny of the South Asian countries if we show the imagination to invest in these people.

– Mahbub ul Haq

Chapter 1

Human Development in South Asia at the Dawn of the 21st Century

South Asia stands at the crossroads between hope and despair

At the beginning of the new millenium, South Asia stands at the crossroads between hope and despair: hope because tremendous progress has been made since the region became independent; despair because this progress has been neither adequate nor equitable. As documented in the previous reports published by this Centre, South Asia has emerged as the poorest, most illiterate, most malnourished, and least gender sensitive region. It has also emerged as one of the most poorly governed regions in the world. South Asia enters the 21st century with 515 million people in absolute poverty, some 400 million illiterate adults, and approximately 80 million malnourished children. Preventable diseases kill 3.2 million children each year. Girls and women form the vast majority of these deprived millions.

The balance sheet of the region must be put in proper perspective to objectively assess the real successes and failures in the context of the last 50 years. This we attempt to do in the following pages before turning to the central theme of the Report.

PROGRESS

Economic progress

During the last half century, there has been significant economic growth in South Asia. Gross domestic product (GDP) per capita has almost tripled since 1960. All three major sectors—agriculture, industry and service—have witnessed reasonable growth rates over the last 30-35 years. In particular, the service sector has expanded greatly; in India, Pakistan, Sri Lanka and Bangladesh, it now contributes over 45 per cent of GDP. Table 1.1 highlights the structural transformation that has taken place in South Asian economies over the last few decades.

The contribution of agriculture to GDP has decreased steadily over time, as primary product prices have gone down in world markets. At the same time, the industrial and service sectors have become more important contributors to

Table 1.1 Economic indicators in South Asia

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Real GDP per capita per annum (PPP, US$)								
1960	617	820	621	584	1,389	n/a	n/a	648
1997	1,670	1,560	1,050	1,090	2,490	1,467	3,690	1,598
GNP per capita annual growth rate (%)								
1965-80	1.5	1.8	-0.3	n/a	2.8	0.6	1.8	1.3
1980-95	3.2	2.7	2.2	2.2	3.2	4.8	n/a	3.0
Agriculture as % of GDP								
1977	38.2	32.3	37.5	63.9	30.7	46.0*	27.4*	37.9
1998	27.5	26.4	22.4	40.5	21.1	38.2	16.4	27.0
Industry as % of GDP								
1977	23.0	22.9	25.0	11.2	20.7	27.4*	15.6*	23.0
1998	26.1	24.7	28.2	22.2	27.5	36.5	18.8	26.1
Services as % of GDP								
1977	38.9	44.8	37.5	24.9	40.6	26.6*	57.0*	39.1
1998	46.4	48.9	49.4	32.3	51.4	25.4	64.7	46.6

**The first figure is for 1987 as opposed to 1977 due to lack of data*

Sources: HDSA 2000 Background Tables; UNDP 1998a; http://www.worldbank.org.

the economy. The trend towards increasing industrialisation has been largely responsible for improved growth rates and has been matched by an increase in employment opportunities (see table 1.2). Countries such as Bangladesh have recently embarked on industry-led growth policies in such areas as garments, following in the footsteps of the more industrialised countries in the region such as India and Sri Lanka. The result has been a large increase in the labour force, and a burgeoning of urban centres. This increase in the labour force is expected to gain momentum over the next few years as well. Increased female employment has also been witnessed in all countries of South Asia.

Significant productivity gains accompanied these structural transformations. Across the board, there have been improvements in output per worker, including in agriculture. In Pakistan, for example, during 1995-97 the agricultural value added per worker in constant 1995 US$ was 585, compared to 392 in 1979-81 (World Bank 1999). This is still low compared to Sri Lanka where, in 1995-97, agricultural value added per worker was US$732. Industrial value added per worker also increased significantly, particularly in Sri Lanka and India. From 1980 to 1994, the net increase was 65.5 per cent and 48 per cent respectively (World Bank 1999). These gains are also reflected in the regions' increasing shares in certain world markets.

South Asia is one of the world's largest exporters of textiles and is able to compete in the world market with most other players. In addition, it is diversifying rapidly into markets such as computer software. Bangalore for example is one of the world's largest software production centres. These markets and others like them are driven by new and innovative entrepreneurial initiative. However, just as critical have been the expanding middle classes that create the appropriate consumer market for these new sectors to emerge. This is perhaps the largest single positive impact of South Asia's economic development in the post-War era. In India, the middle class is estimated to be about 200 million people, and while it is considerably smaller in other countries, the potential for its expansion and parallel growth is enormous.

Table 1.2 South Asia's labour force

	India	Pakistan	Bangladesh	Nepal	Sri Lanka
Total Labour Force (millions)					
1980	302	29	41	7	5
1997	423	48	63	10	8
Labour force average and growth rate (%)					
1980-97	20	29	26	23	22
1997-2010	1.8	3.1	2.1	2.5	1.6

Source: World Bank 1999.

Progress in the political sphere

The political history of South Asia in the post-independence era has been turbulent

The political history of South Asia in the post-independence era has been a turbulent one. Independence, the breakup of Pakistan and the subsequent formation of Bangladesh, are the most conspicuous examples of this turbulence. Nevertheless, over the last 50 years South Asia has made strides toward stability and peace. Most South Asians are now citizens of democratic states. There has been increased decentralisation in political power. These are important steps forward for a region characterised by diversity of religion, ethnicity, class, caste and language.

Currently, South Asia can boast of two long-standing democracies—including the world's largest—and one recently established democracy. Between the other countries, there is a constitutional monarchy, a traditional monarchy, and an interim military government, which has pledged to restore the democratic process in due course.

India, Pakistan and Bangladesh comprise over 95 per cent of South Asia's

The compact between the state, civil society, and the private sector which underpins effective governance is weak in the region

total population. This large majority of South Asians was given the opportunity to establish representative political systems only from 1947 onwards following the end of British rule. It is therefore worth noting, that both Bangladesh and India are now democratically ruled, and Pakistan, having recently reverted to military rule after 11 years of elected governments, hopes to be heading back towards democracy in the near future. India and Sri Lanka have never had any form of government that was not democratically elected. Conversely, Pakistan has been ruled by the military for 26 of its 52 years as an independent country, while Bangladesh has been under military rule for 17 of its 28 years of independence. Nevertheless, these countries too have spent the majority of the last decade under some form of democratically elected government.

The existence of elected governments alone is not the sole criterion for judging the exent of political progress. Indeed, all South Asian countries have been witness to a growth of institutions of governance that promise to articulate the demands of people from the grassroots. These include, for example, the panchayats in India, and the elected provincial councils in Sri Lanka. These institutions are representative bodies at the local level that allow people to take an active role in addressing their own concerns. However, the main threat to the efficient working of these institutions is the pervasive inequalities that persist in South Asian societies, manifested through powerful elite groups which often use these institutions to serve their personal interests. But the great importance of these fledgling local level institutions of governance should not be understated—they are the critical link between the power structure and the citizen.

Another vital element in the maturing of the political process in the region has been civil society organisations (CSOs). These are responsible for numerous, innovative initiatives to improve local level governance. Among the oft-quoted examples include the Aga Khan Rural Support Program (AKRSP) in Pakistan, Bangladesh Rural Advancement Committee (BRAC) in Bangladesh, the Self-Employed Women's Association (SEWA) in India, and the Sarvodaya Sharamadana Movement (SSM) in Sri Lanka. The success of these public-interest groups has been due to their ability to organise people at the local level and thereby fill the institutional vacuum that has become apparent over the years. In many ways, for there to be a representative political system, traditional decision-making institutions at the local level need to be revitalised in the shape of more democratic and egalitarian structures. This has been done in India in the shape of the panchayat system. CSO initiatives have been instrumental in helping this transformation come about. The result has been the formation of many supra-village level groups often called community-based organisations (CBOs) that are able to effectively act as independent bodies advocating for the needs and rights of common people.

The compact between the state, civil society, and the private sector which underpins effective governance is weak in the region. However, there are signs that many important coalitions are being, and will continue to be, formed. In addition, established civil society initiatives are being strengthened significantly. The fact that there is institutional progress at all levels indicates that an ethic is developing—however slowly—to ensure that the democratic process permeates society, not only in the form of federal level elections, but at the local and provincial levels too. In this regard, other important steps made towards progressive political set-ups in the region include the fact that there have been increasing opportunities for women and underrepresented minorities, once again not necessarily through seats of government per se, but through CSOs and the private sector.

Indicators of political progress are considerably different across different parts of each country. For example, the

panchayat system has been operational and successful in Karnataka and West Bengal, while relatively weak in other states of India. Similarly, CSOs have been much more successful in mobilising people and creating local level institutions in the North West Frontier Province and North and Central Punjab than in Southern Punjab and interior Sindh in Pakistan. This is because the social, cultural and economic barriers to such initiatives are much more powerful in the latter areas—these areas are commonly associated with the persistence of the traditional feudal system characterised by a few large landholding estates and masses of smallholding farmers and landless peasants. In any case, the prospects for continuing progress are good, so long as the successful efforts are acknowledged and continue to be used as benchmarks for other initiatives. The spread of these types of institutions promise real development through a healthy and free political system.

Progress in social sectors

Political and economic progress in the post-War era has been complemented at times by healthy progress in social indicators. Indeed, there have been startling improvements in certain areas: between 1960 and 1997, life expectancy has increased from a minimum of 11 years in Sri Lanka to a maximum of 24 years in Bhutan, with the average increasing from 44 years to 63 years. Similarly, adult literacy rates have increased dramatically—by as much as 25 per cent in Nepal—between 1970 and 1997. The region's average literacy rate has increased from 32 per cent to 51 per cent. These improvements reflect great enhancements in the quality of life for the majority of South Asians. Indeed, the magnitude of these changes is only slightly less impressive than how quickly they have come about. No single era of South Asian history has been witness to such rapid advances in health, education, nutrition and human development in general.

As always, when discussing human development in the region, Sri Lanka and the Maldives stand out due to their impressive initiatives in the social sectors. Particularly impressive is the extent to which education has been prioritised in these two countries. With over 90 per cent of adults literate, these countries have achieved one of the primary prerequisites to long-term and pervasive economic and human development, as is evidenced by the initial experience of East Asia and other newly-industrialising economies (NIEs) such as Malaysia. The other countries in the region, while still far from having adequate education facilities and attainment levels, have managed to make substantial headway into the problem of reducing illiteracy. In Pakistan, adult female literacy has increased by almost five times in the period 1970-95 (Haq and Haq 1998). The larger number of people who are educated in the region promise that the emphasis on education will continue to grow over time. Table 1.3 summarises some of the impressive strides that South Asia has made.

The larger number of people who are educated in the region promise that the emphasis on education will continue to grow over time

Table 1.3 Education

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Combined 1st 2nd and 3rd level gross enrolment ratio (%)								
1980	40	19	30	28	58	7	n/a	37
1997	55	43	55	59	66	12	74	52
Combined adult literacy rate (%)								
1970	34	21	24	13	77	n/a	91	32
1997	54	41	39	38	91	44	96	51

Source: HDSA 2000 Background Tables.

Health status in South Asia has improved across the board. A person born in South Asia can now expect to live almost twice as long as someone born 50 years ago

Health status in South Asia has also improved across the board. A person born in South Asia can now expect to live almost twice as long as someone born 50 years ago. Once again, Sri Lanka offers a great example of appropriate people-centred policies: life expectancy in Sri Lanka at 62 years in 1960 was approximately what India's life expectancy was in 1998. Sri Lankans can now expect to live for 73 years—only 4 years less on average than those living in the industrial world (UNDP 1999c).

Access to basic preventive healthcare has also resulted in dramatically reducing mortality rates. Child immunisation against preventable diseases is not quite universal across the region yet, but great gains have been made. In 1980, the South Asian average for one-year olds that had been fully immunised against tuberculosis and measles was 13 per cent and 1 per cent respectively, and in 1997 these figures were 95 per cent and 79 per cent (MHHDC 1999a). Infant mortality rates have dropped by 65 per cent in Nepal and 51 per cent in India. In 1998, all South Asian countries had succeeded in reducing infant mortality rates to below 100 per 1000 live births, compared to 1960 when only Sri Lanka at 90, had such a rate. Table 1.4 illustrates the improvements in health made in the region.

The dramatic improvements made by South Asian countries are the result of policies directed towards achieving human development goals. As is evidenced by the facts, there has been a much stronger commitment in some countries than in others. It is also the case that many of the basic policies have been put into place in all countries. For example, primary education and basic immunisation are two of the most straightforward and important ways of enhancing education and health outcomes amongst the majority of people. It is therefore important to recognise that some inroads have been made in these areas because of appropriate people-centred policies.

CHALLENGES

Poverty and human deprivation

Yet colossal human deprivation pervades South Asia. Progress in some areas, as mentioned above, has been made compared to the initial conditions at Independence. But high population growth rates in some countries have neutralised progress achieved earlier. Also concern for human development has not been enough of a priority for most policy makers in the region. The result is that there are now increasing absolute numbers of people without adequate health and sanitation, more under-nourished children, and more and more people who are functionally illiterate. Also increasingly important is the withering away of traditional livelihoods due to unsustainable environmental practices. A prosperous future for South Asia is dependent on the solution of these problems, and a commitment to ensuring that all South Asians attain a decent and dignified standard of living.

While South Asia has not enjoyed growth rates as spectacular as those of the East Asian economies over the past 30-40 years, there is no doubt that the region has made progress in expanding its economic frontiers.

Table 1.4 Health & nutrition

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Life Expectancy at birth (years)								
1960	44	43	40	38	62	37	44	44
1998	63	64	58	58	73	61	65	63
Infant mortality rate (per live 1000 births)								
1960	144	139	151	212	90	175	158	144
1998	69	95	79	72	17	84	62	72
Daily calorie supply (as a % of requirement)								
1966	89	76	91	87	100	n/a	n/a	n/a
1997	114	107	97	108	99	n/a	82	111
Under-weight children under age 5 (%)								
1975	71	47	84	63	58	n/a	n/a	69
1997	53	38	56	47	34	38	43	51

Source: HDSA 2000 Background Tables; MHHDC 1999a; UNDP 1999c and UNDP 1990.

The annual growth rate of GNP in South Asia between 1975 and 1995 was 3 per cent, which is second in the world only to East Asia (see table 1.1). However, when one looks beyond these basic figures, it is clear that there has been little in the way of actual improvements in standards of living for the majority of people. With the exception of India, which has been relatively successful in poverty reduction efforts, and continues to be so, the rest of South Asia has witnessed increasing poverty since the late 1980s. Indeed, the growth rate quoted above falls drastically to 2.2 per cent when India is excluded, and in fact, in real terms (1987 US$), excluding India again, South Asia's per capita annual growth rate in the same time frame is actually -0.3 per cent (UNDP 1999c). Unfortunately this is just the tip of the iceberg.

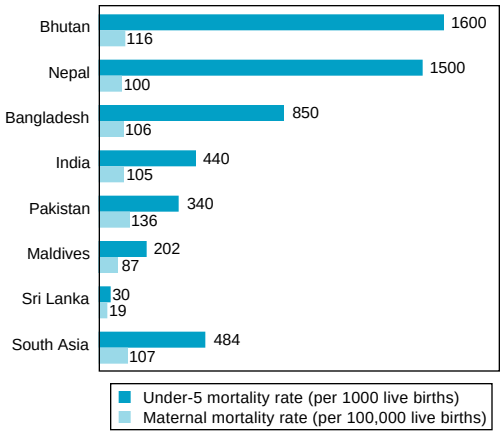
What growth has been experienced has been largely limited to the elites in the region. Income inequality has increased significantly. As *Human Development in South Asia 1999* pointed out, the numbers of absolute poor in the region have increased from 270 million people in the 1960s to approximately 515 million people in 1995. 90 per cent of rural Bhutanese live below the poverty line (ILO 1998). Pakistan has witnessed an increase in the Gini coefficient of inequality from 0.35 in 1987 to 0.42 in 1994, with its lowest income group suffering a decline in real income to the tune of 56 per cent since the late 1980s (MHHDC 1999a). The reasons for this continuing anti-poor growth are many, but most can be attributed to wholly inappropriate policies and poor governance, which have resulted in corruption, fiscal irresponsibility, and increasing poverty and unemployment.

The education problem promises to be just as threatening if not countered immediately. South Asia is home to most of the out-of-school children in the world (Haq and Haq 1998). Bhutan's net enrolment ratio at the primary level is a dismal 13.2 per cent, while Bangladesh has 21.6 per cent enrolled at the secondary level. Both of these figures are well below the least developed country averages of 60.4 per cent and 31.2 per cent respectively (UNDP 1999c). Adult literacy has only increased from 17 per cent to 49 per cent between 1970 and 1995 compared to 71 per cent for developing countries as a whole (MHHDC 1999a). Dropout rates are also high. Many South Asians—often pressed by acute economic need—decide not to invest in education because there seems to be little reward to doing so. In particular, the current employment situation in countries like Pakistan and Sri Lanka is worst for educated youth. In this regard, vocational and technical training is essential to ensure that South Asian youths are trained in job-oriented skills to meet the challenges of the new century.

Child and maternal mortality rates in the region are still high, in particular for Bhutan (see figure 1.1). Diseases such as malaria and tuberculosis are staging a comeback, and the new, frightening AIDS epidemic is becoming a major health problem. Unfortunately, there is limited documentation of AIDS cases in South Asia, primarily because there is little awareness among large parts of the population about the disease, its symptoms, and its treatment. There is also a serious social taboo associated with the disease, which ensures that it is rarely talked about in public. In India, which has the largest number of HIV positive cases in the region at a reported 4 million, there seem to be more concrete measures

What growth has been experienced has been largely limited to the elites in the region

Figure 1.1 Still too many



Source: HDSA 2000 Background Tables.

Urban overcrowding is becoming a major problem due in part to massive levels of rural to urban migration

being taken to deal with the problem through the setting up of counselling centres, emergency facilities and the like. Pakistan and Bangladesh, not yet as severely affected—at least officially—are likely to face a growing AIDS problem in the coming years because of the high incidence of sex workers and poor blood transfusion practices.

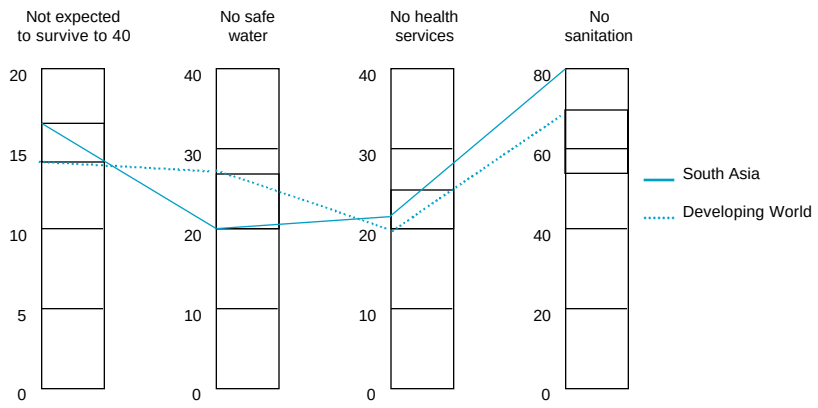
Public expenditure on the social sectors continues to be insufficient. The lack of political will demonstrated by those making policies can not be understated. Sri Lanka, long noted for its superior human development record, has also cut social sector expenditure in recent years: its public expenditure on health as a percentage of GDP has decreased from 2 per cent to 1.4 per cent between 1960 and 1995 (UNDP 1999c). This is representative of a major trend across the region, which means that there are still vast numbers of people without access to proper health, education, and sanitation facilities. Figure 1.2 highlights this acute situation. The fact that basic human needs are not being met is indicative of how the problem of underdevelopment still persists, and that too, in massive proportions.

Alongside human deprivation, there is the frightening prospect of deterioration of the environment, which if allowed to continue, threatens to permanently damage ecological systems. Pakistan has the eighth worst annual rate of deforestation in the world at 2.9 per cent (UNDP 1999c). Since the 1980s, there have been limited improvements in environmental practices in South Asia with the exception of initiatives of the non-government sector such as the Chipco movement in India. Unsustainable practices can be attributed to two basic factors. First, there is the scant disregard that some interest groups pay to the environment. For example, land mafias, timber mafias and large scale industrialists are often unconcerned about how their profiteering will affect present and future generations who rely on natural resources for their livelihoods. They also ignore the very basic problem of depletion of the natural resource base.

The other reason for ecological degradation is poverty. The vast numbers of poor people in the region are starved for sustainable livelihoods and a combination of this basic need and a lack of awareness leads to their engagement in practices that harm the environment. This vicious cycle of poverty and environmental degradation is lethal: it is indeed one of South Asia's major concerns that long-term pressures on grasslands due to rapid growth in human and livestock populations is resulting in biodiversity loss (UNEP 1999). Land is not the only natural resource in danger: coastal areas are also suffering from neglect as a result of inappropriate policies that favour large resource-extraction enterprises over small ones, and industrial tycoons over small entrepreneurs.

Urban overcrowding is also becoming a major problem due in part to massive levels of rural to urban migration and the inability of current metropolitan centres to cope. The result has been the mushrooming of slums and squatter settlements—50 per cent of Colombo's population resides in slums (UNEP 1999). The figure for cities such as Dhaka and Karachi are not very different. Among other social and economic ills, these slum areas are often breeding grounds for diseases due to poor health and sanitation facilities. Unfortunately, there have been very limited attempts to deal with urban squatters except for

Figure 1.2 Human deprivation in South Asia (%)



Source: HDSA 2000 Background Tables; and UNDP 1999c.

Box 1.1 The phenomenon of urban slums in South Asia

Labour surplus in rural areas in South Asia has led to a constant flow of migrants to urban areas. This has resulted in the explosion of mega-cities in the region. In large cities such as Calcutta, Dhaka, Mumbai, and Karachi, millions of people reside in illegal squatter settlements, predominantly on government-owned land. These slum areas are provided with basic amenities arbitrarily and often through an intricate web of corrupt government officials and land mafias. These settlements then expand rapidly as these are the only real viable housing options for new low-income migrants. At the same time, later generations of slum dwellers also need to find space for increasingly large families.

The state's failure to meet the needs of poor people is conveniently hidden from time to time by large-scale demolitions of these slums. This has happened across the region. The reason behind such demolitions is unclear—while on the one hand, these operations may temporarily clear the city of settlements, they do not address the long-term issue of inadequate housing facilities for the poor. Government policies with regard to such settlements are often inconsistent—they are left alone, even encouraged to flourish for decades, and then they are arbitrarily torn down when it is thought appropriate with no thought for the human cost. Another interesting phenomenon is the large vote bank that these slums represent. As these are concentrated settlements comprising large proportions of city populations, they can be great sources of political power. This means that politicians will cater to the needs of the slum-dwellers only when it is in their interest to do so.

The responses from slum dwellers to reactionary policies on the part of the government have varied. There have been large-scale rallies and demonstrations in Dhaka against forced evictions, resulting in a High Court decision decreeing that evictions defied basic principles of human rights and dignity. On the other hand, evictions in Pakistan have hardly met with any public opposition as the poor have little voice in an elite dominated culture.

Efforts to truly address this problem have rested primarily with civil society groups. The well documented successes of the Orangi Pilot Project (OPP) in Pakistan and SSM in Sri Lanka stand out. However there have been some government initiatives such as the Sindh Katchi Abadi Authority (SKAA) which has been quite successful in organising slum residents and working towards long-term housing settlement. This proves that if there is political will and commitment to fulfilling the state's commitment to the poor, solutions can be identified.

Source: MHHDC staff.

sporadic efforts to destroy settlements when they become too conspicuous (see box 1.1). This is hardly a desirable or humane solution to the problem of urban congestion, and it definitely does not address the root cause of the problem. The other threats to the environment, which result from congestion and overcrowding, include increasing quantities of solid waste, often inadequately managed, and uncontrolled pollution.

Systemic governance crises

As discussed in *Human Development in South Asia 1999*, South Asia is one of the most poorly governed regions in the world. That Report highlights the governance failures in South Asia on several fronts. For example, the formal institutions of governance in the region often bypass the many unfortunate people who suffer from multiple deprivations on account of their income, religion, gender and ethnicity. The poor have not only been excluded from the benefits of growth but have also failed to gain political empowerment. Some of the worst consequences of their exclusion are seen in the high rates of crime and violence throughout the region.

Income disparities in South Asia are amongst the largest in the world. The richest one-fifth of South Asians earn almost 40 per cent of the region's income, while the poorest one-fifth earns less than 10 per cent. All the countries in the region have a dramatic concentration of wealth and power among their richest members.

The poor have not only been excluded from the benefits of growth but have also failed to gain political empowerment

Women in South Asia are worst off, contending with exclusionary practices embedded in society from the time they are born.

In many South Asian countries, democracy is fast turning into an empty ritual. Elections are often the only bridge between the state and society. People continually feel excluded from the larger political process through which decisions that directly affect their livelihoods are made.

Pervasive corruption in South Asia has led to a shift in government priorities away from crucial services and towards areas that afford greater rent-seeking opportunities

The dominance of a narrow band of elite reflects the concentrated nature of political power. The concentration and personalisation of state power has coincided with the parallel erosion of institutions of governance. Institutional decay is evident in parliaments that cannot protect peoples' interests, in civil services that are heavily politicised and unable to provide basic public services, and in judiciaries that fail to deliver social justice.

Most South Asians also suffer from inefficient and unjust systems of economic management. Governments are large in size but low in efficiency. Most taxes are regressive, falling far more on the poor and the middle class than on the rich, because nearly 70 per cent of the region's total tax revenue is obtained through levying indirect taxes. This crushing burden of taxation on the poor is not only enormous, but also increasing. In many countries direct taxes as a proportion of GDP have actually fallen in the last decade, while huge sectors of society—most notably agriculture—remain under-taxed or untaxed.

Much of the informal sector has no access to formal credit, even though businesses with strong political connections manage to get huge loans from public banks without paying them back. This has led to a large stock of non-performing loans.

Even the low levels of revenue that the South Asian governments collect largely fail to materialise into pro-poor expenditures. The bulk of public spending in South Asia goes to providing non-merit subsidies, making up the losses of public corporations, and maintaining a large force of civil servants and the military. Total public debt as a percentage of GDP is over 60 per cent in Pakistan, Nepal, Sri Lanka and India, although most of India's debt is domestic rather than external.

Pervasive corruption in South Asia has led to a shift in government priorities away from crucial services and towards areas that afford greater rent-seeking opportunities. Evidence of corruption in South Asia is widespread: in reduced availability and increased cost of basic social services, in allocation of resources for mega-projects, and in the breakdown of the rule of law. There is a growing perception in many parts of the region that corruption has floated upwards—from petty corruption in the 1950s, to mid-level corruption in 1960s and 1970s, to corruption at the very highest levels of the state in the 1980s and 1990s.

Table 1.5 Employment trends in South Asia

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
% of labour force in agriculture								
1970	73	65	84	94	55	95	66	73.3
1990	64	52	65	94	49	94	32	63.1
% of labour force in industry								
1970	12	16	7	1	14	2	20	11.7
1990	16	19	16	0	21	1	31	16.1
% of labour force in services								
1970	16	19	10	4	30	4	14	15.8
1990	20	30	18	6	31	5	37	20.8

Source: UNDP 1998a.

The employment situation in the region is precarious. The most recent official unemployment rate for Sri Lanka stands at 11.3 per cent (ILO 1998). Real wages in the manufacturing and agricultural sectors have declined considerably in the period between 1980 and 1995. In Pakistan in the 1990s, with lower output growth and fewer people migrating abroad, the employment situation has worsened significantly. In

Bangladesh, which has experienced high levels of urban labour absorption and fairly high levels of growth in the same period, there are still insufficient jobs to counter the numbers of people joining the labour force (ILO 1998). In those situations where jobs have become available in industries such as garments, incomes are far from enough to support families. Table 1.5 highlights the disproprotionate share of the workforce still concentrated in agriculture. All of these factors contribute to increasing desperation and deprivation.

Regional Cooperation

Recently, much has been made of the need for openness, multilateral cooperation, and free markets. As things stand however, the reality is that there are just as many regional trading blocks and interest groups as ever before. However, South Asia has yet to come together as a region in order to reap the benefits that come with regional economic integration. Within ASEAN, intra-regional trade at 22.2 per cent of GDP is quite high. This is second only to Europe's 34 per cent. On the other hand, intra-regional trade among South Asian nations is very low at 3.9 per cent of the region's GDP.

The South Asia Association for Regional Cooperation (SAARC) was South Asia's attempt to create unity within the region. Set up in 1985, SAARC has not made any significant headway by way of regional economic integration. So far SAARC has only one real achievement—the setting up of the South Asian Preferential Trade Agreement (SAPTA) in 1993. SAPTA was envisioned to lead to the formation of a South Asia Free Trade Area (SAFTA). The agreement, which took effect in December 1995, was very cautious and was based on product-by-product tariff reductions. There was a 10-25 per cent preferential reduction in tariffs agreed upon on 226 items. But the agreement is quite weak in the sense that the members reserve the right to withdraw at any time. The overall effectiveness of SAARC is rather limited and decreasing.

The actual extent of trade and cooperation within the South Asia region has declined steadily, except for some minimal increase between India and Nepal. The averages, however, are highly skewed by the trade patterns of India and Pakistan since they are the two largest economies in the region (table 1.6).

The lack of cooperation within SAARC prevails in an environment where it is clear that there is much to be gained from cooperation in terms of poverty reduction, social sector development, tourism, energy, transport and communication. At the tenth SAARC Summit in Colombo in 1995, a Social Charter was proposed to deal with many social issues and with combining efforts to address the many deprivations faced by the largely poor, uneducated, and under-served populations in the region (Anisuzzaman 1999). Despite this, actual progress has been limited.

There have been many analyses showing the efficiency gains from cooperation. Empirical studies on the trade of India, Pakistan, Bangladesh and Sri Lanka find that expanded cooperation benefits all countries, in particular with regard to GNP growth (Naqvi *et al.* 1984). Two separate studies to determine the effects of a possible regional trade agreement in South Asia have shown trade and welfare enhancing effect

The lack of cooperation within SAARC prevails in an environment where it is clear that there is much to be gained from cooperation in terms of poverty reduction, social sector development, tourism, energy, transport and communication

Table 1.6 South Asia intra-area trade, % of total exports

	Bangladesh	India	Nepal	Pakistan	Sri Lanka	Total
Bangladesh						
1990		1.3	0.7	1.3	0.1	3.4
1993		0.4	0.2	1.3	0.6	2.5
India						
1990	1.7		0.3	0.2	0.7	2.9
1994	2.5		0.5	0.2	1.4	4.6
Nepal						
1990	1.6	12.2				13.8
1993	0.3	9.9		0.2	4.5	14.9
Pakistan						
1990	1.8	0.9			1.2	3.9
1994	1.6	0.6			0.9	3.1
Sri Lanka						
1990	0.5	1.1	0.1	1.7		3.4
1994	0.2	0.7		1.3		2.2

Source: Rahman 1998.

(Srinivasan and Canonero 1993a, 1993b). The main findings indicate that high transport costs associated with internal trade in the larger countries and with partners outside the region, can be lowered by increasing intra-regional trade. This will benefit all trading partners. Furthermore, new trade in goods and services can be generated that could have a significant growth-enhancing effect. While regional liberalisation would benefit all countries, the benefits would be greater for the smaller economies of the region.

The concept of national security through the build-up of conventional and nuclear forces is meaningless if human security needs are not met

There is reason to believe that there are some sectors that would gain considerably by regional integration. Cooperation in sectors such as gas and electricity could be substantial. In addition, there is potential for trade in manufacturing inputs that would reduce energy price shocks. Estimates of demand and substitution elasticitites for manufacturing sectors in Pakistan, India and Bangladesh indicate a high degree of substitutability among capital, labour and energy resources (McNown *et al*. 1991). Higher energy prices can be partially compensated for by greater use of non-energy inputs, specifically both capital and labour in India and Pakistan. Labour-abundance in both countries is a factor that encourages this adjustment. The trade of capital inputs is likely to benefit both countries also. The effects of a regional trade agreement on employment could also be positive.

There is no shortage of empirical evidence to prove that South Asian nations have much to gain from increasing trade cooperation, and opening borders to one another. The evidence does not even take into account the non-trade barriers that are likely to be removed in the context of a regional agreement.

The constraints to regional cooperation are all too evident. Neither India nor Pakistan—and later Bangladesh—have ever been able to establish stable relationships with one another. Constant tension has put pressures on the region which have undermined peace, prosperity and progress. Sri Lanka too has been embroiled in a civil war which has crippled the country and has almost entirely overshadowed its otherwise tremendous human development record. While there are other potential bottlenecks to regional cooperation, such as underdeveloped communication links and infrastructures, these are rapidly improving, and are not nearly as large an impediment to cooperation as is the perennial conflict between the countries of the region.

The spiraling of conflict into nuclearisation of the region has intensified the problem. The nuclear tests conducted by India and Pakistan in April and May 1998 have further compromised human welfare in the region. The only hope of improving the strained relations between South Asian countries—and this extends to beyond just the Indo-Pak situation—is to highlight the immense gains that are possible if South Asia focuses on mutual cooperation. As pointed out very clearly in *Human Development in South Asia 1999*, the concept of national security through the build-up of conventional and nuclear forces is meaningless and if human security needs are not met and countries do not feed, clothe and shelter their citizens. The growing disillusionment with elected governments across the region highlights this. The initial euphoria in India and Pakistan over becoming nuclear powers died down as common people were adversely affected by sanctions. Rising prices continue to reduce the purchasing power of consumers, and rising unemployment only exacerbates the problem. Corruption also dominates the political landscape. Thus there is a feeling that South Asians may be prepared to listen to rational arguments for cooperation over conflict in order to secure more prosperous, safe, stable, and ultimately, better lives.

Progress and challenges: their impact on South Asian women

The human costs of poor governance, regional economic non-cooperation and military confrontation are heavier on women of the region. Women bear the brunt of the lives lost as a result of disease, hunger, civil and military strife and poverty. Women and girls in the region face discrimination in access to health, education, employment, and in all other areas. In addition, they are the victims of some oppressive and rigid customs and traditions that perpetuate their disadvantage. They bear children early and often, and are pressured to produce sons rather than daughters. Many perish in the process. Many women become victims of so-called 'honour killings', *karo kari*, *sati*, and other crimes against humanity.

A weak judicial system fails to uphold women's rights, and struggling economies provide opportunities predominantly for men. The lack of regional cooperation and the relentless forces of globalisation combine to put a further squeeze on poor women working in the informal sector, as large corporations swallow up small entrepeneurs.

The latest challenge of nuclear conflict is even more frightening. The prospect of such conflict affects all South Asians. It is crucial to halt this foolish waste of resources and to insist that governments redirect their priorities towards human needs. The women of South Asia, as well as all over the world, are builders of peace (see box 1.2). Their response as a united force to the many challenges they face is a shining testimony to their unwillingness to succumb to adversities. In this Report, we seek to highlight the many barriers that South Asian women face and to inform the world about their fight to achieve equality.

A weak judicial system fails to uphold women's rights, and struggling economies provide opportunities predominantly for men

Box 1.2 Leading lights: Women's Initiative for Peace in South Asia

South Asian women are already on their way to building peace in the region. Women's Initiative for Peace in South Asia (WIPSA) is composed of NGOs and individuals who are convinced that peace is no longer a choice but an imperative for survival in South Asia. WIPSA-organised seminars, conferences and people-to-people contact groups have been sensitising people through the media about the need for building peace. These are the leading lights of South Asia—the lawyers, social scientists, activists, journalists, students and housewives who are doing what their policymakers are failing to do—to provide a safe and peaceful environment for the people to live and prosper.

In late March 2000, a solidarity conference of women from across the sub-continent was organised in Islamabad. The objective of the conference was to promote peace in the region, and to emphasise that South Asian women are committed to avoiding conflict and war at all costs. The women activists who took part expressed an unwavering commitment to peace and to a united movement towards mutual cooperation. Then in April and May, groups of Indian and Pakistani women travelled across the border to meet people at all levels to talk about peace and cooperation.

In 1999, WIPSA organised two programmes for promoting world peace. On August 6th Hiroshima Day, it held meetings in different cities in India, Pakistan, Bangladesh and Nepal to protest against increasing conflicts in South Asia in the wake of nuclear tests by India and Pakistan. In December, WIPSA initiated the formation of 'human chains for peace' in India, Pakistan, Bangladesh, Nepal and Sri Lanka.

All these events were a stark reminder to the political leadership of South Asia that there is a vibrant and determined civil society, with women at the forefront, advocating for an end to the years of conflict which has already cost the region so much. The vigour of the participants was complemented by a positive response from the media, and regional organisations. South Asian women have made it clear that they reject nuclearisation and unproductive use of the region's resources, and will continue to raise their voices to dispute the decisions of those who perpetuate the conflict.

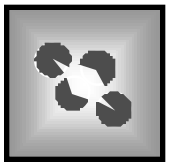
Source: MHHDC staff.

2

Women and Gender in South Asia

It is important that we place this revolution for gender equality in its proper development perspective. The gains made by women do not mean a loss for men, much less for society. … Gender equality is a necessary condition for sound human development.

– Mahbub ul Haq



Chapter 2

Women and Gender in South Asia

'Sex' represents the biological differences between females and males. 'Gender' represents the socially-constructed differences between women and men, girls and boys, in a given society

Over the past three decades, theorists, practitioners and activists involved in both women's movements and women's studies around the world have developed a set of terms and concepts, much of which has fallen into common usage. However, specialists and non-specialists alike often use these terms in ways that confuse important practical and theoretical distinctions, such that original meanings are lost, arguments undermined, and policy implications misunderstood.

Thus, before undertaking any analysis of 'women's position' or 'the gender question', it is important to discuss what we mean by these terms, and, in the process, develop working definitions of key concepts. Moreover, in the context of this Report's regional focus, it is important to explore the extent to which concepts central to discussions of women and gender in the development process are grounded within the realities of South Asia.

Sex, gender, and women's issues—what's the difference and why does it matter?

Most gender theorists consider the distinction between the concepts of sex and gender as fundamental, but 'women' and 'gender' continue to be used interchangeably. For the sake of clarity, in this Report an attempt is made to use the terms according to standard definitions. *Sex* is used to indicate the *biological* differences between females and males. It is the case across time and cultures, for instance, that females can bear and nurse children, and males cannot. Gender, on the other hand, represents the *socially-constructed* differences—in terms of accepted attributes, roles and relationships—between women and men, and girls and boys, in a given society.

Originally a grammatical term, 'gender' as a sociological concept was introduced only in 1971 in Oakley's publication *Sex and Gender*. While 'gender' is now in common usage in English and other European languages, many non-European languages, including those of South Asia, do not have an equivalent term.

Gender refers not just to women, but to both women and men and to the interactions between them. The concept assumes that the gender differences apparent in every society have been created and reproduced through socio-cultural, religious, political and economic factors—lenses through which biological difference has been viewed and interpreted. Thus, while women's childbearing abilities are part of their *sex*; the confinement of women to the home in many cultures is due to their *gender*.

Indeed, most of what has been traditionally labelled as the sexual division of labour is in fact a *gender* division of labour. In this way, opinions vary in terms of which attributes constitute biological difference (sex) and which are socially determined (gender). The notion of 'biological difference' is often used to justify discriminatory beliefs about women and men's relative intelligence, emotional behaviour, or suitability to certain jobs.

Through an analysis of *gender relations*—the social relationships and power distribution between the sexes in both the private (personal) and public spheres—we can begin to understand how such gender inequalities are created and reproduced within South Asian households, markets, states and societies. Moreover, in order to develop strategies for change, it is essential to first

understand the factors that underlie gender inequality.

South Asian women are commonly portrayed as among the most oppressed peoples in the world. Indeed, the experiences of the majority of women of the subcontinent are grounded in both poverty and *patriarchy*. In *What is Patriarchy* (1993), Bhasin notes that the term is used to refer to male domination; to the power relationships by which men dominate women; and especially to the system through which women are kept subordinate. Unlike gender, Bhasin notes that patriarchy does have South Asian equivalents that express 'the rule of the father'—*pidarshahi* in Urdu, *pitrasatta* in Hindi, and *pitratontro* in Bangla.

There are different theories surrounding the origins of patriarchy, and the extent to which there has ever been a *matriarchal* society. Indeed, the precise nature of patriarchal beliefs and behaviour vary across cultures and communities and over time. Yet it is clear that patriarchal ideologies and practices pervade political, economic, legal, socio-cultural and religious structures around the world.

Patriarchy constrains women in all facets of life. Control of women's reproductive abilities and sexuality is placed in men's hands. Patriarchy limits women's ownership and control of property and other economic resources, including the products of their own labour. Women's mobility is constrained, and their access to education and information hindered. In these ways, patriarchal structures perpetuate the enduring gaps between the opportunities available to South Asian women and South Asian men.

Despite some measure of improvement over the decades, in almost every case, women are on the losing side of all these gaps. For this reason, our discussion of gender issues in South Asian development tends to focus on women. Yet, by definition, gender issues also concern men, as women's partners in the development process, and as both passive and active agents of women's subordination or emancipation.

In box 2.1, the manner in which men's lives are both constrained and facilitated through patriarchal structures is explored. It is important to recognise that not every individual man subscribes to an overt patriarchal ideology, and not every individual woman is in a subordinate position. Yet there is an overall structure of patriarchy which allows men, in general, more mobility, authority and control, than women, in general. And, as emerged in the seminar described in box 2.1, 'while both sexes suffer due to being locked in their rigid and narrowly defined gender roles, it is the women who pay the price in a much more obvious way.' The clearest example of this are the various forms of violence systematically meted out against women.

In this Report, therefore, the focus is mainly upon *women's issues*, but not in the narrow sense commonly used by South Asian policy-makers, NGOs and the media. The phrase 'women's issues' is commonly used to refer to events, policies and practices perceived as primarily—if not exclusively—having an effect on the lives of women and girls. South Asian women are primarily conceived of as wives, mothers and homemakers, and their responsibilities within this realm define the notion of 'women's issues'. Thus 'women's issues' continue to be primarily located within the social sector, with health—especially reproductive and child health—and girls' education as the centre of attention. Incidents of physical violence against women are increasingly mentioned in the media, but rarely within the context of larger processes of gender discrimination.

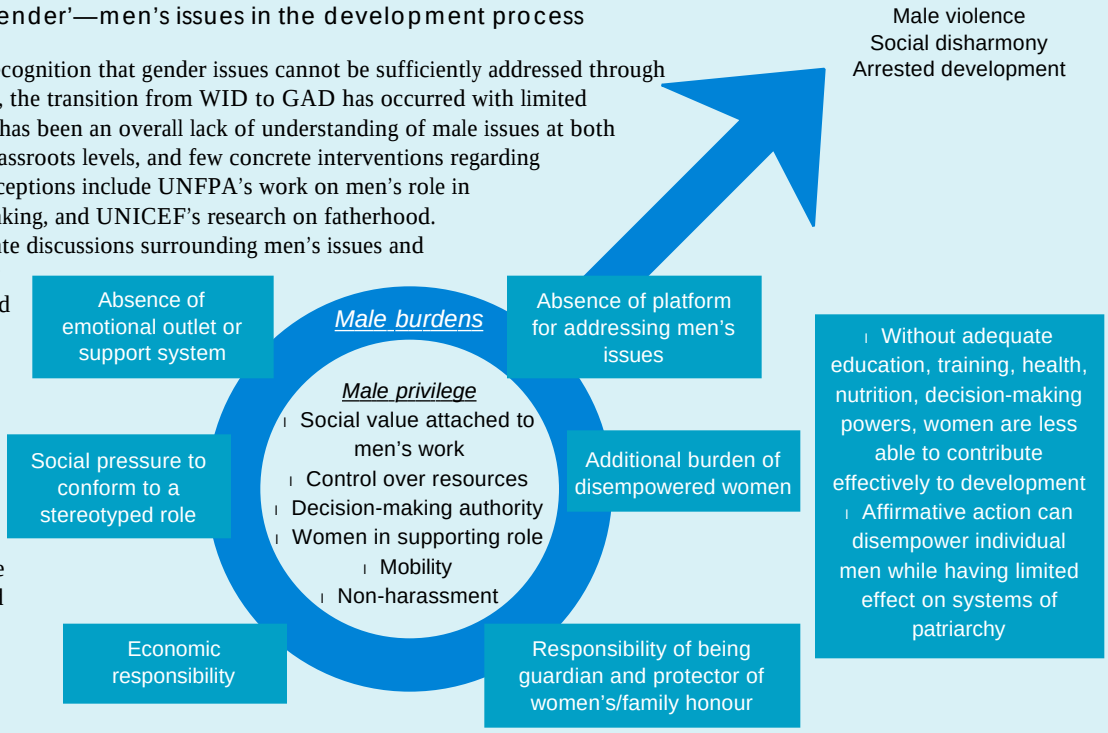
In this Report, we move beyond the usual focus on women's access to social services, and investigate the opportunities and constraints that women face in the labour market and in the judicial system, as entrepreneurs and as political representatives. *Institutionalized* violence against women is investigated, rather than individual incidents of violence. Further,

'While both sexes suffer due to being locked in their rigid and narrowly defined gender roles, it is the women who pay the price in a much more obvious way.'

Box 2.1 'The other gender'—men's issues in the development process

While there is growing recognition that gender issues cannot be sufficiently addressed through focusing only on women, the transition from WID to GAD has occurred with limited reference to men. There has been an overall lack of understanding of male issues at both the policy-making and grassroots levels, and few concrete interventions regarding male roles. Important exceptions include UNFPA's work on men's role in reproductive decision-making, and UNICEF's research on fatherhood.

In 1998, in order to initiate discussions surrounding men's issues and development, the UNDP Gender Unit in Islamabad hosted a seminar on *The Other Gender*. Seminar presentations touched upon the relationships between sons and mothers, and husbands and wives; the socialisation of boys into acceptable male roles; the sexual abuse of boys; and male violence. During discussions, participants identified several types of problems faced by males due to the gendered and patriarchal nature of society. The group also identified several privileges generally afforded men within the same patriarchal systems.



Sources: Ahmad and Khan 1998; Levack and Rahim 1998-9.

it is recognised that *all* issues are women's issues, as long as people—which include women—are affected.

At the same time, the importance of closing the gender gaps in health and education is not forgotten, as these gaps are an affront to women's most basic rights as human beings. Further, there can never be significant alleviation of the widespread poverty that pervades the subcontinent when a significant proportion of the population is systematically denied the opportunity to contribute constructively to the development of their families, communities, economies and societies.

It also is argued that many policies considered as *gender neutral*—i.e. affecting men and women equally—are in fact *gender blind*. Policy-makers often take established gender relations for granted, and make the implicit assumption that policy impacts do not differ by gender. Yet it is increasingly recognised that all policy decisions have gendered implications. Based on their socially-constructed roles and responsibilities, women and men often have contrasting, potentially conflicting, needs, interests and priorities, as well as different opportunities and constraints.

In order that policy decisions facilitate the livelihoods of *all* people, women and men, it is important to take into account these differentials. Based upon an understanding of the existing gendered distribution of resources and responsibilities, policies can be developed that are intended to leave this distribution unchanged (*gender neutral*); to target the needs of either women or men within the existing distribution (*gender specific*); or to transform the existing distribution in order to create a more balanced set of gender relationships (*gender redistributive*) (March *et al*. 1999).

Land reform, international trade policy, road construction, conflict resolution, fisheries development, taxation, the development of school curricula—every decision made in a community or state can potentially affect women's and men's lives differently. Outside the social sector, gender analyses are rarely undertaken, not

least due to a paucity of women in decision-making positions in these areas. *Mainstreaming* gender refers to the process of institutionalising a commitment to gender analyses throughout policies, programmes and organisations. Rather than locating all the responsibility for monitoring the gender implications of policy within a separate body, such as a Women's Ministry or Gender Unit, mainstreaming requires that each government ministry or NGO programme undertakes gender analyses as part of its normal operations.

At the same time, 'mainstreaming also recognises that achieving gender equality is not only about providing assistance to women and incorporating women into existing structures, but also requires transformative change' (UN SecGen 2000). Separate, women-focussed agencies do have a role to play in monitoring and transforming the policy environment, but agencies can only fulfil these roles if afforded sufficient powers and resources. High-powered, well-funded agencies for women's empowerment are required; these must be developed to be on political and economic par with national-level bodies like ministries of finance, and international bodies like UNICEF and UNFPA (Haq, K 1989).

Throughout this Report, the overriding policy recommendation is that the policies developed by South Asian governments, NGOs and private sector bodies must be gender-aware, in order to halt and reverse processes of gender discrimination that undermine the region's attempts to develop in a way that is both equitable and sustainable. While gender focal points can be important initiators of change (if they possess sufficient political and economic resources), in the long term a commitment to gender analyses must be mainstreamed in order to be effective.

WID, GAD, and rights-based development

In discussions of women and gender in development, scholars and practitioners often attempt to distinguish between women's *practical* needs or interests, and their *strategic* needs or interests. This distinction was defined by Molyneux (1985) and elaborated upon by Moser (1989).

Practical gender needs are those a woman or man requires in order to fulfil her/his socially determined roles. For instance, in order to feed her family, a woman may identify access to food or fuelwood as a practical gender need. Women's issues, as traditionally conceptualised, often concern meeting women's practical needs in order to improve women's *condition*. Meeting practical gender needs does not require challenging the existing division of labour or women's position relative to that of men.

Strategic gender needs, on the other hand, are those which require a confrontation with existing social relationships between women and men. This could include changes in anything from property rights to the relative amount of time women and men are expected to spend in child care. 'In order to change women's *position*, we must address the way gender determines power, status, and control over resources' (March *et al*. 1999).

The practical-strategic and condition-position dualisms have been criticised for several reasons, in particular because they mask overlap and interaction between the achievement of one set of needs and the other. For instance, a woman may define access to credit as a practical need in order to fulfil her role as household caretaker. At the same time, achieving access to credit may imply a shift in traditional gender roles in which activities related to cash are men's domain. Access to credit may have further strategic implications, such as increased status within the household or community, and an increased sense of self-esteem.

During gender planning's relatively short history, essentially commencing with the 1975 declaration of the *UN Decade for Women*, practical and strategic needs have been emphasised at different

'…achieving gender equality is not only about providing assistance to women and incorporating women into existing structures, but also requires transformative change.'

times under different planning frameworks. Before the Decade for Women, development planning concerned with women focused on addressing the practical needs surrounding their reproductive role through essentially a *welfare* approach, emphasising delivery of food, family planning, health care, etc.

The original *WID* (Women in Development) approach, ushered in during the Decade for Women, was initially conceived as an *equity* approach. This approach recognised women's active role in the development process as reproductive, productive and community workers, and emphasised the fulfilment of their strategic needs through direct state intervention. Due to its political nature, this approach was not very acceptable to governments, and was soon replaced by an *anti-poverty* approach, focused on practical needs surrounding women's productive role.

The *efficiency* approach, currently the most popular, focuses on the practical needs of women in all three of their roles. More pertinently, however, it seeks to enhance women's contribution to the development process in order to ensure the efficiency and effectiveness of project interventions. While recognising the validity of the claim that a country's development prospects largely depend on women's full participation in social, political and economic life, Moser points out that the efficiency approach tends to assume that women's time and energy are elastic.

The *empowerment* approach considers women's improved condition and position to be ends in themselves, rather than only a means to broader development goals. This approach focuses on meeting women's strategic needs in terms of their triple role, but unlike the equity approach, focuses on a bottom-up, self-reliant approach. The equity and empowerment approaches have been labelled as GAD (Gender and Development) approaches because of their emphasis on strategic needs. As noted in box 2.1, however, there has been little focus on men within GAD.

The term 'empowerment' has come to mean many different things to different actors in the development field. As Rowlands (1997) points out, the term appears in the language of, among others, neo-liberals, neo-Marxists, feminists, and Third World grassroots groups, indicating its broad utility as a concept. In this Report, we define 'empowerment' as comprising increased power in the economic (material), social, political, and/or psychological realms, and consider this in conjunction with people's identification of their own problems and needs. Ackerley's (1995) consideration of empowerment is usefully adapted:

> '*Empowerment* can be considered a change in the context of a woman or man's life that enables her/him increased capacity to lead a fulfilling human life, characterised by external qualities such as health, mobility, education and awareness, status in the family, participation in decision-making, and level of material security, as well as internal qualities such as self-awareness and self-confidence.'

This broad definition allows for the existence of individual and flexible understandings of empowerment in the economic, social, political and psychological realms.

More recently, many activists have turned to a *rights-based approach* to the development process, and to realising gender equity in particular. A rights-based approach sets the achievement of human rights and the creation of an enabling environment in which human rights can be enjoyed as the main objectives of people-centred sustainable development, as well as the means to achieve it.

In this way, a rights-based approach transcends sectoral concerns, and can encompass the concepts of *welfare, anti-poverty, equity* and *empowerment* as facets of the rights of all people. While the achievement of human rights is considered an important means to other

developmental ends within the rights-based approach, because human rights are the ultimate objective of all development processes, the *efficiency* argument is not often employed in rights-based approaches. Savitri Goonesekere (1998) clearly explains the benefits of a rights-based approach, in terms of the legal enforceability, state responsibility and moral authority pertaining to human rights (see chapter 5).

In the Asian context, the forging of links between women's rights and human rights movements has been hindered somewhat by the belief that 'Asian values'—based upon community rights and individual responsibilities—are incompatible with Western notions of individual rights. Further, 'countries with a strong religious tradition that is integrated into state administration and governance often perceive human rights as a secular ideology antagonistic to religion and cultural traditions' (ESCAP 1999c).

The Third and Fourth World Conferences on Women in Nairobi and Beijing (see chapter 3) have helped build consensus on these issues, exemplified in the *Jakarta Declaration for the Advancement of Women in Asia and the Pacific* (1994). Indeed, '…it is increasingly being recognised that an unqualified human right to freedom of conscience and religion does not justify the manifestation of religious belief in practice and observance so as to undermine or violate gender equality' (*Ibid*.).

In this Report, it will be maintained that true development both consists of and depends on the complete recognition and fulfilment of the universal political, civil, economic, social and cultural rights of all people.

Feminism(s)

We conclude our discussion of sex and gender concepts in South Asia with a brief look at feminism. For many activists and academics involved in movements for women's equality, advancement or empowerment, feminism should have heralded and sustained this chapter, rather than only entering the discussion at its end. Indeed, many women, and some men, locate their sense of political, moral and philosophical purpose and motivation—especially but not solely in terms of gender relations—within a system of beliefs and practices that they call feminism. For a feminist, therefore, the exclusion of feminism from any discussion of gender is absurd.

At the same time, many women's movement activists in South Asia, and in other non-Western regions, are adamant non-feminists. This is most often based upon a narrow conceptualisation of the term, in which feminism is considered a Western import and equated with the views of Western middle class, secular, educated women, or with extreme female chauvinism. While these sources and types of feminism do indeed exist, it is very important to realise that there are perhaps as many forms of feminism as there are individual feminists.

Liberal feminists struggle to have women's equality with men recognised and actualised within society as it exists. Cultural feminists work for societal recognition of what they consider women's unique and important role as nurturer. Many other feminists seek to *transform* society into one in which roles and relations based on gender (and other socially-constructed attributes including class, race and disability) are deconstructed and rebuilt in a more egalitarian manner. Some feminists emphasise essential similarities between women. Others focus on difference. South Asia is the intellectual and activist home of certain forms of ecological, socialist and grassroots feminism—some of the women's movements associated with these will be returned to in chapter 9.

Despite this diversity of feminist thought and practice, there seem to be fundamental similarities. The following definition of feminism was agreed upon

The unqualified human right to freedom of conscience and religion does not justify gender discrimination or the violation of women's fundamental rights

by women from Bangladesh, India, Nepal, Pakistan and Sri Lanka, in a workshop run by the Indian women's organisation *Kali for Women* (Bhasin and Khan 1986):

> 'Feminism is an awareness of women's oppression and exploitation in society, at work and within the family, and conscious action by women and men to change this situation.'

Both South Asian women and South Asian societies as a whole suffer due to the low status accorded to women—on this point there is no doubt

Both South Asian women and South Asian societies as a whole suffer due to the low status accorded to women—on this point there is no doubt. At the same time, this Report is founded upon a diversity of beliefs surrounding the condition and position of South Asian women, the reasons for attempting to change women's status, and the best means to do so. We believe that the strength of this Report lies in this combination of diversity of views and unity of purpose.

Diversity—in theory and practice

In South Asia, it often seems that the interaction between, on one hand, religious and cultural beliefs and practices ('tradition'), and on the other, contemporary, globalised social and economic forces ('modernity'), occurs in such a way that structures of patriarchy are reinforced. Indeed, as Drèze and Sen (1996) have demonstrated, 'On their own, the forces of development and modernisation do not necessarily lead to a rapid reduction in gender inequalities.'

As a result, in comparison to men and women around the world (with the possible exception of the women of Sub-Saharan Africa) South Asian women are least likely to be literate; to have access to primary and reproductive health services; to enjoy civil, political and legal equality with men; and to enjoy economic and social security on the basis of their own work.

It is also important, however, to recognise how inequalities based upon gender overlap and interact with those based on other forms of social identity and structures of power. The position of any individual woman—in relation to men in her society, to other women, and to women and men from other communities—is based not only on her gender but is mediated by other factors. In South Asia, gender is crossed by lines of ethnicity, religion, caste, class, education, age, family structure, disability, ecology, and location on a rural-urban continuum.

However, it is not only that a young Sri Lankan Tamil Hindu woman faces different religious and cultural opportunities and constraints to an older Sunni Muslim woman from northern Pakistan. The *gender ideology* of a given community—particularly in terms of relative mobility, decision-making power and access to socio-economic resources—is determined in both a *de jure* (in theory, according to rule) and a *de facto* (in practice, in reality) manner.

The institution of *purdah* (literally curtain) illustrates this point well. Throughout the Islamic world, and touching many non-Muslim South Asian communities, gender relations are intimately related to the concept of *purdah*, defined generally as a set of ideals and practices through which the sexes are segregated, often resulting in women's socio-economic roles being based within the domestic sphere. The rules set out by the Qur'an and the traditions of the Prophet (PBUH), collectively considered as Islamic law (Shari'ah), and the particular interpretation of these rules dominant in a particular Sunni or Shi'a sect, make up what could be called the *de jure purdah* of a community.

The *de facto purdah*—the actual extent to which women interact with non-kin males and move outside *chador-chardivari* (veil and four walls)—is determined not only by these official rules, however, but also by the interaction between rules and local culture and tradition, as well as social change and economic necessity (see box 2.2). Throughout this Report, gender inequality will be examined not only

within its various structural contexts, but also in terms of sources and processes of change—including the activities of individuals, women's organisations and other non-governmental organisations; government policy; and broader socio-economic change.

A study of women's lives in the old city of Lahore, Pakistan (Weiss 1994), notes that over one generation there have been significant changes both in terms of what women are expected to do, and what they actually perform. Women have increasingly been entering the public sphere. This change has been based in large measure on the necessity to contribute economically to the family, especially as globalisation and economic crises alter the traditional male sense of familial obligation. However, fostered by the introduction of labour-saving technologies, the increasing availability of wage labour for women, and women's greater exposure to education and mass media, women's own decisions have also played a significant role in their movement into the public sphere.

Studies of the effects of male out-migration on the roles and responsibilities of South Asian women also suggest that the boundaries between 'home' and 'outside' are elastic in the face of necessity. Whether a household becomes 'female-headed', and what this means in a specific context, depends on the way in which religious, social, economic, legal and demographic factors interact with the nature of the migration. While a household will often remain *de jure* male-headed, this range of factors will determine the extent to which it becomes *de facto* female-headed in terms of decision-making, financial management, the amount and type of labour contributed to the household economy, and consequent mobility.

For instance, it is noted in a study of a village in Uttar Pradesh, Northern India (Ahmed-Ghosh 1993) that high-caste women have been forced to take on the 'outside' duties of sowing and weeding, in addition to 'inside the compound' tasks of threshing, cleaning, storage of grain and complete care of livestock, due to the out-migration of males. However, although these women are undertaking tasks formerly considered 'men's work', these new tasks are considered as household maintenance, not work. This is due to the status implications of women's agricultural labour—only women from poor families work in the fields—and the hegemonic (dominant) gender ideology in the community which denies that women do any work outside the confines of their home. While the manner in which the gender division of labour is played out in a particular context is flexible, the *perceptions* surrounding the division often remain intact long after the practice has changed.

Thus, there are three important ways in which 'South Asian woman' must be considered as heterogeneous: *inter-community* diversity, *intra-community* diversity, and *inter-temporal* diversity. *Inter-community* diversity refers to those differences between women based upon the community in which they live.

The South Asian subcontinent is home to several major religious groups—including Hindus, Muslims, Sikhs, Buddhists, Jains, Parsis, and Christians—as well as many smaller, more localised traditions. Some are made up of several sects, each influenced by the local socio-cultural context as well as the presence of other religious groups. Further, while the gender ideologies espoused in each community are in large measure determined by the hegemonic religious and cultural values, communities also differ in terms of geography, ecology, and predominant system of livelihoods, each with their own influence on accepted gender roles and relations. Drèze and Sen (1996) note, for instance, that in India '*regional* contrasts in the extent of gender bias in child survival are far more striking than the contrast relating to *religious identity*.'

Thus, Buddhism as practised in Bhutan is different from Sri Lankan Buddhism, and Islam has found different modes of expression in different parts of

'South Asian woman' must be considered as heterogeneous. Diversity exists between communities, within communities, and over time

Box 2.2 'Structure' and 'agency'—how Bangladeshi garment workers change the rules

Do culture and society determine our beliefs and behaviour? Or do our beliefs and behaviour determine cultural and social rules, political and economic *structures*? Are we creative human *agents*, actively controlling the conditions of our own lives? Or is what we do the result of social forces and power structures outside our control?

These questions form the crux of a long-standing and central debate within the field of sociology, but their relevance to the struggle for women's rights is obvious. Are the *patriarchal structures* surrounding women's oppression inevitable, permanent, and static? Or can these structures be changed by individual or group action, or through gradual changes in the wider social, political and economic environment? How can we explain the apparent universality and resilience to change of some types of gender discrimination, in the face of the dynamism and diversity of others?

Anthony Giddens' theory of *structuration* attempts to reconcile these two approaches. While recognising that our choices are constrained by the social, political, cultural and economic structures with which we live, Giddens' theory emphasises that structures are also created by human choice and thus we can never be totally imprisoned by them. As structures become established in society, they take on values and meanings of their own, as well as the appearance of permanence. Yet, each person, individually and in groups, makes choices that actively contribute to the creation, support, change and destruction of structures. In order to have a complete understanding of the processes of change, one must recognise both the existence and resilience of structures, as well as the specific contexts and capabilities of *agents*.

There are many different feminist views regarding the origins and nature of patriarchy, and the possibility of changing patriarchal structures. However, most forms of feminism, as well as most women's movements, are grounded in recognition of the potential for change. At the same time, the structures themselves do not allow people equal opportunities to construct and mould social structures and institutions. Gender inequality can be located in women's subordinate status among those who determine societal norms, economic systems, and political processes. Around the world, women continue to be denied equal access to central social, economic, political, religious and cultural institutions, thus limiting their abilities to change the very structures that exclude them. In response to such discrimination, individuals have often identified collective action as a main means to effect positive changes in gender relations.

Kabeer provides an example of how gradual changes in behaviour can lead to broader changes in gender norms. Economic globalization has fostered the growth of an export-oriented garment industry in Bangladesh. Over the past fifteen years, this has lead to the emergence of increasing numbers of young Bangladeshi women into the urban public sphere. Working in the garment industry involves moving about in public and interacting with non-kin males, practices contrary to traditional notions of *purdah*. New institutional arrangements are being developed that minimise interaction between the sexes in the factories, and allow co-workers to relate to each other as kin. Many garment workers themselves attempt to rationalise their behaviour by adapting their own understanding of *purdah*. They often refer to *purdah* as defined by a woman's character and manner, rather than by a veil and seclusion. Many also state that the Qur'an recognises that working for survival is more important than keeping strict *purdah*. In this way, norms surrounding Bangladeshi women's economic activity and mobility are slowly changing. Kabeer explains that,

> 'Paradoxically, … through their attempts to reconcile their practice with prevailing norms, … the workers were, often unintentionally, helping to transform the very norms they invoked to justify their practice.'

Other studies (Amin *et al*. 1997) have noted an increased average age at marriage and first child-birth, not only among garment workers themselves, but also among women who remain in villages from which many women have migrated for garment work.

At the same time, as Drèze and Sen discuss, the effects of increasing female labour force participation are not always positive, and often work in opposite directions. On the one hand, increased access to a cash income and public space can facilitate positive shifts in women's status and agency within the household. Also, an increased market for women's labour may enhance the importance attached to the survival of girls. On the other hand, however, increased outside employment in addition to household work can damage women's health and hinder their ability to care for children. In some cases, one structure—women's role as housekeeper and childminder, for instance—may be more resilient than others—such as those that deter women from working in the public sphere.

Sources: Amin *et al*. 1997; Drèze and Sen 1996; Giddens 1987; Kabeer 1995.

Bangladesh, Pakistan, India, Sri Lanka and the Maldives. In some regions, the hierarchies through which not only women but entire communities are oppressed are far more associated with structures of feudalism than with religion or culture. In other regions, including parts of Bhutan and Southern India, matrilineality (whereby ancestry and inheritance are determined by the female line) is the cultural norm, fostering somewhat greater gender egalitarianism than in those areas which maintain patrilineality (Agarwal 1996).

Hindu Personal Laws in Bangladesh and Nepal have not been modified to the same extent as those in India, such that Bangladeshi and Nepali Hindu women live under a relatively archaic system of rights and responsibilities (UNDP 1999a). Further, because the level of enforcement of laws relies on cultural norms as well as resource constraints, and thus varies both within and between countries, the *de jure* legal or constitutional rights afforded to women is often not translated into *de facto* protection.

Intra-community differences are also important. Demographic factors such as age and position in the life cycle, as well as family size and structure, tend to influence women's status in terms of relative autonomy and mobility. An older Bangladeshi woman with adult sons, for instance, is often able to move more freely in society than her younger counterparts, to influence local politics through her sons, and to control the movement and economic activity of her daughter-in-laws (Gardner 1995). In India in 1991, there were about 33 million widows, or over 8 per cent of the female population—a number comparable to that of male agricultural labourers (Drèze and Sen 1996). Widows continue to be much more vulnerable than widowers—only 2.5 per cent of the male population—due to traditions of patrilineality and patrilocality. The class background and level of education of a woman and her family will also affect her position. And personal factors are often neglected in analyses: a woman's own character and abilities, as well as those of her family, can lead to significant changes in the gendered ideas and practices of individuals and communities. As discussed above, many of these differences create *de facto* diversity.

Finally, women's position in society is not static. Rather, it shifts in response to, and also affects, changes in the economic, social, political, cultural and environmental situation of a community. Thus, there is also *inter-temporal* diversity in the lives of South Asian women. This diversity is often apparent in inter-generational difference. However, processes of globalization have increased the pace of socio-economic change to such an extent that significant changes are often felt within generations. However, as noted above, changes in *de jure* expectations often lag behind changes in *de facto* practice.

'South Asian women' —a useful category?

In the face of this heterogeneity of experience, is it possible to speak meaningfully of 'South Asian women'? Throughout this Report, we maintain that the diversity of South Asian women's experience must inform both analysis of issues and policy recommendations.

Yet at the same time it is clear that women in South Asia do indeed suffer greater poverty of educational, health, economic, political and legal opportunities, relative both to their male counterparts, and to women around the world. By virtue of being both 'South Asian' and 'women', there are several factors that transcend class, religion, culture and locality, and affect the lives of *all* South Asian women. These include responsibility for housework and child care; vulnerability to domestic violence; and the economic vulnerability that reflects women's unequal legal and social status (Agarwal 1996). These commonalities are based upon a shared subcontinental history, based upon layers of religious, cultural, economic and political structures, shaped by centuries of immigration and colonialism, and combined with patriarchal structures which oppress women.

The first challenge for governments and civil society is to recognise and understand that South Asian women face obstacles that both hinder their own efforts to live and prosper, as well as impede broader social and economic development processes in the region. The second, even more challenging task is how to go about implementing change, an issue we turn to in chapter 9.

By virtue of being both 'South Asian' and 'women', there are several factors that transcend class, religion, culture and locality, and affect the lives of all South Asian women

3

Women in South Asia: Beyond Beijing

No nation can develop half-free and half-chained. Empowerment of women—through their full participation in education, employment and political and social life—is vital for this purpose.

– Mahbub ul Haq

Chapter 3

Women in South Asia: Beyond Beijing

The Beijing Platform for Action signified a turning point in the global struggle for women's rights

In 1995, Beijing, China played host to one of the largest global conferences ever. The *United Nations' Fourth World Conference on Women* (FWCW), generally referred to as the Beijing Conference, brought together approximately 17,000 government delegates, representatives of non-governmental organisations (NGOs), international civil servants, and media representatives in the official forum. About 30,000 women and men participated in the parallel NGO Forum at Huairou.

In recognition of the fact that women's equality is a matter of human rights, a condition for social justice, and a prerequisite for broader equality, development and peace, the conference was convened with the primary objective of removing all obstacles to women's participation in all spheres of public and private life. While not standing in isolation as an international conference with specific focus on women (see box 3.1), the enormous momentum created during the Beijing process, as well as the specific and action-oriented nature of the agreed-upon commitments, suggested that the conference and subsequent agreement (the *Beijing Platform for Action*, BPfA) signified a turning point in the global struggle for women's rights.

Through bringing all previous agreements into a comprehensive document, and attaching specific and measurable policy goals, the BPfA was intended to become the definitive international agreement regarding the status of women. While governments have been accorded primary responsibility for the implementation of the BPfA—including the creation of an enabling policy environment—the agreement calls upon all multilateral and non-governmental organisations, at the international, national and local levels, as well as the private sector, to contribute to its effective implementation. And, while encompassing CEDAW's focus on achieving legal, social, political and economic rights, the BPfA both updates CEDAW and extends its mandate to the empowerment of women and the facilitation of women's participation in all spheres of life. Twelve overlapping 'critical areas for concern' are identified in the BPfA (see box 3.2), each with its own list of policy obligations.

Box 3.1 International conferences and agreements with specific relevance to women and girls

1947 *Universal Declaration of Human Rights (UDHR)*
1979 *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*

World Conferences on Women:		*Other relevant conferences:*	
1975	Mexico City	1990	Education For All (EFA), Jomtien
1980	Copenhagen		Children's Summit, New York
1985	Nairobi	1992	Environment and Development (UNCTAD), Rio de Janeiro
1995	Beijing	1993	World Conference on Human Rights, Vienna
			EFA, New Delhi (E9 countries)
(1976-85		1994	Population and Development (ICPD), Cairo
UN Decade for Women)		1995	World Social Development Summit, Copenhagen
		1996	Habitat II on Human Settlements, Istanbul
			World Food Conference, Rome

Box 3.2 Beijing Platform for Action—critical areas for concern

- Institutional mechanisms for the advancement of women
- Human rights of women
- Women and poverty
- Women and the economy
- Education and training of women
- Women and health
- Women in power and decision-making
- Violence against women
- Women and armed conflict
- Women and the media
- Women and the environment
- The girl child

Several complementary approaches to achieving gender equality were incorporated into the BPfA: gender mainstreaming; the life-cycle approach; partnership between women and men; human rights; and gender and development. The mainstreaming, rights-based and partnership approaches have been discussed in chapter 2. Through the life-cycle approach, the BPfA attempts to capture the prevalence and incidence of discriminatory practices affecting women at each stage of life—from birth through childhood and adolescence, adulthood and ageing (UNSecGen, 2000). A 'gender and development' approach, in this context, refers to the integration of gender within an holistic, people-centred approach to development in all its manifestations.

At the Beijing Conference, each country committed itself to developing a national plan of action (NPA), in which both the country-specific situation of women and related policy commitments are elaborated upon. While some reports have yet to be finalised or approved, between 1995 and 1998 an NPA has been prepared for each South Asian country, with the exception of Bhutan. Bhutan has chosen not to prepare an NPA on the basis of the official belief that gender discrimination does not exist in Bhutan. At the same time, however, the Bhutanese government has incorporated the BPfA into the Ninth Plan, and committed itself to bringing women into mainstream development processes.

In June 2000, at a Special Session of the UN General Assembly, representatives of governments and NGOs met to assess the progress made by governments, as well as by NGOs and private sector bodies, towards the commitments made in the BPfA and NPAs; to reaffirm these commitments; and to focus further on obstacles to implementation and on strategies to overcome these obstacles. The implementation of the *Nairobi Forward Looking Strategies for the Advancement of Women*, which was adopted at the Third World Conference for Women in 1985 and forms the basis of the BPfA, was also under review. This process, formally called *Women 2000: gender equality, development and peace for the 21st century*, is commonly known as *Beijing Plus Five* (BP5).

Throughout the world, a stocktaking process was initiated, from the grassroots to the national and regional levels, in order to prepare for the BP5 Special Session. Governments, ideally after consultation with NGOs, the private sector and other civil society organisations, prepared BP5 reports in which good initiatives, major obstacles, persistent and emerging issues, and future actions identified. In many cases, 'alternative' BP5 reports were prepared by NGO networks.

The focus of both the government and 'shadow' NGO reports was on changes in policies, laws, institutions, programmes, the generation and dissemination of knowledge, and, to some extent, resource allocation (*Ibid.*). As four or five years—or two or three from the completion of the NPAs—was an insufficient period in which to assess the results of policy changes, changes in indicators related to women's development were not the primary focus. Further, while not necessarily leading to significant changes in the social, political and economic environment in which women live, policy changes can be considered as an indicator of political will—the lack of which is consistently identified as a major obstacle to change, particularly in the South Asian region.

At the BP5 regional meeting in Kathmandu (1999), poverty, violence and political participation were identified as the priority issues of concern for South Asia. According to participants of this meeting, other issues of special concern to South Asia include the trafficking of women and girls (see box 3.3); disability; ageing; the girl child; refugee women; and women in situations of armed conflict. The effects of rapid economic globalization on women—on access to

Poverty, violence and lack of political participation have been identified as issues of special concern to South Asian women

Box 3.3 The peak of degradation—trafficking in women and children

Trafficking in women and children manifests commodification of women and children and violence against them in one of the most extreme forms. South Asia has emerged alongside South East Asia as a major centre of both intra- and international trafficking of women and girls, primarily for purposes of prostitution but also as domestic and bonded labourers, beggars and smugglers. Major international flows include from Nepal and Bangladesh to India; from Bangladesh and Burma to Pakistan; and from Pakistan and India to the Middle East. Trafficking in very young boys from India and Pakistan to the Middle East, for use as camel jockeys, has also assumed alarming proportions.

There are several factors that facilitate the trafficking process, not least of which is a lack of adequate employment opportunities for poor women. In many cases, women and their families are convinced by trafficking agents (who are sometimes women) that marriage or safe and gainful employment is available in another region or country. In other cases, women and girls are abducted, or are sold by relatives to agents. In the context of acute poverty and gender discrimination, South Asian women and girls become increasingly vulnerable to economic and/or sexual exploitation. In some areas of India and Nepal, girls' vulnerability to trafficking for prostitution is further facilitated by the traditional practice of dedicating girls to temple deities. In many cases the tacit co-operation or active collusion of border guards, law enforcement agents and others in positions of power seem to be central to the lucrative trafficking trade.

Accurate information on the number of women and girls trafficked is impossible to obtain, and estimates vary widely. It has been suggested that one can count the number of trafficked Bangladeshi and Burmese women and girls living illegally in Pakistan, or Nepalis in Indian brothels, in the hundreds of thousands. It has been estimated that between 5,000 and 7,000 girls between the ages of 12 and 20 are trafficked out of Nepal each year.

Trafficked women and children are extremely vulnerable to abuses of the legal system. Not only do these women face persecution under immigration laws, but, in Pakistan, are also often charged under the Hudood Ordinances with *zina* (fornication). In India, about four times as many women than men in the sex trade are arrested—procurers, guardians, pimps and clients are rarely touched. Without local social support network or access to the legal system, foreign women and girls imprisoned in any South Asian country are particularly vulnerable to prolonged detention and custodial violence. Further, women and girls often do not report trafficking due to fear of retaliation and recrimination. The stigma associated with HIV/AIDS has undermined attempts both to repatriate trafficked women, as well as to rehabilitate them.

While legal and social measures against trafficking do exist in South Asian countries (see table), enforcement of existing protective laws is lax. Further, due to its crossborder nature, trafficking in people sits alongside environmental degradation, arms smuggling and the drugs trade as problems that demand international co-operation. Much trafficking is undertaken on a large, organised scale involving regional gangs with links to law enforcement agencies. Sadly, ratification of the proposed SAARC Convention on Trafficking and Sexual Exploitation of Women and Children, adopted at the Ministerial Meeting in Colombo, July 1998, has been stalled due to the postponement of the 1999 SAARC Summit. The negotiation of the convention was difficult, particularly because of the issue of repatriation of Nepalese sex workers in India.

National and international NGOs are increasingly involved in anti-trafficking education, advocacy, legal aid, social and health support for the rehabilitation of trafficked women, and socio-economic development projects in sending villages. Indeed, it was NGO work that brought trafficking and prostitution to the SAARC table. However, bi- and multilateral NGO networks within the region still are lacking.

Faced with a problem of such scale, the government of Nepal has developed an holistic National Plan of Action against Trafficking in Children and their Commercial Sexual Exploitation, which approaches the issue from institutional, legal, economic, educational, social and health perspectives, and seeks to involve multilateral bodies. No other South Asian country has developed a set of policies specific to the trafficking issue.

	Bangladesh	India	Nepal	Pakistan
Specific trafficking laws	✓	✓		
Penal provisions	✓	✓	✓	✓
National action plan			✓	
Protection services	✓		✓ (children)	✓
Support services	✓	✓	✓	✓
NGO invovlment	✓	✓	✓	✓

Sources: Ennew *et al.* 1996; ESCAP 1999a and 1999d; Goonesekere 2000; HMG Nepal 1999a; UNDP 1999a; and Women's Feature Service 1999.

education, health, food, and social safety nets; on employment prospects; on media representations; and on trafficked and refugee populations—have been identified in South Asia and throughout the developing world as an overarching theme. And, as the overwhelming majority of South Asian women live in rural areas, the condition and position of women in agriculture and rural women in

general, also have been identified as overarching issues of concern.

South Asia's response to its Beijing commitments

When one considers South Asia as a whole, evidence of progress made on the basis of Beijing commitments is mixed. On one hand, both NGOs and governments feel that the process of developing NPAs and national plans has fostered an increased understanding and awareness of women's rights and status, both among concerned bodies as well as society more broadly. There has been increased interaction between those government bodies and NGOs involved in WID and women's rights, and a measure of institutionalization of this process, with positive implications for future initiatives. In some countries, there have been women-positive changes in the legal framework, in some cases based upon decisions made at the level of the high courts. Based upon the Beijing process, as well as pressure from donors and international NGOs, governments have increasingly targeted health, education and microenterprise development programmes on girls and women.

At the same time, when one compares progress made to the promises contained in the NPAs, it is apparent that there has been no significant improvement in the political will to implement change. While it can take time for changes in women's status to become apparent, by agreeing to the BPfA each government committed itself to taking immediate steps in order to create an enabling environment for women and women's organisations. Within each NPA, the specific and immediate nature of these commitments emerged to greater or lesser degrees—some governments made very specific time-bound commitments to analyse and act upon the issues identified in the BPfA; other governments expressed their commitment in a much more general manner. In either case, however, the reviews undertaken by both government and NGOs have shown that while there has been some progress in terms of *process*, very little of *substance* has been accomplished since 1995.

Women's ministries, departments, commissions and bureaux remain under-funded, and lacking in the authority required to mainstream gender concerns. While women remain severely under-represented in political office, civil service and other public bodies, the establishment and effective implementation of quotas systems are rare. Despite constitutional guarantees of equality, discriminatory legislation remains in place, and protective laws are inadequately enforced. Social sector budgets remain severely inadequate.

'Women's issues', as they have been conceptualised in the region, continue to take a back seat to other stated government priorities, such as economic and political crises, conflict and violence. There is little recognition that all these issues are intrinsically related to a lack of overall human, including women's, development. As such, they require that governments approach them in a holistic and humane manner. Without taking into account the legal, socio-cultural, economic and political obstacles that constrain half the population, and without the active participation of women in decision-making bodies, there is little chance that these issues will be resolved.

The pages to come contain balance sheets of progress made and remaining obstacles in each country and South Asia as a whole. The information contained in these balance sheets has been culled from both government and NGO BP5 reports, as well as from other documents prepared by international organisations and independent researchers. Media and environment have been excluded from these balance sheets because the NPAs and BP5 documents provide limited information on these topics. Box 3.3. however, contains a discussion of media issues.

While there has been some progress in terms of process, very little of substance has been accomplished since 1995

Gendered indicators of development

In addition to the Bejing Conference, the year 1995 was important in terms of the international agenda surrounding women and development for another reason. In the *Human Development Report* (HDR) produced by the United Nations Development Programme (UNDP), Mahbub ul Haq defined three composite indices that can be used together to measure gender inequality.

The HDI (Human Development Index) measures the average achievement of a country in terms of the extent to which people lead a long and healthy life, are educated and knowledgeable, and enjoy a decent standard of living. The GDI 'genders' the HDI through measuring the unequal achievement of women and men on the basis of the same indicators. Thus, the greater the gender

Box 3.4 Transforming media into a tool for women's empowerment

The portrayal of women in the mainstream South Asian media has been identified as a major factor impeding the transformation of societal perceptions of women's roles and characteristics. Throughout the region, based on low gender sensitivity within the media and excessive political and religious control of media institutions, women are portrayed in stereotypical and often derogatory ways, when they appear at all. Women's roles as (dutiful) wives, (caring) mothers and (conscientious) homemakers are emphasised to the almost complete exclusion of their other socio-economic roles.

In much of South Asia, television is the most accessible media form. Three-quarters of urban Indians, and about 45% of Indians overall, have access to a TV. Almost 90% of these people have access to Doordarshan, the state-run station. In contrast, only about 5% have access to a private national or international TV station. In Pakistan, about one-third of the population has access to television, almost solely to state-run Pakistan Television (PTV). Thus, television has become the main target for pressure groups and NGOs concerned with women's representation in the media.

In India, the National Commission on Women successfully lobbied for amendments to the Indecent Representation of Women Act, extending its reach to private channels. The Women and Media Group of Bombay initiated action against the trivialisation of women's image, resulting in changes in legislation, withdrawal of advertisements and discontinuation of serials.

In Pakistan, the UNDP is facilitating an on-going training and technical assistance programme for PTV, with positive influences on the quantity and quality of gender sensitive material broadcast. The project also supports civil society initiatives to organise and develop mechanisms for media accountability.

Nepal Television has undertaken affirmative action efforts; the Nepali Ministry of Women and Social Welfare has run workshops to gender sensitise senior media personnel; Forum of Women in Media (1996) has facilitated improved media coverage of issues related to women's empowerment; and the National Alliance for Combating Violence against Women has started a media monitoring and advocacy programme.

Women's presence in media institutions—particularly in decision-making positions—remains extremely low. In Pakistan, fewer than 10% of PTV producers and journalists' union members are women, although in 1999 a woman was elected to the office of Secretary General of the Pakistan Federal Union of Journalists for the first time. In Nepal, women make up about 12% of those working in media, and are primarily confined to administrative positions. While increasing the number of women does not guarantee improvements in the media representation of women, it can facilitate positive changes in the perceptions of those in media about the roles and abilities of women.

Media also can be used as a tool to subvert stereotypical images and introduce new ideas into society. In the Maldives, for instance, the biannual magazine Hiyala has publicised women's rights issues since the Beijing Conference. Doordarshan increasingly presents dramas and talkshows with women-positive messages. Several films in the 1999 South Asian Documentary Film Festival deal specifically with gender issues and notions of femininity—from the experiences of Indian women photographers, to the role of dance in Pakistani society. A 1999 Bangladeshi film, Duhshomoy (A Mother's Lament), details the story of a 16-year-old garment factory worker picked up by the Dhaka police, allegedly gangraped, and sent to prison for 'safe custody' where she dies under mysterious circumstances. Two Indian films, Dry Days in Dobbagunta (1995) and When Women Unite (1997), portray the struggles of rural women against growing male alcohol dependence.

Further, individuals and organisations concerned with the condition and position of women are increasingly making use of new forms of electronic media to inform women of their rights, and to organise campaigns surrounding their violation. The Sri Lanka Women's NGO Forum, for instance, initiated a national media campaign in three languages in 1998, focussing on women's political participation; similar campaigns have been run throughout the region. Children throughout the region have grown to love Meena, the heroine of UNICEF's series for television which focuses on issues such as education, nutrition, sanitation and discrimination, all from the perspective of a lively little girl. Manushi—the Indian journal of women and society—has gone on-line, and NGOs around the region are increasingly using e-mail and the internet to share information and ideas, and organise campaigns.

Sources: Government and NGO BP5 reports; Women's Feature Service 1999; and Dristi 2000.

disparity in basic capabilities, the lower a country's GDI as compared to its HDI. The GEM, on the other hand, is concerned with the opportunities available to women *vis-à-vis* men in participation in the economic and political life of a country. Together these three indices show that while a country may appear to have achieved a high level of human development, women in that country may still suffer from discrimination in building their capabilities and in gaining access to economic and political opportunities.

Table 3.1 Comparing indicators of human development (1997)

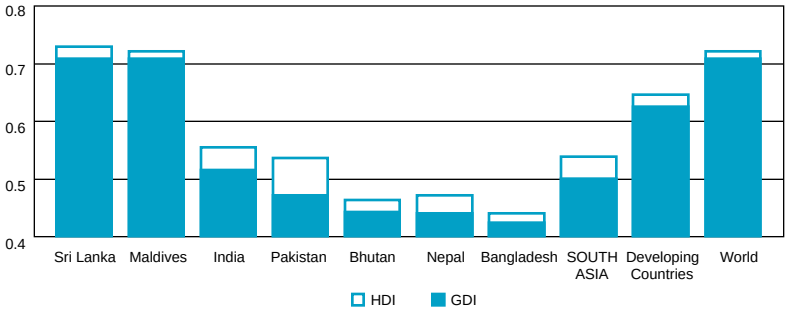
	HDI	GDI	GEM
Bangladesh	0.440	0.428	0.304
Bhutan	0.459	0.444	n/a
India	0.545	0.525	0.240
Maldives	0.716	0.711	0.342
Nepal	0.463	0.441	n/a
Pakistan	0.508	0.472	0.176
Sri Lanka	0.721	0.712	0.321
South Asia	0.532	0.511	0.241
Developing countries	0.637	0.630	n/a
World	0.706	0.700	n/a

Source: UNDP 1999c.

Composite indices such as the GDI and GEM cannot be taken as complete measures of gender equality or women's empowerment, as many facets of equity and empowerment—security, mobility, dignity, access to resources, autonomy—cannot be adequately represented by proxy measures. GDI and GEM can be important, however, to draw the attention of policy-makers and analysts to the gendered effects of development and change. Indeed, these new indices have strengthened arguments that traditional development indicators lack in gender-sensitivity—indicators through which analysts argue that the overall level of development in a country often do not adequately represent the situation of women.

South Asia's regional GDI value is 0.51, slightly lower than its HDI value of 0.53, and the second regional lowest value in the world (see table 3.1 and figure 3.1). South Asia's GEM score, however, at only 0.24 is the world's lowest. However, these regional averages mask enormous differences within the region. Sri Lanka and the Maldives both have HDI and GDI values of over 0.7, above the world averages, and GEM values well over 0.3. India's HDI, GDI and GEM scores, at 0.55, 0.53 and 0.24 respectively, are slightly higher than the South Asian averages, but well below the averages for developing countries as a whole. While Pakistan's HDI, at 0.51, is only slightly below the South Asian average, its GDI of 0.47 and GEM of 0.18 are well below both the South Asian and developing country averages. Bangladesh, Nepal and Bhutan all have HDI and GDI values of less than 0.5, but Bangladesh has a GEM value of 0.3, relatively high compared to its HDI and GDI scores (see figure 3.2).

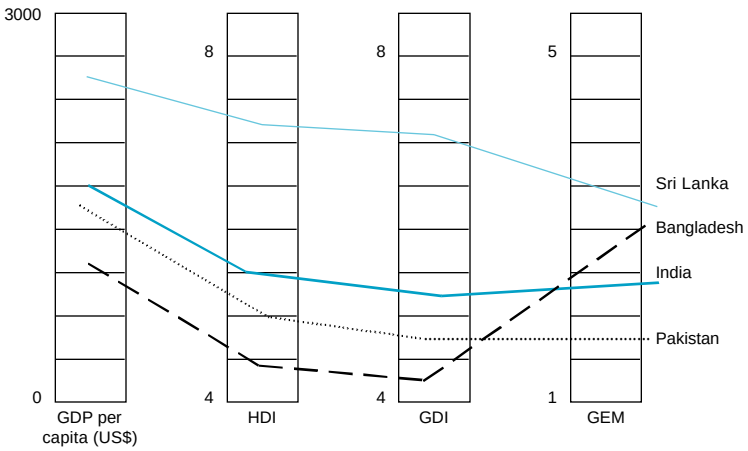
Figure 3.1 GDI and HDI in South Asian countries and the world (1997)



Source: UNDP 1999c.

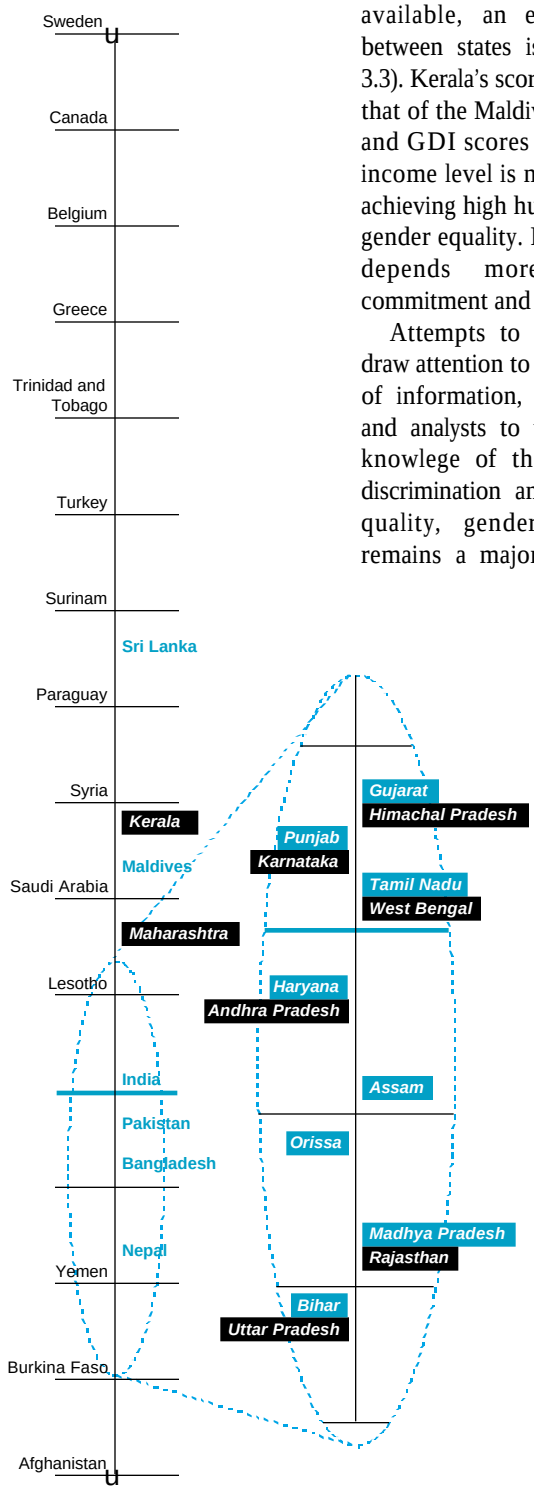
South Asia's regional GDI is the second lowest in the world and South Asia's GEM is the world's lowest

Figure 3.2 Development indicators compared



Source: UNDP 1999c.

Figure 3.3 GDI—Indian states in comparative perspective (1995)



Source: Shiva Kumar 1996.

Even national averages do not tell the whole story. When one looks at Indian state-level GDI scores, for which data is available, an enormous difference between states is apparent (see figure 3.3). Kerala's score, in fact, is higher than that of the Maldives. Kerala's high HDI and GDI scores also demonstrate that income level is not a decisive factor in achieving high human development and gender equality. Progress in these areas depends more on government commitment and allocation of resources.

Attempts to calculate indices also draw attention to the lack of some forms of information, alerting policy-makers and analysts to their lack of adequate knowlege of the realities of gender discrimination and disparity. A lack of quality, gender-disaggregated data remains a major obstacle to gender-sensitive policy-making throughout South Asia, and much of the developing world. A lack of data also proves to be an obstacle to attempts to develop country-sensitive indicators of change. As Mehta (1996) points out, for instance, in countries where an almost negligible proportion of women are employed in the professional, technical, managerial or administrative sectors, a more appropriate measure of changes in economic participation and empowerment could take into account women's participation in the informal sector; wage rate differentials; access to training, technology, or credit; or membership in trade unions, co-operatives or self-help groups. Yet due to both women's economic invisibility and the nature of the informal sector (see chapter 4), this type of information is rarely collected.

Policy and programme initiatives	Remaining challenges and policy gaps
Institutional mechanisms for the advancement of women	
Institutionalization of Beijing process has allowed: • formulation of plans, and establishment of national machineries for women's advancement • increased interaction between and among NGOs and governments at various levels; and their increased awareness of 'women's issues'	• State resistance to gender mainstreaming, and political and economic marginalization of women's departments etc. • Political inconsistency, poor governance and an overall lack of commitment to women's empowerment • Inadequate gender disaggregation of statistical databases/ knowledge-bases
Women's rights, human rights	
• Increased awareness of, and demand for, women's rights • Establishment of institutional mechanisms for the investigation and reform of discriminatory laws; superior courts setting new precedents regarding women's rights	• Persistence of patriarchal attitudes/practices; discriminatory laws/ policies; non-implementation of protective legislation • Rising communalism, religious fundamentalism and conservatism, limiting women's mobility and security
Women, violence and armed conflict	
• *SAARC Convention on Trafficking and Sexual Exploitation of Women and Children* adopted at Ministerial Meeting (Colombo, July 1998) • Women's police cells established in several countries • *Women's Initiatives for Peace* co-ordinated peace rallies in Karachi, New Delhi and Dhaka (1999); *Indo-Pakistan Women in Solidarity* (2000)	• Trafficking of women and girls within/across countries has assumed alarming proportions; ratification of SAARC convention stalled due to postponement of 1999 Summit • Increased violence against women, particularly domestic violence and the victimisation of women in the name of honour, but no specific domestic violence laws in any country • Scale/quality of women's police cells fall short of requirements; women severely underrepresented in security forces
Women, poverty and the economy	
• Increased focus in National Plans on meeting the needs of poor women • Growing number of microfinance, income-generation and self-employment programmes specifically targeting poor women	• Increasing poverty among women, especially due to growing numbers of female-headed households and on-going denial of women's rights to land, property, mobility and social support • Women primarily employed in informal sector as unskilled, low-paid, insecure labour, unaccounted for in statistics • No mainstreaming of women's microfinance programmes by commercial banks
Education and training of women, and the girl-child	
• Attempts to increase girls' enrolment, attendance and survival through changes in school regulations and teacher recruitment policies, infrastructure improvements, direct financial support • Increasing number of non-formal and vocational education programmes targeted at women, primarily run by NGOs	• Excepting Sri Lanka and Maldives, large gender gaps in literacy, enrolment and completion remain • Declining education and training budgets and expenditures • Traditional norms including early marriage continue to hinder girls' education
Women in power and decision-making	
• Seat reservations have increased the number of women in local politics • Awareness-raising, capacity-building, lobbying and networking surrounding political empowerment issues increasingly undertaken by NGOs and NGO-government partnerships	• Women remain poorly represented in policy, administrative, judicial, legislative bodies; seat reservation legislation often stalled • Majority of women ministers in 'soft' social sector posts • Women's effectiveness as local politicians hindered by lack of training, male backlash; women's entry into politics hindered by corrupt, money-centred, violent political culture
Women and health	
• Health policies and programmes increasingly approaching women's reproductive health in a holistic manner • Increased recruitment of female health workers	• Population control/reproductive health continue to eclipse other aspects of women's physical and mental well-being throughout their life-cycle • Pervasive anaemia still endemic, and health care for women in remote areas and regions in conflict remains inaccessible

Policy and programme initiatives	Remaining challenges and policy gaps
Institutional mechanisms for the advancement of women	
• Approval of the *National Action Plan* and *National Policy for Women's Advancement* (1997); establishment of *National Council for Women's Development* (1995); MoWCA *Parliamentary Standing Committee (*1996); inter-ministerial bodies, district/*thana* level committees (1998); WID focal points in 46 ministries • Repeal of law barring women from police service	• Gender mainstreaming requires sensitising policy-level personnel regarding their roles and responsibilities; sufficient allocation of resources; and adequate information flow • Gender specific indicators, sex disaggregated data is required to strengthen policy analysis and monitoring mechanisms • Women made up less than 1% of the police force in 1997
Women's rights, human rights	
• Partial withdrawal of reservations to CEDAW (1997) • Compulsory birth and death registry campaigns (1997-98)	• Two reservations to CEDAW remain in force, and many CEDAW provisions are yet to be included in domestic laws
Women, violence and armed conflict	
• *Multi-sectoral Programme on Reduction of Violence against Women,* awaiting approval, included in 5th Plan (1997-2002); *Permanent Law Commission* established to review all laws related to women, especially those dealing with violence • *Prevention of Women and Child Repression Act* (2000) to deal more effectively with rape, acid attack, forced prostitution, trafficking	• Inadequate implementation of special laws to address violence against women; police stations and legal procedures unfriendly to women and the poor • Despite increasing presence of women's NGOs, lack of adequate support systems, shelters and special medical treatment for victims
Women, poverty and the economy	
• 5th Plan focuses on absolute poverty and food security among women; thus, MoWCA's development budget raised by over 400%, and outreach/scope of its implementing agencies increased significantly • GoB considering proposal to 'engender' national budget; initiatives by some ministries underway • *Vulnerable Group Development* focus shifted from relief (food aid) to development (food aid plus capacity building) • Increased provision of child care facilities for women working in government and garment industry	• Public sector employment reservations of 10%-15% only met in government insurance companies • 'Success' of microfinance programmes in generating self-employment for poor women needs further review, in terms of coverage, reaching the poorest of the poor, and the sustainability of self-employed jobs in saturated and stagnant markets • Women's increased participation in the labour market unmatched by equivalent shift in control of financial resources and property
Education and training of women, and the girl-child	
• *Education Policy* (awaiting approval) prioritises female education; *NPA for Children* (1997-2002) emphasises girls' interests • NGO/government programmes and reservation of 60%/ 100% teaching posts in rural/satellite schools for women facilitated girls' primary/lower secondary enrolment; rates now equal boys' • Marriage under the age of 18 for girls declared illegal	• In many schools, basic facilities for girls are still unavailable, such that attendance rates of poor girls remain low and large gender gaps remain in higher and post-secondary enrolment • Traditional norms including early marriage continue to hinder girls' education
Women in power and decision-making	
• *Local Government Bill* (1997) provides for direct election to $^1/_3$ women's reserved seats in all four tiers of local government; 46,000 women stood and 12,828 women were elected to Union Council seats; fostered by equal opportunity education campaigns for voters, and training for elected women • GoB introduced lateral entry to increase women's representation in senior decision-making positions	• Only 0.45% of Union Councils have women chairpersons; only 130 women elected to general seats (1997); male-dominated social structures hinder the work of elected representatives • To bring qualified women to the highest levels of bureaucracy (less than 3% women in 1997), competition rules need revision • On-going debate regarding the fate of national-level reservations
Women and health	
• *Health and Population Sector Strategy* includes all national and international commitments (including BPFA), with special emphasis on vulnerable groups including poor women; *National Integrated Population and Health Programme* a major collaborative undertaking by government, USAID and 7 partners • Initiatives to improve emergency obstetric care, and to develop 'women-friendly' health services (UNICEF-assisted) • Medical code of ethics in formulation, with potentially positive implications for women's access to health services	• Uptake of maternal care services remains low, especially in rural areas, hindering reductions in the maternal mortality rate: only 14% of women are attended by a trained person during birth, less than 5% of those with life-threatening complications get emergency obstetric care

GOB 1999d.

Policy and programme initiatives	Remaining challenges and policy gaps
Women's rights, human rights	
• *Marriage Act* (1980) amended (1996) to award child custody to mother upon divorce, with maintenance support from father	
Women, violence and armed conflict	
• Amended *Marriage Act* criminalises marital rape	
Women, poverty and the economy	
• 85% of population follows matrilineal traditions giving women an advantage in terms of land and livestock ownership – 70% of land is owned by women	
Education and training of women, and the girl-child	
• Girls make up almost half of primary school enrolment; government involved in construction of girls' schools and hostels • 70% of beneficiaries of non-formal education programmes are women; relaxed entry requirements for women's entry into vocational courses, increasing number of skill development programmes for women • Through *Youth Guidance and Career Counselling Unit*, women teachers and matrons counsel girls against dropping out and inform them of career options • Marriage age of girls raised from 16 to 18	• Overall literacy rate low, especially in rural areas, with 28-point gender gap • Boys still outnumber girls in school attendance • Ratio of female to male technical trainees 1:4
Women in power and decision-making	
• Women make up 70% of local body membership • Rising numbers of women in National Assembly	• Women make up only 16% of civil servants, although gender gap is decreasing; very few women are in senior management

Policy and programme initiatives	Remaining challenges and policy gaps
Institutional mechanisms for the advancement of women	
• Sub-plan for women in 9th Plan for first time; not less than 30% of all funds are to flow to women • 3 states formulated women's empowerment policies and 4 states prepared Human Development Reports since 1995 • *Committee on Empowerment of Women* (1997) to consider reports by autonomous *National and State Commissions on Women* (1996), and to ensure women's cells set up in all ministries/departments • *National Alliance of Women's Organisations* formed	• 9th Plan women sub-plan has a limited and traditional focus • India's NPA, *National Policy for the Empowerment of Women* (1996), not yet formalised or approved by government • Establishment of *National Resource Centre for Women* halted when donor agency pulled out in the wake of nuclear tests
Women's rights, human rights	
• *Women's Bureau* undertaking review of discriminatory laws • *Supreme Court* rulings: dowry demands can constitute cruelty, and thus can be grounds for divorce (1998); single women have right to adopt (1998); women are the natural guardians of a child (1999); equal inheritance rights (1999) • *Mumbai High Court* rulings: Muslim alimony regulations revised in women's favour (1998); marriage registration made compulsory; titles for state housing to be issued jointly to women and men • *Army Wives Welfare Association* achieved abolition of clause that denied pensions to remarried widows (1999)	• Two declarations and a reservations to CEDAW remain • *Women's Rights Commissioner* not yet appointed
Women, violence and armed conflict	
• Guidelines on prevention of sexual harassment in the public sector, established by *Supreme Court* (1997) • All-women police stations, Crimes Against Women cells established in 12 states/union territories (1995); more policewomen recruited; number of family and special courts expanded • Innovative community schemes to eradicate violence	• Crimes against women cells lack clear mandates • Despite growth of pro-women legislation, conviction rate of perpetrators of violence against women has been dropping • Throughout India, armed conflict continues to curb women's mobility and threaten their security.
Women, poverty and the economy	
• In collaboration with the ILO, DoWCD established *National network on structural adjustment, women's employment and equality* • Increase in self-help groups linked with commercial banks from 255 (1992-93) to over 17,000 (1998); 88% exclusively women's groups	• Women's work remains statistically invisible, and legislation to protect home-based and informal workers unimplemented • Lack of improvement in women's property and inheritance rights continues to undermine efforts to alleviate poverty
Education and training of women, and the girl-child	
• *Total Literacy Campaign* and expansion of *District Primary Education Programme* fostered 6-point rise in overall literacy rate (1994-99); over 60% of new enrolment made up of females, based on building girls' hostels and adapting timings to girls' domestic schedules • *Integrated Balika Sammridhi Yojana* (1997) launched to enhance girls' status and change family/ community attitudes, expanded to include adolescent girls' interests; *Kasturba Gandhi Shiksha Yojana* (1997) offers state subsidisation for girls' education; *Adolescent Girl Scheme* (nutrition, health education, skill development) extended (1997-98) • GOI expanding literacy campaigns for widows so that they can use their entitlements to various forms of state support	• Strategies that rely on placing female teachers in rural schools have largely failed due to lack of focus on recruiting women with experiences grounded in the community • Large gender gaps in literacy and enrolment remain, while education and training budgets and expenditures fall: 14% cut in government expenditures for primary education; 17% cut in expenditures for non-formal education, shutting down night schools and adult educational programmes for working women • Nation-wide sex ratio continues to fall, from 927 (1991) to 911 (1998 est.) females/1000 males

Beijing Plus Five Balance Sheet — INDIA (continued)

Policy and programme initiatives	Remaining challenges and policy gaps
Women in power and decision-making	
• Local level women's representation has exceeded proportion of seats reserved in several states • *Election Commission* launched women voters' awareness and safe voting environment campaigns (1996) and appealed for parties to nominate more women • Women's presence in high civil service positions to be fostered by gender focal point established in *Department of Personnel and Training*	• Overall involvement of women as voters (58%), contestants (6%) and parliamentarians (8%) remains low (1998) • Lack of sufficient support systems, training, information for women elected under constitutional amendments; local bureaucracies need sensitisation • Stalled *81st/84th Amendments*, reserving 1/3 of parliamentary seats for women; despite commitments to reserve 1/3 of party places for women, not adopted or implemented by any party
Women and health	
• GoI established *Target Free Approach/Community Needs Assessment* to contraceptive delivery (1996); *Reproductive and Child Health Programme* (1997) • Infant and maternal mortality rates decreased from 1993 to 1997/8 by 16.5% and 3.5% respectively • Health and family welfare departments allocated significant budgetary increases (1998-99)	• Deaths due to anaemia have not been declining, yet the illness finds no place in *Reproductive and Child Health Programme* • Under-5 mortality rate has increased by 1.4% (1993-97) • Due to falling budgets and resource disbursements, number of national nutrition programme beneficiaries fell from 225,000 (1995) to 29,000 (1998)

DoWCD – Department of Women and Child Development; GOI – Government of India.

Beijing Plus Five Balance Sheet — MALDIVES

Policy and programme initiatives	Remaining challenges and policy gaps
Institutional mechanisms for the advancement of women	
• Gender disaggregated data collected for the first time in 1995 census • *Island Women's Committees* established • Increased recruitment of women to *National Security Service*, until 1989 an all-male body	
Women's rights, human rights	
• *National Conference on the Family* led to drafting of new *Family Law* in which women's rights in the family are codified	• Two reservations to CEDAW remain • New *Family Law* tabled but not passed
Women, violence and armed conflict	
	• Survey on domestic violence incomplete due to lack of technical staff
Women, poverty and the economy	
• Revised employment regulations to safeguard women against discrimination based on reproductive roles	
Education and training of women, and the girl-child	
• No gender disparity in access to primary education • GoM constructed a second secondary school (1998) and introduced 2 scholarship programmes for girls from atolls to attend secondary and higher secondary education • Marriage of girls under 16 discouraged	• Gender gap in enrolment/completion of higher secondary school due to mobility differentials, hindering attempts to achieve gender balance of students going overseas for higher education
Women in power and decision-making	
• MoWASS ran workshops for women on legal and political awareness, covering 12 of 20 atolls (1998-99); number of women contesting seats in People's *Majlis* highest ever (1999) • Publication of *Directory of Women in Senior Government Positions* (1996)	
Women and health	
• *Health Master Plan* (1996-2005) includes broader perspectives on women's health beyond reproductive health	• Provision of emergency services, especially to women, hindered by geographical remoteness of many islands and atolls

GOM – Government of the Maldives; MoWASS – Ministry of Women's Affairs and Social Security.

Policy and programme initiatives	Remaining challenges and policy gaps
Institutional mechanisms for the advancement of women	
• Establishment of MoWSW (1995), *Child and Women Development Council* (1995), and *National Women Co-ordination Committee;* draft bill formulated for *Independent Women's Commission* • Local bodies given responsibility to reduce gender disparities and discrimination (*Royal Ordinance on Local Government*, 1997)	• Women's development institutions remain under-financed, lacking a clear mandate, lacking district level bodies, and unable to facilitate inter-ministerial co-ordination • Bodies such as the *Public Service Commission* and *Ministry of General Administration* do not have women-specific sections
Women's rights, human rights	
• *Supreme Court* directed HMGoN to submit *National Code Amendment Bill (11th Amendment;* 1997) with the provision to amend some discriminatory laws, including those pertaining to rape and abortion; 9th Plan (1998-2002) makes strong commitment to review and revise discriminatory laws	• MoWSW bill on inheritance rights rejected; *11th Amendment* bill lapsed due to bureaucratic delays and changes in government • Legal discrimination against women persists in terms of criminal punishment, property, citizenship, marriage/divorce, tenancy, adoption, abortion, rape and trafficking
Women, violence and armed conflict	
• MoWSW, 9th Plan, NGOs emphasise increasing services for victims of violence; women's police cells set up in several districts • MoWSW formed a *National Task Force on Trafficking of Girls* (1997); multi-sectoral, holistic agreement with ILO signed	• Nepal is the only South Asian country without criminal law provisions to deal with domestic violence; situation exacerbated by women's lack of economic and property rights • Weak overall law enforcement, particularly of the *Human Trafficking Control Act* (1986); personnel lack awareness and skills pertaining to violence against women
Women, poverty and the economy	
• Poverty alleviation is 9th Plan's sole objective; employment/training reservations, gendering 2001 census and national accounting system to be implemented • Budget speech (1999-2000) stated that *Jagriti* programmes will be initiated as national campaign, to support women's income generating activities through education/training, self-employment, co-ops, microcredit, public health • Changes in labour legislation to allow for child care centres, breast-feeding breaks (1997) and maternity leave • *Property Rights Bill* for women submitted to Parliament	• Discrimination in job opportunities and wages increasingly severe; only 1% of working women are employers or managers • Framed as protective legislation, recent cabinet decision prohibits women's employment in Gulf States, curtailing civil liberties • No steps taken to enforce changes in labour legislation; loopholes for enterprises to by-pass legislation by employing fewer than 50 women, hiring women as contract/daily wage workers • Government and NGO savings and credit programmes covered only 5% of economically active rural women (1997)
Education and training of women, and the girl-child	
• Non-formal education, vocational training, other anti-poverty programmes increasingly used to fight trafficking • Elimination of examinations up to 2nd grade instituted to discourage students, especially girls, from dropping out (1998); 9th Plan commits HMGoN to implementing free and compulsory primary education in a phased manner • *Basic and Primary Education Programme II* (1999) includes non-formal primary and adult education, girls' hostels and scholarships, recruitment of women teachers, textbook revision	• Female literacy rate lowest in the region—1 of every 5 adult women is literate—and gender gap in literacy and in primary net enrolment are region's highest: parents continue to retain girls at home because school *curricula* do not train students in the skills they require to fulfil their traditional roles • Upon marriage, 40% of girls were under 14 years old
Women in power and decision-making	
• 9th Plan commits HMGoN to affirmative action; *ROLG* (1997) introduced 20% women's reservation at village and district levels: 40,000 women now involved in local politics • *Civil Service Act (1st Amendment;* 1998) extended age limit for women and made probation/promotion rules more flexible • MoWSW (1996) begins conducting public service exam coaching classes for women; NGOs run women's leadership training workshops, rights awareness campaigns	• Women's participation in politics hindered by rapid rise in corruption in recent years, as well as patriarchal constraints on women's mobility, and lack of education and resources • 8% of parliamentarians (1999) and 6.25% of civil service members are women, primarily in the non-gazetted class (1998)
Women and health	
• 9th Plan emphasises need to reduce maternal mortality/morbidity; *Safe Motherhood Program Section* to strengthen community-based maternal health services and referral system; *National Reproductive Health Strategy* (1998) introduces a holistic life-cycle approach to existing programmes • HMGoN began work with national and local NGOs to spread health services to the grassroots level	• Maternal mortality is highest in the world: less than 10% of births attended by trained persons and 50-60% of pregnant women are anaemic; 50% of maternal deaths caused by illegal, unsafe, induced abortion • Harassment and discrimination in hospitals against trafficked girls and women, especially those with HIV/AIDS; lack of counselling services for victims of physical and mental trauma

HMG Nepal 1999a; ROLG – Royal Ordinance on Local Government.

Policy and programme initiatives	Remaining challenges and policy gaps
Institutional mechanisms for the advancement of women	
• Incorporation of NPA (1998) into draft 9th Plan (1998-2003) • NGO-GoP collaborative process initiated pre-Beijing (1993-94) and re-activated (1999-2000) after a period of deterioration (1998); national and provincial (and some district and division) core groups established • Permanent and independent Commission on the Status of Women to be established (2000)	• Merger of MoWD with other ministries (1997); budgetary allocation to MoWD in 9th Plan half that recommended by expert working group
Women's rights, human rights	
• CEDAW signed (1995) and ratified (1996) • *Commission of Inquiry for Women* (1994) on discriminatory laws finalised and made public in 1997; discriminatory citizenship laws revised (2000) • Faster disposal of family suits under *Family Courts Acts* (1996-97) • Initiation of monitoring of condition of women in prisons by federal and provincial governments (1998); proposed amnesty for all jailed women not charged with a cognisable offense, and no arrests of females without a warrant, except for murder, terrorism, drug trafficking (2000)	• CEDAW not implemented, and reservations remain • No revision or repeal of discriminatory laws pertaining to marriage/divorce, rape, inheritance, custody/guardianship, citizenship, reproductive rights, and acting as a witness • *Muslim Family Laws Ordinance* safeguard provisions struck down by Federal Shariat Court (2000)
Women, violence and armed conflict	
• *Women in Distress and Detention Fund Act* (1996) established and operationalised (2000) • Special directives for police stations to separately register cases of violence against women and take quick action	• No judicial or political will to prosecute cases of 'honour killings' • Trafficking of women and girls not mentioned in NPA • Inadequate shelter, legal, medical support for victims of violence
Women, poverty and the economy	
• Establishment of *Pakistan Poverty Alleviation Fund* (1998) • *First Women's Bank* begins on-lending to NGOs and offering business training to credit recipients • Gender sensitisation programmes for *1998 Population Census* and Federal Bureau of Statistics; redefinition of work in *Labour Force Survey* to redefine much of women's work, including agricultural work, as 'economic activity' • 20% quota for women in public sector proposed (2000)	• *Social Action Programme* attacks symptoms, not causes of poverty • Extremely low public-sector employment quotas for women remain unfilled • Two-thirds of people in poverty are women
Education and training of women, and the girl-child	
• Increasing female enrolment and decreasing gender gap in primary education, due to positive discrimination in SAP, provincial-level programmes, and primary level co-education • Efforts made to remove stereotypical portrayal of girls in text-books partially successful in NWFP and Balochistan • Reservations to CRC lifted (1996) • Establishment of first all-women university (1998)	• Overall primary enrolment declined, and there are large regional variations in female literacy, enrolment and survival rates (Sindh, Balochistan, FANA and FATA faring worst) • 2.2% of GNP allocated to education (1998-2000), against goals of 2.49% (2000) and 4% (2003) set in *National Education Policies* • Age-at-marriage legislation is discriminatory and not enforced
Women in power and decision-making	
• High proportion (25.8%) of reserved seats for women in Balochistan local government elections • During the 1997 elections, more general seats were contested by women than ever before • Female ministers have been appointed at national and provincial level; proposed system of local elections (2000) has reservations for women at some levels	• Issue of reserved seats for women in national/provincial assemblies and political parties remains unresolved • Attempts to encourage women voters in 1997 fell far behind those by the caretaker government and NGOs in 1993; registration, identification, and polling procedures remain inadequate
Women and health	
• *National Health Policy* (1997); *National Population Policy* (1998); *Reproductive Health Services* (1999) expanded *Lady Health Workers* programme • Inclusion of male counsellors and motivators in government population programme • Contraceptives provided by private sector through *Social Marketing Programme*	• Budgetary allocation to health sector 0.7% of GNP, and limited co-ordination between MoWD, MoH and MoPW leads to overlap in basic and reproductive health services • Reproductive health programmes remain target-driven and women-targeted, despite ICPD commitments to a life-cycle and gender equality approaches

GOP 1995 and 1998c. MOH—Ministry of Health; MOPW – Ministry of Population Welfare.

Policy and programme initiatives	Remaining challenges and policy gaps
Institutional mechanisms for the advancement of women	
• As separate body (1997), MoWA able to take more public, proactive stands on issues of violence against women, development of women's income earning capacities; establishment of *National Committee on Women* (1996) • *Department of Census and Statistics* and *Ministry of Finance and Planning* involved in workshops to identify gender issues and translate them into gendered indicators and budgets	• *Women's Charter* approved by parliament (1993) is not a legislative enactment and thus not legally binding • Hostility and resistance among local level officials regarding discussions of women's rights
Women's rights, human rights	
• Improvement in awareness of women's rights, and increased number of NGO legal awareness programmes and resource centres	• Discriminatory citizenship law remains in place despite Supreme Court ruling (1997); personal laws of some communities discriminatory in terms of property rights, marriage, divorce • Amendment to permit abortion in case of rape or incest withdrawn by Minister of Justice before submission to parliament; bill intending to criminalise marital rape amended to permit charges only in case of judicial separation
Women, violence and armed conflict	
• *Penal Code Section 345* reformed (1995) to criminalise sexual harassment, and increase penalties for sexual assault, rape and incest • Better monitoring of both violence against women, and of media reports of violence against women • Successful initiatives to mobilise women's organisations to protest against both specific and general incidents of violence	• Over 80% of women using public transport report harassment, yet only 46 cases charging sexual harassment were filed in 1998 • Insufficient allocation of resources to women's police desks; domestic violence tends to be reported at women's desks while rape and other crimes outside the home reported to the (male-dominated) crime division, maintaining private-public division
Women, poverty and the economy	
• New laws and agreements enacted (1997-98) bring foreign employment agencies under some degree of control • MoWA established revolving fund for self-employed women	• Female-headed households, constituting significant and increasing proportion of the population, are overlooked in housing benefits, income generation and social welfare programmes • Most female employment remains in the unskilled, low-paid, unprotected sectors: plantations, free trade zones, home-based piecework, migrant domestic labour; women 2 to 3 times as likely as men to be unemployed • Constitutional guarantees that prohibit gender discrimination do not apply to the private sector
Education and training of women, and the girl-child	
• Gender gap in literacy and enrolment very small or non-existent: girls make up 45-50% of school and university students • Compulsory education regulation provided for in the *Education Ordinance* (1939) introduced with effect from 1998 • Penal Code reforms (1995) raised age of consent from 12 years for girls and 14 for boys to 18 for both	• Low enrolment of women in engineering-related and non-traditional vocational training courses • Few women working at higher qualification levels in school/university system; while 2/3 of teachers are women, only 1/3 of university academic staff, 1/10 of professors are women • Low female literacy levels in estates sector and 45+ age group
Women in power and decision-making	
• Independent women's group emerged as contestants in Provincial Council elections (1999) • *Sri Lankan Women's NGO Forum* initiated national media campaign in 3 languages, focussing on women's political participation (1998) • First woman appointed to Supreme Court and Court of Appeal (1999)	• Only 3.0% of municipal and urban councillors, 1.7% of *pradeshiya sabha* (rural) councillors (1997), and 4.9% of parliamentarians (1999) were women
Women and health	
• 10-year plan of action based on *Population and Reproductive Health Policy* (1998) commences (2000), with specific focus on reducing iron-deficiency anaemia through health education and iron pill distribution	• Proportion of malnourished and anaemic pregnant women (and thus low birth weight infants) is disproportionately high relative to infant/maternal mortality rates and other health indicators • In remote areas and areas in conflict, health services, including ante-natal care, are insufficient in both quality and quantity

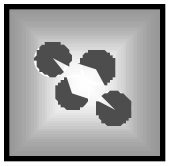
GoS – Government of Sri Lanka; MoWA – Ministry of Women's Affairs.

4

Women and the Economy

What comfortable stereotypes we have created: it is men who carry the major burden of economic work on this planet. They are the breadwinners. Women's work carries no economic value. Such work may be essential but banish the thought that it should ever enter national income accounts — or even surface in separate satellite accounts. What a successful conspiracy to reduce women to economic non-entities.

– Mahbub ul Haq



Chapter 4

Women and the Economy

South Asian women work from dawn to dusk yet their work is hardly recognised in the system of national accounts

Women in South Asia suffer from discrimination in all spheres of life, and at all levels. The economic discrimination they endure reinforces other discriminations and perpetuates their low status. Although there are differences among the countries of the region, some key conclusions emerge from the statistics and analyses in this chapter concerning women's participation, recognition and remuneration in economic activities.

• Some degree of statistical invisibility of women in the economy is a worldwide phenomenon, but in South Asia it is particularly pervasive because of historical, traditional and cultural reasons. After the 1995 UNDP *Human Development Report*, attempts have been made by some countries to take account of women's work. But these efforts have been neither systematic nor comprehensive.
• Women's reproductive and productive work, both so essential for caring, nurturing, household maintenance and income earning, are intertwined and indistinguishable in men's as well as women's minds. Within the household, South Asian men rule and women obey across religious and cultural divides. The question of recognition for women's labour does not even arise.
• Statistics show that the majority of economically-active women work in the informal sector.
• In the informal sector, whether self-employed or worker, women (and men) are exploited by everybody—from law enforcement authorities to petty moneylenders.
• In formal sector employment, women are concentrated at the lower levels, with little job security and few benefits.
• There are large wage differentials between men's and women's work, but these are larger in rural areas. In urban and modern sectors wage gaps are closing.
• The globalization wave has benefited urban educated women, leaving the vast majority of women in the agricultural and informal sectors to cope with the negative impacts of liberalization.
• The glaring lack of gender-disaggregated statistics makes it impossible to obtain a true picture of women's contributions to the economy of each country within South Asia or to compare one country with another.

Statistical invisibility of women in national income accounts

The vast majority of South Asian women work from dawn to dusk yet their work is hardly recognised in the respective systems of national accounts (SNA). Women work far longer hours than men but a lot of the work they do is in the realm of caring, nurturing and household maintenance. In other words, women often work in the informal sector, for little or no wage, and are restricted to activities associated with their reproductive role. The invisibility of women's work in economic accounting systems is due to a flawed definition of economic activity. The official data collection machinery is not adequate, uniform or equitable. Lack of reliable and consistent data exacerbates women's unequal economic position and their low social status in society. Women's organisations in many parts of the world have been trying for several years to influence the official statistics so as to reflect the unrecorded contributions of women to the economy. However, gender-based statistics accounting for women's contributions to economies remain woefully inadequate and inaccurate.

While dealing with women's invisibility in gross domestic product (GDP) two sets of issues arise. The first set relates to the exclusion of household services from GDP that is more or less a universal phenomenon. The second relates to the socio-cultural perception and reporting bias that women are engaged only in household maintenance activities, and therefore all market or non-market, SNA-included products and services are attributed to men. This relates more to the invisibility of women in the census and labour statistics, which list only people who contribute to SNA-included production as economically active (see box 4.1).

These two problems combine to ensure that much of women's work remains invisible as many of their activities and production which are classified as services, such as cooking, care of the sick, the old and the children and household maintenance, are still outside the SNA production boundary. Also, much of the work done by women is in the value-added stages of production. For example in the agricultural sector, women's work is concentrated in activities such as weeding, livestock, rearing, and post-harvest processing. Since economic value is attributed exclusively to agricultural output, women receive little or no compensation or recognition for their activities. Similarly, preparing food, or fetching firewood and water are activities for which economic value can be attributed only on the basis of an implicit opportunity cost.

Moreover, people's time allocations to various SNA or non-SNA activities are intertwined. For example, a woman may spend 20 minutes every day carrying water and devoting rest of her time to non-SNA activities. But in labour

Much of the work done by women is in the value-added stages of production

Box 4.1 Missing the point

The central data collection and statistical agencies in South Asia suffer from serious gender blindness in terms of their ability to accurately depict women's contributions to the economy. While all of them have in recent times made attempts to expand the definition of economically productive work, there are still large gaps in their methodologies.

In India, the main sources of longitudinal information are the Census and the National Sample Survey (NSS). The Census estimates of work force participation are lower than those estimated by the NSS in virtually all cases. Census estimates are as much as 3% lower than NSS estimates in the case of male workers, and as much as 10 to 16% lower for female workers. While the Census estimates improve with each decade, the basic fact of considerable under-enumeration does not change. NSS estimates improve on Census estimates and are more stable but these estimates too suffer from a strong downward bias. The NSS calculates the percentage of women incorrectly categorised as 'not working', as 17.0 per cent in rural areas and 5.8 per cent in urban areas.

In Pakistan, the Federal Bureau of Statistics (FBS) is largely responsible for collecting and organising nation-wide information. The labour force survey (LFS) collates the information on economic participation—the latest survey from 1997 includes a new measure of female labour force participation (similar to the above-mentioned effort of the NSS) which defines 14 kinds of household labour as economic activity. The result is an increase of the female LFPR to 25.5% which is almost double the earlier estimate. However, this estimate is preliminary and likely still understates the reality. Similarly in Bangladesh, some non-market subsistence work has been defined as economic activity since 1989. The 1995-96 LFS indicated a nation-wide increase in female LFPR from 18.1% to 50.6%, thereby identifying an additional 13 million women as economically active. The largest increase—from 17.4% to 57.3%—was in rural areas.

In Nepal, the Central Bureau of Statistics (CBS) is the main source of information on economic activity. Acharya (l999) identifies the following items as most likely to be missed in such accounts: small scale fodder collection and fetching water, hunting and gathering for household consumption, food processing for household consumption, processing of primary and market goods for household consumption, e.g. weaving clothes, tailoring, knitting garments for household consumption, domestic services and rural tea/sweet shops.

The problems with large surveys are many: clearly, existing investigation methodology fails to capture the gainful activity and tasks that women and children engage in with the same precision as is done in the case of men. Cultural restrictions often mean that questions about women's activities are asked of the male head of household, and therefore the answers tend to reflect a male bias against women's work. Among the reasons given for under-enumeration and inadequate attention to unpaid family labour, home production and household work, are 'poor conceptualisation of female work styles' and 'mistaken perception of female economic roles by respondents and interviewers'. Poorly constructed questionnaires and ambiguous and ill-understood definitions of labour force participation also contribute to this problem.

Sources: Acharya 2000; Mehta 2000; MHHDC staff.

statistics, she will be classified as per her major activity and not by how much time she devotes to her secondary activity.

Women's actual time use

Micro-level studies specifically target the kinds of information that large surveys miss out. This is especially true for the agricultural sector where the majority of women workers are concentrated. A large part of the work that women do in rural areas is non-market work, including extremely time-intensive tasks such as cutting fodder, and fetching wood and water. Some observers suggest that typically, South Asian women work between 10 and 12 hours a day, while men work 2 to 4 hours less. On the basis of studies in a number of countries, this seems to be a conservative estimate. In Pakistan, rural women are said to work between 12 and 16 hours in a day (Elson & Evers 1996).

In India, women reported as non-workers in the Census were found to be spending up to 4 hours a day in activities such as groundnut picking and sowing the fields or spending time grazing cattle and cutting grass, threshing and parboiling, or working as domestic servants for as many as 8-10 hours per day (Jain and Chand 1982). The *Shramshakti Report* refers to several studies that show that women work for longer hours and contribute more than men in terms of total labour energy spent by household members. The Report observes that the average hours of unpaid work done by married women outside the home vary from 6.13 to 7.53 hours per day, with some women working more than 10 hours each day. Apart from domestic duties, women engaged in agricultural operations work on average 12 hours a day doing farm work and taking care of cattle. In Bangladesh, a number of micro-level studies indicate that women spend 70-88 per cent of their time in non-market work.

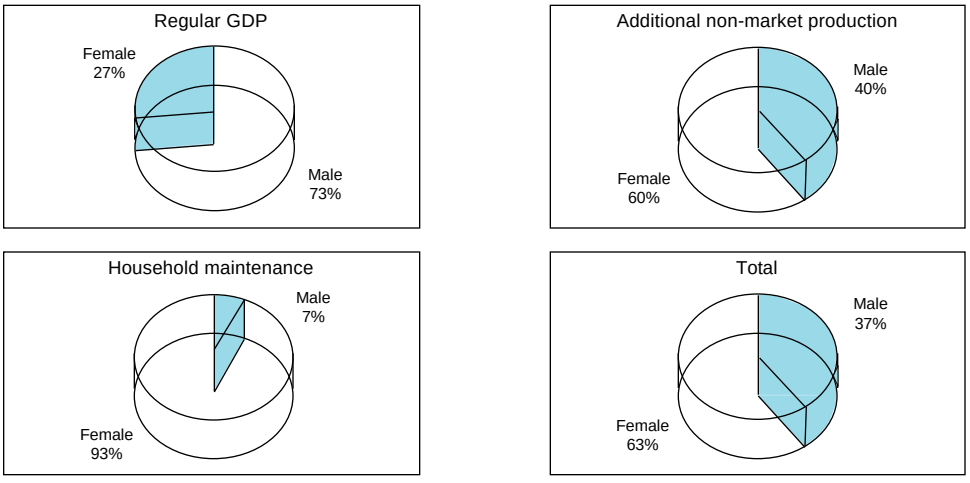
The cruelest fact is that women not only work long hours, but many of them are not even considered to be working at all

The cruelest fact is that women not only work long hours, but many of them are not even considered to be working at all. A village study in India concluded that there were a total of 239 women workers in one village where the 1971 Census had counted only 38, and 444 workers in a second village where only 9 appeared in the Census (Omvedt 1992). In an attempt to compensate for the socially-generated 'invisibility' of women's work, the study estimates that in 1981 there were as many as 150 million uncounted women workers.

Magnitude of the problem

National and micro-level studies in India, Sri Lanka, Bangladesh and Nepal have highlighted the contribution of women to national income. There are some limited

Figure 4.1 Gender contributions to GDP and household maintenance satellite account (Nepal)



Source: Acharya 2000.

studies in Pakistan that indicate the contributions of women in the agricultural sector. For example, in crop production women's contribution to total income is between 25 per cent and 40 per cent; in cottage industry and crafts women's contribution is around 22 per cent (World Bank 1989). In India, using the opportunity cost approach to valuation of work, on average, the value of household services of an urban woman was estimated at about 42 per cent of family income (Malathy 1988). Another Indian study shows women's contribution to national income to be 17 per cent under the standard classification system, 33 per cent when agricultural earnings are used to evaluate unpaid household work, and up to 44 per cent when national average earnings per worker are used for the computation (Kulshrethra and Singh 1996). In Sri Lanka, valuing time spent on home-based production leads to the conclusion that women contribute between 40 and 60 per cent of household income.

In Nepal, an independent study (cited in Acharya 2000) constructed an accounting system including a satellite account on household maintenance activities in 1994 to value women's work. This reflects human activities to a fuller extent than conventionally reflected in SNA and shows relative contributions of men and women to national production processes and human welfare (see figure 4.1). Of particular interest is that part of production which is theoretically within the SNA production boundary, but in practice may be excluded from GDP calculations in many countries. An important example of such activities include food processing for self-consumption.

Reasons for statistical invisibility of women in national accounts

Many reasons have been cited in the literature for the under-reporting of women's work. Some of the issues relate to poor methodology on the part of data collection agencies as mentioned above. Other reasons include the nature and style of women's work, the dominance of domestic work compared to women's other work, culture, tradition and perceptions about women's economic roles, and the intermingling of production for self consumption with production for sale.

The invisibility of women's work, domestic chores and other tasks, are part of a cultural/traditional attitude which views man as the primary bread-winner. Indeed, women report themselves as non-workers because they tend to regard their labour as 'domestic responsibilities' and therefore outside market related or remunerated work. In the non-market sector where most women work, the distinction between economic and non-economic activities is seldom clear and is arbitrarily applied. In fact, amongst the poor virtually all adults and sizeable numbers of children engage in 'economic activities' in order to help the family meet its basic needs; much of this work occurs outside the market place.

A striking example of the significant influence of perception on measurement is indicated by a small survey commissioned by UNIFEM India, which found that 98 out of 100 enumerators did not even put questions regarding work to women; it was simply assumed by them that women did not work. Out of the 2002 women in the 1000 households covered, only 4 women were asked any question about the work they had done in the past year (Sudarshan 1998). Prevailing cultural norms ascribe low status to women doing manual work outside the home. Thus the male head of household usually identifies the woman as a housewife and non-worker.

Prevailing cultural norms ascribe low status to women doing manual work outside the home

The care economy

The caring activities carried out by women at the household level are at the core of all human activities. Household maintenance and care of the sick, the old and children contribute substantially to

Reliable, accurate and comprehensive information about women's economic activity and labour force participation is almost non-existent

human well being. The benefit of personal care from a loved one, especially in an insecure time during old age, should not be underestimated. This is where the concept of care goes beyond the concept of just a productive input in an economic sense, but in itself becomes an output (Folbre 1998). Indeed, in this way, care is comparable with leisure—it serves a very direct and important purpose in itself. The implicit comfort that one feels being cared for by his/her spouse, parent, or sibling is irreplaceable, but something that is often taken for granted.

Women are responsible for producing and nourishing all those who live in the household. While this 'reproductive' role is perhaps one of the most valuable contributions that women make to their households, communities, and the world, it is seriously under-appreciated. The care economy is impossible to quantify. This is largely because it is difficult to put a figure on what exactly the care economy is. There is no way of adequately describing the value of care and no way of ascribing an economic value to it.

Caring labour provided by women within the household, goes largely unremunerated. Most of it comes under the purview of unpaid household work. A review of seven African and Asian countries including Nepal and Bangladesh found that women's contribution to the household ranged from 2.5 times to 14 times more than men's (Floro 1995). In India, whereas men put in only about 0.2 to 0.5 hours of time per day in non-market work, women spend 2.7 to 5.5 hours per day in such activities (Acharya 1996). Women account for 60 per cent of unpaid family workers, and 98 per cent of those engaged in domestic work. In Pakistan, 54 per cent of all employed women are counted as unpaid family helpers (GOP 1997b). In Sri Lanka, unpaid family work constituted 27.9 per cent of total female employment in 1998 (Atapattu 2000). So despite the immense direct and indirect contributions that women make to the economy through their caring labour, there is almost no recognition and no compensation paid to them. The basic reason for this lack of recognition is that women's 'reproductive' and nurturing role is taken for granted as their primary responsibility.

Women are the primary care givers in the home, and they are often major contributors in market work as well. Poor rural women often work longer hours in agriculture, wage-generating activities, and home production activities. Also, most home-based workers are women, highlighting their central role in the informal labour force.

Providing more opportunities for women to work outside the home will contribute to making women's work more visible, but the lack of accounting for household work still remains. And often women who do work outside the home have increased work burdens. *Human Development Report* 1995 estimates that once a woman has a child, she can expect to devote 3.3 more hours a day to unpaid household work. Women who work full-time still do a lot of unpaid caring work.

In addition, sometimes the caring burden is shifted directly onto the young girl in the household which automatically limits her time for both education and paid work. Market provision of care services, as happens in the industrial world, is perhaps the only direct method to alleviate some of the responsibilities faced by women. In the developed world, publicly subsidised child care tends to increase mother's labour force participation and reduce gender inequalities in both the workplace and the home (Folbre 1998). But this option is not currently available to poor families in the developing world.

South Asian women in the labour force

As mentioned in the previous section, reliable, accurate and comprehensive information about women's economic activity and labour force participation is almost non-existent. Although there have been efforts to integrate gender-specific

questions and issues into data collection, the knowledge-base remains limited and in no South Asian country do national figures reveal the full extent of the kinds of work that women do, the amount of time women spend working for free or for wages, or the extent of women's unemployment or under-employment. Nevertheless, the following points emerge from an examination of women's labour force participation.

• The majority of South Asian women work in the informal sector or as unpaid family helpers. In India, 96 per cent of economically active women work in the informal sector. In Nepal, 75.3 per cent are self-employed and 27.9 per cent are unpaid family workers. In Pakistan, 64.9 per cent of the female labour force is officially accounted for in the informal sector. In Bangladesh, 75 per cent of women earned a living in the informal sector in 1995-96.

• Work done by women accounts for the largest proportion of non-mechanised agricultural labour.

• Although more women are entering the paid labour force, many still face severe impediments in entering and participating in the work force.

• Gender-specific inequalities in pay and job security are widespread.

• Outside the agricultural sector, women are concentrated in a limited number of sectors: the majority in traditional or service-sector employment, others in poorly-paid manufacturing work. More and more younger women are entering the work force in these sectors.

Drawn from international data sources (World Bank 1999 and UNDP 1995a), an attempt has been made in table 4.1 to compare the proportions of female labour force among South Asian countries. As we can see, in Bangladesh and Nepal over 40 per cent of the labour force are women, compared to only 27 per cent in Pakistan.

Women's labour force patterns

(In this and the following sections, we present data collected from national data sources, knowing well that these data suffer from conceptual, methodological and definitional flaws. Sometimes the increase in the labour force may be due to improved methodology used in a particular year rather than a real increase in the labour force. Because of these reasons the data used here are not comparable across countries or over time within a country).

Impelled by poverty and increasing male unemployment as well as increased job opportunities as a result of globalization, increasing numbers of South Asian women are entering the paid work force. However, the state of the economy, government policies regarding employment, the gender-specific opportunities for female employment, and attitudes towards women's participation in the paid workforce determine women's participation in the labour force. In some cases (Bangladesh for instance) an increase in the female labour force participation rate (LFPR) is a result of an increase in the overall labour force; in other cases (such as Sri Lanka), an increasing female LFPR is the complement of a declining male LFPR.

In Sri Lanka, overall LFPR for males declined marginally from 69.3 per cent in 1963 to 68.2 per cent in 1998, while the female LFPR rose from 20 per cent to 36.6 per cent during the same period. These numbers imply that male participation is reaching its limit and further economic growth is dependent on more women joining the labour force (Atapattu 2000).

In Pakistan, women's labour force participation has risen at a greater rate than that of men since 1980. Pakistan's average annual female labour force

Gender-specific inequalities in pay and job security are widespread

Table 4.1 Female percentage of labour force

India 1997	32
Pakistan 1997	27
Bangladesh 1997	42
Nepal 1997	40
Sri Lanka 1997	36
Bhutan 1994	32
Maldives 1994	22

Source: World Bank 1999; UNDP 1995a.

growth rate was 4 per cent in 1980-90, 4.9 per cent in 1990-95 and 5.1 per cent in 1995-98. The rate of male labour force growth declined from 3.2 per cent in 1980-90 to 2.5 per cent in 1990-95 and to 2.7 in 1995-98 (GOP 1997b).

In Nepal, the increase in LFPR is greater for women workers than for men, but for both this is attributed to people returning to agriculture as a means of subsistence due to a shrinking urban labour market and to competition from non-Nepalese workers willing to work for lower wages. A shift of labour to agriculture is likely to have negative implications for women, since they do not own land and are likely to be engaged in labour-intensive and poorly-rewarded agricultural labour. In the urban hill regions of Nepal, however, non-agricultural employment opportunities for women are increasing (Acharya 2000).

The workforce participation of Bangladeshi women is changing in numerous ways, some of them affording women new opportunities, others reinforcing pervasive trends. The female labour force has grown at an average annual rate of 16.7 per cent in the last twelve years, which is more than four times the growth rate of the total labour force and more than six times the growth rate of the male labour force (Mahmud 2000).

In India, women are entering the workforce in greater numbers, although their position in the workforce is becoming less secure. In 1981, 25.97 per cent of the total workforce was female; in 1991, that figure went up to 28.58 per cent. The number of women occupying full-time jobs (i.e. main workers) rose from 20.21 per cent of the female labour force in 1981 to 22.48 per cent in 1991 (Mehta 2000).

Women's involvement in agriculture is extensive both in terms of labour input and farm management decisions

Table 4.2 Employment in South Asia by major sectors (%)

		Agriculture	Industry	Service
Bangladesh (1996)	Male*	53.9	19.2	26.8
	Female	41.7	27.8	30.5
India (1994)	Male	58.3	16.5	25.2
	Female	78	10.9	11.1
Nepal (1996)	Male	78.9	4.9	13.2
	Female	93.7	1.4	4.5
Pakistan (1997)	Male	40.7	20.2	39.0
	Female	66.4	10.6	23.2
Sri Lanka (1995)	Male	35.4	28.2	36.4
	Female	41.5	30.8	27.7

* For each country male figures are percentages of male labour force and female figures are percentages of female labour force.

Note: Data for each country has been collected from labour force surveys. As these statistics are drawn from national data sources, there might be some discrepancy between these numbers and those presented in the tables at the end of the Report which are based on international sources.

Source: Acharya 2000; Atapattu 2000; GOP 1997b; Mahmud 2000; Mehta 2000.

Women in agriculture: more work, less pay

Agriculture is where most South Asians earn their living (see table 4.2). Women's labour and knowledge of agri-economic systems play a key role in almost every aspect of agriculture, barring only those that utilise machinery and sophisticated technologies. Women's involvement in agriculture is extensive both in terms of labour input and farm management decisions.

An overwhelming majority of economically active women in Nepal, 93.7 per cent, work in agriculture. In India, 78 per cent of the female labour force work in agriculture. Some 66.4 per cent of Pakistani women in the labour force earn a living in the rural economy. In Sri Lanka, the majority of women work in the plantation sector which increases their participation in the agricultural economy.

The already heavy workload of women in the agricultural sector is increasing as women become responsible to a greater degree for agricultural production in addition to household work. Rural women participate in farming crops, livestock husbandry and off-farm activities. Seasonal and long-term migration of working-age males leaves

women responsible for much of the labour input necessary to meet subsistence needs. Unfortunately, as mentioned earlier, much of their work is not recognised.

A complex set of conditions interact to exclude most women from the benefits accruing from rural economies. Even in the rare cases where they till and cultivate land as tenants on their own account, women are not counted as agricultural workers. Patriarchal social structures determine that men control women's labour. Without a legal share in ownership of the means of production, women are excluded from decision-making about the allocation of material and economic resources.

More women are undertaking waged employment in the agricultural sector. For example in Nepal, the percentage of female agricultural wage-labourers increased from 4 per cent in 1981 to 13 per cent in 1996. Many of these wage labourers are poor landless women.

In South Asia, women spend a great amount of time looking after livestock. Most of the work is related to rearing and protecting animals, finding and carrying fodder and water, milking, collecting eggs, ensuring the health of animals and poultry etc. In India, where few economic activities are dominated by women, female employment in cattle and goat breeding, and milk production exceeds 50 per cent. In Nepal, women contributed 70 per cent of the labour and up to 26 per cent of the farm level decisions in the livestock sector in 1993 (HMG Nepal 1993). In Sri Lanka, it is estimated that women perform around 70 per cent of all agricultural activities.

Impact of agricultural mechanisation on women

The impact of modern agricultural technology introduced in the region has not benefitted women. Men have taken over from women those activities in which technology has substituted machinery for manual labour. All other labour-intensive tasks are left to women. Thus the introduction of tractors, combine harvesters and mechanical cotton pickers has meant that tasks traditionally performed by women, and on which many women depended for their livelihood, have been appropriated. Large farms have benefited from the mechanisation of the rural economy, and estimates suggest that there has been a 50 per cent decline in the labour force per acre in Pakistan. Moreover, the large-farm bias in disbursing loans has meant that the average farm size increased by 140 per cent (Husain 1999). This has resulted in the displacement of small farmers and tenants. An illustration of this is found in Indian Punjab, where, according to one analyst, the decline in female labour was about 90 per cent after the Green Revolution.

Technological change has eliminated many jobs traditionally done by women, and alternative job opportunities have not been created for women at the same rate as for men. 50 to 75 per cent of weeding in paddy producing areas in Sri Lanka is now done through chemical spraying by males, whereas weeding was once a female-dominated manual task. In Bangladesh and Sri Lanka, the introduction of rice-mills has displaced hand pounding done by rural women. Rice mills have introduced husking equipment, with the consequence that women who used traditional husking mechanisms have lost their means of livelihood. In addition to this, many women have problems gaining access to technological inputs due to lack of training.

The concentration of land ownership, agricultural mechanisation and the falling growth rate in the agricultural sector has meant that surplus male labour has been forced to move to urban centres. This migration has altered gender relations to some extent. Male out-migration has meant that women have had to assume additional responsibility for agriculture. Women's share of work in agriculture and other household production has increased. In addition to traditional

The impact of modern agricultural technology introduced in the region has not benefitted women

household and agricultural activities, women have moved into non-traditional spheres, such as managerial activities related to farm activity. This work entails hiring labour to cultivate land, supervising crop harvesting and sale, and decisions regarding cropping patterns. Even though women's work burden may have increased, it has permitted them to attain a degree of decision-making authority in domestic and village affairs.

For many informal sector workers—perhaps the majority—working conditions and the terms of labour are exploitative

Women in the informal sector

The problem of finding meaningful and comprehensive gender-disaggregated data is especially relevant to women's informal sector economic activities. The terms informal sector labour and self-employment are sometimes used synonymously, although they are not necessarily the same thing. In Nepal, for instance, the informal sector has only recently been included in labour force surveys, although there is historical data on self-employment, both rural and urban. According to the 1991 figures for Nepal, the overwhelming majority of workers (69.5 per cent of men and 83.7 per cent of women) were self-employed (table 4.3).

Throughout South Asia, the informal sector has grown, both in absolute terms and relative to the formal sector. It grew in Pakistan from being twice the size of the formal sector in 1981, to 'nearly six times in 1987-88' (Khan 1997). In India, the percentage of women in the informal sector has grown more slowly, rising from 93.97 per cent in 1981 to 95.79 per cent of the workforce in 1991 (Mehta 2000).

The figures for Bangladesh tell a similar story. Between 1983-84 and 1995-96 the informal sector share of the female labour force increased from 44 per cent to 75 per cent. Women's participation in the formal sector grew in that period at an average annual rate of 2.9 per cent but that of women's informal sector labour grew at an average annual rate of 32.9 per cent (Mahmud 2000).

For many informal sector workers—perhaps the majority—working conditions and the terms of labour are exploitative. Although some women entrepreneurs earn a good living in the informal sector, the majority of informal sector labour is characterised by low wages and long hours of work for low returns. Because there is little legislation concerning working conditions, workplace safety or minimum wage rates, and little or no enforcement of existing legislation, there is no legal protection against economic exploitation. One of the multitude of examples of this problem is that of brick kiln workers in Pakistan. An estimated 100,000 women work in brick kilns but are not officially employed because whole families work in a form of bonded labour in which only the male family head is registered (Klein and Nestvogel 1999). Also, middlemen (almost always men because men have the freedom to travel around in public and to deal with other men) can profit from the fact that illiterate women do not have the necessary information about the market or about the laws that are supposed to protect them. Nor is there any recourse to arbitration, when disputes about wages or conditions arise (see box 4.2).

In Sri Lanka, in contrast to the urban formal sector which has been better integrated into mainstream economic development, there has been little systematic effort to strengthen the urban informal sector workforce with skills and other resources needed to raise productivity levels. The most vulnerable women workers are those who are the sole or primary income earners. They lack capital, access to institutional credit on easy terms, skills, know-how, technology and marketing outlets, and their minimal incomes reinforce their poverty. A woman's own labour is the main input, but other household labour, including that of children, is often used. Women enter into home-based economic activities because of a lack of other options. In the urban setting, the expectation that home-

Table 4.3 Employment Status by Gender

Bangladesh: distribution by employment status, 1995-96 (%)

	Self-employed or employer	Hired worker	Employee	Family worker
Male	43.9	25.5	15.0	15.6
Female	22.7	18.0	25.3	33.9

Source: GOB 1996b.

Sri Lanka: distribution by employment status, 1998 (%)

	Employer	Employee	Own-account worker	Unpaid family worker	All status
Both sexes	1.9	55.6	29.0	13.5	100.0
Male	2.5	56.3	35.3	5.9	100.0
Female	0.8	54.3	17.0	27.9	100.0

Source: GOB 1998.

India: distribution by rural-urban sector, 1993-94 (%)

	Self-employed	Regular employees	Casual labour
All India			
Male	53.7	16.7	29.6
Female	56.8	6.2	37
Rural			
Male	57.9	8.3	33.8
Female	58.5	2.8	38.7
Urban			
Male	41.7	42.1	16.2
Female	45.4	28.6	26

Source: Visaria 1999.

Nepal: economically active population, 1981-91 (%)

Status	Male		Female	
	1981	1991	1981	1991
Employer	0.9	0.7	0.4	0.4
Employee	11.8	27.8	3.8	12
Self-employed	83.2	69.5	90	83.7
Family worker	1.7	1.5	4	3.5
Not stated	2.4	0.4	1.8	0.5
Total	100	100	100	100

Source: Acharya 1994.

Pakistan: distribution of employed persons, 1994-97 (%)

Employment Status	1994-95			1996-97		
	Both sexes	Female	Male	Both sexes	Female	Male
Employer	1.0	0.3	1.1	1.1	0.3	1.2
Self-employed	42.3	13.2	46.3	42.2	12.6	46.8
Unpaid family helper	22.6	61.7	17.2	20.3	54.1	15.1
Employee	34.1	24.8	35.4	36.4	33.0	36.9
Total	100	100	100	100	100	100

Source: GOP 1997b.

Box 4.2 Rolling to make ends meet

The bidi industry in India is one of only 4 industries in which female employees outnumber male employees. More than three times as many women are employed in this activity as men, or 76% of total workers involved in bidi manufacturing. This means approximately 1.5 million women work in the industry, of which the majority are bidi rollers. 68% of these women carry out this work at home. Their work consists of acquiring the materials, cutting the tendu leaves, filling them with tobacco, folding the ends, tying them closed with thread, and binding them into bundles of a given size.

Despite the fact that legislation exists—both for factory and home-based workers—that guarantees a minimum wage, medical and crèche facilities, and maternity, provident fund and scholarship benefits, in actual practice these laws are blatantly disregarded. In most places manufacturers have adopted a contract system in bidi production. Any given manufacturer employs between 2 and 600 contractors. Large contractors in turn hire subcontractors. Despite the statutory minimum wage fixed in each state, contractors set their own lower wage rate when contracting women to do the work.

The raw materials they deliver to the workers are almost always under weight. Therefore, women always produce fewer bidis than the number the contractor assigns them. On top of this, contractors practice a fixed deduction of Rs. 2 per week, and then proceed to reject 5-20% of the finished bidis, claiming they are defectively rolled. They indiscriminately make this claim despite the fact that some women have been rolling bidis for 20 years. And of course, they still claim all the rejected bidis. The findings of a study done by a voluntary organisation on bidi workers in Jabalpur, Madhya Pradesh suggest that women usually receive about half of the minimum wage under these ploys. If the primary employer does not want to comply with the requirements of the law, he is virtually impossible to trace.

Most women work for two or three different contractors at a time. They are not asked to sign when they receive payment. They are not registered, so the employer will not have to provide maternity benefits. Employers change the falsified name every few months. They deduct provident funds from the women's wages, but give no receipts. In Tamil Nadu, only 20% of the collected provident funds are officially recorded.

Some women said that they get 1 kg tobacco from the contractor who expects 1500 bidis in return. They can only make 1,250 bidis out of this amount of raw material. Because women have to replenish the shortfall, they make only Rs. 8-9/day. Women said they had difficulty supporting the family on Rs. 9/day, so they often had to take loans from the money-lender who charged Rs. 1/day on a Rs. 10 loan.

These are the realities of women's work in the informal sector, and as long as there are no alternatives provided, or appropriate and effective protective measures introduced, the acute need faced by many poor women will continue to drive them into exploitative occupations such as this.

Sources: National Commission on Self Employed Women and Women in the Informal Sector 1998; and Sudarshan & Kaur 1999.

based economic activities are transitory has resulted in relative neglect of the home-based enterprise sector. Although most women engaged in home-based economic activities aspire to join the formal sector their chances seem to be rather poor. In Sri Lanka, women's entry into these activities is mainly a strategy for survival when entry into the occupations in the formal sector is severely restricted (Atapattu 2000).

Women in the formal sector

Although women's participation in the formal sector is increasing in most of South Asia, women still account for the smallest percentage of employees in the formal public and private sector workforce. With the exception of Sri Lanka, women account for between 13 per cent and 15 per cent of workers in the formal sector. The majority of formal sector workers are concentrated in unskilled and low-paid work in the industrial and service sectors. By far the majority of formal sector employment is urban-based.

In India, women's formal sector employment has increased from 12 per cent in 1981 to just over 15 per cent in 1995 (GOI 1998a). Within the Indian formal sector, 57 per cent of women workers are employed in community, social and personal services, 11 per cent in agriculture, 18 per cent in manufacturing, 5 per cent in finance, insurance, real estate and business services, and 4 per cent in the transport and communications sector.

Nepalese women constitute 49 per cent of the total labour force, of which only 15.6 per cent are in the non-agricultural formal sector. However, women hold 21.1 per cent of professional and technical positions.

In 1995-96 the female share among all employees in Bangladesh was only 13 per

cent in the public formal sector and 22 per cent in the private formal sector. Of the female formal sector workforce, 31 per cent held professional positions, while 24 per cent were employed in the production and transportation sectors and 59 per cent in the service sector. Since the overall female share in the employed labour force is only 18 per cent, women are under-represented in managerial jobs but relatively over-represented in the other three sub-sectors. On balance, there has been a general improvement in the quality of Bangladeshi women's market participation.

Sri Lanka has the most even distribution of female formal sector employment in South Asia. Substantial numbers of women with middle-level education qualifications have been absorbed into clerical and allied occupations, nursing, and primary and secondary school teaching. Nearly 45 per cent of the total formal sector employees in 1997 were women. Women comprise 17.3 per cent of administrative and managerial workers; 27.2 per cent of professional, technical and related workers; 39.5 per cent of all clerical workers and 22.8 per cent of supervisors. However, 48.3 per cent of the total female formal sector workforce are still employed as unskilled workers.

Only 13.45 per cent of formal sector workers in Pakistan are women. They occupy less than a quarter of 1 per cent in the combined categories of legislator, senior official and manager; 0.83 per cent of professionals, and one-half of one per cent in the combined category of technicians and associate professionals. A miniscule percentage of women are clerks and plant and machine operators and assemblers.

Women's participation in the formal industrial labour force—especially the export sector—is rising. In Bangladesh's garment industry 90 per cent of the workers are women, and more urban women are now employed in the pharmaceuticals, electronics and fish-processing industries. In Sri Lanka's three Export Processing Zones the percentage of women workers totals 74.18 per cent, 81.63 per cent and 89.78 per cent (Atapattu 2000).

As a result of new opportunities created by economic liberalization, the consequent demand for cheap labour, and rising demand in the export market, more women—and increasingly younger women—are taking up manufacturing jobs. It is argued that many employers prefer to employ women because they tend not to unionise and can be paid less. Where cultural norms of women's seclusion exist, they are minimised by employing an exclusively female workforce. However, the other costs of a female workforce, such as perceptions about greater absenteeism, the need for maternity and childcare benefits and high turnover, may play a role in depressing the demand for female labour in skilled activity relative to the demand for male labour. These factors are also likely to contribute to the vastly unequal pay scales for men and women.

In Bangladesh, 27.8 per cent of employed women work in the production and transportation sectors and 15.6 per cent are employed in the service sector. The declining proportion of Nepalese women in the production and service sectors indicates a reduction in women's access to jobs created in the modern expanding sectors of the economy. In Nepal, women's employment in the industrial sector (combining manufacturing, construction, transportation and communications) has declined to 18.8 per cent of the female workforce during the 1990s. The increasing mountain tourism and trekking businesses do not seem to have compensated for the decline in demand for locally-made products. Nor have services and trade been able to compensate for the declining role of manufacturing as a source of employment in rural areas (Acharya 2000).

In India, only 15.4 per cent of formal sector manufacturing employees are women. The actual number of women engaged in manufacturing, here as elsewhere in South Asia, is much higher

Women's participation in the formal industrial labour force—especially the export sector—is rising

For the majority of women engaged in paid economic activity, the fact of being female means being paid less than men for their work

of course, when home-based sub-contracting is taken into account, but there are no figures available for the actual total.

The manufacturing industry accounts for the second largest proportion (27 per cent) of employed women in Sri Lanka, where new employment opportunities in manufacturing have benefitted women. In the 1990s, the manufacturing sector recorded the highest proportion of female employees in the economy. The female industrial workforce dominates in seven industrial categories and is concentrated in key export industries, including apparel, where nearly 90 per cent of the labour force is female.

Across South Asia, the service sector accounts for the largest proportion of women's formal sector non-agricultural labour. The service sector absorbs unskilled labour, but rates of pay are usually low because the demand for jobs far outstrips supply. It is also insecure because demand fluctuates according to the state of the broader economy, both domestic and foreign.

Female-male wage-rate differentials in the formal sector

For the majority of women engaged in paid economic activity, the fact of being female means being paid less than men for their work. Employing women has been a means of reducing costs and increasing profits. Gender-based wage disparities exist across all sectors and in all occupations, despite labour laws which exist to ensure wage equity. Only the smallest proportion of all jobs in all sectors are covered by wage-rate legislation, and most wages are determined by market forces, which guarantees they will be as low as possible.

The reasons usually given for paying women less are not unique to South Asia, but they have specific cultural import here. Low levels of skill on entry, lack of access to on-the-job training, employment histories punctuated by time spent bearing and raising children, time off to care for family members, and the assumption that men are the primary earners—all contribute to the implicit assumption that women should be paid less than men. Another point worth noting is that the existing wage discrimination contributes to women not voluntarily entering the workforce. Generally South Asian women are drawn to work by need. The fact that women are poorly represented, if at all, in trade unions, exacerbates the situation. Relatively few women have full-time jobs and most women are paid at piece-rates rather than by hourly wage or by salary, which makes it easier to avoid disclosure of wage-rate disparities.

A study of Export Processing Zones in Sri Lanka reported marked gender-based wage disparities in all zones and across all industries, although the gap has narrowed somewhat in recent years. By 1996, Sri Lankan males in the manufacturing sector earned only 9 per cent more than females, compared to 37 per cent in 1985 (see box 4.3). In Sri Lanka, even government-fixed minimum-wage rates are lower for tea estate workers, where women predominate, and labour laws are rarely enforced in practice.

In rural areas of India, agricultural activities traditionally performed by men such as ploughing, irrigation, sowing, and levelling are paid more than activities normally in the female domain such as weeding, transplanting, and winnowing. However, wage differentials in agriculture are not nearly as marked as in other sectors in rural areas, such as manufacturing, where women can be paid as little as half as men. Overall, in rural areas the differentials are much higher: women in rural areas are paid about 60 per cent of what men are paid, compared to women in urban areas who make almost 80 per cent of what men make.

In Pakistan, there is sparse information on wage differentials. What information is available suggests that differentials were reduced by 30 per cent between 1979 and 1985-86. Nevertheless, there is still great disparity between male and female wage

Box 4.3 Earning for whom?

In Sri Lanka, labour intensive industries such as garments have gained increasing prominence in recent years. Women form the vast majority of workers in these industries. But the working conditions in most export processing factories are extremely hazardous to health and regulations against unions are inimical to workers' welfare. The working conditions in these factories are guided by industrialists' desire to maintain high productivity. Furthermore, with the policy of attracting foreign investment there has been some relaxation of the country's labour protection rules and regulations governing the employment of women in industry. The country's labour authorities argue that the free trade zones are not exempt from existing labour laws. It is, however, known that no serious attempt is being made to rigorously implement the existing laws within the zone, as it is feared that such action would discourage inflow of foreign investment. All these have contributed to the maintenance of low wages and difficult working conditions for the bulk of female industrial workers. Policies of liberalization have indeed provided a quantitative expansion of industrial employment in the country, particularly among women, but questions are being asked about the quality of employment opportunities so created. Most of these jobs are low-paid and low-skilled. The integration of Sri Lankan women into the global production system has certainly increased but not necessarily improved their economic and social conditions.

Source: Bandarage 1998.

earners, more so at higher income levels. Again, the wage differentials are higher in rural areas—women make 59.4 per cent of what men make whereas in urban areas women make 64.8 per cent of what men make.

In Bangladesh, the gender gap in earnings in the formal urban manufacturing sector decreased—in 1985-86 women earned only 45 per cent of what men earned while in 1995-96 this figure had increased to 58 per cent. This trend echoes across all sectors—in particular women in agriculture earn over 71 per cent of what men earn. The only sector in which women's wages continue to be extremely depressed is the service sector where women earn only 29.4 per cent of what men earn.

In Nepal there is considerable fluctuation in the earnings profile of women across different sectors. However, the national statistics suggest that women get paid about 57 per cent of what men get paid.

Women and micro-credit

Unequal economic opportunities for women are manifested most clearly in their limited access to credit. The availability of micro-credit, especially for poor women, provides an opportunity for them to have some measure of economic independence. In South Asia, numerous initiatives by both governments and NGOs have been able to provide credit to women. Although some of these have been very successful, there is still a huge unmet need for micro-credit in the region, particularly in rural areas.

Despite some success stories, as mentioned in box 4.4, the overall experience with regulated, subsidised credit by public sector banks has not been good for a host of reasons. In particular, banks have failed to take into account the special needs and concerns of poor rural women, who are the group most in need of, and least targeted for, credit provision. Most banks apply the same rules to these women as are applied to richer borrowers in urban centres. High transaction costs, the rigidity of collateral requirements, urban locations, and heavy paperwork requirements are all examples of impediments to poor, rural, and often, uneducated women.

Women are almost invisible to formal financial institutions. They receive less than 10 per cent of commercial credits (Haq, K. 1996). The Agricultural Development Bank of Pakistan (ADBP) has taken the lead in extending credit to rural women. Even so,

The overall experience with regulated, subsidised credit by public sector banks has not been good

Box 4.4 NABARD in India

The linking of banks to self-help groups was a project undertaken by the National Bank for Agriculture and Rural Development (NABARD). Till now, bank credit to the tune of about Rs. 300 million and NABARD refinance of Rs. 260 million has been provided. 300,000 rural families have been covered by the scheme. Repayment of loans at the Women's Self Help Group (SHG) level and at the bank level has been excellent and has been almost 100 per cent. In his budget speech for the year 1998-99, the Finance Minister asked NABARD to extend the scope and coverage of the scheme to cover 2 lakh SHGs and 40 lakh families over the next 5 years.

Where specific banks or bank managers have taken the decision to be sensitive to the needs of those below the poverty line, the impact on the poor has been phenomenal. Examples include the tremendous success of lending by the Indian Bank to Women's Self Help Groups (SHGs) in Madurai district of Tamil Nadu under the IFAD project. Since the SHG decides about the borrower and the amount of money to be borrowed, this together with the peer pressure exerted by the group ensures high repayment rates and low transaction costs.

The Ninth Plan recognises the need for a conducive credit policy to increase the access for women to credit through appropriate institutional mechanisms like the Rashtriya Mahila Kosh (RMK), NABARD, Council for Advancement of People's Action and Rural Technology (CAPART) etc. The Plan document states that the setting up of the RMK in 1993 'fulfilled a long awaited initiative of having a national level mechanism to meet the credit needs of poor and assetless women in the informal sector.' Till March, 1997 a total credit worth Rs. 35.14 crores was sanctioned and a sum of Rs. 20.51 crores disbursed to 1.91 lakh women through the medium of 170 NGOs. RMK maintained a recovery rate of 92 to 94.6 per cent. By March, 1998, RMK had extended credit to 2,50,000 women over six years.

Source: Mehta 2000.

less than 7 per cent of the loans granted by ADBP until 1992 went to women. In Bangladesh, of the 879,000 people who took loans from commercial banks in 1994, only 64 were women (Ahmed 1998).

There are now attempts to address this situation in many South Asian countries. Beginning in the early 1990s, five Regional Rural Development Banks (RRDB), one each in the Eastern, Central, Western, Mid-Western and Far-Western Development Regions of Nepal, were established to provide institutional credit to those sections of society which still remain outside the reach of other targeted credit programmes. These will draw on the experience of the Production Credit for Rural Women (PCRW), the largely successful government-sponsored credit programme that has been Nepal's only real effort at providing credit to women on a large scale. PCRW was set up in 1982 and covers 67 of Nepal's 75 districts.

The Central Bank of Sri Lanka has taken on the responsibility of the Small Farmers and Landless Credit Project (SFLCP) since 1997 and planned to increase coverage to 6 more districts. This project emphasises female participation in income generation and has so far benefitted over 35,000 women. In Pakistan, the new administration has announced the establishment of a specialised Microfinance Bank to eradicate poverty. Across the region, NGOs and commercial banks have joined in partnership to address the lack of credit available to women. By September 1998, over 17,000 self-help groups (SHGs) in India were linked with banks; 88 per cent of these are exclusively women's groups.

It is with an eye to addressing many of the constraints that women face that semi-formal credit institutions have operated. The seminal effort that has been replicated across the region and indeed the world is the Grameen Bank, based on the concept of group lending and peer monitoring. NGO-operated micro-credit programmes in Bangladesh cater to over 10 million people with close to 90 per cent of borrowers being women. In Nepal, the three main NGOs that operate on a Grameen model cover 409 village development committees with approximately 60 per cent female borrowers. In Pakistan, an estimated 95 NGOs are disbursing micro-credit, with a quarter of the borrowers women. The average amount of the loan disbursed to women is Rs. 19,000 (AKF 1999). In most of these cases, repayment rates are around 90 per cent, reinforcing the point that women are more trustworthy borrowers.

In any case, credit alone is not a vehicle for generating income. Without substantial market incentives and infrastructure, borrowers are likely to remain in debt, as they have limited options to make profitable investments. Rural credit programmes with support services that include training, savings

mobilisation techniques and group formation are motivating women to become self-employed: in Bangladesh in 1995, approximately, 2 million women were estimated to be self-employed in individual or group enterprises (UNDP 1995a). In Pakistan, the First Women Bank is currently the only commercial bank that offers development finance *and* training to women (see box 4.5).

The other sources of credit in the region are traditional ones such as moneylenders, who charge exorbitant rates of interest; mechanisms such as Rotating Savings and Credit Associations (ROSCAs) which are essentially committees of pooled savings, and banking societies. In Sri Lanka, the Janashakth Banking Societies (JBS) operate as informal savings and loans associations, and have helped poor women meet both short and long-term credit needs. Interest rates of 4-5 per cent are comparatively low and JBS have seen recovery rates of 95 per cent.

In general though, women's participation in many such local level initiatives is erratic: they are often excluded from local organisations such as agricultural co-operatives which help in providing information or may even extend credit. Other obstacles to mainstreaming micro-credit for women include the ideological obstacle of patriarchal assumptions about the ownership of assets and property.

The actual effects of micro-credit schemes are unclear: in Sri Lanka there is little evidence that women participating in successful credit programmes have moved from low-productivity self-employment to profitable entrepreneurship, even in small scale industries (Jayaweera 1996). The limitations faced by non-formal and semi-formal credit providers perhaps result in their limited impact, once again highlighting the need for formal institutions to play a much more active role in credit provision to poor women.

Globalization and its impact on women

The benefits of competitive markets and other mainstays of globalization such as information technology have been skewed towards the elite minority of South Asian women. The new markets, tools, and rules of this global era have failed to alleviate the poverty of most of South Asia's women. Simultaneously, with the unprecedented wealth and progress in the developed world and the elite sectors of developing countries, the economic opportunities available to the majority of South Asian women are extremely limited and unrewarding. The average earned income share of women in South Asia is 24.7 per cent, far below the developing country average of 32.4 per cent (UNDP 1999c). While globalization encompasses more than simply economic changes, it is the economic impact of globalization on women that is important for us here.

Urban, educated, and relatively affluent women are able to take advantage of the increased opportunities for work that come with the influx of foreign firms.

There is a need for formal institutions to play a much more active role in credit provision to poor women

Box 4.5 For women, by women

The First Women Bank (FWB) is one of only two commercial banks in Pakistan disbursing credit to women. It is unique in that it also operates as a development finance institution. Its Women Business Centre (WBC) was initiated in March 1999 and offers loans ranging from Rs. 5,000 to Rs. 25,000 with an interest rate of 12% p.a. There are two personal guarantees required and illiterate women are required only to provide photo-identification and a thumbprint. Women pay Rs. 100 to join the WBC, which offers training programmes comprising skill acquisition and upgrading, marketing and accounting. There are also plans to link with agencies such as the Export Promotion Bureau and the Chamber of Commerce so as to improve women's entrepreneurial opportunities

Although to date only 12 thousand women have benefitted from the various credit schemes of FWB, its emphasis on women and interventions beyond just credit provision make it successful and underline the potential to make a real impact in poor womens' lives. An estimate suggests that 500,000 jobs for women have been created directly or indirectly as a result of FWB's programmes, and that too with a high recovery rate of 90.5%. Last but not least, the entire institution is run and owned completely by women, which is a tremendous indicator of the overall positive impact the bank has had on women's economic independence.

Source: WCIRC 2000.

Poor, less educated, and credit-constrained women, especially those who work in the urban and rural informal sectors, may not see many of the benefits of globalization at all

These employment avenues are complemented by greater opportunities to receive high-quality education and skill-training. The new technologies that define this age of globalization, in particular the Internet and information technologies, are accessible primarily to this group of women. On a macro level, the liberalization of trade and financial markets also promises tremendous benefits for elite and middle-class women. The many potential gains include a greater variety of goods that are cheaper due to increased competition, and more attractive interest rates for women entrepreneurs to undertake business ventures.

Conversely, poor, less educated, and credit-constrained women, especially those who work in the urban and rural informal sectors, may not see many of the benefits of globalization at all. Multilateral institutions such as the World Bank and International Monetary Fund (IMF) argue that benefits for these women will be the result of improvements in the longer term, brought about by correcting price distortions both in factor and product markets. They argue that by making markets more competitive, higher agricultural and industrial growth will take place and thus incomes will increase. The expansion of the industrial sector will supposedly increase employment both in the urban and rural economy (World Bank 1990). Even the proponents of economic liberalization however, acknowledge that the process may bring with it some necessary evils in the short-run. These include public sector expenditure reductions which can reduce income and consumption levels of the poor, the uneducated, and the unskilled. In addition, it is expected that unemployment will increase due to downsizing associated with the race to become more competitive. This is despite the fact that in theory agricultural reforms, commonly associated with the liberalization of agrarian economies, could have positive impacts on the poor (Haddad *et al.* 1995) through the reduction of high exports costs, even in the face of reduced subsidies.

Most women are unlikely to benefit from such liberalization policies because these programmes do not take account of gender-specific impacts. It is true that significant opportunities are available in low-tech manufacturing industries (i.e. garments), for women who have not so far been employed in the industrial sector. Nevertheless, it is likely that the victims of cost-cutting initiatives will outnumber those who are being hired in new factories. Most of those losing their jobs are unskilled while those keeping their jobs or being hired are highly-skilled. The outcomes of these downsizing initiatives include increases in low-paying home-based sub-contracting work, most of it done by women.

Women in the smaller countries of South Asia have made more progress than women in the larger countries: the earned income shares of women in Nepal, Bhutan and the Maldives have gone up. However, in all of these countries, there are still wide wage differentials between men and women and fewer opportunities for women to apply new technologies. As highlighted earlier, this technological class and gender gap is most evident in the agricultural sector. Globalization has also failed to address the issue of economic and environmental sustainability, particularly in the agricultural and informal sectors. As Chapter 1 highlighted, poverty only increases strains on the environment, and there is little reason to believe that there is enough emphasis on the globalization agenda on either the poor or on preventing ecological degradation.

Globalization has put poor and uneducated women in a more acute situation of need than ever before. Gains have been limited and even where they have been more extensive, such as in industries in India, Sri Lanka and Bangladesh, there is much that remains to be done. As far as the Bangladesh experience goes there is definitely something that other South Asian

countries can learn, at least in terms of how to begin the process of pro-poor growth in the global era. However, to a large degree, South Asian women have borne the brunt of the negative effects of globalization; adjustment policies in particular lead to an intensification of women's domestic and market work, interruption of girls' education, and an increase in the amount of time women spend to obtain basic services or self-provide them (Beneria 1995).

It is clear that as yet there has not been a significant increase in the number of jobs available to South Asian women to take advantage of globalization process. Richer, educated women have gained from globalization, at least in economic terms. But the vast majority of South Asian women have so far been sidelined in the global system. The positive structural transformation that the proponents of globalization promise to rural economies in South Asia has yet to occur. The rising tide of globalization has not lifted all women. As a matter of fact, globalization tends to increase income inequality between different sectors and groups which, if not countered through redistributive fiscal and employment policies, will further marginalize vulnerable groups. Women form the vast majority of these in South Asia. We will return to this theme in our next Report.

Annex Tables: Distribution of labour force by gender

India

Table A 1.1
Broad sectoral distribution of workers, 1993-94 (%)

	Primary Sector	Secondary Sector	Tertiary Sector
All India			
Male	58.3	16.5	25.2
Female	78.0	10.9	11.1
Rural			
Male	74.0	11.2	14.8
Female	86.1	8.30	5.60
Urban			
Male	9.0	33.1	57.8
Female	24.8	29.3	45.9

Source: Visaria 1999.

Table A 1.2
Female employment as a per cent of total organised sector employment, 1995

Primary Sector	22.2
Agriculture, hunting, forestry & fishing	34.0
Mining & quarrying	7.0
Secondary Sector	11.3
Manufacturing	11.5
Electricity, gas & water	3.9
Construction	5.4
Tertiary Sector	17.3
Wholesale and retail trade, restaurants & hotels	8.3
Transport, storage & communications	5.1
Finance, insurance, real estate & business services	13.5
Community, social & personal services	21.7
Total	15.4

Source: Visaria 1999.

Table A 1.3
Distribution by major industry, 1993-94 (%)

	Agriculture	Mining & quarrying	Manufacturing	Electricity, gas & water	Construct	Trade	Transport & storage	Services
All India								
Male	58.3	0.9	11	0.5	4.1	9.5	4	11.7
Female	78	0.4	9.3	n/a	1.2	3.2	0.3	7.6
Rural								
Male	74	0.7	7	0.3	3.2	5.5	2.2	7.1
Female	86.1	0.4	7.1	n/a	0.8	2.1	0.1	3.4
Urban								
Male	9	1.3	23.6	1.2	7	22	9.8	26.1
Female	24.8	0.6	24.3	0.3	4.1	10.1	1.3	34.5

Source: Visaria 1999.

Table A 2.1
Distribution by major occupation, 1996-97 (%)

Major Occupation Groups	Both Sexes	Male	Female*
Legislators, senior officials & managers	8.62	8.37	0.24
Professionals	3.50	2.67	0.83
Technicians & associate professionals	2.80	2.30	0.50
Clerks	2.89	2.85	0.04
Service workers and shop & market sales workers	7.77	7.15	0.62
Skilled agricultural & fishery workers	36.82	30.16	6.66
Craft & related trades	9.87	8.49	1.38
Plant & machine operators & assemblers	4.82	4.78	0.04
Elementary (unskilled) Occupations	22.93	19.78	3.14
Total	100.0	86.55	13.45

* denotes female share as a % of total female labour force
Source: GOP 1997b.

Table A 2.2
Distribution by major industry, 1996-97 (%)

Major Industry Division	Both Sexes	Male	Female
Agriculture, forestry, hunting & fishing	44.15	35.22	8.93
Mining & quarrying	0.10	0.10	n/a
Manufacturing	11.10	9.76	1.34
Electricity, gas & water	0.98	0.97	0.01
Construction	6.75	6.68	0.07
Wholesale and retail trade & restaurants & hotels	14.62	14.24	0.37
Transport, storage & communication	5.71	5.66	0.05
Financing, insurance, real estate and business services	0.98	0.98	0.01
Community, social & personal services	15.58	12.89	2.68
Activities not defined	0.04	0.04	0.01
Total	100.0	86.55	13.45

Source: GOP 1997b.

Table A 2.3
Distribution by gender and monthly income (%)

	Total employees	Up to Rs. 1,500	Rs. 1,501 to 2,500	Rs. 2,501 to Rs. 4,000	Rs. 4,000 and above	Average monthly income (Rs.)
Both Sexes	100	15.92	26.64	33.35	24.09	3,686.37
Male	89.79	11.9	24.24	30.93	22.71	3,824.03
Female	10.21	4.02	2.4	2.41	1.39	2,476.4

Source: GOP 1997b.

Table A 3.1
Distribution by major occupation, 1995-96 (%)

Major Occupation Category	Male	Female	% Female
Professional technical	3.5	7.2	30.6
Administrative and managerial	0.5	0.1	3.9
Clerical and sales	20.4	7.6	9.3
Service*	2.4	15.6	58.7
Production/transport workers and labour	19.2	27.8	23.7
Agricultural worker	53.9	41.7	14.3

* includes household sector and 'not adequately defined'.
Source: GOB 1996b.

Table A 3.2
Women's formal sector labour force participation, 1995-96 (%)

Agriculture & fisheries	6.0
Industry	46.0
Service sector	48.0
Total	100.0

Source: GOB 1996b.

Table A 3.3
Women's informal sector labour force participation, 1995-96 (%)

Agriculture & fisheries	34.0
Industry	22.0
Service sector	44.0
Total	100.0

Source: GOB 1996b.

Table A 3.4
Female-male wage ratios (%)

	1983-84	1995-96
Rural areas	47.6	56.8
Urban areas	48.9	60.0
Agriculture	48.3	71.4
Industry	n/a	50.8
Services	n/a	29.4

Source: GOB 1996b.

Table A 4.1
Distribution by major occupation, 1995-96 (%)

Major Occupation Groups	Both Sexes	Male	Female*
Professional & technical/administrative	1.8	2.7	0.7
Clerical	1.6	2.8	0.2
Sales	3.8	5.0	2.6
Service	1.4	1.9	0.8
Farmers & forestry workers	86.1	78.9	93.7
Production workers	3.2	4.9	1.4
Construction/transport/communication	0.5	0.8	0.2
Ordinary labour	1.4	2.5	0.2
Others & not specified	0.2	0.3	0.1
Total	100.0	100.0	100.00

* denotes female share as a % of total female labour force
Source: HMG Nepal 1996.

Table A 4.2
Informal sector employment by occupation and urban/rural sector (%)

Occupation	Male		Female	
	Urban	Rural	Urban	Rural
Professional, technical, administrative	45.5	54.5	60.0	40.0
Clerks	50.0	50.0	100.0	0.0
Services worker	34.6	65.4	35.8	64.2
Agriculture	0.0	100.0	0.0	100.0
Skilled production worker	19.4	80.6	24.0	76.0
Elementary occupation	13.9	86.1	13.0	87.9
Total	23.0	77.0	22.1	77.9

Source: HMG Nepal 1999e.

Table A 4.3
Proportion of women in occupational groups, 2000 (%)

Occupation	Census 1991	NLSS 1995/96
Professional & technical	15.1	20.7
Administrative & managerial	9.3	11.2
Clerical	10	7.7
Sales	22.6	32.8
Services	25.1	28.6
Agriculture & forestry	45	53.0
Production*	18.8	17.5
Not classified	18.2	3.5
Total	40.4	48.7

* includes manufacturing, construction/transport/communication and ordinary labour
Source: Acharya 2000

Table A 5.1
Women employees to total employees by major occupations, 1997 (%)

Major Occupation	% of Women
Administrative & managerial workers	17.3
Professional, technical & related workers	27.2
Clerical & related workers	39.5
Sales workers	26.6
Foreman & supervisors	22.8
Skilled & semi-skilled workers	52.5
Unskilled workers	48.3
Total	44.5

Source: GOS 1997b.

Table A 5.2
Women employees to total employees in major industries, 1997 (%)

Agriculture, forestry & fishing	51.2
Mining & quarrying	18.6
Manufacturing	59.5
Electricity, gas & water	7.8
Construction	12.6
Wholesale & retail trade & restaurants & hotels	26.6
Transport & storage	8.6
Financing, insurance, real estate & business services	29.7
Community, social & personal services	31.6
All industries	44.5

Source: GOS 1997b.

Table A 5.3
Female dominated industries, 1993

Industry Group	Gender-based employment ratio	
	Male	Female
Textiles	0.40	0.60
Footwear, except rubber or plastic	0.46	0.54
Wearing apparel, except footwear	0.11	0.89
Manufacturing of leather and products	0.37	0.63
Other manufacturing industries	0.24	0.76
Pottery, china, earthenware	0.40	0.60
Tobacco manufacturers	0.41	0.59
Average	0.34	0.66

Source: GOS 1993 and GOS 1997c.

Table A 5.4
Female-male wage ratios in the manufacturing sector (%)

1985	73.0
1990	93.8
1993	94.8
1996	95.6

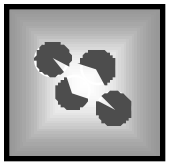
Source: Gunatilaka 1999.

5

Women and the Law

The first order of business is to bring the moral pressure of the global community on these reluctant nations to accept the basic tenets of legal equality for women.

– Mahbub ul Haq



Chapter 5

Women and the Law

The demand for women's legal equality has become central to the growing demand for women's empowerment

Women do not enjoy complete legal equality with men in any South Asian country or community, despite constitutional guarantees to the contrary. The majority of South Asian women—regardless of class, caste or religion—face unequal access to property; to protection from harm; to decision-making powers surrounding their family life and outside activities; and to the justice system itself. These disparities have negative repercussions on women's vulnerability to violence and destitution; on their ability to care for themselves and their families; and on their overall sense of citizenship, security and integrity.

As discussed in chapter 2, a rights-based approach to gender and development sets the achievement of human rights, and the creation of an enabling environment in which human rights can be enjoyed by all, as the main objectives of people-centred sustainable development, as well as the means to achieve it. This involves breaking down unequal relationships based on the socially-constructed hierarchies of gender—as well as age, class, ethnicity, religion and other socio-economic factors—through a process of formalisation of individual rights and institutional responsibility.

An equitable legal framework can never completely guarantee the equitable treatment of women in society. As discussed in this chapter, women's rights are systematically violated despite constitutional guarantees of equality. Equality articles are often contradicted by:

- individual laws,
- gaps in the legal framework,
- the decisions of parallel judiciaries, and
- other constitutional articles.

Further, throughout the region, cultural traditions, ignorance of the law and, especially, a lack of will among enforcement agents and the judiciary, obstruct the enforcement of many protective and promotional laws.

The codification of women's fundamental rights within constitutions and legislation can, however, enhance the options of women confronted with abuse or neglect, through the establishment of systems of legal recourse. Legal literacy programmes for both government officials and the general public can facilitate this process. As Azhar (1995) states, with reference to Pakistan, 'once the legal framework is more just and supportive, it will be easier to dismantle the grossly exploitative social customs and traditions rampant in society.'

Women who had internalised and accepted the inequality and discrimination prevalent at all levels of their lives have themselves begun to realise that neither laws nor their practice are impartial processes. Discriminatory and gender-insensitive laws generate and reinforce inequalities, perpetuate the subordination of women in the family and society, and contribute towards creating an insecure environment for them.

The demolition of the myth of neutrality of laws has increased the awareness of how laws help in sustaining the unequal power relations between men and women, from the fundamental level of the family to the highest levels of decision-making. In this way, the demand for women's legal equality has become central to the growing demand for women's empowerment and their consequent ability to effectively participate in, and benefit from, development processes.

It is sometimes the case that progressive changes to gender discriminatory laws can also be taken as

an indication of a positive shift in government commitment to gender equity. The establishment of legal principles and provisions can offer activists and individuals greater space for dialogue regarding change, both within the legal framework and in other spheres of life.

The legal terrain of South Asia—determined by the religious and cultural practices of several communities, and overlain by traditions of European jurisprudence—is particularly treacherous for women. Women suffer limited access to the legal system due to lack of education, low social status and limitations on their public mobility. Further, throughout the region, except in the Maldives and to a large extent in Nepal, different religious and cultural communities are governed by separate *personal laws*—those civil laws which deal with marriage, dowry/dower and divorce; custody, guardianship and adoption of children; and inheritance.

In the Maldives, where citizenship can only be held by Muslims and there is a large and dominant Sunni majority, all Maldivians live under Shari'a law. In Nepal, the legal framework is based upon a combination of ancient Hindu sanctions, custom, and British-Indian type common law. Personal laws are uniform, although in cases where the code is silent, community customs prevail. Approximately 90 per cent of the population identifies itself as Hindu, although Hinduism as practised in Nepal borrows a great deal from Buddhism.

In the rest of the region, the lack of a uniform civil code in which fundamental human rights take precedence over gender discriminatory religious customs remains a main obstacle to the achievement of women's equal rights. In Sri Lanka recent efforts to change the laws on statutory and marital rape were met with criticism in Parliament, as it was perceived that the proposed change would offend the susceptibilities of the Muslim community. Consequently Muslims were excluded from the scope of a new law on statutory rape. This conservatism has resulted in large areas of family law being untouched by legislative reform that conforms with the standards of equality and non-discrimination in the constitutions and international instruments that these countries have ratified.

In India, the National Commission on Women has drafted a Bill to provide for a secular law on marriage applicable to all communities. However, these efforts are often viewed with suspicion by women activists, particularly those from minority communities, as an effort to force minorities to conform to the value system of the majority. The development of 'uniformly' applicable civil codes is considered a policy initiative that denies the need to respect pluralism and ethnic and religious identities of minority communities. The absence of consensus among women activists themselves encourages governments to renege on the commitments they have undertaken to introduce legal reform in line with their own Constitutions and treaty obligations in international human rights law.

There is an urgent need for women's groups to recognise that a core of secular laws on early marriage and violence against women already exist, particularly in India and Sri Lanka. Arguments on respect for pluralism must not be used to discourage governments from developing this body of law further by enacting secular civil codes that reflect the commitments of the Constitution and international human rights treaties and standards. The concept of limited choice in governing family relations according to these codes can be incorporated so as to recognise the right of those governed by personal laws to adhere to some norms in their religious and ethnic laws. However, such a concept of choice must necessarily be limited, so that no community may infringe the core human rights of women in regard to access to education, health, economic advancement and bodily integrity, by reference to ethnic and religious laws.

The lack of a uniform civil code in which fundamental human rights take precedence over gender discriminatory religious customs remains a main obstacle to the achievement of women's equal rights

The word 'protection' is potentially damaging in the context of women… it strengthens social perceptions of women as subordinate and incapable

The effective application of personal laws is also hindered by the extent to which they lie in various states of codification. In India, for instance, Muslim personal law is not codified, as are the laws for the Hindu and Christian communities. In Bhutan, there is no codified system of traditional law at all, and most civil disputes among the majority Buddhist population, as well as the minority Hindu, Muslim and Bon communities, are dealt with by village heads. This level of *ad hoc*-ism can further impair women's ability to access objective and independent legal assistance.

While women are often most heavily affected by discriminatory personal laws, due to the socially-determined predominance of their role within the family, the impact of discrimination within other legal frameworks on women's security and sense of self must not be underestimated. In most cases—but not all—criminal law and other forms of civil law such as those dealing with labour, contracts and citizenship apply uniformly across religious communities. Exceptions include the Maldivian policy on citizenship mentioned above, and Pakistan's Laws of Evidence. There is, however, both explicit and implicit gender-based discrimination within the criminal and civil legal systems of the region.

The reality of constitutional provisions

A constitution is a declaration of the principles on which a country exists. In constitutions, the fundamental rights of citizens are established, and the structures, institutions and mechanisms through which laws and policies are made, interpreted and enforced, in order to maintain these rights, are created. The material contained in the constitution of a country, therefore, and the manner in which it is expressed, has wide-ranging implications for the legal as well as social, political and economic status of women.

Each South Asian country, except Bhutan,[1] maintains constitutional guarantees of women's legal equality with men. In many cases, however, these guarantees are confounded or contradicted by other constitutional articles, amendments and laws, as well as by a lack of political will to enforce these laws combined with persistent customary practices. Experience has shown that any ambiguity or lack of clarity in the articulation of rights creates space for misuse and discrimination.

Pakistan, in addition, is home to two constitutionally-created bodies with supra-constitutional powers. These 'parallel judiciaries'—the Council of Islamic Ideology and the Federal Shariat Court—have given decisions that are both violative of fundamental rights guaranteed in the Constitution as well as constitutionally binding, and which have been particularly problematic for women.

Women-specific articles in constitutions are generally articulated as a need to protect. Further, all the regional constitutions lump women together with children and/or other so-called 'backward' sections. Yet the word 'protection' is potentially damaging in the context of women: it strengthens social perceptions of women as subordinate, and bracketing them with children further reinforces the impression that women are as incapable of looking after themselves, a trend that is reflected in both laws and policies.

Further, in the cultural context of South Asia, the word 'protection' often lends itself to a traditional, conservative and rigid interpretation, leading to actions which tend to curtail women's rights, rather than ensuring them. The frequent use of terms such as 'public interest' and 'morality' take on a special significance in terms of the interpretation and application of women's rights. Inevitably, they bring in their wake constant references to 'social norms', 'cultural traditions' and 'religious values', thereby

[1] Bhutan has no constitution beyond an 18-point 1953 document, revised in 1968, which deals with procedures of the National Assembly and the conduct of its members.

allowing personal and internalised perceptions to dominate when executive, legislative and judicial decisions are made.

While constitutional jurisprudence varies across South Asia, there are indications that constitutional remedies can be a powerful catalyst for realising gender equality. Constitutional guarantees can also contribute to policy formulation and law making, by creating awareness that laws must conform to constitutional standards. Examples of positive decisions related to women's fundamental rights as guaranteed by the constitution include the following:

- In Nepal and Sri Lanka, the right to gender equality has been used to challenge discriminatory visa regulations.
- Sri Lankan women increasingly have used the general guarantee of equality before the law to challenge discriminatory administrative acts in the State sector that deny them promotions, extensions after the age of retirement, scholarships and certification of qualifications. In Sri Lanka, the right to equality has been increasingly interpreted as a right of protection from capricious, arbitrary, unreasonable decisions, and as a general standard of fairness in administrative decision-making.
- In India, gender discrimination in employment has been challenged under constitutional guarantees.
- In Pakistan, in a 1990 case challenging the restriction of medical college seats for women, the Supreme Court held that the state was allowed to take protective measures for women. Thus, in a coeducational institution it was possible to reserve a minimum, but not a maximum number of seats for women.
- In another Pakistani case, the Women's Action Forum challenged the privatisation of the First Women Bank (FWB), a bank set up by the government for women's economic empowerment, on the grounds of its being an affirmative action measure. The Lahore High Court ruled that while the government could sell the bank, any buyer must adhere to FWB's full mandate.
- In 1999, the Lahore and Sindh High Courts passed judgements that confirmed women's right to freedom of movement.

Gender discrimination in law and practice

Throughout the region, however, there continue to be laws that contradict the fundamental guarantees of equality laid out in constitutions and international agreements, as well as judical decisions that uphold gender discriminatory practices.

The Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW), tabled in 1979, remains the central legally-binding international agreement regarding the rights of women. All South Asian states have ratified CEDAW, but only Bhutan, Sri Lanka and Nepal have done so without reservation. While the reservations retained by Bangladesh, India, Pakistan and the Maldives (see box 5.1) indeed reflect poorly on government commitment to gender equity, the non-implementation of commitments made under CEDAW by all countries is as important. The following sections contain discussions of those discriminatory laws and enforcement practices which remain in effect despite CEDAW commitments.

Women and personal laws

Based upon complex systems of religion and culture, the customs and laws that govern marriage and divorce, guardianship and adoption, and inheritance and property in South Asia are highly discriminatory. This often has serious implications for women's economic, social and physical security.

Constitutional remedies can be a powerful catalyst for realising gender equality

Box 5.1 The status of CEDAW in South Asia

- Bhutan and Sri Lanka signed CEDAW in 1980 and ratified in 1981; Nepal signed and ratified in 1991. All three countries have done so without reservation. In Nepal, ratified international agreements automatically enter the national body of law.
- Bangladesh ratified CEDAW in 1984 with four reservations. In 1997, its reservations to CEDAW were partially withdrawn, thus accepting. Articles 13(a) (equal rights to family benefits) and 16(t) (equal rights to guardianship).
- However, two reservations have been retained: to Article 2 (complete elimination of discrimination through all possible constitutional, legislative and legal provisions) and to Article 16 (equal rights in marriage and at its dissolution), considered to be in conflict with Shari'a law.
- In Pakistan, on 21 August 1995, just prior to the Beijing Conference, the cabinet decided to sign CEDAW. The next government ratified the Convention on 12 March 1996, with a reservation to Article 29(1) (international arbitration of disputes between States concerning interpretation of CEDAW), and with the general declaration that CEDAW would be implemented in accordance with the Constitution of Pakistan. After the Shariat Act (1990), the Constitution has stipulated that all laws must be in accordance with Islam. While many argue that discriminatory laws do not find their basis in Islam but in sexist interpretations of Islamic Law as well as prevalent norms and customary practices (Ali 1995), as Khan (1998) points out, this reservation 'indirectly provides Pakistan with a loophole it can use against repealing Islamic laws that discriminate against women'.

It is important to note that of the fifteen Muslim countries around the world that have signed CEDAW, there is no clause on which they have a consensus reservation (Azhar 1995), illustrating the importance of culture and leadership to religious interpretations.

- The Maldives ratified CEDAW on 1 July 1993, but maintains reservations to Article 7(a) (equality in eligibility to vote and to run for elections) and to Article 16, as the former conflicts with the Constitutions and the latter, with Maldivian understanding of Islamic Shari'a. While Maldivian women are equally entitled to vote and to be elected to government, they do not have the right to become head of state.
- When India ratified CEDAW in 1993—having signed the document in 1980—it introduced two declarations. The first permits a local interpretation of Articles 5(a) (measures to modify prejudicial social and cultural customs and 16(1), 'in conformity with its policy of non-interference in the personal affairs of any Community without its initiative and consent'. Fifty-three years on, this policy continues to stand in direct conflict with constitutional declaration that the state would move towards a uniform civil code. India also declared, in relation to Article 16(2), that 'though in principle it fully supports the principle of compulsory registration of marriages, it in not practical in vast country like India with its variety of customs, religions and level of literacy'. India also maintains a reservation to Article 29.

Source: Ali 1993; Azhar 1995; Khan 1998; and UN 2000.

CHOICE AND CONSENT. A woman is guaranteed the right to marry a partner of her choice under CEDAW. Despite legal guarantees to the contrary, there is great variation in the extent to which South Asian women and men are allowed to participate in choosing their mate. Throughout the region, however, the overwhelming number of marriages are arranged by families, and in many cases, the prior consent of the girl in particular is neither sought nor even considered necessary.

Indeed, women and men who decide to marry against the will of one or both families take a significant risk. Familial discontent is often expressed in the form of disinheritance, abduction, forced marriage or violence. In Pakistan, women who marry by choice can be charged with *zina* (fornication) and imprisoned, and the violence provoked by 'love marriages' can take the form of so-called 'honour killings' (see box 5.3).

Further, even when a woman has access to the legal system, it is not automatic that her rights will be upheld. Judicial support for women's right to marry without the permission of a guardian has not been unambiguously given. However, in a women-positive judgement in 1998, the Lahore High Court clearly declared that under Islamic law a woman had the equal right to choose her own partner, acknowledged the influence and prejudices of culture, and went on to state that 'male chauvinism, feudal bias and compulsions of a conceited ego should not be confused with Islamic values' (AI 1999).

Muslim women in the region face further gender discrimination in terms of who they can marry. While Muslim males can marry not only Muslim females but also Christians and Jews, according to established Muslim jurisprudence—though it is contested by some interpretations—a Muslim woman can

only contract a valid marriage with a Muslim male. In Bangladesh, a Muslim woman wishing to marry a non-Muslim man can do so under the Special Marriages Act where both partners are required to renounce their religious beliefs. There is an on-going campaign by *Ain o Salish Kendro* to do away with the renunciation provision and amend the Act so as to have a truly secular and civil option for citizens who wish to exercise their right to marry in a non-religious forum.

AGE AT MARRIAGE. Closely related to issues of choice and consent is the issue of minimum age at marriage. In each South Asian country except Sri Lanka, the legal age for marriage is lower for girls than for boys, with a particularly large gender gap in Bhutan (see table 5.1). In Sri Lanka's Muslim community, puberty is the minimum marital age for boys, and there is no legal minimum age for girls. Gender differentials in age at marriage help maintain concepts of women as both legal children and male property, passed on from the guardianship of fathers to that of husbands, and as people with homemaking as their sole economic role.

More important, however, is the fact that minimum age at marriage laws are rarely effectively enforced. In Bangladesh, India, Pakistan and Nepal, customary marriages solemnised outside the purview of personal law—including child marriages—are accepted as valid, and while the perpetrators are liable to simple fines and imprisonment, they are rarely punished. Particularly in rural areas, child marriages remain common. In Bangladesh, however, a woman contracted in marriage as a child has a conditional right to repudiate that marriage when she reaches the age of majority (the 'puberty option'). In Sri Lanka, child marriages solemnised according to custom are illegal and void, except within the Muslim community. A lack of effective birth and marriage registration systems remains a major hindrance to the abolition of child and forced marriages; Bangladesh has confronted this problem through compulsory birth registration campaigns in 1997-98.

REGISTRATION AND THE MARRIAGE CONTRACT. The non-registration of marriages can also create serious problems in terms of establishing the rights and entitlements of women and children in the event of abandonment, widowhood, divorce, polygyny, the desire to choose one's own spouse, or forced prostitution. In Sri Lanka, marriage registration is compulsory and unregistered marriages are invalid. While in Bangladesh and Pakistan registration is compulsory, unregistered marriages are accepted as valid. India and Nepal do not have an established system for marriage registration at all, although the Indian state of Maharashtra has recently made marriage registration compulsory.

In Pakistan, the 1961 Muslim Family Law Ordinance (MFLO) provided, for the first time, a standardised marriage contract for Muslims. While not imposing any conditions on either party, the contract does document the terms of marriage and has columns within which some rights (including the right to divorce) can be given to the wife with the consent of both parties. This in itself was a significant advance, and created the opportunity to bring about more awareness in families about what was possible and permissible to protect women's rights under Islamic law.

Unfortunately, orthodox opposition to the MFLO and strong societal gender bias resulted in negating even this minimal progress. Even today, entire sections of these columns are often crossed out by the officially-appointed marriage registrars, or by the family of the groom or bride, giving the impression that delegating the right of divorce or making conditions is somehow un-Islamic. In Bangladesh, on the other hand, a positive recent trend is that the registrars in some cases automatically fill in the portion of the contract which provides women the delegated right to divorce.

The non-registration of marriages can also create serious problems in terms of establishing the rights and entitlements of women and children

Table 5.1 Minimum age at marriage

	Women	Men
Bangladesh	18	21
Bhutan	16	21
India	18	21
Maldives	n/a	n/a
Nepal	16/18[a]	18/21[a]
Pakistan	16	18
Sri Lanka	18[b]	18[c]

a. With/without parental consent;
b. no minimum age of marriage for Muslim girls, although <12 requires guardian's permission;
c. puberty for Muslim boys

Source: Gooneskere 2000; LOC 1991; Sobhan *et al*. 2000; and Zia 2000.

Further, in Pakistan the provision requiring that all Muslim marriages are registered is frequently violated. A serious problem has been created for women because of inefficient and often dishonest performance of marriage registrars. It has been noted that no proper records are maintained by them, and there are several fake marriage contract forms in existence. When a girl's marriage is in doubt, she becomes liable to criminal charges.

In modern South Asia, women's property rights and economic security tend to be undermined through —or despite— systems of dowry and dower

DOWRY, DOWER AND MAINTENANCE DURING MARRIAGE. Throughout the region, upon marriage there is traditionally some form of property exchange—from the girl's family to the boy and/or his family (dowry); from the girl's family to the girl (e.g. Hindu *stridhan*); or from the boy to the girl (dower, e.g. Islamic *mehr*). In modern South Asia, women's property rights and economic security tend to be undermined through—or despite—each of these systems.

The high incidence of dowry violence in India led to a legislative intervention to prohibit the practice. The Dowry Prohibition Act (1961) has been strengthened by a later amendment, and Penal Code provisions have been strengthened in order to facilitate the prosecution of spouses and relatives for cruelty and violence. This law can be used to prosecute the perpetrators when acts of cruelty are committed and a woman is harassed—even burnt to death—for failing to bring an adequate dowry on marriage.

Activists agree that these legislative interventions have increased reporting, investigation and prosecution. They also say, however, that the law has not had the desired impact as an effective deterrent to the practice, in the absence of effective social awareness and mobilisation against dowry violence. Similarly, in Pakistan efforts have been made through law to place limits on dowry with little effect on the practice.

In Bangladesh, under the Dowry Prohibition Act (1983), anybody giving or receiving dowry will be punished by fine and/or imprisonment. Despite the Act, however, dowry is now a common part of marriage negotiations, especially in the rural and lower income bracket. Dowry demands often persist long after the marriage ceremony, and a majority of cases of domestic violence are due to dowry demands by husbands and in-laws.

The persistence of dowry can be explained in part by rising unemployment among young males in rural Bangladesh. Marriage and dowry are seen as an income source, especially when it includes investment capital or a ticket to the Middle East or other parts of Asia. If a son has some education, it further increases the bargaining power of his family.

Under Islamic law, dower (*mehr*) is a condition of marriage or the marriage contract, which is incumbent upon the husband to give his wife. *Mehr* can be prompt (payable on demand) or deferred (payable on divorce or the death of the husband), and in the form of cash or kind, or property given in lieu of cash. In principle, the practice of *mehr* is intended to provide basic financial security to those widows and divorcees (and their children) with no other means of support.

However, low-income women are often denied their *mehr*. In the absence of any restrictions on a man's right to divorce, a woman stands the risk of being divorced if she makes a claim to her *mehr*. Further, if it is the wife who has initiated divorce proceedings against her husband, *mehr* is usually given up to obtain a quicker resolution of the case. Finally, the widespread practice of fixing a nominal sum as *mehr* also can undermine this system of financial security for poor women.

At the same time, while maintenance during marriage is considered an obligation of the husband under Islamic law, the law in Pakistan, unlike several other Muslim countries, does not specify the criteria upon which maintenance is to be granted. Although it recognises the fact that the husband is responsible for maintaining the wife and children, it does

not specify the manner in which the wife has to be maintained. There is no penalty on the husband who refuses to maintain his wife or has wilfully neglected to do so.

Bangladeshi Hindu women have very limited rights of inheritance from their fathers. For this reason, in the past it was customary for the father, at the time of a daughter's wedding to give her, besides her trousseau, valuable gifts (according to his means). These gifts would in time be inherited by the girl's female heirs. While the Dowry Prohibition Act exempts the *mehr* settled on a Muslim bride from the Act, it is silent on the issue of *stridhan*. As a result, many Hindu marriages are now solemnised without the gift to the bride from her father in lieu of her inheritance, and she is therefore doubly discriminated against. There also used to be an exchange of documents at the time of the marriage, which, *inter alia*, specified the gifts given. These too are no longer exchanged and so the practice of documentation has fallen into disuse.

Sri Lanka's secular general laws on matrimonial property, and customary Tamil and Sinhala law, recognise a woman's separate rights to her dowry property received from her own family on marriage. Islamic law also recognises a woman's right of separate property, even though the husband is the manager of the *mehr* paid to her by the husband on marriage. While there have been occasional reports of violence connected with the social practice of dowry, in Sri Lanka dowry violence has not surfaced as a significant problem, and there is no legislation that prohibits the practice.

Similarly, Nepalese women's rights to dowry are recognised as well. Dowry violence is rarely referred to as a problem in writings on law and the status of Nepalese women, and there is no law that specifically prohibits dowry.

SEPARATION AND DIVORCE. The right of a woman to separate from or divorce her husband, and the post-union maintenance that she and her children are entitled to receive, depend both on the religious laws under which she lives and on the interpretation of these laws in a particular national context. For example, the Maldivian interpretation of Islamic law makes divorce relatively easy for Maldivians, both women and men—in 1977, nearly half of women over the age of thirty had been married at least four times (LOC 1994). However, in most cases, possibly with the exception of Bhutan, women do not have equal rights in the realm of separation and divorce. In Bhutan, divorce is also relatively common, and new laws provide better benefits to women seeking alimony.

Most women do not have equal rights in the realm of separation and divorce

Within the region, Nepali women are in a relatively good position in terms of the right to separate or divorce. A woman is entitled to seek a divorce if her husband ejects her from the house, ceases to financially support her, inflicts or tries to inflict serious bodily injury, is impotent or takes a second wife, or if they are separated for at least three years. While these provisions strengthen women's status as individuals with the right to escape male subjugation, a woman still does not have the right to obtain a divorce if she simply finds the marriage detrimental to her physical, mental or emotional person, whereas a Nepali man does have this right.

In India and Sri Lanka, such rights vary depending on whether Hindu, Christian, Buddhist or Islamic laws apply. Kandyan Sinhala law is relatively liberal and permits divorce by mutual consent and one years' separation. This law can be used by a woman who suffers domestic violence to obtain release from a violent marital relationship. Christian law in India allows divorce to be obtained for cruelty, desertion, or engagement in conduct that causes the innocent spouse to leave home. Sri Lanka's General Law recognises similar principles of divorce for cruelty and malicious desertion.

At the same time, however, both the General Law of divorce in Sri Lanka and Indian law on divorce are based on the concept of matrimonial fault. This makes

Often the main problem faced by women is not so much the inequity of laws, but ignorance and misapplication of these laws

it difficult for a woman to obtain relief from domestic violence, for if her divorce action is to be successful, she must engage in prolonged litigation in order to prove that she is in no way at fault. Further, in India counselling facilities are not available as part of court procedures in divorce litigation, and the remedy of restitution of conjugal rights derived from early colonial law is still available to husbands. This gives a man the right to respond to a divorce action by demanding that his wife returns to live with him.

Recently, there have been several positive changes to Indian divorce laws (ITFS 1999). In 1998, the Supreme Court ruled that dowry demands can constitute cruelty and thus can be grounds for divorce, and in 1999 that women are the natural guardians of a child. In Maharashtra, the Mumbai High Court ruled in 1998 to revise Muslim alimony regulations in women's favour.

In Bangladesh, the rules of divorce under Christian law are inequitable in that they allow for men to divorce their wives only on the ground of adultery, whereas women need to prove aggravated forms of adultery in order to apply for divorce. The Catholic community is further constrained on the point of divorce, as the Code of Canon law only provides for annulment.

Hindu women are by far in the worst situation of all women in Bangladesh in terms of their treatment under Hindu personal law. No reform of Hindu law has taken place in Bangladesh since 1947, whereas Indian Hindu law was very dramatically reformed in 1956 and also subsequently. Hindu women in Bangladesh still do not have any rights at all of divorce and very limited rights in terms of inheritance, separate residence, maintenance, or custody of children. Since Hindu law does not recognise divorce one can argue that Hindu men are similarly disempowered. However, Hindu men in Bangladesh can marry more than one wife at a time so he can partially escape an unhappy union. Recently, however, the Government of Bangladesh has recently taken up an initiative through the Law Commission to draft a set of reforms in Hindu law with regard to divorce and inheritance for women.

Yet it is divorce rights under Islamic law, in South Asia and around the world, that have received the greatest amount of attention. As is often the case, however, the main problem faced by women living under Muslim law is not so much the inequity of the divorce laws, but ignorance and misapplication of these laws.

In Pakistan, a Muslim male has the arbitrary and unconditional right to divorce his wife (through pronouncing *talaq*), although he is required to give the Union Council chairman a notice in writing of having done so and to supply a copy to this wife. An arbitration council set up by the chairman arranges for two reconciliation meetings; the divorce becomes effective if the husband does not revoke the divorce within 90 days (*iddat*) after the notice was delivered to the chairman. However, a 1999 judgement by the Federal Shariat Court effectively validated oral divorce by declaring that the 90-day period would begin from the date divorce was pronounced, not from the date of notice.

Talaq is the sole prerogative of a male under Islamic law—the wife does not have the right to pronounce *talaq* unless her husband delegates this right to her. If the wife makes a request to be released of her marriage bonds on offer of some compensation, and her husband agrees to divorce her for such compensation, this is known as *talaq-i-khula*. If, however, the wife wishes to terminate the marriage but her husband does not agree, she has to apply to the family court for a dissolution of her marriage. In this case, the marriage is terminated through judicial decree, if her application is accepted. The situation in Bangladesh is similar, with the additional 'puberty option' discussed above.

There are several discriminatory and unjust aspects of this set of laws. Firstly,

as is apparent, there is a major difference between the rights of men and women in this context. A man has the absolute and unconditional right to divorce his wife without having to 'prove' any grounds for such action or even to assign any reason. Moreover, the procedure is a simple one of sending a notice, after which the divorce automatically becomes final after 90 days. The fact that the *talaq* by the husband is an absolute right creates serious problems and insecurity for a woman as it undermines her ability to demand her entitlements or make independent decisions.

The wife, on the other hand, unless her husband agrees to the termination, has to approach the family court to file a case and 'prove' her grounds before the marriage can be dissolved. Cases can last anywhere from 1-3 years and the husband can contest the suit. The grounds on the basis of which she can apply for dissolution of her marriage are also in need of urgent review. She can file for dissolution on the basis of *khula*, where she does not have to prove any grounds but merely declare her aversion, unwillingness or inability to continue with the marriage, and agree to pay compensation or forgo some financial benefit like dower or past maintenance. Even this right, as interpreted by the courts in Pakistan, is not absolute but controlled: even if she is willing to compensate financially, courts retain the right to decide if she is so entitled.

In recent years, courts have increasingly started dissolving marriages on the basis of *khula* rather than any other ground. Thus, most women usually plead *khula* in addition to any grounds alleged. While this may be a more expedient way of terminating the marriage, its effect is to deprive women of even the minimal financial benefit they are likely to get. Further, there are barely any dissolutions granted on the basis of cruelty, unless some extreme form of violence has taken place, if the woman has pleaded *khula*.

In addition to the social stigma divorced women face in many parts of the region, the most critical area of vulnerability is the financial insecurity they face upon termination of marriage. As interpreted in Pakistan, a woman upon *talaq* or dissolution is only entitled to her *mehr* (usually minimal) and maintenance during the waiting period of *iddat*. She is neither entitled to alimony, nor to any share in marital property. Thus, even if she has been an equal economic contributor in the marriage, both in terms of paid and unpaid work, her financial entitlement upon termination of marriage is negligible. And almost inevitably, any property or assets acquired during marriage are usually in the possession or name of the husband.

In Bangladesh, a 1999 case established that a husband is bound to maintain his wife not only during *iddat*, but until she remarries and loses her status as a divorced woman. The decision in this case was, however, overturned on appeal. The grounds on which it was overturned, however, leave room for this issue to be reviewed at another time or even addressed through legislation.

In some instances, the reach of secular law has been used to extend the rights of women living under specific religious laws. In the celebrated Shah Banu Case of 1985, the Supreme Court of India decided that a Muslim woman could claim maintenance after divorce under the secular law of maintenance in India based on the Criminal Procedure Code. Even though Islamic law does not recognise this liability, the Supreme Court of Sri Lanka has also recognised the liability of a man to provide support for his non-marital children, and it is this principle that has entered the Muslim Marriage and Divorce Act (1951). This legal position was reiterated in a 1999 Sri Lankan case.

Sri Lanka has recently reformed the laws on spousal and family support and introduced major reforms. The Maintenance Amendment Act 1999 recognises the concept of joint responsibility of spousal maintenance and child support for minor marital children, depending on the financial resources of

A most critical area of vulnerability is the financial insecurity South Asian women face upon termination of marriage

each party. The scope of the responsibility has been broadened to include adult differently-abled children, and impose a liability on a man to support a non-marital child on the basis of evidence of paternity. The concept of a male breadwinner has been eliminated, and the law on child support has been strengthened through this legislation. Maintenance actions are often filed by women from low income families in Sri Lanka, since there is awareness of the remedy. The new law should therefore strengthen women's capacity to obtain spousal and child support.

In general, the male parent's preferential rights are entrenched in the laws of South Asia

Nepal's law on family maintenance is derived from Hindu personal law which recognises joint spousal liability for support of children, and the recent Children's Act 1992. At the same time, recovery of spousal and child support through legal remedies is a hypothetical issue in this country. Further, Nepali women only have the right to claim alimony for up to five years or until she remarries, whichever is the shorter period; only if the divorce is the fault of the husband; and only if she has no other source of income. Her rights to child custody and child support for children above the age of five is also forfeited if she remarries.

In general, the male parent's preferential rights are entrenched in the laws of India and Sri Lanka. Bhutan's 1996 amendment to the Marriage Act, which awards child custody to the mother upon divorce with maintenance support from the father, makes this country an exception. In India and Sri Lanka, both the Hindu Minority and Guardianship Act (1956) and Islamic law discriminate against women by considering the father or male relation the 'preferred natural' guardian of the child. Islamic law, however, concedes limited and preferred custodial rights. In Nepal, the law on parental rights is not as clearly gender discriminatory as it is in India or Sri Lanka, but the preferential status of the father is recognised.

In deciding cases of custody and guardianship of minors in Pakistan, the courts apply both Muslim personal law and statutory law, under which the primary consideration for the court in appointing or declaring the guardian of a minor is the welfare of the minor. In making the decision, the court has to consider the age, sex and religion of the minor, as well as the character and capacity of the proposed guardian. If the minor is old enough to form an intelligent preference, the court can also consider his/her preference. There is a general presumption that the welfare of the minor is in accordance with the rules of the personal law of the minor, which is subject to the father's personal law. But the rule of welfare gives the courts more room for discretion, allowing them to make departures from strict adherence to traditional rules, if considered beneficial for the minor.

Under the principles of Sunni Hanafi law, also followed in Bangladesh, a mother is entitled to custody of a male child until he attains the age of seven years and a female child until she attains puberty, after which custody reverts to the father. Under Shi'a law, the mother is entitled to custody of the male child until the age of two, and the female child until seven. Ordinarily, failing the mother, the preference for awarding custody lies with females on the maternal side of the minor's family. However, even if the custody is with the mother or anyone else, the father is responsible for maintenance of the child.

Under Pakistani law, the father is considered the natural guardian of the child. Thus, even though the mother may have immediate custody of the child, the child is still considered to be in the constructive possession of his/her legal guardian, primarily the father. Very rarely have mothers been considered guardians by the courts, even in the absence of the father. This approach has been severely criticised by activists as out-dated, unfair and impractical in view of the fact that

women are playing a significant role in managing homes and children, increasingly dealing with public matters relating to their children's needs and welfare, and often functioning as single parents.

At the same time, the Pakistan courts generally have preferred to award custody of minors to their mothers, believing that they are best suited to look after minor children. Sometimes they have lost custody because of re-marriage to a stranger, particularly if the minor is a girl; delay in claiming custody of her children; improper care or negligence; and where it is proved that the mother is leading an immoral life. However, since the paramount consideration in deciding cases is the welfare of the minor, courts have often made decisions not strictly in accordance with the rules of Islamic law. Thus, on many occasions, mothers have been awarded custody even when the minors are past the age where the custody would ordinarily revert to the father according to personal law. They have also sometimes retained custody after re-marriage, despite the Islamic rule to the contrary. Interestingly, although this is not a rule of Islamic law, fathers on occasion have also been deprived of their custody in case of re-marriage.

POLYGAMY. In South Asia, polygamy (a person married to two or more spouses) takes place primarily as polygyny (a man with two or more wives), and within the context of Islamic personal law. However, there are exceptions. Although banned in all South Asian countries, polyandry (unions involving one woman and more than one man) is practised in some communities in Bhutan, India, Nepal and Sri Lanka. Polyandry is rarely a straightforward indicator of a woman's status or empowerment, however. It is often the case that one woman is married off to several brothers, such that family property is not divided; this can foster male extramarital relationships, with negative implications for the economic security of women and children.

Further, while polygyny is prohibited in Nepal and polygynists are subject to minimal imprisonment and a fine, Nepalese Hindu law does permit a man to take a second wife in certain exceptional and limited circumstances and the law does not invalidate second marriages. When bigamous marriages are not considered void or without legal effect, the general prohibition on polygyny becomes difficult to enforce, and activists have constantly advocated a coherent law that prohibits polygyny in all circumstances.

In Bhutan polygyny was restricted in the mid-twentieth century, but the law in the 1990s still allowed a man as many as three wives, providing he had the first wife's permission. The first wife can sue for divorce and alimony if she does not agree.

Many polygynous marriages are not registered, nor is permission for them necessarily sought or recorded. Thus there is no accurate information about the extent of polygynous marriages in the region. Polygyny is problematic in terms of the effects it can have on familial harmony, on women's economic and social security, and on their decision-making power within the household. This is particularly true when, as is often the case, a subsequent marriage is contracted based on the perceived inability of the first wife to bear a child.

Among Islamic scholars, there are essentially two views relating to polygyny: one, that it is permitted but not desirable; the other that it is not permitted except under exceptional circumstances. In Bangladesh, polygyny for Muslim men is restricted but not banned. A man wishing to marry polygynously needs the written permission of the chairman of the arbitration council, and has to satisfy the Council that he has obtained the permission or consent of his wife.

In reality, the laws restricting polygyny are either unknown or ignored, with many believing that it is a man's religious right to marry up to four women. Socially stigmatised, unable to return to her

Polygyny can have negative effects on familial harmony, on women's economic and social security, and on their decision-making power

parental home, and economically dependent on her husband and his family, the first wife remains, often to suffer physical and verbal abuse, and, in many cases, treated like an unpaid servant. There are several murder cases where the wife was killed for refusing to give consent.

A 1999 judgement delivered by the Bangladeshi High Court Division strongly discouraged polygyny and ordered that a recommendation to the Law Ministry be sent to scrutinise whether polygyny could not be banned, perhaps on the same line of reasoning used in Tunisia.

The existence of different personal laws sometimes leads to conflict and the undermining of the rights of women and children

In Pakistan, polygyny is neither banned nor effectively restricted. As stated by several national reports, there is no doubt that there are still a significant number of polygynous marriages in the country; and in certain areas and sections of society, it is seen as an indication of prosperity and affluence. Further, orthodox elements in society have obstructed attempts to restrict a man's right to be polygynous. While the law in Pakistan requires the husband to secure permission from the arbitration council prior to entering into a subsequent marriage, the valid grounds are wide enough to give the arbitration council total discretion in deciding the matter.

There is no evidence that any husband has failed to get permission; even fewer seem to have bothered to try, since there is nothing in the law to act as a deterrent. Contravention of the provision of getting permission does not invalidate the subsequent marriage, and the penalty for contravention is minimal. Further, the provision that allowed women to use polygyny as a grounds for divorce was repealed in 1981. Except in the Pakistani Punjab, a wife cannot even file a complaint against her husband, such power only lying with the union council.

In India and Sri Lanka, the constitutional guarantees on the fundamental right to religion are often used to justify a non-interventionist policy regarding the prevalence of polygyny in Muslim communities. Islamic law in India and Sri Lanka recognises polygyny as an inherent aspect of Shari'a law, yet there is no legislation based on Qur'anic limitations that operates to restrict the practice.

In Sri Lanka, for non-Muslims polygamy was abolished by colonial legislation in the mid-nineteenth century, and all marriages whether registered or celebrated according to custom are required by law to be monogamous. Among Muslims, polygyny is neither illegal nor unknown, and wealthy men can take several wives if they can afford to support the families. However, the incidence of polygynous marriages among Muslims is low, and monogamy appears to be the norm among all communities. Similarly, while Maldivian men may have as many as four wives there is little evidence to suggest that many have more than one.

The existence of different personal laws that recognise various core norms on family relations sometimes leads to a conflict of personal laws and the undermining of the rights of women and children. Until very recently, men who could not contract a second marriage, because of the fault-based and very strict laws of divorce in Sri Lanka, would convert to Islam and claim the right to practice polygyny, thus rejecting their obligation to the first wife whom they had married under a monogamous law on marriage. However, in 1995 the Supreme Court of India, and in 1998 the Supreme Court of Sri Lanka, held that a unilateral conversion to Islam after a monogamous marriage did not entitle a Hindu man to reject his legal obligations to practice monogamy under Hindu marriage law.

PROPERTY AND INHERITANCE RIGHTS. Property and inheritance laws are themselves highly gender discriminatory across the South Asian region, yet ignorance and misapplication of these laws often mean that women do not even enjoy the minimal protection they afford.

The inheritance of Muslims in Pakistan and Bangladesh is governed by the personal law of the deceased person. The fundamental principle of inheritance

under Muslim law is that nearer heirs exclude those further in degree. Under Sunni Hanafi law, there are three classes of heirs: sharers, who inherit prescribed shares; residuaries, who inherit the residue after the claims of sharers have been met; and distant kindred, who inherit only in the absence of the first two categories, except where the sharer is the wife or husband of the deceased. Under Shi'a law, there is no category of distant kindred.

While exceptions exist, as a general rule a Muslim female gets half the share of a male with an equivalent relationship. Thus, as a wife she inherits one-eighth of her husband's estate as a sharer, and if there is more than one wife, it is divided between them. However, if her husband has no children, her share increases to one-fourth. A husband, on the other hand, inherits one-fourth and one-half in the same circumstances. As daughters, they inherit as residuaries along with their brothers, a girl's portion always remaining half that of her brother's. Under Hanafi law, if there are no sons, an only daughter cannot inherit more than half the net estate, two-thirds if there is more than one daughter. Under Shi'a law, however, daughters can inherit the whole amount due.

There is evidence to indicate that a significant proportion of Pakistani women do not receive their due share of inheritance. A 1995 survey of over 1000 households in rural areas of the Pakistani Punjab indicated that in nearly two-thirds of the households daughters did not inherit land, because it was customary for only sons to inherit or because they could not or did not exercise their rights. In some cases, women's names are simply not brought on to the revenue records after they inherit; in others, they are persuaded to sign relinquishment deeds in favour of male family members. Of the 1000 women, only 36 owned land in their own name, and only 9 of these had the power to sell or trade their land without the permission of male relatives (GOP 1995).

Yet, compared to most other areas of personal law, there have been very few cases relating to inheritance taken up by women in courts. It is unknown whether this is because of family pressure, reluctance to go to court, or because women have also internalised the fairly common view that their dowries compensate for their share in inheritance. However, when women do take their cases to court, the response is generally favourable, although largely based on the concept of protection of women.

Thus, for example, in an 1990 case the Supreme Court of Pakistan held that brothers were required by law to protect their sisters' property if it came into their possession. In other cases, the courts have:

- held that a sister cannot be deprived of her inheritance share based on money spent by her brothers on her behalf;
- refused to accept a relinquishment deed executed by a woman in favour of her male relatives;
- struck down a gift deed allegedly executed by a man with only daughters in favour of male relatives;
- and often struck down mutations and changes in revenue records intended to deprive female heirs of their due share.

A significant proportion of women do not receive their due share of inheritance

However, in 1999 the Federal Shariat Court in Pakistan struck down the provision providing for the inheritance of orphan grandchildren. This has serious implications for widowed women. In most cases, women lose their only means of financial support on the death of their husbands; if their children are no longer entitled to the property their father would have inherited, this means a continuation of their financial burden.

Islamic law in India and Sri Lanka recognise women's rights to own land, but the powers of management of a spouse are extensive and women do not have the legal right to make their own decisions on how to use these assets and resources. As in Pakistan and Bangladesh, Islamic law also favours males by generally giving brothers double the share of sisters, and giving women a smaller share of the net estate when they inherit as spouses.

Discriminatory property laws limit women's capacity to obtain credit and benefit from new opportunities for economic advancement by engaging in self-employment

Sri Lanka's general law on succession recognises the concept of men and women's equal right to inheritance. However, the customary laws of Kandyan Sinhalese women and Tamil women governed by the Tesawalamai have been modified by judicial decisions and colonial legislation so as to place female heirs in a disadvantaged position. In particular, Kandyan customary law today places widows in a position where she has no rights of inheritance at all if her husband's exclusive assets are ancestral property. Further, modern judicial interpretation and legislation have enhanced the husband's marital power over the immovable property of his wife within Tamil customary law. This has an impact on a woman's access to credit, as she can neither dispose of her immovable property or obtain a loan by mortgaging separate property without his consent.

The inheritance laws derived from Hindu laws, in both India and Nepal, contain discriminatory provisions on inheritance to joint family property which prevent women having access to important assets like land and movable property. While this situation has improved somewhat with the codification of Hindu law, gaps remain. This in turn limits women's capacity to obtain credit and benefit from new opportunities for economic advancement by engaging in self-employment.

Property and inheritance laws are particularly harsh for Nepali women, with negative effects on them in terms of domestic violence and economic insecurity (see box 5.2). There are, however, signs of change. The Supreme Court has directed the government to amend all discriminatory laws, including and in particular property laws, and almost two-thirds of the respondents to a 1999 survey felt that daughters should have an equal claim to parental property, indicating a level of societal support for more egalitarian gender relations (MSI 1999).

NATIONALITY AND CITIZENSHIP LAWS. While not strictly under the purview of 'family law', discriminatory citizenship laws often emerge as a problem within the context of dual-nationality marriages, and as such are dealt with here. The idea that only the male parent has a biological link to the marital child is reflected in citizenship laws in Bangladesh, Sri Lanka and Nepal, and, until recently, India and Pakistan. In these countries, a child cannot acquire citizenship through the mother if married to a foreign national.

In Sri Lanka and Nepal, a consistent lobby for reform of nationality laws has been supported by Supreme Court decisions that have determined that these laws are in conflict with constitutional guarantees on gender equality. Yet legislation has not been enacted to change them. In Bangladesh, a writ petition challenging this provision is pending appeal before the Appellate Division.

In India, the law was amended in 1992 to give both men and women equal rights to transfer citizenship to children and

Box 5.2 Discriminatory property and inheritance laws in Nepal

- A daughter can only inherit paternal property if she is unmarried and over 35 years of age, and she can not inherit tenancy rights.
- A wife can only inherit her husband's property if she is over 35 and has completed 15 years of marriage. If she obtains her partition share before his death, and lives separately, he is allowed to take a second wife without divorcing his first wife.
- A divorced woman can claim neither a share in her husband's property nor in her paternal property.
- A widow must return her share of her husband's property if she remarries, discouraging widow remarriage.
- A widow living with her in-laws is not entitled to a separate share as long as the latter provide her with food, clothing and religious expenses until she is 30 years old.
- Contrary to constitutional guarantees, a woman effectively must get permission from her father or adult son before disposing of her immovable property (i.e. selling land or a house).
- At the same time, while a man is legally bound to look after his sons and wife, the law is silent on the maintenance of daughters.

Source: FWLD 1999; Gooneskere 2000; and HMG Nepal 1998a.

spouses. In Pakistan, through changes to the citizenship law in 2000, each instance of the word 'father' has been replaced with 'parent', such that a child can take her/his mother's Pakistani citizenship.

There are several other discriminatory regulations within the context of citizenship laws. In Bangladesh, for instance, a wife's citizenship follows that of her husband; citizenship by birth or descent follows the citizenship of the father; and citizenship by migration is granted to a woman only on her husband's migration and not vice versa.

Further, throughout the region on applying for identity cards, passports and many other documents, married women still have to indicate their husband's name, and while single persons have to provide information as to their father's name, there is no provision for recording a mother's name.

Apart from an objection to this practice on principle, it also leads to several other practices and problems. For example, it leads to men always being identified as the head of the household, even sometimes in the case of female-headed households, where surveyors will put down names of sons rather than the woman concerned. It leads to practices where loans for family enterprises, even if they are being run by women, are given in the name of men. It leads to the denial of women's right of franchise when their names/identity in different documents, because of a change in marital status, do not match. And it particularly hits women who, for whatever reason, are managing their homes and children on their own, because in almost every formal transaction, they have to explain or justify their authority.

Criminal law and violence against women

Women's involvement with the criminal justice system exists in various capacities: as complainants or victims of crime; as witnesses, whether in their own cases or those of others; and as accused persons. In each of these capacities, South Asian women face discriminatory laws and practices, with particularly extreme repercussions on their vulnerability to violence.

Although the degree and form may vary according to class, region and culture, gender-specific violence against women occurs across all strata of South Asian society. Violence against women includes not only physical violence, but also sexual, psychological and emotional abuse. Physical violence includes murder, sometimes in the guise of 'honour killings', *sati* (see boxes 5.3 and 5.5) and female infanticide (see box 7.1). It also includes kidnapping, as well as domestic, custodial and public assault, mutilation and torture, including stove-burning and acid-throwing. Sexual violence includes rape—marital rape, custodial rape (see box 5.4), gang rape—; incest; public stripping; harassment through language, gesture or touch ('eve-teasing'); and trafficking and forced prostitution (see box 3.3).

Women's dignity, self-esteem and psychological and emotional health are also undermined by less overt forms of violence such as forced and child marriage; forced confinement and restrictions on mobility; overwork; and bullying, threats, humiliation and other forms of verbal abuse.

Many of these forms of violence are not even recognised as such, but rather ignored, condoned or justified by invoking religion, culture or traditional beliefs. Within this context, legal and judicial institutions have failed to provide adequate safeguards against violence against women. 'State institutions lack both the sensitivity and capacity to deal with gender-specific violence; law-enforcement seldom comes into action to aid women victims; and judicial pronouncements have frequently reflected biases that indicate the strong influence of prevalent social attitudes' (AGHS 2000). Women thus become victims both

South Asian women face discriminatory laws and practices as victims, as witnesses, and as accused persons

Box 5.3 Dishonourable murder—karo-kari in Pakistan

Over the past few years, an increased incidence of *karo-kari*—'blackened man, blackened woman' in Sindhi—has further blackened Pakistan's already fragile women's rights record. These so-called 'honour killings' fell into the national and international spotlights when Samia Sarwar was murdered by her relatives in the Lahore office of a prominent lawyer and women's rights activist. The murder of Sarwar, who had married against her family's will, was sanctioned by her mother. According to reports, several hundreds of women are killed in Pakistan every year in the name of 'honour'. The vast majority of cases go unreported and unrecorded.

Rooted in patriarchal and cultural perceptions of women as male property, *karo-kari* ostensibly takes place to avenge family 'honour' when a woman violates tribal or cultural norms. *Karo-kari* is carried out when a woman and man have an illicit relationship, or are even suspected of having one, since public perception of the woman's guilt is considered sufficient to taint family 'honour'. Inevitably, the practice targets women, who are never given the opportunity to defend themselves against the allegations. Thus, all reports indicate that far more women than men are victims of *karo-kari* killings.

In the name of honour…

- Of the 266 'honour killing' cases *reported* in Lahore's national daily newspapers (1 January—30 November 1999):
  - 15% of the victims were minors.
  - 86% of the murders were committed by a relative of the victim—31% of the murderers were brothers and 21% were husbands.
  - While reports were filed in 75% of the cases, only 35 persons were ever held in connection with these crimes. Not one was tried.
  - Almost 40% of all reported murders of women were classified as 'honour killings'; 36% of women were murdered on the basis of suspicion of character or disapproval of a friendship; 32% of women were murdered due to a domestic dispute.
- A 1997 report noted 176 'honour killings' in 6 months, of which 70% of the victims were women.
- A 1998 report reported 286 'honour killings' of women in Punjab.
- An organisation in Sindh reported 132 'honour killings' in the province in just 3 months of 1999.
- Targets of the practice have included an 85-year old woman and a 3-year old girl.

Critics of *karo-kari* within the country are quick to note that the practice finds no basis in Islam. Rather it is a tradition that finds its basis in tribal and feudal practices, in some regions in particular. Increasingly, however, the *karo-kari* concept is being extended to diverse situations and is used as a cover for other killings. For instance, there are several reports of men murdering an enemy and then following it up by murdering a woman from their own family to give it the colour of *karo-kari*, a woman's life holding little value. *Karo-kari* murders are also used as get-rich quick schemes, since the men accused of the illicit relationship have the choice of being killed or paying the woman's family a specified amount.

While honour killings were originally restricted to particular areas, particularly tribal ones, and the concept related to the existence or suspicion of an illicit relationship, the situation has changed over the years. Honour killings are no longer just reported from remote rural areas, but also increasingly from towns and cities, and the reasons for committing the murders have grown to include any violation of social norms. Article 16 of CEDAW, ratified by Pakistan, guarantees women the right to marry a partner of her choice. Yet a high proportion of murders in the name of honour—of men as well as women—are carried out because a couple has married or wishes to marry against family will. *Karo-kari* has also taken place in situations when women seek divorce, and even sometimes for defiling the family or tribal 'honour' by being raped.

As with other cases of domestic violence, the police often conform to the existing cultural norms and rarely enforce the law. Many also succumb to financial inducements. Judicial decisions in cases of honour killings are equally, if not more, alarming. Despite constitutional guarantees to the contrary, courts often give customary traditions and social norms of morality precedence over the law in murder cases if the plea of honour is raised, and have issued extremely lenient sentences for the murders of women.

Following protests by women's rights activists, government finally declared 'honour killings' as murder in April 2000. No ordinance to this effect has been issued, however, and the extent to which the police and the judiciary will crack down on this practice remains to be seen.

Source: AGHS 2000; AI 1998; HRCP 2000; Malik 2000; NGO Coordinating Committee 2000; and Zia 2000.

of the violence they suffer as well as of social and legal attitudes, often indifferent to their plight, sometimes holding them responsible for it. The trivialisation of violence against women in South Asian societies is often due to the fact that there is a failure to recognise that it infringes the right to life, the right to bodily security, and freedom from torture to which all citizens are entitled. Sri Lanka's draft constitution seems, however, to have made strides in this direction.

DOMESTIC VIOLENCE. Around the world, violence against women that occurs in the domestic sphere is the most pernicious. South Asia is no exception (see figure 5.1). It is not only damaging to women physically, but also liable to have serious psychological effects on both them and

their children because of the constant humiliation and fear they live with. Its most common form is wife-beating, not just by the husband, but sometimes by members of his family as well—including other women.

Largely viewed as a private family matter, neighbours, friends and often even the wife's family rarely interfere in situations of domestic violence. Wives are generally regarded as 'belonging' to their husbands. Thus there is social acceptance of his right to 'correct' her if she has displeased or disobeyed him in any way, howsoever minor. Normal standards of right and wrong are suspended when the victim of the abuse is a wife, indicative of the sharp divide between social perceptions of 'public' and 'private' spheres. So prevalent is the existence of wife abuse that women who protest rarely find support, often being told this is a reality with which they must learn to live.

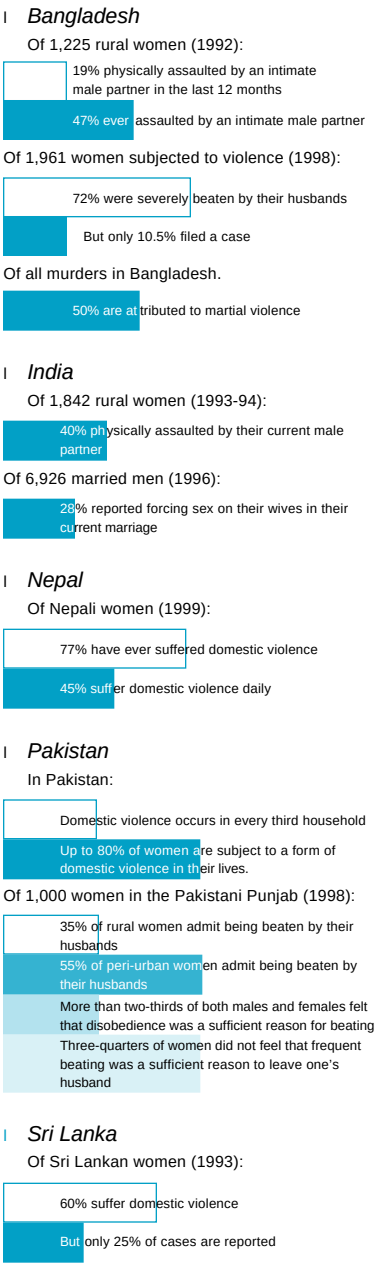
Women rarely report incidents of domestic violence to the police, believing that this will bring shame and dishonour to the family. Even when they do, usually only in serious situations, the police tend to treat incidents of domestic violence as marital disputes, and often refuse to register the case. In Sri Lanka, for instance, domestic violence tends to be reported at women's desks at police stations, while rape and other crimes outside the home are reported to the (male-dominated) crime division, maintaining the private-public division. Thus, the only time cases of wife abuse receive attention are when they take an extreme form—nose-cutting, burning, or other forms of heinous injury—a stage when serious damage has already been done. Even then, cases are rarely prosecuted with zeal. The same attitudes are reflected in the judiciary, which seldom recognises cruelty as a ground in cases of dissolution of marriage filed by wives, and often gives lenient sentences to men in criminal cases involving domestic violence.

Where cases of domestic violence under the general penal provisions of the law are rarely registered, prosecuted or adequately punished, the other kinds of violence, torture and cruelty that women undergo in their 'sanctuaries' on a daily basis, without being able to escape, are not even recognised by law. At present, no South Asian country has specific legislation dealing with domestic violence. Unlike the other South Asian countries, Nepal does not even have adequate domestic violence provisions in its penal code, although it is said to be formulating a domestic violence specific code. Several reports have recommended that specific legislation on domestic violence needs to be enacted, which recognises the various forms of domestic abuse as crimes and provides adequate penalties for them.

STOVE-BURNING. In Pakistan, as well as in other parts of the region, cases of murder and attempted murder of women by stove-burning have become more common over the past decade or so. The figures reported from various surveys are a gross underestimation of the real situation since most women victims are not even taken to hospitals. Like domestic violence in general, cases of stove burning are rarely pursued. When reported, the police resist registration, nor are there proper investigation techniques, contributing to a lack of action and endless delays.

Thus, of the 272 cases reported in Lahore's national daily newspapers during 11 months of 1999, of which 163 resulted in death, the police registered only 22 cases and not a single person was held (HRCP 2000). A government study concluded that at least 50 per cent of such deaths were murders, while doctors at a Lahore hospital estimated 60 per cent (AGHS 2000). The medical facilities for the treatment of burn victims are also totally inadequate, with only three burn centres in the whole of Pakistan. Nor can the overwhelming majority of families afford the massive costs of treatment. The survival rate of burn victims in one Lahore hospital was estimated to be less than 10 per cent.

Figure 5.1 Home is where the hurt is...evidence from studies on the prevalence of domestic violence in South Asia



Sources: AGHS 2000; FWLD 1999; HRCP 1998; Jejeebhoy *et al*. 1997; Narayana 1996; RCIW 1997; Sathar and Kazi 1997; Schuler *et al*. 1996; SLWNGOF 1999b; and Sobhan *et al*. 2000.

Rape is viewed first and foremost as an offence against the honour of the male members of the family, and only secondarily as an offence against the dignity of the woman

In 1991, noting the increasing number of stove burning cases, the Lahore High Court issued a number of directives regarding registering cases, recording witnesses' statements, holding evidence and providing free medical aid and/or burial expenses. However, in view of the continuing and escalating number of cases, with barely any resulting in convictions, it is apparent that these directives have been largely ignored. It has been noted by Amnesty International (1999) that of 60 cases brought to prosecution (out of 1600 recorded cases), only two led to convictions.

ACID-THROWING. In Bangladesh, since the early 1980s the extremely cruel and vindictive crime of throwing acid onto a woman's face or body has become widespread. While acid-throwing exists in other parts of South Asia, in Bangladesh the crime became so common that in 1984 the Penal Code was amended and a new provision was added providing severe sanctions including capital punishment for those who were guilty of the crime. There was also regulation of the unrestricted sale of acid. There was, therefore, a temporary reduction in these crimes. While the legislation still remains on the statute books, the provisions regulating the sale of acid have lapsed. The incidences of this crime are unfortunately again on the increase, and between January 1997 and December 1999, 389 cases were reported (Odhikar 2000).

The majority of victims are young women between the ages of 10 and 20 years, primarily within rural areas. The perpetrators are jealous boyfriends, spurned suitors, neighbourhood stalkers and sometimes angry husbands in search of more dowry or permission to enter a polygamous marriage.

Apart from the horrors of scarring, most women suffer some damage to their eyes. Economic hardship mean that most victims of acid-throwing cannot afford surgery, and the government has taken no initiative to provide the procedure for free. Recently, private agencies—mostly foreign—have provided support for reconstructive surgery and cornea transplants, and Bangladeshi surgeons have donated their services, but there remains a lack of a suitable infrastructure. The newly formed *Acid Survivors Foundation* is now addressing this problem.

Unlike rape, there are no social taboos attached to acid-throwing, although the extreme trauma suffered by victims can lead to a refusal to press charges. Nonetheless, a comparatively high number of acid-throwing cases are filed in the courts, and there are increasing demands for perpetrators to be severely punished.

RAPE. Rape 'has been described as the primary instrument of control in a patriarchal society and ... often used as a mechanism of revenge or punishment' (RCIW 1997). Within South Asian societies, however, it is viewed in a much more ambivalent way. It is seen less as an attack upon a woman as a crime committed primarily against the honour of husbands, fathers, brothers and sons. Rape is viewed first and foremost as an offence against the honour of the male members of the family, and only secondarily as an offence against the dignity of the woman. At the same time, rape is commonly perceived as the fault of the victim, because of her provocative behaviour or dress. In reality, many rapes are committed in women's own homes, often by people known to them, including their own husbands (marital rape).

The male view of rape is, therefore, the fundamental reason why such crimes are rarely reported to police, even if the offender is known to the victim and her family. Despite laws, perpetrators of rape continue to go free for three major reasons:

(*i*) There is a huge social stigma attached to rape, and the very real chance that the future of the victim will be affected, especially if she is young and unmarried. This influences her willingness to

testify as well as the views of her family, her community, legal and judicial bodies, and the media. Intimidation of witnesses by the police, family and authorities is a problem in all countries.

(*ii*) The accused is often the more powerful party, facilitating the use of bribery and threats.

(*iii*) Discriminatory laws, particularly in terms of evidence, and legal loopholes remain.

The uncorroborated evidence of the victim in the court of law is viewed with a certain amount of suspicion, making cases of rape hard to prove. In Bangladesh, the rule that an independent witness is required to confirm a victim's statement is echoed in a majority of the cases of rape that come to court. Another drawback is that, unlike in Sri Lanka, these cases are not heard *in camera:* the victim has to face the humiliation of repeating her ordeal and answering embarrassing questions in front of an eager and unscrupulous court audience.

Further, during rape trials, the legal phrases such as 'with or without consent', 'resistance', 'past history of the woman' can be deliberately twisted to be used against her to show she is a woman of 'ill-repute'. Finally, as discussed in box 5.6, in Pakistan the failure to prove rape can lead to presumptions of consent, and consensual extra- and pre-marital sex (*zina*) are crimes in law, thereby making the woman liable to punishment. Often, therefore, victims do not come forward.

If a rape incident takes place late at night, the police have to wait until morning in order to present the report. This means that the victim has to spend the night in the police cells, with male criminals (see box 5.4). Furthermore, getting permission from the court for a medical examination may take up to 2 or 3 days, by which much primary evidence may be gone. In Bangladesh, of those rape victims who go to the hospital for a medical examination, 90 per cent go at least seven or eight days after the crime has been committed. Further, understandably a rape victim will often attempt to remove all traces of the crime from her person, unknowingly losing all evidence of the crime. If no evidence is found and there is no corroboration, there is very little chance of a conviction even if the case goes to court.

The figures on reported cases of rape do not in any way indicate its actual extent, as most cases are not even reported. It is commonly assumed that the incidence is three times the number of reported cases, but many consider even this an underestimation.

Legislative reform and judicial developments in India have strengthened the law on sexual offences. In 1983, a rape case decided by the Indian Supreme Court led to substantial changes in the Penal Code. These changes introduced 15 years as the age of statutory rape. This amendment also strengthened the law by providing for severe punishment in the case of rape in custodial situations, gang rape and rape of a pregnant woman. These changes to the rape law were accompanied by amendments to the Evidence Act that placed the burden of proving that the woman consented in the case of custodial rape on the man. The amendment also introduced the concept of marital rape in the event of judicial or customary separation.

In Sri Lanka, the age of statutory rape (for non-Muslims only) was raised from 12 years to 16 years in the Sri Lankan amending law of 1995. As in Indian law, gang rape, rape of a pregnant woman and custodial rape were defined as crimes that attract higher penalties. A broad definition of marital rape was not adopted, and following the approach in Indian law marital rape was confined to situations of judicial and customary separation. This definition does not address the problem of sexual violence during marriage or during a *de facto* separation. In Bhutan, marital rape was criminalised in a 1996 amendment to the Marriage Act.

Positively, however, in Sri Lanka the definition of rape has been significantly

There is very little chance of a conviction even if the case goes to court

Box 5.4 Unsafe custody

'Safe custody' purports to provide safety in jails for those in danger of further assault. Throughout the region, however, it seems to be more punishment than protection.

In Pakistan, the abuse of women in police stations is also reported to have reached serious proportions. A 1992 report found that 70 per cent of women in police stations were subjected to sexual or physical violence, and that not a single police officer had been punished for such abuse. In the first 11 months of 1999, according to cases reported in Lahore newspapers, there were 41 victims, 6 of them minors; 21 cases were of gang-rape and 14 of torture and insult. Out of the 21 gangs of policemen alleged to have committed gang-rape only 5 individuals were held.

Before 2000, there was no legal basis for the courts in Bangladesh to direct that an adult woman who was not an offender should be held in safe custody. This was not an uncommon practice, however. Women activists initiated large-scale campaigns to have this unlawful exercise of authority clearly declared to be without any legal basis. Recently, however, the law has been changed in Bangladesh to validate the power of the judiciary to order a woman to be held in safe custody in a place 'other than a jail'—tantamount to being imprisoned albeit with the saving grace that one is not being held with convicted prisoners.

The case of Shima Chowdhury exemplifies the sort of situation that the campaign against safe custody hoped to prevent. Shima was a 16-year old Bangladeshi garment worker who, in 1996, was arrested without reason, gang-raped by four policemen, and died in hospital several months later after being in 'safe custody'.

The reported cases form only a small percentage of the real incidence, since the vast majority of women victims do not even try to report incidents, because of fear of further repercussions both at the social and legal level. Inevitably, since the complaints are against the police itself, even those who want to register cases find it difficult, with poor women meeting the greatest obstacles.

The establishment of women's police cells in India, Nepal, Sri Lanka and Pakistan is a welcome initiative, but one that falls far short of providing full protection. Sri Lanka's provision that state as well as private actors must pay compensation for sexual molestation in police custody is a positive step.

Source: HRCP 1998 and 2000; RCIW 1997; Sobhan *et al.* 2000; and Zia 2000.

altered by only requiring proof of absence of consent. This removes the inherent gender bias of 19th century English law on rape. Further, this law recognised for the first time that forms of sexual violence other than rape could constitute the crime of grave sexual abuse.

In Bangladesh, after many years of protests by womens' rights activists, the Repression Against Women and Children (Special Provision) became law in January 2000, repealing antecedent laws and ordinances from 1983, 1988 and 1995. This new piece of legislation provides punishment for rape, as well as trafficking in women and children, kidnapping, acid-throwing, giving and accepting dowry and dowry deaths. According to this Act, all the offences mentioned will be non-bailable ones. The law provides for the setting up of special tribunals, fixed deadlines for investigations and trials *in absentia* for perpetrators of violence against women and children.

It does, however, have its drawbacks. For example, a rapist is legally responsible for maintaining any child resulting from the rape. This law is doubly problematic. First, it is extremely unlikely that a woman would want to have anything to do with the man who violated her. Second, abortion is only permitted if the woman's life is at risk, leaving the woman with little choice.

SEXUAL HARASSMENT. Several forms of sexual abuse other than rape are also common in South Asia. In the workplace and in public, women undergo sexual harassment in the form of sexual propositions, songs, jokes, gestures, comments, pictures, over-attention, 'accidental' touching and pushing, molestation, and even forcible cutting of hair. Incidents of public humiliation, including public stripping, have become more common in recent years. This often occurs when the perpetrators wish to punish an entire family by publicly humiliating the women of the family.

Sexual harassment in the streets is common, with little note taken unless some serious incident occurs. Where attitudes even towards cases of serious domestic violence, rape and killing are biased, the chances of success in cases of other forms of violence are not likely to meet with much success. Cases of sexual harassment and abuse are, therefore, rarely reported unless they take an

extreme form. In Sri Lanka, for instance, while over 80 per cent of women using public transport have felt harassed, only 46 cases charging sexual harassment were filed in 1998. If incidents are reported, the justice system once again intervenes to ensure that the perpetrators receive minimal penalties.

In the workplace, women can find that promotions, benefits and job security are offered or withheld on the basis of sexual favours granted. Workplace harassment particularly targets those workers—such as domestic workers, factory and garment workers and bonded labour—with relatively little power vis-à-vis their employers. Young, single low-income women in the private sector are the worst victims. Sexual harassment can present very real physical and psychological dangers, but its primary victims are women's mobility and access to educational and employment opportunities. Workplace sexual harassment is rarely reported, as this would put the victim's reputation at risk.

Recently, India and Sri Lanka have taken the positive step of legally recognising workplace sexual harassment as a crime. Under Sri Lanka's Penal Code Amendment Act (1995), sexual harassment was made an offence. In India, two cases led to this change. In a 1995 case, in which a civil servant charged a former director general of police, it was only the Supreme Court that understood that the matter was not 'trivial' and that the procedures adopted by the lower courts were improper.

A second case, in 1997, involved the gang rape of a social worker and activist in Rajasthan. While the criminal action was pending, women activists filed a writ petition against the State authorities for failure to create a work environment that protected workers. The Supreme Court interpreted certain constitutional guarantees, including the rights to life and equality, within the context of international human rights and CEDAW standards, and recognised a right to freedom from sexual harassment in the workplace. It laid down guidelines for the State to follow, including to set up complaint cells in all departments, and these guidelines have been approved in a 1999 case.

The national women's machinery has issued these guidelines to all government agencies and academic institutions. This judgement has had a tremendous impact on raising awareness around the issue, and also created a mechanism where these issues can be easily brought into the open. In educational institutions in Sri Lanka and the Indian state of Tamil Nadu, acts of torture and sexual harassment can be punished as grave crimes in separate legislation on 'ragging' or 'hazing', reinforcing the criminal law on sexual harassment.

In Bangladesh, sexual harassment on university campuses has become a significant problem, with two main universities in particular experiencing some of the worst incidents of sexual harassment ever reported. In both universities, it was the women students who were at the frontline of protests—most student branches of political parties not only steered away from the issue but also vehemently attacked such attempts. A loose network of organisations and individuals has since formed under the banner of the *Jouno Nipiron Protorodh Mancha* (Platform Protesting Sexual Harassment).

Women's mobility and access to educational and employment opportunities are the primary victims of sexual harassment

PROSTITUTION. Debates regarding the best approach to non-forced prostitution continue. Sri Lanka, Nepal and India have a basically regulatory or 'abolitionist' framework of laws on prostitution and do not prohibit consensual prostitution. Only Sri Lanka adopts a clear prohibitive approach to child prostitution under 18 years of age in its Penal Code, amended in 1995 and 1998. In India, street prostitution is criminalised but not other consensual prostitution.

This approach impacts on trafficking (see box 3.3). Although trafficking of women and children is illegal and prohibited in all countries, a permissive

Constitutional guarantees and laws that prohibit caste discrimination do not seem to protect low-caste and Dalit women from acts of cruelty and violence

and regulatory approach to prostitution makes trafficking laws difficult to enforce. It is often difficult to distinguish between the regulated area of forced prostitution and trafficking, and the legal area of consensual prostitution. While brothel owners and procurers are punished, clients are not, since prostitution is not a prohibited activity. Further, despite the permissive, regulatory approach, in all countries women involved in the sex trade continue to be treated as criminals.

The Constitution of Bangladesh states that 'the State shall adopt effective measures to prevent prostitution', and there are other laws preventing any person from forcing anyone into prostitution or 'immoral acts'. Soliciting is also against the law. However, there are no laws against engaging in sexual activity in exchange for money, and it is sufficient for a sex-worker to have an affidavit stating that she is above 18 years for her not to be arrested. However, she still has to face harassment and hand out bribes to those who protect the area in which she works, be it the local musclemen or the police.

Prostitution is, therefore, technically, neither legal nor illegal. It exists in a legal limbo, and thus sex-workers neither have much legal protection, nor can the state take any legal measures against them. As citizens, they can demand the same fundamental rights and freedoms from the state and are protected by the constitution. They have a right to shelter, occupation, food and basic amenities. However, their position in society does little to protect them from certain crimes such as rape, or from HIV/AIDS and other sexually transmitted diseases.

In Bangladesh, there are 16 authorised brothels and numerous unauthorised ones. There have been times where the red light areas of the country, especially in and around Dhaka, have come under physical attack from the general public. The women residing there have been forcibly evicted from their homes and have had to turn to the streets in order to earn a living and support their children. The attacks, ostensibly based on religious sentiment, actually tend to be economic in nature, because a brothel is located on prime real estate.

In 1991, over 5,000 women housed in 10 brothels were forcibly evicted from their homes, stoned and beaten. The eviction procedure was finally quelled by the police, but there were no inquiries made by the government to the condition and plight of the women. In 1999, a woman was strangled in the same area, leading to an eviction of the entire area. The government made the decision to rehouse the women, but the number helped is very few, increasing the risk to their health and safety.

OTHER FORMS OF VIOLENCE AGAINST WOMEN. In India and Nepal, many practices such as the *devadasi* system of forced prostitution, and *sati* (widow immolation, see box 5.5) were prohibited by British colonial legislation. Enforcement of laws that criminalise customary practices can be difficult, although some practices such as *sati* have been easier to eliminate. There have been only a few isolated instances of *sati* in India in the post-independence era. The Nepali custom of *deuki* (forced temple prostitution), on the other hand, was prohibited by legislation in Nepal as recently as in 1993, when a specific provision was introduced into the Children's Act.

Studies indicate, however, that low caste and Dalit (former untouchables) women continue to be exploited as *devadasis* and *deukis*. Caste-based violence in India and Nepal has been raised as an issue of concern during several national and international forums. Constitutional guarantees and laws that prohibit caste discrimination do not seem to protect low-caste and Dalit women. Acts of cruelty and violence against them do not merely reflect their disempowerment but are a disturbing manifestation of a society's unwillingness to accept the fundamental rights of all people.

Incest was not an offence under British colonial law, and came within legal scope in Sri Lanka only recently in 1995, when the Penal Code provisions on sexual offences were amended. Incest has social legitimacy in some rural communities in Sri Lanka, and an increasing incidence of incest is now reported in migrant worker families where the wife is overseas.

In recent years, the phenomenon of the issuance of so-called *fatwa*s (religious decrees) has been on the increase in rural Bangladesh as a mechanism for controlling perceived deviant behaviour—usually relating to women's sexuality. The vehicle for delivering these is the *salish*, a traditional informal conflict resolution mechanism that tends to be elitist, patriarchal and gender-insensitive. Punishments meted out to women and girls have included lashes and social boycotts, for such 'crimes' as being raped or allegedly having a pre- or extra-marital affair. As in Pakistan, the *salish* also has the power to issue a *fatwa* regarding whether or not a man's statement of divorce is valid.

Labour and service legislation

The labour and service laws of a country are key areas for women in terms of ensuring equality of employment opportunities, job security, benefits and occupational health and safety. Discriminatory labour and service laws exist in each of the countries, in particular with regard to benefits. However, the laws cannot be examined solely from the perspective of overt legal discrimination, as discrimination often exists under the cover of protective legislation—Nepal's

Box 5.5 From victim to accused—the Zina Ordinance in Pakistan

Introduced in 1979, the *Hudood* laws, particularly the *Zina* Ordinance, are often described as the most damaging laws in the context of Pakistani women. Under the *Zina* Ordinance, cases of rape often have been converted to cases of sexual relations outside marriage, which are considered offences under the ordinance.

Thus, the risks for women reporting rape are manifold. In a society where there is already extreme reluctance to report rape because of social stigma and dishonour, women are further threatened by the law itself. The attitudes of police are heavily gender biased, with the general presumption that women who report rape are immoral or shameless. Thus, women become burdened from the beginning with 'proving' their own innocence—if the police are not convinced, the woman can be charged under the law as a co-accused in the crime of *zina*.

Studies show that almost half the women in jails today have been accused of *zina*, most of them awaiting trial. The vast majority are poor women. Interestingly, before the *Hudood* Ordinance when only men could be punished for adultery there were only two reported cases. But since women have become liable under the law, several hundreds of cases have been reported. Apart from the fact that the law is used to penalise rape victims as those who have indulged in extra marital sex, it has also been used by men to control and punish women in their own families, giving them a tool to enforce their own notions of women's conduct and to punish any deviations. Thus, a large proportion of women in jail on *zina* charges have been put there by their own fathers, brothers and husbands. These include girls who refuse to marry according to parental wishes, wives who wish to separate or terminate their marriages, women who leave their homes because of abuse, and women who refuse to go into prostitution.

Even more ironic is that a girl child—who will never at any age be considered a valid witness for awarding full penalty, even if she herself is the victim of rape—is considered an adult for the purpose of fixing criminal responsibility and maximum punishment. Girls as young as 12 have received the penalty of imprisonment and lashes under the *Zina* Ordinance, and even younger ones have been charged.

The provisions of the *Zina* Ordinance are also in violation of the constitutional guarantees of equality and non-discrimination, since for the imposition of the maximum penalty the testimony of female witnesses, as well as that of non-Muslims if the accused is a Muslim, is excluded. Even the victim's own testimony is not acceptable, because of her sex.

Moreover, the law makes the Quranic requirement of four adult Muslim eyewitnesses for proof of adultery against a woman applicable to rape, and interprets the rule as requiring male witnesses. Thus, what was seen to be a protection for women under Islamic law against frivolous allegations of adultery has been used to deny them justice for rape. This essentially ensures that no rapist can ever receive the full penalty, as it is virtually impossible that a woman would get raped in front of four adult males of good character.

Finally, the *Zina* Ordinance dilutes the nature of rape as a male specific violent crime against women in two ways: by treating it as a criminal activity of comparable magnitude to adultery, and by assuming that rape can be committed by either sex.

Source: RCIW 1997; and Zia 2000.

restrictions on female migration are illustrative (see box 5.7). While India and Sri Lanka have relatively more developed systems of labour legislation overall, the enforcement of laws remains problematic.

Indeed, protective as well as affirmative action legislation exists throughout South Asia. The formal sector is regulated by equal remuneration for equal work laws, and there are quotas for women within the public sector (see chapter 8). In Nepal, for instance, in order to redress the under-representation of women in high managerial positions in the public sector, a lower age of entry for women has been set. In Pakistan, there has been an effort made to ensure a minimum representation of women in public sector employment. For example, a 5 per cent quota for women in public sector employment, as well as minimum quotas for the appointment of women in the subordinate judiciary, are still in existence. However, these have proved to be inadequate. In some areas there were already more than 5 per cent women employed, so the fixing of a lower quota did not make a difference. At the provincial level, the initiative remained unmonitored and unenforced. Moreover, there was no provision that women had to be appointed across all sectors and grades.

Discrimination often exists under the cover of protective legislation

Further, in Pakistan the constitutional provision relating to public sector appointments itself allows space for discrimination against women, as sex combined with some other factor can be considered a valid basis for discrimination. It also provides that specified posts and services can be reserved for members of either sex if they entail the performance of duties which cannot adequately be performed by members of the other sex.

While there are, in fact, few specifically gender-discriminatory rules relating to public sector employment in Pakistan, discrimination continues in practice. This can be due to direct recruitment policies and practices which often favour men; at other times, the practice of giving fewer field opportunities to women eventually affects their promotion possibilities. It has also been reported that earlier policies that barred women's entry into certain services continue to influence selection and hiring policies although the policies no longer exist. And, in practice, social bias often results in denying women entry into services traditionally considered the domain of men, such as the police.

Maternity leave is provided for in India and Sri Lanka, and more recently, Nepal. The Nepalese legislation also provides for breast feeding intervals and creche facilities in workplaces with more than fifty workers. The plantation sector in Sri Lanka also has a limited obligation to provide creche facilities. While entitlement to maternity benefits exists in Pakistan, it is tied to a minimum number of working hours. Within the context of a restriction placed on women's working hours under the Factories Act, the condition is not reasonable.

Yet, as discussed in chapter 4, the majority of South Asian women work as unpaid labour in the domestic sphere or on household farms, and in the informal sector, thus remaining outside the scope of regulatory control. South Asian women

Box 5.6 Sati, suicide and widowhood in India

Despite a long-standing ban on *sati*, the 1999 self-immolation of a woman in Uttar Pradesh and subsequent worship by villagers at the site, has rekindled debates surrounding the status of Indian widows. *Sati*, arguably based in Hindu cultural tradition rather than religion, is the practice by which widows kill themselves on their husband's funeral pyre. The last reported case of forced *sati*, in Rajasthan in 1987, led Parliament to enact a law making the failure to prevent *sati* a crime. The 1999 case, on the other hand, was considered as a suicide by authorities, allegedly in order to avoid having to charge every witness with homicide. Women's groups say that whether labelled *sati* or suicide, the incident illustrates the desperation often felt by rural widows when they are left without economic or emotional support in a traditional social environment still hostile to widows.

Source: Gooneskere 2000; and The News 1999.

Box 5.7 Home and away—laws relating to female migrant workers

Globalization has facilitated an ever-increasing flow of South Asian women out of their home countries, to work in other South Asian countries, in the Middle East and in Asia as a whole. They face discrimination on three counts: as migrants, as workers and as women. Often in low-paying informal and unregulated jobs, they are susceptible to violence, economic insecurity, and falling through the gap between the labour and welfare laws of their home and host countries.

In this regard Nepal has recently prohibited the migration of women to the Gulf States. While framed as a protective legislation, this law violates women's rights to freedom of movement and equal opportunity to employment. Similarly, Pakistan sets a minimum age limit of 35 for the migration of women for domestic work.

In response to reports of Bangladeshi women being held in foreign jails, since 1981 Bangladesh has had an on-again off-again policy about allowing unskilled women workers to migrate. As a result, many Bangladeshi women leave the country in an extra-legal and undocumented manner, leaving them particularly vulnerable to abuse.

In contrast, Sri Lanka continues to adopt an open policy, based on the recognition that migrant workers contribute substantially to national wealth through their foreign remittances. Legislation has introduced extensive safeguards against the exploitative recruitment of women migrant workers. Employment agencies must be licensed, and a special Foreign Employment Bureau has been established to monitor these agencies, supervise contractual arrangements, and provide training and welfare measures for women migrant workers.

The most recent Sri Lankan initiatives focus on providing migrant workers with some support for child care, to prevent the phenomenon of abuse of minor children when women travel overseas as migrant workers. A Child Protection Authority was established in 1998 with extensive powers, and has given priority in its work to safeguarding the welfare of these children through community-based advocacy and awareness raising programmes. It has a particular focus on the increasing problem of incestuous abuse of children by a male parent, during mother's absence overseas.

The *UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families* to date has not received the 20 ratifications required for the convention to enter into force. Sri Lanka is the only South Asian country that has ratified the convention; Bangladesh has signed the convention but has yet to accede to it.

Source: FWLD 1999; Gooneskere 2000; MFA 2000; Siddiqui 1998; and Sobhan 2000.

tend to face more occupational health and safety hazards than their male counterparts, not because of discriminatory laws but because women are disproportionately found in those industries falling outside the purview of laws.

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South Asian women face discrimination both because of laws and despite them. Women's vulnerability to violence and economic insecurity based on gender discrimination in law and practice has negative implications for the human development of the region as a whole. Thus, South Asian governments have both the responsibility and the need to promote the basic rights of women as entrenched in their own constitutions and in the international conventions to which they are party. Governments can learn from the experience of NGOs in spreading awareness of rights, a process that can be greatly facilitated by integrating legal literacy into school curricula. Once awareness among both women and men builds, pressure to follow through on government policies will also mount.

6

Education of Girls and Women

No society has ever liberated itself economically, politically, or socially without a sound base of educated women.

– Mahbub ul Haq

Chapter 6

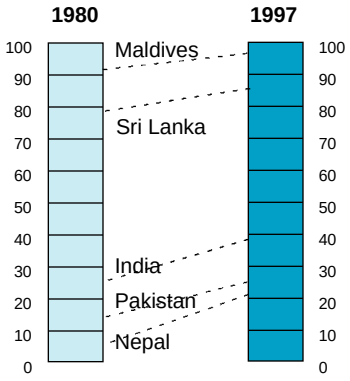
Education of Girls and Women

Figure 6.1a Illiterate females as a percentage of total illiterate population (2000)

Figure 6.1b Girls out of school as a percentage of total out of school children (1997)

Source: GOB 1999a; GOI 1999a; GOM 1999a; GOP 1999b; GOS 1999b; HMG Nepal 1999b; RGB 1999; and UNESCO 1998a.

Figure 6.2 Progress in female literacy



Source: HDSA 2000 Background Tables; and UNICEF 2000.

Of all the discrimination and denial of opportunity that women of South Asia suffer, perhaps the most damaging is the denial of the right and opportunity to education. Education is the key to breaking the vicious circle of ignorance and exploitation and empowering women and girls to improve their lives. During the last 20 years, significant progress has taken place in the state of education in South Asia, but vast gaps remain between the educational achievement of men and women and of boys and girls. Although statistics vary significantly between and within South Asian countries as a region, South Asia presents a shocking profile of educational deprivation of women:

- More than half of South Asian adult illiterates are women.
- More than two-thirds of South Asian out-of-primary school children are girls.
- Nearly two-fifths of girls enrolled in primary school drop out before grade 5.
- Of the already low vocational education enrolment of less than 2 per cent, female students comprise only a quarter of one per cent.
- The differentials between primary school enrolments of boys and girls differ from 2 percentage points in Maldives to 31 percentage points in Nepal. Within Pakistan alone this difference varies from 11 percentage points in Punjab to 21 percentage points in Baluchistan.

In this Chapter, we make an attempt to analyse the issues behind these statistics in order to evolve a comprehensive strategy for empowering South Asian women.

There are two basic indicators to measure gender gaps in education—adult literacy rates, and enrolment ratios. While the developing country average for female literacy rates has increased from 32 to 63 per cent between 1970 and 1997, the South Asian average has increased only from 17 to 37 per cent (UNDP 1999c). Of the total illiterate population in South Asia 63 per cent are women and of the total out-of-primary school children, 71 per cent are girls. Figure 6.1 a and b graphically show the educational deprivation of women and girls in South Asia.

Pakistan and Nepal have the worst female adult literacy rates at 25 and 21 per cent respectively (see table 6.1). Moreover, while the gender gap in education in South Asia as a region is the largest in the world, this gap is particularly glaring in these two countries.

Efforts to address gender disparities in education have, in general focussed on improving enrolments at the primary, secondary, and tertiary levels. Yet the minimum target of universal primary education has been met only in Sri Lanka. The rest of South Asia, has yet to achieve universal primary education even for boys. Progress, however, has been made in female literacy rates in all South Asian countries (see figure 6.2), and primary school enrolment ratios for girls in India and Bangladesh are fast approaching those for boys' enrolments.

The mean number of years of schooling that South Asian children receive is very low: in India, Nepal, Bangladesh, Pakistan, and Bhutan, girls receive less than 1.2 years of schooling. Boys' averages are considerably higher, indicating that there is a gender gap in learning achievement as well (see figure 6.3). But Sri Lanka and Maldives have better records even in this area.

Differences within countries by state and province, and urban/rural status are marked. However, they also reflect the initiative taken by individual states/provinces to address this issue. In India, for example, while the disparity between

Table 6.1 State of female education in South Asia

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia
Primary enrolment ratio (Net) 1997								
Girls	71	62	70	63	100	12	98	70
Boys	83	71	80	93	100	14	96	81
Total	77	67	75	78	100	13	97	76
Secondary enrolment ratio (Net) 1997								
Girls	48	17	16	40	79	2	49	41
Boys	71	33	27	68	73	7	49	61
Total	60	25	22	55	76	5	49	51
Literacy rate (%) 1997								
Female	39	25	27	21	88	30	96	37
Male	67	55	50	56	94	58	96	64
Total	54	41	39	38	91	44	96	51
Drop-out-rate (%) 1994								
Girls	41	56	33	48	1	16	6	41
Boys	35	46	31	48	2	19	9	35
Completion of primary cycle (%) 1994								
Girls	59	44	67	52	99	84	94	59
Boys	65	54	69	52	98	81	91	65
Female teachers (as a % of total primary teachers) 1997-98	36	35	31	22	96	30	94	37

Source: HDSA 2000 Background Tables; GOB 1999a, GOI 1999a, GOM 1999a, GOP 1999b, GOS 1999b; HMG Nepal 1999b; RGB 1999; UN 1999c; UNESCO 1998 and 1998b; and UNICEF 2000.

urban and rural areas in female literacy rates is large, there is almost parity in net primary enrolment rates.

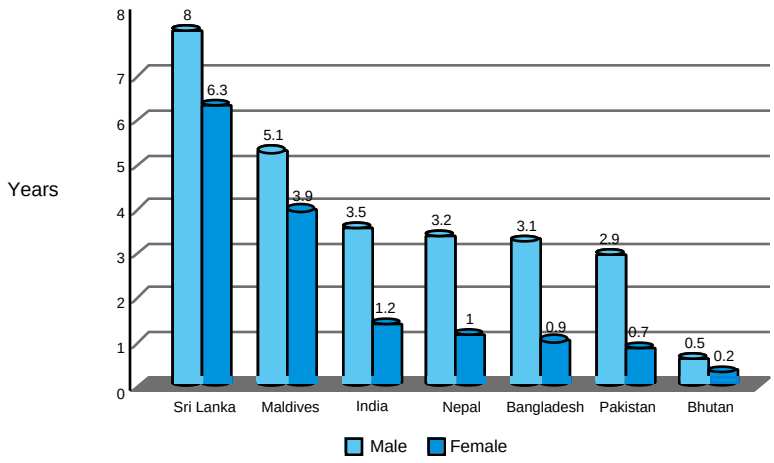
However, there are huge differences in female educational achievements between states in India: Bihar, Uttar Pradesh, and Rajasthan have extremely poor female education indicators, whereas states such as Tamil Nadu and Kerala do consistently well (see table 6.2). In Rajasthan, girls are only half as likely as boys to attend school while in Kerala there is no gender disparity in education (King *et al.* 1998). The experience in Kerala highlights that a poor state, with appropriate policies and strong political will, can overcome the hurdles of providing education to females.

Beyond primary education there are issues of tertiary enrolment rates as they indicate the extent to which South Asian women can acquire knowledge and skills to participate in economic and political fields.

Constraints to girls' education

Complex and interrelated factors are responsible for the low educational attainment of girls in the region. In some cases, these are country specific but many factors are common to all South Asian countries. Low female participation in the education system is primarily the outcome of two factors: low parental demand for girls' schooling; and the public and private sectors' supply of educational services

Figure 6.3 Average years of schooling



Source: HDSA 2000 Background Tables.

Table 6.2 India: disparities in educational attainment within states 1997

State	Net enrolment ratio primary (%)		Literacy rate (%)		Primary school teachers (%)	
	Male	Female	Male	Female	Male	Female
Bihar	70.1	28.2	60	27	80.5	19.5
Goa	78.1	59.4	92	74.9	32.6	67.3
Haryana	57.6	56	71	41	48.3	51.7
Kerala	71.7	67.4	95	88	30.4	69.5
Nagaland	49.7	39.9	91.9	71.9	60.7	39.3
Punjab	59.3	59.3	67	53	39	61
Rajasthan	78.5	31.8	69	27	71.2	28.8
Tamil Nadu	87.3	82.1	77	54	56	44
Uttar Pradesh	41.8	18.4	64	32	75	25
Urban India	**65.5**	**52**	**87.7**	**72.1**	**64.2**	**35.8**
Rural India	**72.8**	**47.7**	**64**	**34**	**64.2**	**35.8**
All India	**71**	**48.8**	**70.5**	**43.9**	**64.2**	**35.8**

Source: GOI 1999.

that do not respond to the communities' needs.

Traditionally, supply-related factors have received more attention. It was thought that with enough schools, teachers and textbooks, the education system would produce the desired outcomes for girls and boys alike. However, it is increasingly becoming apparent that these factors are necessary but not entirely sufficient for ensuring required enrolment and achievement rates. It is thus important to address the constraints related to demand as well as supply.

Demand constraints

Schooling is never free even when governments pay for much of it. Parents usually bear the costs for books and clothing. Parents also incur opportunity costs because they lose their children's availability for household chores and wage labour. The poorer the family, the more difficult it is to bear both direct and opportunity costs of education. Girls perform more chores at home than boys, thus the opportunity cost of sending them to school is often higher. Parents assess whether the benefits to the family outweigh the costs. Where resources are limited priority is given to sons.

One of the most significant factors that inhibits women's access to education in South Asia is the perception that the investment in educating a girl will not benefit her parents once the girl gets married. Further, South Asian cultures place a high value on the chastity of girls, and therefore parents are often reluctant to allow their daughters to be taught by male teachers, to enrol in schools without separate facilities for girls, or to attend boarding schools in distant towns. Culturally, girls are expected to be isolated from males before marriage (see box 6.1).

Box 6.1 Traditions that discourage

In most South Asian countries parents prefer to give higher education to sons rather than to daughters, mainly because boys are considered positive economic assets to the family.

Although with increased income-earning opportunities for girls, the urban centres in South Asia are seeing more girls attending schools than before, yet for the vast majority of girls the old tradition of leaving school at puberty is still a reality. This shows up in the drastic fall in enrolments at the secondary level. In a study of Gujarat (India) it was seen that the proportion of girls attending school increased until the age of 10-11, after which it declined. Caldwell *et al.* found in Karnataka that by age 15, only 11 per cent of girls were still enrolled in school. Further, they found that one-fifth of all girls were removed from school at puberty, usually to be married as soon as possible. Early marriage is viewed as a way of preserving a girl's reputation. In Tikamgarh district of Madhya Pradesh, very early marriage (at ages 8-9 years) prevents girls from attending school even after grade 1 or 2.

In Karnataka it was found that too much schooling was thought to make it difficult for parents to find a suitable match for their daughter. The need to arrange a match with a boy at least as educated as the girl often induces parents to withdraw girls from school at an early age. Seventy-five per cent of women in India, Pakistan and Bangladesh were married before the age of 19, 22 and 17 respectively. In Nepal, nearly half the women are married by 19. In contrast, in Sri Lanka, only 25 per cent of rural ever-married females were married before the age of 21 and 50 per cent were older than 23.

Sources: Bhatty 1998a and 1998b; Dube 1997; King and Hill 1991; and Nesac 1998.

The quality of education is also important in determining whether a child will be sent to school or not (see table 6.3). This is all the more important in case of girls as sometimes parents feel that the education system is not relevant to the needs of girls.

Supply Constraints

School location, facilities for female students and teachers, curriculum and examination policies are among the various school-related factors that can contribute to gender gaps in enrolments. These factors can influence parents' decisions on whether to educate their daughters.

Distance between home and school is a more important deterrent for girls than boys. The further a school is from a girl's home the less likely that she will enrol and attend because family members perceive long distances as threats to their daughter's safety.

In addition, the greater the distance to school, the longer it keeps girls away from doing household chores. In Pakistan's rural Sindh, only 31 per cent of villages had a girls' primary school within 1 kilometre (see figure 6.4). This is reflected in the province's low rural female literacy rate of only 13.1 per cent.

In the Indian State of Tamil Nadu, 88 per cent of habitations have a primary school within 1 kilometre, which has led to the state's significantly better literacy rates of 73.7 per cent for men and 51.3 per cent for women.

A study in Tamil Nadu reveals that an increase in distance to a primary school by one kilometre reduces by 2 per cent the probability of a girl attending the school. Similarly for rural Nepal, it was found that the possibility of a child attending school dropped by 2.5 per cent for every kilometre of distance they had to walk.

Shortage of female teachers inhibits girls' school attendance. In Kerala, which has the highest literacy and enrolment rates in India, more than 60 per cent of teachers are women, compared with less than 20 per cent in the states of Bihar and Uttar Pradesh—the states that have the lowest female enrolment rates.

Table 6.3 Quality of learning 1997-99

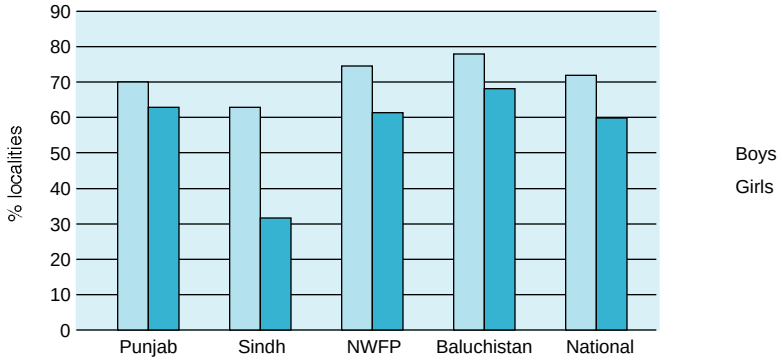
	Pupil-teacher ratio (primary)	Teachers certified to teach (% primary)
Bangladesh	59.31	69.9
Bhutan	41.40	93.4
India	48.29	87.7
Nepal	38	n/a
Maldives	23.43	63.1
Pakistan	48.43	87.2

Source: GOB 1999a; GOI 1999a; GOM 1999b; GOP 1999b; GOS 1999b; HMG Nepal 1999b; and RGB 1999.

Shortage of female teachers is much worse in rural areas. Poor roads, limited public transportation, and lack of teacher training institutions hinder rural women from receiving teacher training. Not surprisingly, road transport in Kerala is highly developed, safe, and reliable, allowing female teachers from urban areas to travel long distances to teach in rural schools. In Nepal, only 10 per cent of the primary school teachers are women. And in Bangladesh, where until recently only 8 per cent of primary school teachers were women, positive discrimination has been introduced to ensure that at least 60 per cent of all new teacher trainees are women.

Girls' participation also depends on the availability of single-sex schools, especially after the primary school stage. Most parents are willing to accept

Figure 6.4 Pakistan's rural localities with a primary school within 1 km (%)



Source: GOP 1999b.

coeducation in primary school but not in secondary school.

Curriculum is often gender biased. The stress on sex-role stereotypes tends to push girls towards courses of study that are typically associated with their gender. Kalia's (1980) content analysis of 41 Indian textbooks in four states and Delhi showed males to be exclusive leading actors in 75 per cent of the lessons, while females took precedence in only 7 per cent of the lessons. She concluded that women were still being prepared for the role requiring only servitude and support.

In contrast, Gunawardena (1987) cited a textbook survey showing that in Sinhala and Tamil textbooks in Sri Lanka, non-stereotyped sex roles outnumbered stereotyped roles.

In South Asia where literacy and enrolment rates are low, the returns to education are particularly high

Impact of education

Education increases the economic, social and political opportunities available to women. In *Human Development in South Asia 1998*, detailed analysis was conducted on the importance of education on socio-economic development in general and on women in particular.

Education empowers women to take control of their lives. It provides them with greater opportunity and choices to improve their lives and that of their families. Education is the key to overcoming oppressive customs and traditions that have neglected the needs of girls and women. Educating women is an important goal in itself. It is also a basic human right.

In addition to the direct benefits—in the form of more knowledge, skills, income earning opportunities, education of women has numerous social benefits. Female education is strongly connected to reduced child and maternal mortality, reduced fertility, improved family health, increased educational attainment of children, particularly girls. It also leads to women's improved status in society.

Improved economic growth

Education leads to direct economic benefits in the form of higher lifetime earnings for women while the society and community also benefit from the higher productivity of its labour force. In Bangladesh, it was found that the average salary of a secondary-school-educated woman is as much as seven times higher than that of a woman with no education (Haq and Haq 1998).

Studies reveal that for each additional year of schooling, women's wages increase by 10 to 20 per cent. In South Asia where literacy and enrolment rates are low, the returns to education are particularly high. In India, it was found that women who had completed high school earned one and a half times more than those without education and women with technical training earned three times more than women with no education. In Pakistan, it was found that women with a primary education earned 24 per cent more than those with no education, while men with the same level of education earned only 17 per cent more than those with no education (Ashraf and Ashraf 1996). Many studies suggest that rates of return to girl's education are higher than those for boys, especially in poorer developing countries.

Higher returns to women's education are a direct consequence of the fact that the benefits to society from educating women are far greater than that for boys. Besides improving human capital and increasing economic growth, female education also reduces the fertility rate.

The lowering in the number of dependents is referred to as the 'demographic gift'. This effect is said to have contributed from 1.4 to 1.9 per cent to the annual per capita growth in East Asia. One study reveals that nearly 0.4 to 0.9 per cent of the differences in growth rates between East Asia and South Asia, Sub-Saharan Africa and the Middle East are the result of the larger gender gaps in education in the latter regions (Klasen 1999).

Keeping women illiterate clearly retards economic growth. Societies that do not invest in girls' education pay a price for it in terms of slower growth and

reduced incomes. Investments in female education start a 'virtuous cycle' that leads to improved levels of income, growth and gender equality. Inequality in education is like a distortionary tax that misallocates resources, thereby reducing economic growth (Dollar and Gatti 1999).

Lower population growth

Education increases women's knowledge about controlling fertility and access to family planning services, and often encourages them to delay the age at which they marry (see table 6.4). Educated women become more aware about contraception methods and are thus able to plan the number of children that they desire to have. They also have more control over household resources and greater involvement in reproductive decisions (Drèze *et al.* 1995). In the Indian State of Gujarat, a study found that the level of female autonomy as measured by education was positively related to contraceptive use. In Bangladesh, it was found that contraceptive use was only 27 per cent for women with no education, 35 per cent for those with a primary education, while for those with an education of secondary level and above, it was 47 and 66 per cent respectively.

Female education also leads to greater ability on the part of females to communicate with their spouses on birth control (see table 6.4). Even primary schooling enhances communication among couples on contraception: in Pakistan, 18 per cent of uneducated women had discussed family planning with their husbands, compared to 29 and 44 per cent among primary and more educated women respectively. In India, while 42 per cent of uneducated women had discussed birth control with their husbands, 58, 65 and 71 per cent of primary, middle, and secondary schooled women respectively, had done so.

Studies find that an extra year of female schooling reduces female fertility by 5 to 10 per cent (see chapter 7). As more educated women prefer to send their children to school there was greater emphasis on the quality rather than the quantity of children. Women with more than a primary schooling had a smaller gender bias in sending children to school than women with less than primary schooling (Sathar 1997).

Education also increases women's ability to secure employment in the formal sector. As working women spend time outside the home, they are left with little time to look after their children and are thus inclined to have fewer children. With education, women also choose to marry at a later age both because of the time required for studies and also because of greater freedom to make decisions.

Improved children's health and education

Women's education greatly improves their ability to manage basic childcare, increase the nutritional content of diets, ensure more effective diagnosis of diseases, and improve elementary health care. Children of educated mothers have a greater growth potential. Educated mothers are also more likely to send both girls and boys to school and to keep them in school longer.

The level of mothers' education is a vital factor in determining infant and child mortality. The children of educated mothers have higher survival rates through infancy and childhood. Mother's

The level of mothers' education is a vital factor in determining infant and child mortality

Table 6.4 The impact of women's schooling

	Bangladesh	India	Nepal	Pakistan	Sri Lanka
Age at marriage					
No Schooling	13.8	15	n/a	18.3	21
Primary	13.9	16.8	n/a	18.9	20.9
Secondary or more	16.1	20.2	n/a	22.5	24
Desired family size					
No Schooling	2.6	3.1	3.2	4.3	3.5
Primary	2.4	2.6	n/a	4.1	3.4
Secondary or more	2.2	2.2	2.4	3.4	2.8
Contraceptive use (%)					
No Schooling	41	34	23	8	54
Primary	46	50	n/a	18	62
Secondary or more	57	53	45	38	62

Note: Figures are for the latest available year.
Source: Jeffery and Basu 1996.

schooling of one to three years is associated with a 20 per cent decline in the risk of childhood death (Haq and Haq 1998). Evidence indicates that each additional year of schooling of mothers translates into a decline in child mortality by 5-10 per cent. This is because educated women seek greater and earlier health care for sick children as compared to illiterate women. Educated women are less fearful of clinics and modern procedures and are capable of reading and interpreting basic health instructions. Educated women are likely to be more aware about nutrition, hygiene, and health care.

Technical education can be an effective entry point to women's economic and overall empowerment

Enhanced political and social participation

By increasing women's ability to earn an independent income, education increases women's status in the community and leads to greater input into family and community decision-making. In rural areas in South Asia, where women are confined to their homes and men are traditionally considered the bread-winners of the family, education plays a crucial role in enhancing the status of women and placing them on a more equal footing with their male counterparts. A survey carried out in Bangladesh assessed the degree of independence of women with different educational backgrounds. The responses to the questionnaire asking women whether they would go to a political meeting alone were quite revealing. Only 3.6 per cent of those with no education were willing to go alone, compared to 6.6 per cent of primary educated, 18.1 per cent of secondary educated, and 46.2 per cent of college educated women (Haq and Haq 1998).

Moreover, in educated societies many women participate in the political decision-making bodies of their countries. Countries with high levels of literacy and smaller gender gaps also have higher rates of women actively involved in government and politics (see chapter 8).

Women's access to vocational and technical education

In South Asia, women have limited access to vocational and technical education and thus to job opportunities in traditionally 'male' fields. This can be attributed to cultural and traditional attitudes, held by both women and men, towards women's roles and responsibilities in the household and labour market. As a result, current vocational and technical education programmes in South Asia are seriously inadequate in scope and relevance. Yet among educational investments, returns to vocational and technical education can be much greater than those to general education, when linked to market demand and employment opportunities. Technical education can be an effective entry point to women's economic and overall empowerment.

It is important to note that enrolment in vocational and technical training programmes relies on strong primary and secondary education systems. Rapid technological change means that the key feature of a country's workforce is flexibility. Primary and secondary education open doors to training by providing a foundation of basic knowledge so workers can adapt to shifting skill requirements. Transferable and flexible skills are particularly important for women because of their greater vulnerability during times of economic downturn.

South Asia faces a troubling paradox: so few people are technically trained, yet half of them are unemployed. This is a reflection of the inappropriate modes of training, not of technical education itself. The mismatch between education and employment is due to the failure of policy-makers to provide skills relevant to private sector demand. Moreover, unemployment among trainees also reflects on the poor quality of technical education systems in South Asia. Other countries, notably in East Asia, often rely

on the technical education sector to help the economy adapt to changing development needs.

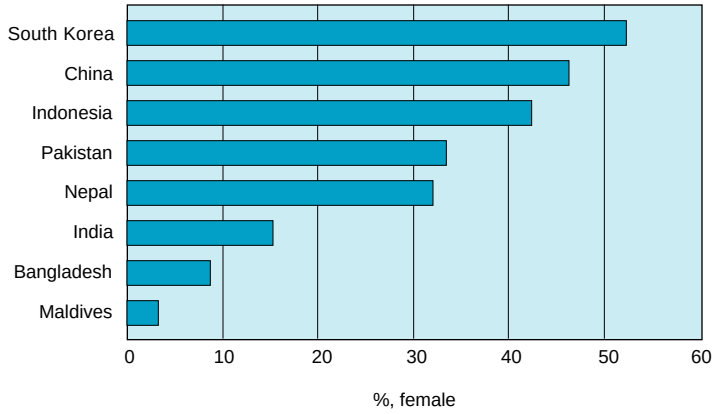
Unemployment in Japan and the East Asian countries has remained consistently low because their populations possess employable technical skills and because of the high economic growth rates that these skilled populations engineered. The need for skilled labour is acute in all of South Asia, creating a need for relevant technical education, especially for women who constitute only 17 per cent of technical students. Increasing the relevance of technical education for girls and women will help create incentives for parents to send their daughters to school, as well as increase student motivation.

Equal access to training and jobs is a long-term goal: many developed countries, with fewer cultural barriers and stronger legal enforcement of gender equality, still face serious problems with occupational and educational segregation. While recognising the economic and cultural constraints in place in South Asia, we must both work within such constraints and work to remove them. These can be mutually reinforcing processes: allowing women greater economic opportunities can raise their status and autonomy and thus open doors to jobs traditionally dominated by men.

Unfortunately, there are neither detailed nor comprehensive statistics on women's labour force and their participation in technical education in South Asia. As mentioned in chapter 4, women are pigeonholed into certain occupations in the service sector, such as teaching, nursing, and social work. The variations among and within the countries of South Asia are marked, although no country or region has approached gender equality in technical education.

In Sri Lanka, which has achieved near gender parity in primary education enrolment, 90 per cent of students enrolled in health-related courses and 66 per cent in teacher education courses are women, while a mere 12 per cent of Sri Lankan engineering students are women. Pervasive occupational segregation is reflected in the demand for and participation of women in technical education.

Figure 6.5 Percentage of females enrolled in second level vocational education

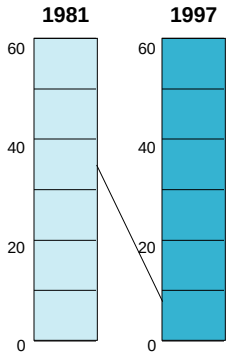


Source: UNESCO 1998a.

South Asia's overall enrolment rate in vocational education—1.5 per cent of students—registers well below the developing country average of 10.6 per cent, and below the least developed countries (LDC) average of 5.1 per cent. Of this already low number, females on average comprise a mere 17 per cent of technical students in South Asia (see figure 6.5). Thus, among students overall, only one quarter of one per cent are female technical students.

Vocational teaching staff make up 2.5 per cent of female and male teachers in South Asia, compared to an average of 14.1 per cent among developing countries and 7.1 per cent among LDCs. Of the already minuscule number of vocational teachers, female teachers comprise a small per cent. In 1990 in Bangladesh female technical teaching staff was a mere 2 per cent, a reduction from 5 per cent in 1980. Over the same time period, however, female enrolment in vocational education increased from 2 to 8 per cent. In India, female students comprised 32 per cent of vocational students in 1980-81, but only 15 per cent in 1996-97 (see figure 6.6). Even in absolute terms, female pupils decreased from 129,650 in 1980-81 to 119,113 in 1996-97.

Figure 6.6 India: decline in female students in secondary vocational education (%)



Source: UNESCO 1998a.

South Asia lags behind the rest of the world in engendering vocational education, particularly in comparison to East Asia. In China, 34 per cent of teachers and 46 per cent of students in vocational education are females (1996-97). Female enrolment in Indonesia increased from 27 per cent in 1980-81 to 42 per cent in 1994-95. In spite of the currency crisis in 1997-98, East Asian countries still possess their foundation of economic growth: large stocks of human capital, a significant portion of which stems from investment in women's skills. A prime example is the Republic of Korea, where female enrolment in vocational education, at 52 per cent, exceeds male enrolment.

Studies and figures reveal the inadequacy of current vocational education systems in South Asia. Of the people trained under Pakistan's Labour Department programmes, less than one per cent are women. In 1991, women constituted only 20 per cent of students in one of Sri Lanka's three agricultural schools, although half of the agricultural labour force is made up of women working as economic producers. In Pakistan, the number of female vocational institutes grew from 46 in 1947 to 109 in 1990, but they decreased as a percentage of total institutes.

Cultural norms that perpetuate educational disparities between boys and girls extend to and intensify with higher education

Box 6.2 Altering attitudes: recruiting and retaining women

Changing the attitudes of men and women toward occupational segregation is no simple task. A multifaceted effort must be made to convince women to join, and men to accept and encourage, non-traditional fields of study. Recruitment efforts should seek innovative ways to reach students and their parents. The following four ideas can be a part of a comprehensive plan of increasing women in non-traditional fields:

- Advocacy and awareness programmes for schools, students and parents through information dissemination and formal meetings.
- Programmes for employers to persuade them to accept more women trainees and employees. Training institutes should establish formal channels of communication and recruitment with employers.
- Technical and vocational institutions and programmes should have guidance and counselling services to advise and support women trainees, particularly in non-traditional fields, to prevent drop-outs from vocational and technical institutes as well as from employment.
- In view of employer discrimination, placement services should be an integral part of vocational and technical programmes. Monitoring and follow-up of working conditions and skill development can dovetail with enforcement of legal rights.

Source: Jayaweera 1991.

Of the nearly one thousand polytechnics in India, seventy are exclusively for women, who still comprise only 17 per cent of all polytechnic students. Of the more than 25,000 students admitted by 11 Technical Training Centres (TTCs) in Bangladesh between 1988-94, only 6.7 per cent were female. Over the same time period, an average of 8 per cent of teachers in TTCs were women.

South Asian governments spend approximately 4.4 per cent of their education budgets on technical/scientific education. Expenditure on female vocational students comprises less than one per cent of the education budget. The data presented so far encompasses only more formal training programmes. Much vocational training occurs through less formal modes, such as apprenticeships. Women are extremely marginal in apprenticeship systems for a number of reasons, including lack of women trainers and attitudes that perpetuate occupational segregation (see box 6.2).

Women's access to higher education

Higher education, though a distant dream for most South Asian women, is important because those who are able to access it are likely to be among those that push forward the structural changes needed to achieve gender equality.

One of the biggest challenges to engendering higher education is increasing access to women from a range of backgrounds. To a large extent, higher education is the preserve of the social, economic, and political elite. Even when scholarship and affirmative action programmes exist, the participation of non-elite women is limited because they often are denied access to primary and secondary schooling. Cultural norms that perpetuate educational disparities between boys and girls extend to and intensify with higher education. Given the perception of women's roles and the degree of gender discrimination in the workplace, higher education in non-traditional fields

is too rarely viewed as a sound investment for women.

It must be acknowledged that urban, middle class women from educated families are likely to dominate enrolments in institutions of higher education. These are the same women that go on to secure the few jobs in high-level administrative, political, and managerial positions that women occupy.

Equal access

The key to engendering higher education is equal access, not expansion. Given limited budgets, it is difficult to justify large expenditures on tertiary education when primary and secondary school enrolments are low. Moreover, investment in higher education may increase income disparities. Public subsidies as a proportion of unit costs of higher education often far exceed the subsidies to primary and secondary education. Because students in higher education tend to come from the higher-income groups, a large publicly funded higher education system tends to have adverse effects on income distribution. For example, professionals make up about 10 per cent of the populations of Asia, but their children represent 43 per cent of higher education enrolments (World Bank 1994b). Yet at the same time, in an age driven by technology, South Asian governments can ill afford to ignore higher education. The experiences of other countries have shown that women are as capable as their male counterparts in both traditional and non-traditional fields. Increasing access for women has the potential to raise the quality of students admitted to higher education and thus to raise the human capital of South Asian countries.

Simply constructing institutions will not necessarily increase women's access. Instead the solution involves both improving the number of facilities available, and also altering cultural constraints. Among types of higher education, women are more likely to enrol in open universities and distance education programmes. In India, for example, 38 per cent of the students enrolled in distance education programmes are women, compared with only 32 per cent in formal university programmes (UNESCO 1998a). In 1998-99, 53 per cent of the students enrolled at the Allama Iqbal Open University (AIOU) in Pakistan were women. More than half the students from Punjab and 37 per cent of the students from the NWFP are female, which is a much higher proportion than in regular universities (AIOU 1999a).

Distance education can be less expensive because of higher student-teacher ratios and is more accessible because it can circumvent cultural barriers to female participation. For many rural women in particular, access to education is tied to limitations of physical proximity, and also even permission to leave their homes. This is why the region has been witness to the successes of home and community schools at the primary and secondary levels, which ensure that the cultural barriers to education are dealt with. Similarly, distance education promises to provide girls and women the ability to obtain a higher education, which they otherwise might be restricted from. Moreover, distance education can play critical roles in upgrading skills and in lifelong learning.

Discussions on distance education must involve quality issues. This is a concern for all educational institutions across the region, degrees and diplomas obtained through a distance programme need to be at par with a standard tertiary degree. In many instances, this may not be the case, and this, sometimes, is a severe disincentive for any girl or woman from embarking on a distance education programme.

Teacher training is perhaps the most common form of distance education that women and girls are able to take advantage of. Though there are fewer barriers to women in teaching than in other professions, South Asian countries still have not reached gender parity in teacher training enrolment. Available

The key to engendering higher education is equal access, not expansion

There is a need to improve both the access of women and their inclination to non-traditional fields

international data reveal sharp shifts in teacher training policy, with efforts to recruit more women. In Bangladesh, for example, women comprised 27 per cent of pupils in teacher training in 1980, but reached 72 per cent in 1985. A barrier to general education in Bangladesh remains the disproportionately smaller percentage of female teaching staff. Latest data show that while female enrolment in teacher training programmes is 47 per cent, only 18 per cent of teaching staff in such programmes is female (see table 6.5).

In Nepal, 64 per cent of the 17,961 female primary and secondary school teachers had no formal teacher training in 1994. Teacher training should emphasise training of current teachers in addition to recruiting more women teachers. It is important to realise that teacher-training courses can be both increased in scope and in quality if there is some minimum standard of education required to receive training.

Enrolment

Within South Asia, Sri Lanka and India have relatively high levels of female enrolment, which also approach and sometimes exceed East Asian rates. In 1996-97, the enrolment of women at the third level in India was 34 per cent of total enrolment, but enrolments varied from a high of 52.4 per cent in Kerala to 18.6 per cent in Bihar. South Asian countries have a long way to go before achieving gender equality in higher education. While Sri Lanka and India compare favourably to East Asian enrolment rates, Bangladesh, Pakistan, and Nepal remain far behind.

Table 6.5 Staff and pupils in teacher training programmes

Country	Teaching staff		Pupils enrolled	
	Total	% female	Total	% female
Bangladesh	502	18	5,010	47
Bhutan	27	n/a	160	29
Pakistan	2,654	53	33,149	40
India	977	36	15,349	54

Note: Latest available year.
Source: UNESCO 1998a.

Gender gaps in higher education by field of study

Even when women have the opportunity to participate in higher education, they are often relegated to traditionally female fields such as home economics and health, rather than science and technology. As mentioned earlier, poor training at the secondary level adversely affects women at higher levels, especially in non-traditional fields. There is a need therefore to improve both the access of women and their inclination, to, non-traditional fields. The reasons for such a shift in focus are discussed below with specific reference to particular fields.

At the same time, it is important to discuss further such traditional programmes such as teacher training courses. While these courses encourage female involvement in the workforce, they may also limit women to teaching, which as a traditional occupation, is considered a natural choice. The importance of teacher training courses should not be undermined, nor necessarily should teacher-training courses be reduced, but there should be a focus on expanding women's higher educational and therefore occupational choices. This is a tricky proposition because it tends to imply a trade-off situation. This, however, is not necessarily true. In fact, one possible mutually beneficial solution would be to start teacher training courses in such non-traditional fields as basic computer skills. A person who has completed a secondary education is more than capable of learning the basic operation of a computer, and financial and infrastructural constraints notwithstanding, of imparting such skills to primary or secondary school students. Comparing enrolments by field of study in South and East Asia, it is evident that East Asia clearly enjoys a greater degree of gender equality in enrolment.

In business administration, only Sri Lanka, with 38 per cent female enrolment, approaches the East Asian rates. Pakistan has the weakest female representation in many fields of higher

education, including business administration (only 8 per cent). In the sciences, including computer science, India and Sri Lanka with female enrolments of 36 and 44 per cent compare favourably with Korea, Indonesia and Malaysia at 32, 34 and 48 per cent, respectively. Nepal and Pakistan, at 15 and 16 per cent respectively, clearly face stronger barriers to women's participation in non-traditional fields. In engineering, Pakistan stands out with a dismal 2 per cent female enrolment. For engineering in particular, it is clear that occupational and educational segregation is not unique to South Asia (see Gender Table 4). The Republic of Korea, for example, had 8 per cent female enrolment in engineering in 1996-97, and Japan 10 per cent in 1994-95, reflecting the fact that only a few privileged women have access to higher education in non-traditional fields in any country. This is not to downplay the achievements of such women or the importance of ending occupational and educational segregation; rather, it serves to highlight the long-term nature of fully engendering education, and particularly higher education in non-traditional fields.

Low rates of female enrolment contribute to few women working as administrators, managers, professionals, and technicians (see table 6.6). Overall, it seems that women face greater barriers to becoming administrators and managers, perhaps since issues of perception and culture are more salient at the managerial level. In more clearly skill-based jobs such as those of professional and technical workers, however, women have approached gender equality in East Asia. The same is not true of South Asia, due in part to a lack of trained women as well as other cultural constraints. Substantial progress is possible, especially for such skill-based jobs, if appropriate measures to link credentials with hiring practices are enacted.

Government commitments to education for all

As a follow-up to the Jomtien Conference, all South Asian governments devised National Plans of Action to show their commitment to achieving education for all. Subsequently, review meetings were held to analyse the progress that had been made after Jomtien. In Delhi (1993) the EFA Summit of Nine High Population Countries, including three South Asian countries, namely Pakistan, India and Bangladesh, was held. Various measures were initiated by South Asian governments to achieve gender parity in education. For example:

- Incentives schemes, such as scholarships for girls up to secondary level, free school meals (India, Bangladesh and Nepal), and separate schools for girls in each thana (Bangladesh).
- Incentive schemes at school/ community level, such as rewarding schools with increasing girls' enrolment and completion in Nepal.
- Increasing number of female school teachers.
- Compulsory primary education and fixing specific targets.
- Removing gender-bias and sex role stereotyping from school curricula.

Table 6.6 Female professionals

	Female administrators and managers (as % of total)	Female professional and technical workers (as % of total)
Sri Lanka	17.6	30.7
Maldives	14.0	34.6
India	2.3	20.5
Pakistan	4.3	21.0
Bangladesh	4.9	34.7
China	11.6	45.1
Indonesia	6.6	40.8
Korea	4.2	45.0
Japan	9.3	44.1

Note: Latest available year.
Source: UNDP 1999c.

• Establishing non-formal education programmes for out-of-school children.
• Promoting the value of education of the girl child.

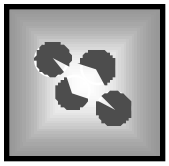
A truly engendered education does not end at basic literacy: that is where it begins. Women must also learn about their rights and choices and acquire the skills necessary to exercise them. In cases where choices do not exist for women, they must organise and create opportunities, processes that require gender-sensitive training. Teachers, development practitioners, and bureaucrats need training that helps them promote gender-sensitive, rather than gender-blind, policies and attitudes.

7

Health of Girls and Women

Children are often born to mothers not being attended by trained health personnel ... it is, therefore, not surprising that, too often, this miracle of birth turns into a nightmare of death, with too many children losing their mothers at the time of their arrival on this earth.

– Mahbub ul Haq



Chapter 7

Health of Girls and Women

In South Asia an estimated 208,000 women die annually due to pregnancy and birth-related complications

Women's health is inextricably linked to their social status. In many parts of the world, particularly in South Asia, discrimination against women starts before birth and continues until death. The reasons for women's ill health often lie within the gender roles they play. Evidence indicates that women are biologically more robust than men, and consequently have a natural edge in terms of expected life span. In many South Asian societies, this biological advantage is completely cancelled out by women's social disadvantage.

In most regions of South Asia, women are denied the rights and privileges afforded to their male counterparts, both within and beyond the domestic sphere. Throughout their lives, women endure discrimination based on gender, the manifestations of which range from preferential treatment of boys in provision of food and health care, to rape, dowry death and female infanticide. They are expected to eat last, leave the best food for the men of the family and to ignore their own illnesses, while managing the entire household. This often results in malnutrition, and is one of the main reasons behind the high rate of morbidity and mortality of women in South Asia.

Further, South Asian women suffer greatly from a lack of access to health care, based not only on an absolute lack of health facilities—particularly in rural areas—but also on the relative inaccessibility of such facilities to them. South Asian women often face traditional taboos, based on cultural practice and religious belief, against consulting doctors.

Health statistics clearly reflect gender discrimination in South Asia. An estimated 208,000 women die annually due to pregnancy and birth-related complications. Norms of early marriage continue to predominate, and a large majority of girls become mothers before the age of 20. The use of contraception is low, and there exists a substantial unmet demand for family planning services. An estimated 42 million currently-married women would like to limit or postpone births, but are not practising any form of contraception. A large proportion of women do not seek pre- and ante-natal care. A majority of women suffer from chronic energy deficit due to insufficient daily caloric intake (500-700 calories less than the recommended daily adult minimum intake of 2,250 calories; UNICEF 1996).

Women and men in South Asia are vulnerable to many preventable and curable diseases—tuberculosis, malaria and hepatitis, which become life threatening when the diseases are exacerbated by lack of information, poor health facilities, and the lack of sanitation facilities and safe drinking water. The burden of disease tends to be heavier for women, due to barriers to health facilities, social and cultural restrictions, and their low socio-economic status. Often the most trivial health problems and normal processes of child bearing become a cause of mortality.

According to the National Health Survey of Pakistan, the main factors which prompt women to seek medical care are respiratory difficulties, stomach and reproductive problems (PMRC 1998). In India the most common diseases for women are diarrhoeal diseases, respiratory infections and perinatal conditions (complications or diseases that occur at or after twenty-eight weeks of gestation or within the first seven days after birth; World Bank 1996).

Women need to access health care services for fertility control or for care

during pregnancy. For this reason, in developing countries in particular, women's health issues are generally defined as those relating to their reproductive health, to the exclusion of the physical and mental consequences of heavy domestic work, or the lack of an adequate diet, water, or sanitation. While the impact of inadequate kitchen facilities is felt by the whole family in terms of food safety, home hygiene and risk of accidents, women and girls are particularly adversely affected in terms of work burden, inconvenience, accidents and injuries, and exposure to indoor air pollution. Indoor air pollution—a risk linked almost entirely to kitchen activities—is a contributing factor to acute respiratory infection in infants, and is also responsible for the high levels of chronic respiratory and heart disease found in women in some of the world's poorest countries, including those of South Asia. Most households in rural South Asia, depend on unprocessed solid fuels (biomass) such as dried animal dung, agricultural wastes and wood, which is burned in traditional stoves, usually without a proper ventilation system. These fuels release 50 times more toxic pollutants than cooking gas. On average a South Asian woman spends about 6 hours in the kitchen every day, and hence is the worst affected by the pollution. Such indoor air pollution can cause chronic respiratory diseases. Adverse pregnancy outcomes have also been found to be related to exposure to biomass smoke (Dewan 1998). Further, heavy domestic work also damages women's health, especially during pregnancy.

The nature of women's domestic lives can adversely impact their mental health. The reasons for this are many, including low status awarded to domestic work, as well as isolation and lack of economic and social support. South Asian women are particularly vulnerable to violence because of their low social status within the household and community. From the womb to the grave, women are exposed to violence, be it in the form of mental and emotional torture within the household, or through the denial of their right to be born by abortion of female foetuses, or in the form of rape, acid burning or dowry deaths.

Evidence of the high rates of violence imposed on women, discussed in chapter 5, has increasingly placed the issue high on the agenda of women's health advocates. Reliable data on the extent of domestic violence is sparse, particularly in the developing countries. Women are often extremely reluctant to report attacks for fear of not being believed or being further victimised. However, estimates from the World Bank (1993) suggest that rape and domestic violence together account for 5 per cent of the total disease burden for women in developing countries, and 19 per cent in developed countries, a proportion comparable to that posed by other risk factors and diseases such as HIV/AIDS and tuberculosis.

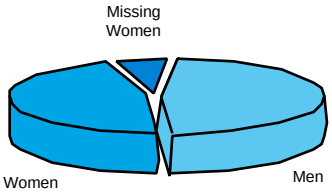
Cases of violence against women are often considered legal issues, yet the health consequences should not be ignored. The victims of violence often need both immediate and long-term medical assistance. Often more important, however, is the manner in which the experience has shattered a woman's confidence and left her in need of psychological support and counselling. In the South Asian context, there is a serious need to spend more resources on the mental health aspect of violence. There is often a lack of support from immediate family and friends of victims of violence—in the patriarchal societies of South Asia and around the world, women have been conditioned to suffer in silence.

Women in South Asia are particularly vulnerable to violence because of their low social status within the household and community

Missing women

South Asia is one of the very few regions of the world, in addition to China and parts of the Arab world, where men outnumber women. The global ratio (excluding South Asia) of females to

Figure 7.1 Missing women of South Asia



Sources: UN 1999c; MHHDC staff calculations.

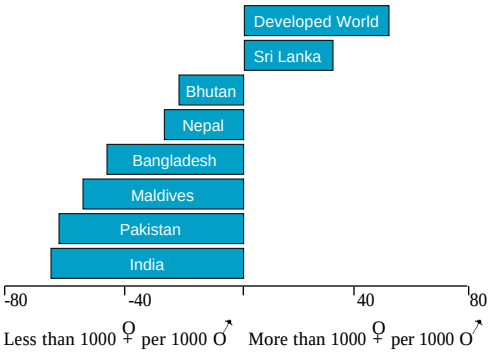
males is 106, whereas in South Asia there are only 94 women per 100 men (see figure 7.1). This unfavourable ratio is primarily a consequence of the high levels of mortality among young girls and women in their child-bearing years. For instance, in Pakistan, the female mortality rate during peak childbearing years (ages 20-29) is twice as high as that for men in the same age group (Tinker 1998).

Women's disproportionately higher mortality rates are due in large measure to discriminatory practices, particularly when women are perceived as an economic burden. Women's lack of decision-making power also undermines their efforts to seek timely health care for themselves and their daughters. A survey in Nepal, for instance, found that the decision for pregnant or post-partum women to seek medical care is most often made by the woman's husband, and in some cases her mother-in-law; the women themselves are very rarely involved in the decision (UNFPA 1999).

In those parts of South Asia where education and employment opportunities for women are relatively high, the female-to-male ratio is comparable to that of developed countries (see table 7.1). For instance, in Sri Lanka the sex ratio is 102 women per 100 men, and in the Indian state of Kerala, 104 women per 100 men (Government of Karnataka 1999).

For South Asian women, discrimination begins at birth, and since the introduction of prenatal screening methods such as ultra-sonography and amniocentesis, sometimes even before birth (see box 7.1). In South Asia, excluding the Maldives and Sri Lanka, there is evidence of inequitable feeding practices for boys and girls from infancy. The gender biases in feeding practices continue into adulthood and result in chronic under-nutrition and micro-nutrient deficiencies in girls and women. Failure to nourish girl children limits their capacity for healthy adulthood through stunting, for example, while an overarching reluctance to provide medical care compounds these problems. As a result of this discrimination, 79 million women are missing from the region (see figure 7.2).

Figure 7.2 Sex ratios in South Asia



Source: UN 1999c.

Table 7.1 Sex ratios, illiteracy and income in South Asia

	Female/ male ratio (000)	% illiterate Female	% illiterate Male	Real GDP per capita (PPP $)
Bangladesh	954	74	51	1,050
Bhutan	981	70	42	1,467
India	938	62	35	1,670
Maldives	945	4	4	3,690
Nepal	973	81	47	1,090
Pakistan	937	76	46	1,560
Sri Lanka	1,021	13	6	2,490
SOUTH ASIA	941	62.8	35.9	1,585

Source: UN 1999c; UNDP 1999c; and UNFPA 1999.

Gender discrepancies in life expectancies

Patterns of health and illness are markedly different in women and men. Women tend to live longer than men in a given set of socio-economic conditions. Yet despite their greater longevity, women in most communities around the world report more illness than men.

While the nature of this disproportionate female morbidity, and the factors that lie behind it, varies amongst different social groups, the broad picture is one in which women's lives seem to be less healthy than those of men. The explanation for this apparent paradox lies in the complex relationship between the biological and social influences on human health and

illness. When the female potential for greater longevity is not realised, it is an indication of serious health hazards within women's social and physical environments.

It has not always been the case that women lived longer than men. In Europe and America, the female advantage over males first became apparent in the latter part of the 19th century, as the life expectancy of both sexes increased. European experience suggests that the gap between female and male life expectancy grew as economic development and social change removed some of the major threats to women's health. At the same time, the introduction of new birth control techniques alongside changing values gave women greater control over family size, while general improvements in living standards and the introduction of maternity services led to a significant reduction in maternal mortality rates. Thus, over the years a range of social factors combined to enhance women's inherent biological advantage. The majority of South Asian women have yet to benefit from this socio-biological advantage. In Europe, Latin America and the Caribbean, the male-female life expectancy gap is about 5 years; in South East Asia 4 years; and in Sub-Saharan Africa 3 years. Only in South Asia is the gap less than 3 years (see figure 7.3).

The beginnings of a life of neglect—young girls in South Asia

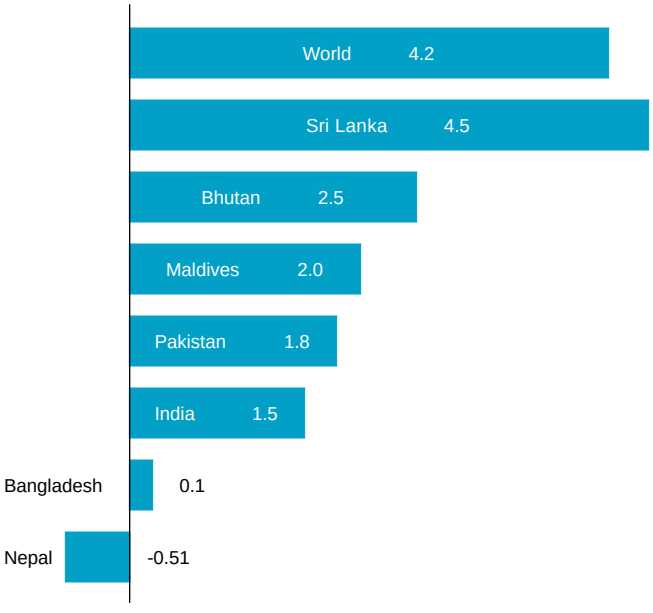
In many South Asian communities, a strong son preference is the clearest articulation of patriarchal structures. Over the past fifteen years, genetic testing for sex selection, although illegal, has become a booming business in India, China and South Korea in particular. Female foeticide has been reported in 27 of India's 32 states, and in some communities of Bihar and Rajasthan, the birth ratio is as low as 60 females to 100 males, against the natural ratio of 97 females per 100 males (UNICEF 1999a). Anecdotal evidence suggests that while outright female infanticide, usually of new-borns, takes place in only a few communities in South Asia (see box 7.1), it is much more often the case that discrimination in health care cuts short the lives of unwanted girl children.

The infant mortality rate is among the most sensitive indicators of a population's health status. In India, 18 per cent more girls than boys die before their fifth birthday, and in the Maldives, with the second lowest under-5 mortality rate in the region, female children are 51 per cent more likely to die before their fifth birthday than their male counterparts (UNFPA 1999; see table 7.2).

In South Asia, most deaths among children under 5 are due to infectious diseases such as pneumonia and diarrhoea, combined with malnutrition. While there is no evidence of gender differences in the rate of contraction of such diseases during childhood, there is a higher mortality rate of female children in the under-5 age cohort, reflecting the tendency to neglect female children. The female biological edge—female children are more robust before and at birth, with a greater number of male foetuses spontaneously aborted or stillborn—is again neutralised.

In many South Asian communities, a strong son preference is the clearest articulation of patriarchal structures

Figure 7.3 Gender differences in life expectancy at birth female - male (years)



Source: World Bank 1999.

Box 7.1 Female infanticide and foeticide

Female infanticide—the practice of killing female children because they are female—is taking root in Indian society. While a century ago female infanticide was an accepted practice among certain South Asian tribes, over the past two decades there has been a resurgence of the practice in some communities where infant daughters are often killed by feeding them poisoned milk, choking them with salt or sand, stuffing coarse grain in their mouths, giving poisonous plants extracts or by suffocating them. Although there are isolated incidents of female infanticide throughout South Asia, this practice is most prevalent in the Indian states of Tamil Nadu, Gujarat, Bihar, and Rajasthan. At the same time, in India, China, Hong Kong and South Korea, medical techniques developed to discover birth defects are increasingly being used to determine the sex of the child before birth, such that the pregnancy can be ended if the foetus is female (UNFPA 1998b; Rajan 1998b). Hence, advancements in modern medical science have helped quicken the pace of death for the girl child: female foeticide is an example of what can happen when modern science collides with the forces of traditional society. Today, thousands of girls are denied even the right to be born.

It is difficult to get true estimates of female infanticide because such crimes are carried out within the domestic sphere, and at times even the closest witness will not testify. Still, the juvenile sex ratio can provide a broad picture of the incidence of this practice. In India there has been a constant decline in the female to male sex ratio over the last century. According to the Indian Population Census 1941, the sex ratio of children in the 0-6 years age group was 1,010 females per 1,000 male children. This had declined to 945 females per 1,000 males in 1991 (Chunkath *et al.* 1997). Although in Tamil Nadu the juvenile sex ratio of 947 is slightly higher than the national average ratio, the district of Salem in this state has the worst sex ratio of 849 females per 1,000 males. The decline in sex ratio may also be attributed to boys receiving better health care than girls.

Although this bias cannot be termed outright female infanticide, it is indeed passive infanticide, as violence is not always required to end a child's life; neglect and indifference are often sufficient. Biologically, female children are more robust during the first six days i.e., early neo-natal period. Hence, the male mortality rate is usually higher than female mortality during the immediate neo-natal period. However, a study in Tamil Nadu reveals that in most of the districts, the ratio of female to male deaths is much higher in the first six days of the child's life—with a mortality rate of 105.3 for females as against a male mortality rate of 47.4 in the Madurai district. There is hardly any gender differential in the death rate from almost a month after the birth to the completion of the first year of life. This clearly indicates that there are some specific non-biological processes at work; i.e., the tendency of murdering girls as soon as they are born.

Sons are a major obsession throughout India particularly in Haryana, Tamil Nadu, Gujarat, Rajasthan, Maharashtra and Punjab—and indeed South Asia as a whole. The Green Revolution and rising levels of education in most of these states have not helped to raise the status of women significantly. Son preference has penetrated all sections of society. Tradition in South Asia considers girls a liability for the family as they have to be married off, often with huge dowry, whereas boys are considered

Missing Girls

- In 1984, 40,000 known cases of foeticide in Bombay.
- India's primary health centre's records reveal 3,178 cases of infanticide in six districts of Tamil Nadu in 1995.
- In 1989 it was estimated that there were 10,000 cases of female foeticide every year in Ahmadabad, Gujarat.
- Estimated 150 female infants put to death each year in a cluster of 12 villages in Rajasthan. It is said that there are only 50 young girls in a population of 10,000 people.
- 84% of gynaecologists in Bombay admitted to performing sex-determination tests.

an asset as they carry on the family lineage and support the family in times of financial need and bring in dowry. Studies have shown that dowry demands and dowry deaths are one of the main reasons why parents do not desire to have daughters. Sex-determination clinics play on this fear, advertising these tests with slogans such as *'Providing humane service for women who do not want any more daughters'*, *'Cheaper alternative to dowry'* and *'Better pay Rs. 500 now than Rs. 500,000 later'*.

Perhaps the most shocking aspect of foeticide is that illiteracy and poverty cannot be cited as the reason for such cruelty. Families who are relatively affluent and who can easily afford dowries also resort to foeticide. It is said that most families still appreciate the worth of a daughter but more than one daughter means a crunch on family resources. As dowry is relative to family income, relatively affluent families also feel future financial strain at the birth of another daughter and may consider female infanticide or foeticide the best way to relieve themselves of an undesirable burden.

Most studies reveal that women take the decision of prenatal sex determination on their own (Karlekar 1998). Women often condemn anti-prenatal sex selection activists by saying that they are unrealistic and do not understand the life of a common woman. Even many educated women are of the view that sex selective abortion is the lesser of two evils, compared to what a woman is going to face until the day she dies. One woman defended the act by saying, *'it is better to be killed in the mothers' womb than be burnt at the mother-in-law's'*. Women are oppressed victims of tradition, and are often forced to undergo abortion of a female foetus by their families. It is the woman who is blamed and ridiculed for delivering a baby girl. Often parents insist that their sons re-marry if the daughter-in-law is unable to bear a son. Women are abused by angry husbands if they fail to deliver a boy, and are beaten and battered if they refuse to kill an unwanted female infant. However, at the same time, it is often women who inculcate the ideas of dominance in the male child from the cradle.

Although the sex determination tests involve minimal risk for mother and foetus, complications may still arise. For example, amniocentesis can cause damage to the foetus resulting in spontaneous abortion. It can also result in puncture marks on the foetus and cause infection in the foetus's respiratory tract (Kapur 1993). Sex determination tests do not ensure the birth of a male child, they merely ensure multiple abortions—which can cause immense harm to the woman. A woman's health deteriorates with repeated abortions: there are physical consequences including infection, haemorrhage and infertility. In addition, repeated abortions also have an adverse impact on women's mental and emotional health. In India, one woman dies of septic abortion every ten minutes. This refers only to legal abortions, with almost as many deaths for illegal abortions (Kapur 1993). Furthermore, widespread female infanticide and foeticide will worsen the sex ratio, which is already tilted against women. It has been suggested by some authors that such adverse ratios can create certain social problems such as polyandry, abduction, rape, prostitution and greater control over women.

The spread of female foeticide has led to a controversy surrounding the ethics of, and right to opt for, abortion. Indian law permits abortion only under certain conditions, but these can be broadly interpreted and abortion can be carried out on demand before the twentieth week of pregnancy (Bumiller 1990). The question arises that if abortion is legal, why should a democratic state interfere in a couple's decision to abort a female foetus? It has been suggested by some analysts that in India abortion or 'medical termination of pregnancy' is encouraged by the medical establishment as a form of birth and population control (Karlekar 1998). In a society where families are willing to have child after child until they get a desired number of sons, female foeticide seems to be the answer, both to keeping family size small and to ensuring the birth of a son.

Source: Bumiller 1990; Chunkath *et al.* 1997; Kapur 1993; Karlekar 1998; Mosse 1994; Rajan 1998b; and UNFPA 1998b.

In Pakistan, it has been reported that while the percentage of under-5 girls and boys suffering from diarrhoea was almost the same (18 per cent of male and 17 per cent of female children), the average expenditure on treatment of diarrhoea was almost 20 per cent less for girls. A study of one rural area of Uttar Pradesh (India) reported that over a one week period roughly three times as many boys as girls were brought to the primary health centre for treatment (World Bank 1996).

Table 7.2 Under-5 mortality rates

	Male	Female	Ratio (female/male)
Bangladesh	106	116	1.09
Bhutan	98	94	0.96
India	82	97	1.18
Maldives	53	80	1.51
Nepal	110	124	1.13
Pakistan	108	104	0.96
Sri Lanka	22	20	0.91
SOUTH ASIA	86.9	99.0	1.14

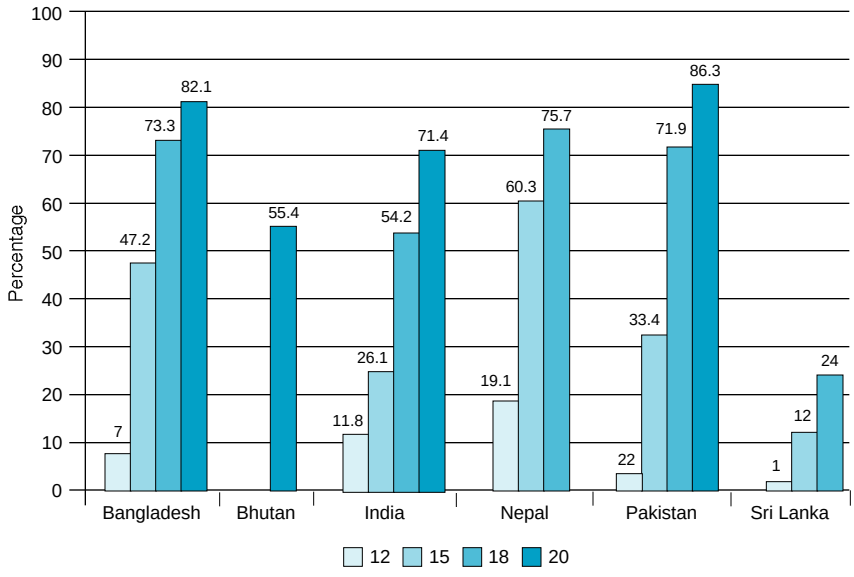
Source: UNFPA 1999.

Oppression of girls in South Asia tends to increase during their adolescence

Children under 5 years of age are most susceptible to six deadly diseases—polio, diphtheria, whooping cough, tetanus, measles and tuberculosis. Throughout the world, campaigns and programmes have been developed to immunize children against these deadly diseases. There is some evidence of discrimination against female children in terms of immunization; for instance, in India, more boys than girls were vaccinated in 1993-94 (World Bank 1996).

Oppression of girls in South Asia tends to increase during their adolescence. Once a girl reaches puberty, families often will invoke social and cultural taboos to restrict her to the household. Although pregnancy is a serious health risk for women under 18 years of age, the tradition of marrying off daughters once they reach puberty is still prevalent in certain communities of South Asia. A study of 20-24 years women showed that 60 per cent were married by the age of 18 (see figure 7.4), burdening girls—who are often not physically or mentally prepared—with childbearing, childcare, and sexual responsibilities. These girls are at increased risk of sexually transmitted diseases, including HIV/AIDS.

Figure 7.4 Percentage of women aged 20-24 who are first married by exact Age 12, 15, 18 and 20



Source: DHS 1994; RGB 1996; GOI 1995a; HMG Nepal 1997a; GOP 1998d; Singh S. *et al.* 1996.

Both anaemia and malnutrition are very common among South Asian girls, and anaemia tends to increase during adolescence. Anaemia can be especially problematic during pregnancy and birth, especially for a teenager: maternal anaemia aggravates the effects of haemorrhage or sepsis at childbirth, and is a major cause of maternal mortality.

Nutritional challenges faced by South Asian women and girls

The majority of South Asian women are chronically ill as a result of under- and malnutrition, lack of adequate health care, and frequent childbearing. About 60 per cent of women in their childbearing years in South Asia are under-weight, stunted by inadequate nutrition during their own childhood (UNFPA 1998a). Eight out of ten South Asian women are anaemic during pregnancy, and many suffer from chronic energy deficit (UNICEF 1996).

Both the quantity and quality of food intake determine nutritional status of an individual. As discussed above, in South Asia, there is widespread evidence of inequitable feeding practices for boys and girls, starting at infancy. Boys are breast-fed more frequently and for longer periods than girls, and throughout the region (excluding the Maldives and Sri Lanka) girls usually receive less food than boys after breast-feeding. The male bias in feeding practices continues into adulthood and results in chronic under-nutrition in girls and women. In Bangladesh, for instance, men consume more fish and poultry than women (Chen *et al*. 1981), and boys receive about 16 per cent more energy-providing foods than girls. In the 5-14 age range, this discrepancy is around 11 per cent (Mosse 1994).

Poverty is a major contributing factor to the ill health and malnutrition of women, because in the traditional societies of South Asia as well as other parts of the world, poverty affects women disproportionately. Whatever food is available within the household, tends to be distributed in such a way that women get a smaller share. In some communities of South Asia, the tradition of sequential feeding is practised, i.e., male adults eat first, followed by male children, then female adults and finally female children. Such a tradition takes a heavy toll on the health of young girls. Even in families that eat together, adult women often allocate the portions of food and these allocations are illustrative of the gender bias.

In households where there is enough food to eat, women are still the most disadvantaged in terms of food consumption. There are traditional notions that prohibit women from consuming certain foods that may be essential for them. For instance, young girls often are not given certain foods because it is thought that they should not grow fast or too much (Dube 1997). Hence high protein foods like milk, eggs and meat, and foods with greater fat content are considered to be the privilege of male children, while girls are given cereals. Other views include the myth that eating more during pregnancy will result in a large baby leading to difficult labour. In Pakistan, women, particularly pregnant women, are discouraged from eating eggs and fruits (PMRC 1998), despite the fact that the nutrient and energy requirements of pregnant women are higher than normal. A study in Indian Punjab found that although most women realise the need for a more nutritious diet during pregnancy and lactation, they are not provided with a special diet, and their inferior status in the household makes it difficult for them to demand it (World Bank 1996). In Pakistan 48 per cent of lactating mothers have a caloric intake of less than 70 per cent of the recommended level (Qureishi *et al.* 1999).

Diseases like malaria, and parasitic infections, also determine nutritional status. Lack of adequate sanitation facilities and safe drinking water, and poor hygiene, increase the vulnerability of people residing in rural areas and urban slums to such diseases and infections. These infections are exacerbated by malnutrition and they in turn increase the degree of malnutrition. Parasites such as hookworm limit the capacity of absorption of necessary micro-nutrients. High intake of tea and other caffeinated foods, and low intake of vitamins, particularly vitamin C, also have a negative impact on the body's capacity to absorb micro-nutrients. Ignorance is a major factor contributing to the malnutrition of the people in the region. In some areas, the way in which food is cooked decreases its nutritional value. Certain low cost foods like vegetables are a rich source of vitamins, which if used in daily diet, would reduce the incidence of malnutrition. The most pervasive forms of micro-nutrient deficiencies are discussed below.

Poverty is a major contributing factor to the ill health and malnutrition of women

Low Birth Weight

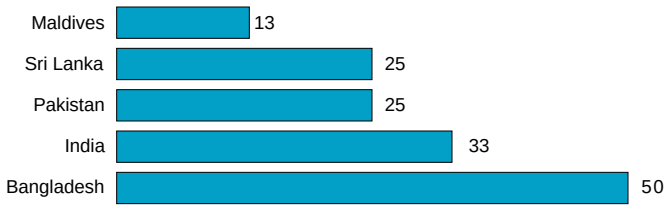
Low birth weight is defined as less than 2,500 grams. It has an adverse effect on child survival, and is an important risk

factor for certain adult diseases such as heart disease and diabetes. More than one-third of all babies in South Asia are born with low weight (UNICEF 1996; see figure 7.5).

A number of factors cause low birth weight; these include poor maternal nutrition, certain infections, arduous work after mid-pregnancy, and short birth intervals. In particular, low birth weight indicates that the mother was malnourished during her own infancy, childhood, adolescence, and pregnancy. Malnourished mothers give birth to low weight babies, and if those babies are girls, they will be predisposed to poor pregnancy outcomes when they reach childbearing age. In addition, early pregnancy increases the risk of low weight babies, and more than one in six low weight babies are born to mothers under the age of 18 (UNICEF 1996).

Severe anaemia is responsible for 9.2 per cent of maternal deaths in India

Figure 7.5 Proportion of infants with low birth weight (%)



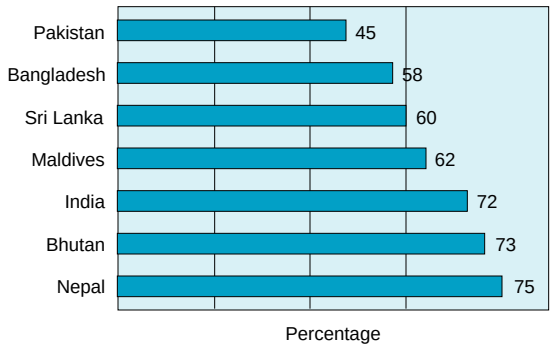
Source: UNICEF 2000.

Iron Deficiency/Anaemia

Anaemia causes retardation of physical and mental development, fatigue and low productivity at work, and impairs reproductive functions. Maternal anaemia aggravates the effects of haemorrhage and sepsis at childbirth, and for this reason is a major cause of maternal mortality. Causes of anaemia other than nutrient deficiency include malaria; intestinal parasites such as hookworms and roundworms; childbearing patterns; and high intake of iron absorption inhibitors such as tea.

Anaemia is prevalent among women in South Asia (see figure 7.6). In Pakistan, almost 40 per cent of women (Tinker 1998), and about 9 million children under the age of 5 are anaemic (PMRC 1998). Among women aged 15-44 years, approximately 47 per cent of rural and 39 per cent of urban women suffer from iron deficiency (*Ibid*). In Nepal, iron deficiency is common, especially among young pregnant women: 70-80 per cent of Nepali women, and 64 per cent of all pregnant Nepali women, are anaemic (HMG Nepal 1998c). Severe anaemia is responsible for 9.2 per cent of maternal deaths in India (World Bank 1996), and 88 per cent of all pregnant women are anaemic (UNDP 1999c). A study conducted in the largest cities of India reveals that in the 6-14 age group, 66.7 per cent of females in Hyderabad, 95.3 per cent in Calcutta, and 73.3 per cent in New Delhi suffered from anaemia (World Bank 1996). In Bangladesh, it has been estimated that 58 per cent of pregnant women, and 45 per cent of non-pregnant women, suffer from anaemia, and 25 per cent of maternal deaths have been attributed to this cause (UNDP 1999a).

Figure 7.6 Percentage of pregnant women with anaemia in South Asia



Source: UNICEF 2000; RGB 1998; GOI 1995b; GOM 1996; HMG Nepal 1997b; GOP 1997c.

Protein Energy Malnutrition

Protein energy malnutrition manifests itself in a combination of stunting (low height for age); wasting (low weight for height); and underweight, (low weight for age). These anthropometric measures, based on skin-fold thickness and arm circumference with reference to age, are considered to be important indicators of protein energy malnutrition. About one-third of the world's children are affected by protein energy malnutrition; 76 per cent of these children live in Asia—mainly in South Asia. Women who are stunted are more likely to experience obstructed labour and face a

greater risk of dying during childbirth. They are also more likely to give birth to low weight infants, passing on the effects of stunting to subsequent generations. A sizeable proportion of women in their reproductive ages are both acutely malnourished and short-statured, as data from Bangladesh and Nepal indicates. This increases the risk of difficult childbirth. Approximately 28 per cent of Nepali women, and 52 per cent of Bangladeshi women are both short-statured and acutely malnourished.

Nearly half of the under-5 children in developing countries were moderately or severely stunted during the 1980s; during the 1990s this proportion decreased to 38 per cent. Seven countries, however, still have national rates of 50 per cent or more, and three of these are in South Asia: Bangladesh, India and Pakistan (UNICEF 1999a). A World Bank (1990) study of Bangladesh found that girls had three times the rate of boys' malnutrition, and that the mortality rate for severely malnourished girls was 45 per cent greater. A study in the slums of Delhi revealed that 40 to 50 per cent of female infants below the age of one year were malnourished. In female children in the age group 5-9 years, this percentage increased to almost 70 per cent (World Bank 1996).

Women's reproductive health

The socio-biological processes of conception, childbirth and child-rearing are profoundly affected by broader social and cultural factors, particularly by inequalities between the sexes in the household. In South Asia, these factors can act as threats to women's vulnerable health status, especially within contexts of socio-cultural restriction and economic scarcity.

Maternal mortality and morbidity

If a pregnancy goes wrong, lack of obstetrical care can be fatal. Millions of South Asian women continue to face this risk each year. Every year in the developing world, 585,000 women die from preventable pregnancy or childbirth complications (UNICEF 1999a). Over one-third of these deaths take place in South Asia. These deaths represent an important indicator of the social and economic inequalities between women in industrialised and developing countries. In industrialised countries, maternal mortality is rare, and can be as low as 13 deaths per 100,000 live births; in developing regions, however, such as South Asia, this rate is high, averaging 480 deaths per 100,000 live births (MHHDC 1999a).

The maternal mortality ratio is as high as 1,500 per 100,000 live births in Nepal—where only 10 per cent of births are attended by trained health personnel, as compared to 384 per 100,000 in the developing countries as a whole (UNFPA 1999).[1] The average Indian woman is 100 times more likely to die of maternity-related causes than a woman in the industrial world: about 15 per cent of pregnant women in India develop life-threatening complications during pregnancy (World Bank 1996). In Pakistan, a pregnant woman dies every six minutes (PMRC 1998), and as many as 1 in 38 women die of pregnancy-related causes (Tinker 1998). It has been reported that in Nepal 1 in 12 women die of pregnancy-related complications (FWLD 1999).

Maternal mortality rates vary between regions within a country. In areas where health facilities are not easily available and/or cultural traditions limit women's mobility and freedom to access health services, rates are much higher. For instance, in urban settlements of Karachi (Pakistan), the rate is 281 per 100,000 live births, but in the province of Baluchistan it is reported to be as high as 673 per 100,000 live births (Tinker 1998). Data from Bangladesh show that the maternal

The socio-biological processes of conception, childbirth and child-rearing are profoundly affected by broader social and cultural factors, particularly by inequalities between the sexes

[1] State of the World's Children 2000, based on national sources, reports a much lower maternal mortality rate for Bhutan and Nepal (380 and 540 per 100,000 live births respectively), manifesting the tenuous nature of even basic health statistics in these countries in particular. Since 90 per cent of Nepali women do not have access to maternal health care, it is likely that maternal deaths go unreported in a majority of cases.

mortality rate in rural areas, at 450/100,000 live births, is 19 per cent higher than that in urban areas (see figure 7.7).

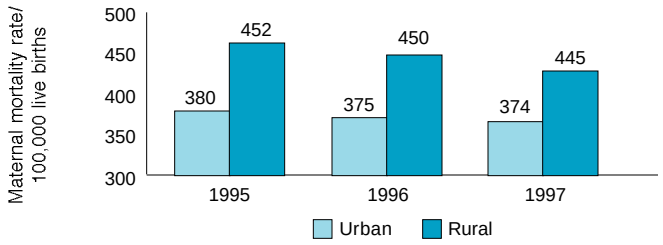
Such high maternal mortality rates are a consequence of the overall ill-health and nutritional deficiencies in women of South Asia. Anaemia / iron deficiency is one of the major causes for high maternal death rate. The ill effects of these nutritional deficiencies are exacerbated by the barriers that women face in gaining access to antenatal and post-natal care, and emergency obstetric care. A 1995 survey in Bangladesh found that less than 5 per cent of women with obstetric emergencies received appropriate care (UNICEF 1998b).

Maternal death not only means death of a woman, but also a difficult life for her surviving young children

In addition to limited access to antenatal care (see figure 7.8), three delays account for a large proportion of maternal deaths in South Asian countries: delay in seeking care; delay in reaching a health institution; and delay in receiving care at the health facility. Nearly 10 per cent of maternal deaths in Nepal are attributed to these three delays (HMG Nepal 1998b).

Maternal death not only means death of a woman, but also a difficult life for her surviving young children. For instance a study in Bangladesh found that a mother's death sharply increased the chances of death of her children up to age ten years, particularly of her girl children, whereas the death of a father had no significant effect on his children's mortality rate (Tinker 1993).

Figure 7.7 Levels and trends in maternal mortality rates by residence, Bangladesh, 1995-97

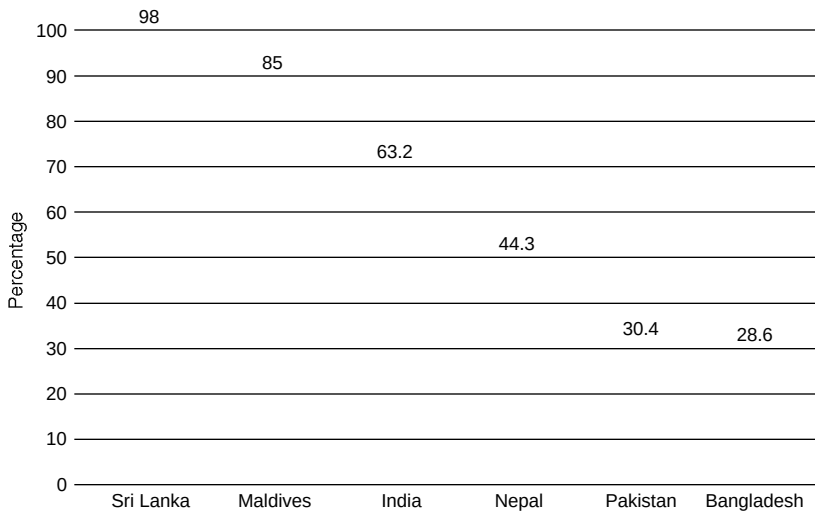


Source: UNICEF, Progotir Pathey, 1997.

Maternal morbidity is also very high in South Asia. The major reasons for morbidity include a lack of pre- and post-natal professional health care, exacerbated by the low socio-economic status of women within the household. For every woman who dies of a pregnancy-related cause in Pakistan, there are 16 others who suffer from reproductive tract infections (Saeed 2000). For every maternal death there are 643 cases of morbidity in Bangladesh, and 541 in India (Pachauri 1999). Almost 5 per cent of Indian women and 32 per cent of Bangladeshi women report at least one life-threatening illness during pregnancy and puerperium.

Tetanus toxoid is one of the most common diseases contractible by both the mother and the new-born child. Practices such as spreading cow dung on the floor and applying it to the new-born's umbilical cord, and cutting the umbilical cord with un-sterilised implements, are common causes of tetanus. Although neo-natal tetanus can be prevented by immunizing the mother, it accounts for more infant deaths in South Asia than in any other region of the world (UNICEF 1996).

Figure 7.8 Percentage of pregnant women receiving ante-natal care



Source: DHS 1994; GOI 1995a; GOM 1996; HMG Nepal 1997a; DHS 1990; GOS 1997d.

Reproductive tract infections (RTIs) and sexually-transmitted diseases (STDs)

In the past, health policies have focussed upon family planning issues to the exclusion of other aspects of women's physical and mental well-being. The main aim of reproductive health policy has been fertility control to reduce the rate of population growth. Sexually transmitted diseases (STDs) and reproductive tract infections (RTIs) were, and still are, almost totally ignored, especially among women. The shame and taboos that accompany these diseases hinder people, particularly women, from seeking health care for such diseases. Many women suffer in silence, or turn to traditional treatments, which often have serious side effects. The focus of reproductive health is now shifting to incorporate a greater emphasis on overall health status, and a life-cycle approach to reproductive health (see box 7.3).

The incidence of STDs and RTIs is common among women of South Asia, and is exacerbated by the lack of information and taboos associated with these diseases. Data on the prevalence of STDs, including HIV/AIDS, are not available for all South Asian countries and are also limited in scope and quality. However, available information reveals a high prevalence of both STDs and RTIs among both married and unmarried adolescent boys and girls, and adult women and men.

In Bangladesh, over 40 per cent of unmarried and married adolescent girls, and 20 per cent of unmarried adolescent boys, are reported to have had symptoms of RTIs and STDs (UNFPA 1998a). Community and clinic-based studies indicate that as many as 50 to 60 per cent of married Bangladeshi women of reproductive age are infected with a RTI (UNICEF 1998b). In Sri Lanka, 23 per cent of the male and 18 per cent of the female population were reported to have had STDs (GOS 1996). Clinic-based studies in Nepal also reveal a high degree of prevalence of some types of STDs. For example, a study conducted among a group of pregnant women visiting health facilities for antenatal care services for the first time revealed that one-third have had at least one STD-related symptom (UNICEF 1999a).

In India, the prevalence of STDs among the general population is reported by the National AIDS Control Organisation to be 5 per cent (GOI 1998a). A study in rural Maharashtra (India) revealed that, in 1989, 92 per cent of women suffered from one or more gynaecological problems, and that a majority had never sought any treatment for these problems (Pachauri 1999). Similarly, community-based studies in rural West Bengal and Gujarat, and urban Baroda and Bombay show that the prevalence of clinically diagnosed RTIs ranges from 19 per cent to 71 per cent, and in rural Karnataka over 70 per cent of women have clinical evidence of RTIs (*Ibid*).

If not properly treated, RTIs can have serious consequences on women's health. Childbirth, abortions, and unhygienic conditions during menstruation can lead to infections of both the lower reproductive tract, which if untreated may cause pelvic inflammatory disease, and the upper reproductive tract, causing difficulty in pregnancy, chronic pain and even infertility. Infertility can be particularly traumatic for South Asian women, since in these societies motherhood is perceived as a woman's primary role.

HIV/AIDS

The advent of HIV/AIDS has added a new dimension to the already poor health situation of the population, with specific and serious implications for women's health. By the year 2000 it is estimated that over 40 million women and men will have been infected with HIV. The pandemic is concentrated in the poorest parts of the world with 90 per cent of those who are HIV-positive living in the developing world. The centre of gravity

The focus of reproductive health is now shifting to incorporate a greater emphasis on overall health status, and a life-cycle approach to reproductive health

HIV/AIDS presents a significant threat to the health and welfare of South Asian populations

of AIDS epidemic is now moving from Sub-Saharan Africa to South Asia.

Data, though limited, show a rapidly increasing number of HIV/AIDS cases (see table 7.3), including those among women, particularly adolescent girls and women involved in the sex trade. As mentioned in chapter 1 India has been hit the worst by the HIV/AIDS pandemic, where between 3.5 million (The Nation 1999) and 4.1 million people are HIV-positive, almost 40 per cent of them are women. In India 1 in every 3,300 children under 15 years of age has lost his/her mother or both parents to AIDS (UNFPA 1999). A Mumbai ante-natal clinic reported that 5 per cent of pregnant teenagers consulting the clinic are HIV-positive (*Ibid*.).

In Nepal, one-third of diagnosed HIV/AIDS positive cases were females, of whom 32 per cent were adolescents (UNICEF/Nepal 1999). In Bangladesh, 1 in every 3,000 people has AIDS, with much higher incidence among high-risk populations such as drug users, and sex workers.

Despite a growing recognition at the government level that HIV/AIDS presents a significant threat to the health and welfare of South Asian populations, awareness-raising campaigns in most countries have as yet been limited in scope and effect. Knowledge of HIV/AIDS remains limited, particularly in rural areas and among women.

Population Growth

South Asia is one of the most densely populated regions in the world. Fertility rates in most countries of the region are extremely high compared to those of developed countries, and three countries—India, Pakistan and Bangladesh—are among the eight most populous countries of the world, housing 21.3 per cent of world population between them (UN 1999c). These three countries are also among the ten top contributors to the world population in the past five years, accounting for 28.5 per cent of world population growth from 1995 to 2000.

Table 7.3 HIV infections in South Asia

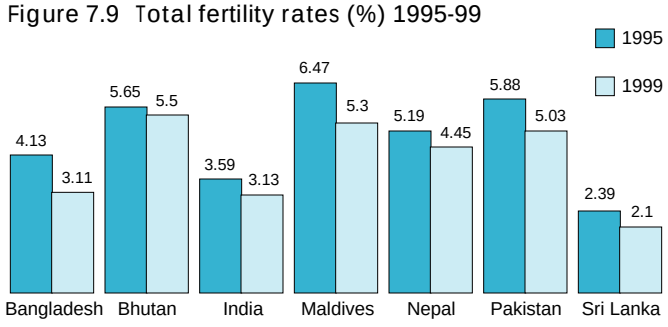
	Estimated number of adults infected with HIV	Adult population HIV prevalence rate (%)
Bangladesh	21,000	0.03
India	4,100,000	1.00
Nepal	25,000	0.20
Pakistan	62,000	0.09
Sri Lanka	67,000	0.07

Source: UNAIDS 1999.

The rapid increase in population has been a major issue for the governments of South Asia. Despite fifty years of efforts to check population growth, the use of family planning methods and contraception is very low, and the fertility rate has not declined substantially in most countries of the region (see figure 7.9). Even in Bangladesh, where the average number of births fell from 4.3 in 1990 to 3.1 in 1997, to achieve the replacement fertility rate of 2.1 per cent per woman, a further reduction of 33 per cent is required. In the Maldives and Bhutan, the fertility rate would need to be reduced by 62 to 63 per cent; in Pakistan and Nepal, by 55 to 59 per cent; and in India, by 33 per cent (UNICEF 1999a).

Provision of safe methods of contraception and correct information about its usage can improve and even save the lives of many women by

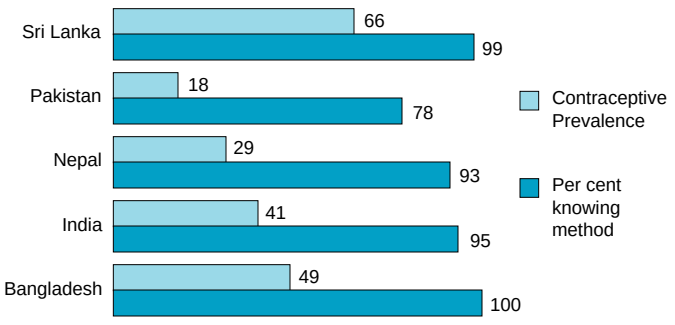
Figure 7.9 Total fertility rates (%) 1995-99



Source: UNFPA 1999.

reducing unwanted pregnancies, and the risk associated with abortion of unwanted pregnancies and the effects of frequent pregnancies. There exists a very large unmet demand for contraception among currently-married South Asian women. At least one-third of currently married women in Pakistan and Nepal, one-fifth in India, and one-sixth to one-tenth in Bangladesh and Sri Lanka would like to limit or postpone births for some time, but are not practising contraception. Overall contraceptive use is low in the region, with the highest rate in Sri Lanka (66 per cent), and lowest in Pakistan (18 per cent) and the Maldives (17 per cent) (see figure 7.10). Lack of education, access to information, cultural taboos and religious restrictions are the main reasons for low contraceptive use.

Figure 7.10 Contraceptive knowledge and prevalence in selected countries of South Asia



Source: UNFPA 1999.

There is a large gap between the proportion of people knowing about contraceptives, and those practising contraception. For example, in Pakistan 78 per cent of women in the age group 15-49 know of at least one family planning method, but only 18 per cent are currently using contraception (UNFPA 1999).

South Asian women often have little power to make decisions concerning the number of children they will have. The decision to use contraception almost always lies with the husband. A study of rural Punjab (Pakistan) revealed that only 15.6 per cent of the women respondents felt they were major decision-makers in terms of the number of children they wanted. Women 35 years and over, and those with some education, had greater decision-making opportunities than younger and less educated women. Women who are employed in paid work outside the home also seem to play a greater role in determining family size (Sathar *et al.* 1997).

Beyond the International Conference on Population and Development—a score card of government initiatives and challenges

Lack of education, access to information, cultural taboos and religious restrictions are the main reasons for low contraceptive use

The International Conference for Population and Development (ICPD) was held in Cairo from 5 to 13 September 1994. The ICPD Programme of Action agreed on a comprehensive and detailed strategy for population and development in the next 20 years (see box 7.2). The main feature of the Programme of Action is that it places human rights and well-being of women explicitly at the centre of all population and sustainable development activities. It establishes that population issues cannot be dealt with in isolation, but must be seen in a broader context of sustainable development. Main features of the ICPD Programme of Action include a call for:

- Gender equity and equality and empowerment of women
- Integration of family planning in reproductive health
- Increasing men's role and responsibility in bringing about gender equity and equality
- Recognition of reproductive health needs of adolescents as a group
- Family, the basic unit of society, to be strengthened and protected

To achieve the targets and goals of the ICPD and Beijing conference, the

governments of South Asia have adopted various plans and programmes. These plans aim to improve the situation and condition of women in the region, and focus on the life cycle approach of women's health. Various policy initiatives taken and challenges remaining are detailed in box 7.3.

Box 7.2 Quantitative health-related goals of ICPD

The ICPD has set specific quantitative goals to be achieved within 20 years in three vital areas of concern.

Infant and under-5 mortality rate

- All countries should strive to reduce their infant and under-5 mortality rates by one-third, or to 50 and 70 per 1,000 live births respectively, whichever is less by the year 2000.
- By 2005 countries with intermediate mortality levels should aim to achieve an infant mortality rate below 50 deaths per 1000 and an under-5 mortality rate below 60 deaths per 1,000 births.
- By 2015 all countries should aim to achieve an infant mortality rate below 35 per 1,000 live births and an under-5 mortality rate below 45 per 1,000.

Maternal mortality rate

- It calls for significant reduction in the maternal mortality rates. The mortality rate should be decreased to half of the 1990 level by year 2000, and a further one-half by 2015.
- By 2005, countries with intermediate maternal mortality rates should aim to reduce it to a rate of less than 100 per 100,000 live births, and by 2015 a rate of less than 60 per 100,000 live births.
- By 2005, countries with the highest maternal mortality rates should aim to reduce the maternal mortality rate below 125 per 100,000 live births and by 2015, a maternal mortality rate below 75 per 100,000.

Reproductive health and family planning

All countries should:

- Strive to make reproductive health care accessible through the primary health care system to all individuals of appropriate ages as soon as possible and no later than the year 2015.
- Take steps to meet the family planning needs of their population in all cases by 2015, seek to provide universal access to a full range of safe and reliable family planning methods, and to related reproductive health services in accord with their laws and practices.
- Provide people with full opportunity to exercise the right to have children by choice.
- It should be the goal of public, private and non-governmental organisations to remove all programme-related barriers to family planning use by year 2005 through the redesign and expansion of information and services to increase the ability of couples to make free and informed decisions about the number, spacing and timing of births and protect themselves from sexually transmitted diseases.

Source: UNFPA 1995.

Box 7.3 Post-ICPD score card in South Asia

Policy Initiatives	Remaining Challenges
Bangladesh	
• Developed *ICPD National Plan of Action.* • Developed *National Integrated Population and Health Programme*, to enhance the quality of life of poor and underprivileged by helping to reduce fertility and improve family health. • *Health and Population Sector Strategy* with focus on family planning, child survival and reproductive health. • Health and family planning services introduced in villages through satellite clinics. • Doubled allocation on health from 0.6% of GDP in 1985-86 to 1.3% in 1995-96. • Per capita expenditure on health and family planning increased by 71% from TK35 in 1990-91 to TK60 in 1995-96.	• To achieve ICPD goals by 2005, the infant mortality rate (IMR) will have to be reduced by 37%, and under-5 mortality rate by 43%. • Maternal mortality rate (MMR) of less than 100 per 100,000 live births by 2005 will require a reduction of the rate by 77%. • Although the contraceptive prevalence is high, as compared to other countries, it still falls short of the ICPD goal, and requires a 6% increase in contraceptive prevalence rate (CPR) to meet the goal.
India	
• *National Family Welfare Programme* changed from Family Planning to a more holistic reproductive health approach in 1996. • Developed a *National Reproductive and Child Health Programme* in 1997, aimed towards reduction of child mortality by providing immunisation against vaccine preventable diseases, and reduction in maternal mortality by providing essential emergency obstetric care.	• To achieve ICPD goal of less than 50 infant deaths per 1000 live births IMR will have to be decreased by 27%. Failed to achieve ICPD goal of under-5 mortality rate by the year 2000. • High MMR persisted, which will have to be reduced by 76% by the year 2005, to achieve the ICPD goal. • To reduce the unmet demand to the ICPD threshold, contraceptive use should be increased by 44% by 2005. • Government allocation on health and family welfare sector remained more or less stagnant during the last decade.
Nepal	
• Developed *Safe Motherhood Programme* to strengthen community based maternal health services. • Introduced *National Reproductive Health Strategy* in 1998 which gives a holistic life-cycle approach to the family planning programmes. • Established women development cells within ministries and support of NGOs and CBO concerned with the uplift of women.	• IMR will have to be reduced by 30% and under-5 mortality rate by 40% to achieve ICPD goals by 2005. • Nepal has the highest MMR in the region and needs to reduce it by 81% by 2005 to achieve ICPD goals. • CPR rate needs to be increased by 90% by 2005, and unmet need to be reduced by 107%.
Maldives	
• Government of Maldives has formulated a health policy which includes reproductive health, with a focus on expansion of primary health care and strategies to improve access to quality reproductive health and family planning. • Focus of health policy changed from reproductive role of women to life-cycle approach. • Achieved the ICPD goal of reduction in IMR.	• Failed to reduce under-5 mortality rate considerably. • To achieve ICPD goal by 2005, MMR will have to be reduced by 71% by 2005. • To achieve ICPD threshold of CPR, it should be increased by 72%.
Pakistan	
• Formulated a *National population Policy* in 1998 which aims at effectively delivering reproductive health and family planning services, and incorporation of population factors and concerns in the process of development planning. • Developed a *Reproductive Health Services* package which aims to deliver services at the door step, particularly in the rural areas through lady health workers and village based family planning workers.	• To achieve the ICPD goal by 2005, IMR will have to be reduced by 47% and under-5 mortality rate by 55%. • MMR remained high and a decrease of 71% is required in the rate by 2005, to achieve ICPD goal. • CPR requires to be increased by 129% in Pakistan to achieve the ICPD threshold by 2005.
Sri Lanka	
• *Population and Reproductive Health Policy* approved in 1998. • Established *Well Women Clinics*, with screening facilities for RTIs and STDs, at the primary health care level. • Achieved the ICPD quantitative goals of infant and under-5 mortality rates, and has one of the lowest mortality rates in the world. • With a MMR of 60 per 100,000 live births, Sri Lanka has achieved ICPD goal of low maternal mortality. • Sri Lanka has also achieved threshold level for CPR.	• Rate of anaemia still high in the country. • Government expenditure on population and reproductive health is only 4% of total health expenditure.

8

Gender and Governance

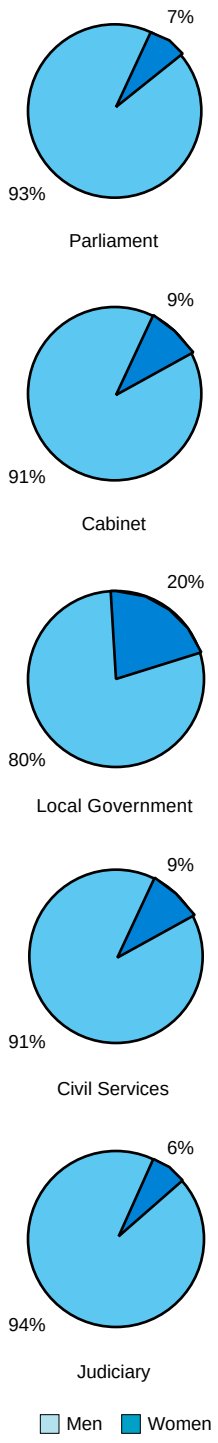
Those societies which have given equal access to women and men in economic and political opportunities have progressed much faster than those which denied such access. Gender equality is necessary condition for sound human development.

– Mahbub ul Haq

Chapter 8

Gender and Governance

Figure 8.1 Women in governance: smallest piece of the pie



Source: HDC staff calculations.

Women leaders in South Asia dominate the political landscape. From Indira and Sonia Gandhi, to Shaikh Hasina, Khaleda Zia and Benazir Bhutto, to Sirimavo Bandaranaike and Chandrika Kumaratunga, South Asia's women leaders are the epitome of powerful women reaching the highest echelons of governance. And yet, the statistics tell a different story. As detailed in the previous chapters, the vast majority of South Asian women are illiterate, in poor health, invisible in the system of national accounts, and suffer legal, political, economic and social discrimination in all walks of life. Women in South Asia also have the lowest rates of participation in their governance structures. For example, in South Asia:

- Women occupy only 7 per cent of the parliamentary seats;
- Only 9 per cent of the cabinet members are women;
- Only 6 per cent of positions in the judiciary are held by women;
- Only 9 per cent of civil servants are women; and
- Only 20 per cent members of local government are women.

As figure 8.1 shows, in the decision-making forums in South Asia, women share the smallest piece of the pie.

The 1999 Report on *Human Development in South Asia* advocated that if governance is to promote human development, it has to go beyond being pro-people or people-centred. *'It has to be owned by the people.'* Women account for half the population of South Asia, yet they remain mostly invisible in all governing institutions. Women hold the top positions in major political parties of the region, yet these powerful positions have not translated into positive outcomes for the majority of South Asian women. Most political parties do not even maintain data on their female membership and few women are granted party tickets for elections. In some countries women are more visible in local governance structures than in any other governing institution. Most gains have been made in India, where one-third of the seats in *panchayats* are reserved for women. However, gender bias pervades at all levels of governance in South Asia, which may be one of the reasons for the region's governance crisis.

Women in governing institutions

Decision-making has traditionally been regarded as a male domain in South Asia. Often using customs and traditions as a tool, women have been sidelined from most decision-making processes. While the past few decades have witnessed an improvement in the status of women, especially for the urban middle class women who have a degree of freedom in making decisions, for the majority of South Asian women such freedom remains an elusive dream. This lack of liberty is a tradition that is rooted in the home and the community, where male members maintain strict control over decision-making and follows through to the highest levels of national legislatures and parliaments.

The parliaments

Female participation in South Asian parliaments is abysmally poor. Despite the fact that four out of seven South Asian countries have had female Prime ministers or heads of state at one time or another, female participation in parliaments remains very low. The 7 per cent participation rate of women in the parliaments of South Asia is one of the lowest in the world, lower

even than East Asia and Sub-Saharan Africa (see table 8.1). The only other countries where female representation is as low or lower than that of South Asia are the Arab countries.

Over the past decades, there has been some progress, but it is uneven. For example, in India the number of women in the *Lok Sabha* (Lower House of Parliament) has increased from 22 to 48 in the past fifty years, but it represents less than 9 per cent of the total strength of the *Lok Sabha*. In Sri Lanka today, women constitute 4.9 per cent of the parliament. Pakistan and Bhutan, at 2.6 per cent and 2 per cent respectively, are at the lowest rung of women's parliamentary representation.

While one of the first South Asian female Prime Ministers was Indira Gandhi, the women of India have only recently seen a shift in the attitude of politicians towards them, as an electorate and as election candidates. Female representation in the *Lok Sabha* has remained around 7 to 8 per cent during the past four elections. After the general elections of 1984, the proportion of women in the *Lok Sabha* rose sharply from 5.1 per cent to 8.1 per cent only to decline to 5.3 per cent in the election of 1989. Since then, the number of women in the Indian Lower House of Parliament has been increasing steadily. However, it remains much lower than 33 per cent, the critical mass of women required for meaningful decision-making strength, as expressed in the Convention for the Elimination of Discrimination Against Women (CEDAW).

India has never had reserved seats for women in its national legislature, and without reservation or some other affirmative action policy, it will be a long time before 33 per cent of parliamentary seats are occupied by women. There has been a lot of debate on this issue and the consensus of women's groups is in favour of reservation. India's successful experience at the grassroots level has helped to strengthen the case for reservation. But the Bill for reservation has not yet been passed by the parliament. The major problem is not with reservation itself but with the rules and regulations for it. Currently, 50 per cent of the constituencies return the same candidate to the *Lok Sabha* in successive elections. The Reservation Bill proposes rotation of reserved seats that would undermine the chances of winning of political candidates. It is mainly because of this reason that there is such strong opposition to the Bill. Other possible drawbacks are discussed in box 8.1.

Sri Lanka has no specific constitutional guarantees for women's representation in governing institutions. The Constitution states that there should be no discrimination on the basis of gender, and no reservations have been made for women in the parliament or local governing bodies. In Sri Lanka, both the President and Prime Minister are women. Chandrika Bandaranaike Kumaratunga, has been the President of the country since 1994. In 1999, she was re-elected to the office. Sri Lanka had the honour of being the first country in the world to elect a female Prime Minister. In 1960, Sirimavo Banadaranaike was elected as Prime Minister of Sri Lanka. The assassination of her husband (the Prime Minister of Sri Lanka from 1956 to 1959) propelled her into politics. Her party won the general

Bangladesh is the only South Asian country that can boast a proportion of female parliamentarians at par with the world average

Table 8.1 Women in parliament (% 1999)

	Single or Lower House	Upper House or Senate	Total (Both Houses)
Bangladesh	12.4	n/a	12.4
India	8.8	8.5	8.7
Nepal	5.4	15	7.5
Maldives	6.3	n/a	6.3
Sri Lanka	4.9	n/a	4.9
Pakistan	2.8	2.3	2.6[a]
Bhutan	2.0	n/a	2.0
South Asia (unweighted)	**7.4**	**7.5**	**7.3**
Memo Items			
World	13.3	10.6	12.8
Nordic Countries	38.3	n/a	38.3
Sub-Saharan Africa	11.6	13.2	11.8
East Asia[b]	9.5	13.0	10.1

a: Data represents status of parliaments prior to October 12, 1999.
b: East Asian data does not include Indonesia and Republic of Korea.

Source: De Silva 1995; GOB 1991 & 1996a; GOI 1998b; GOI 1999b; Gooneratne & Karuneratne 1996; GOP 1998a; HMG Nepal 1999c; and IPU 1999.

election in 1994 as well, and she is currently finishing another term as Prime Minister. Despite this, at 4.9 per cent, the proportion of women in Sri Lanka's Parliament remains well below the world average.

Today, Bangladesh is the only South Asian country that can boast a proportion of female parliamentarians at par with the world average. It is the only country in the world where the both Leader of the

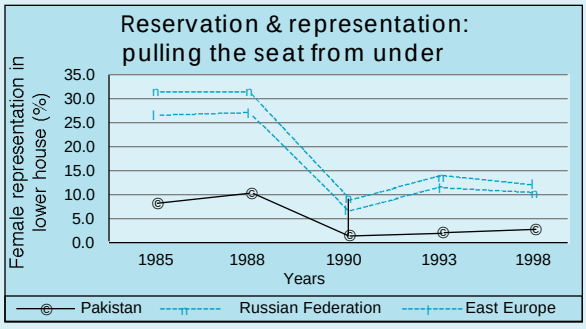
Box 8.1 A question of reservation

Deep-rooted patriarchal traditions, norms and attitudes limit the opportunities available to the women of South Asia, especially in public life. Over the years various governments have reserved seats for women to increase their political participation. While this has helped to increase the number of women in governing bodies, it has also led to a lot of debate about the usefulness of reservation.

Seats have been reserved for women at the national level in Bangladesh, Pakistan and Nepal. In India, while there is a one-third reservation for women in the local bodies, so far no seats have been reserved for women at the national level. The Bill for reservation of parliamentary seats for women has been brought up twice for debate but has been allowed to lapse. Several arguments are extended against reservation, including low levels of literacy, and lack of managerial and political experience. At the same time, it has been argued that since these women are not elected through direct franchise, they are not true representatives of women or men. Also, most of the women elected to the parliament on reserved seats belong to the elite. As such, women tend to become mere figureheads with no real bargaining power. However, it is for these very reasons that affirmative action policies are needed to raise the number of women in parliaments; and to ensure that their number is sufficient enough to form a coherent voice on its own.

By 1988, several of Pakistan's female politicians had emerged from middle class, educated families. Reservation had helped these women enter a field they would otherwise have been denied. While it may be argued that elected representatives of the people, whether men or women should be able to meet the needs and concerns of their constituents, experience has shown that having women in decision-making bodies has a positive influence on policy in terms of gender sensitivity. For instance, in Nordic countries, having female legislators has influenced labour policy so that parenthood has become easy for a working mother, with benefits such as both maternity and paternity leave and flexible working hours.

In Pakistan, seats were reserved for women in both the National Assembly and Provincial Assemblies until the 1988 general elections under the 1973 Constitution. As a result, the number of women steadily increased through the years. The highest number of women sat in Pakistan's National Assembly in 1988, when 24 women were elected to the Lower House of Parliament. However, after the abolition of reserved seats, female numbers in the national legislature declined sharply to only two: a decrease of nearly 92 per cent.



The best comparison of such a pattern can be found in the former communist bloc of East European countries, where abolition of reserved seats has reduced female representation in parliaments considerably. Overall, female representation in national legislatures fell from 35 per cent to below 10 per cent, in the first free elections for new parliaments. In Romania, women accounted for 34.4 per cent of the members of the unicameral parliament in 1985. After democratization in 1990, the proportion of women in the now bicameral legislature fell drastically to only 3 per cent in the Senate and House of Deputies combined. By 1995, there were only 2.1 per cent women in the Senate and 4.1 per cent in the House of Deputies. Similarly, in Hungary, the proportion fell from 30.1 per cent in 1980 to 7.3 per cent in 1990. In the Russian Federation as well, the proportion of women fell from over 30 per cent to below 10 per cent. With the second phase of elections, the proportion of women has risen in these countries, but only slightly. Similarly, in Pakistan, while the number of women has shown an increase since the 1990 elections, the numbers are still well below 10 per cent.

Currently, Bangladesh reserves thirty seats for women in its national legislature. This number was raised from fifteen in 1975 to improve female representation. While there are currently 41 women in the national parliament, the clause for reservation will lapse in the upcoming elections. At that point, the number of women in Bangladesh's parliament is likely to fall below 10 per cent. Whenever there has been reservation, female participation has been higher. For instance, in Nepal, seats are reserved for women in the Upper House but not the Lower House. As a result, at 25 per cent, there is proportionally greater female presence in the Upper House than in the Lower House (11 per cent).

There is a need for a critical mass to be created at all levels of governance, so that women are given the opportunity to voice their needs and concern; to contribute to policy. Reservation is only a stepping stone and the first step toward election through direct franchise. It is not the end, but the means to an end, and one that may be the only way to ensure the future of female political empowerment in South Asia.

Source: Ashworth 1996; Baidya 2000 (mimeo); Gopalan 2000 (mimeo); Guhathakurta 2000 (mimeo); IPU 1995; IPU 1999.

Parliament and Leader of the House are women. From its very inception the Bangladesh Parliament has had a policy of encouraging women's participation in public policy-making. According to Clause 65 of the Bangladesh Constitution, fifteen seats were reserved for women candidates who were to be indirectly elected by members of Parliament. This clause did not exclude women from contesting direct elections for the 300 general seats. The provision for reservation of seats for women was made given the social impediments against women contesting elections openly with men. It was expected that due to Clause 65, the rate of women's participation in public affairs would increase and that eventually there would remain no need for the clause. However, since the situation did not improve for women towards the end of the decade, the number of reserved seats was raised to thirty in the Second National Assembly from 1979 to 1982 by way of an amendment. This has been the rule until now, but this provision is expected to lapse by the end of the term of the Fifth National Assembly in the year 2000. The clause is unlikely to be renewed. While many Bangladeshi women have expressed their opinion in favour of reserved seats, the overall consensus within the women's movement is for direct election of women, by women only. However, there is no consensus on this issue between the ruling and opposition parties. As a result, once this constitutional provision for reserved seats lapses, it is very likely that the number of women in Bangladesh's parliament will fall sharply. The untimely removal of reserved seats, without any change in supporting systems and institutional mechanisms will lead to a decline in female participation under direct election.

In Pakistan, the number of women in parliament peaked at 10 per cent in the 1988 general election, the last held under the reservation clause, but has declined since then (see box 8.1). In the last general election held in Pakistan in 1997, six women won seats to the National Assembly through direct election and two were appointed to the Senate. Two women parliamentarians were also appointed to the Prime Minister's Cabinet as Ministers for Women's Development and Youth Affairs and for Population Welfare. In October 1999, the economic and governance crisis in the country led to the dissolution of the existing government and a military-cum-civilian set-up was put in place. In the current government one woman sits on the eight member National Security Council and another in the Cabinet. Women have also been included in the provincial cabinets and the various think tanks that have been established to assist the government in policy formulation. The government has made a commitment to raise the status of women and is making efforts to include women at all levels of governing institutions.

The experience of female parliamentarians in South Asia has been mixed. Their limited representation in national and provincial legislatures has meant limited participation as well. There are many laws and practices across the region that continue to discriminate against women and are justified in the name of culture or religion. Such discrimination has been allowed to exist because women parliamentarians continue to be a minority. Further, guided more by party ideologies than specific women's issues, female parliamentarian opinion has also differed on various issues. In some instances, national issues have taken priority over women's issues. For example, in Sri Lanka, while there have been several initiatives for women's development, women's issues have not received the attention they deserve because of the continuing civil strife in the country. However, it would be incorrect to say that female parliamentarians have not been vocal about women's issues. There are instances of female parliamentarians taking up women's issues even when the initiative was not forthcoming from their parties. Aided by women's lobby groups, they have played a very crucial role in advocating women's rights. It is in large part due to

The overall consensus within the women's movement in Bangadesh is for direct election of women, by women only

their efforts that women have had some form of representation in the governing bodies, and why women have been protected from some of the more discriminatory practices.

In the Indian Upper House of Parliament, the *Rajya Sabha*, female representation declined between 1980 and 1999 from 12 per cent to 8.5 per cent. Currently, there are 20 women in the *Rajya Sabha.* While the Deputy Chairperson of the *Rajya Sabha*, Najma Heptullah, is a woman, women face increasing competition from male politicians for nomination to the *Rajya Sabha*, especially since political parties prefer to give seats to their important members who have lost in the general elections. More often than not, these important members are male.

Similarly, women politicians in Pakistan have faced a hard time being nominated to the Senate. Since members of the Upper House of Parliament are nominated through an electoral college composed of members of the national and provincial assemblies, women have very little chance of being elected, given the underlying patriarchal attitudes. In 1977, 3 of the 63 members of the Senate were women. This was the highest number of women in Pakistan's Senate. Ironically, after the 1988 election when there were 24 women in the National Assembly, only one woman was elected to the Senate. In the election of 1985, no woman had been elected to the upper house. Similarly in Sri Lanka, while the Upper House of Parliament was abolished in 1971, only 6 women were elected to it in the twenty-five years of its existence.

In Nepal, by contrast, there are proportionally more women in the Upper House of Parliament than the Lower. Women have fared better in the National Assembly (Upper House), whose members are elected by the members of the Lower House. There are also three seats reserved for women. However, except for the Upper House of Parliament the present Constitution of Nepal does not provide for any other reservations for women. Thus while the number of women in the House of Representatives (Lower House of Parliament) has increased from only one in 1960 to 12 in 1999, overall female representation remains particularly low at only 5.3 per cent.

In South Asia's predominantly patriarchal societies, women have been for the most part assigned a secondary role. Cultural norms strengthened by religious dogmas do not look kindly upon women who enter the public arena. Politics, because of its public nature, is mostly thought to be a male domain. In the less economically developed regions of Pakistan, for example, women are not allowed to participate in the political process, including voting. Women from Punjab or Sindh, especially urban women, enjoy a much greater degree of freedom of movement and choice as compared to the women from NWFP or Baluchistan. For example, until 1993 women from Baluchistan were present in the assemblies only through the provision of reserved seats. Similarly in India, while the differences between female representation within states are only slight, states with significantly higher levels of literacy generally show higher proportions of female representation. Thus, the state of Kerala boasts 9.2 per cent women in its state legislature as compared to 3 per cent in Bihar or 5 per cent in Orissa, where the literacy rates are below 50 per cent.

The cabinet

Female representation in South Asian cabinets is also negligible. Currently, only 9 per cent of cabinet ministers across South Asia are women (see table 8.2). A problem faced by female ministers all across South Asia is that they are seldom appointed to ministries that are normally considered high powered or influential. Social welfare related ministries are generally assigned to women ministers. For instance in 1999, the only woman member of the Council of Ministers, Nepal's highest executive body, was a State Minister who held the portfolio of the Ministry of Women and Social Welfare. Further, since she did not

A problem faced by female ministers all across South Asia is that they are seldom appointed to ministries that are normally considered high powered or influential

Table 8.2 Women in cabinets (1999)

	Women	Men
India	8	76
Sri Lanka	4	29
Bangladesh	4	41
Pakistan	3	26
Nepal	1	31

Note: Data for Pakistan refers to situation prior to October 1999.

Source: Chowdhry 1994; GOB 1996a; GOI 2000a; Gooneratne & Karuneratne 1996; and GOP 1998a; HMG Nepal 1999d.

have an independent portfolio, she could not participate in cabinet meetings.

In India, the first woman cabinet minister was Mrs Indira Gandhi who was appointed Minister for Information and Broadcasting. In 1966 when she became the Prime Minister, no woman was appointed to her cabinet. During her time as Prime Minister, the two significant contributions made for women were the introduction of Medical Termination of Pregnancy Act (1972) and the Equal Pay for Equal Work Ordinance (1976). In 1969, a woman was appointed to the Ministry of Social Welfare. She was India's second female cabinet minister. Since then women have been consistently present in the Indian Cabinet through the social welfare portfolio. Women ministers have also been appointed to urban development, external affairs, and youth and sports portfolios. Currently the Minister of Railways is a woman and a further seven women are Ministers of State.

In Pakistan, only six women have been appointed to cabinet in 53 years. Of these, two were appointed after the 1997 election, as Minister for Women's Development and Youth Affairs and Minister for Population Welfare and a third as Special Advisor to the Prime Minister. Currently, Pakistan has a woman Minister for Education.

Few women have been appointed to the Sri Lankan cabinet. From 1960 to 1994, there was consistently only one woman in a cabinet of more than twenty men. At present, there are four women in the cabinet, including the President and Prime Minister of Sri Lanka. The other two female cabinet ministers have been given charge of the Ministry of Women's Affairs and Ministry of Social Services.

In Bangladesh, two women were appointed as State and Deputy Ministers within the cabinet after independence in 1971. Over the years, while professionally competent women such as Barrister Rabeya Bhuiyan who held the post of state minister for women's affairs, have been appointed to the cabinet, they have been given fairly low-profile portfolios in the Children and Women's Affairs Ministry or the Cultural Ministry. However, by virtue of being Prime Minister, both Khaleda Zia and Shaikh Hasina have retained control over Defence, Information and the Cabinet Division during their respective governments. Currently, of the four women in the cabinet, two have been given important portfolios of the Minister of Agriculture and the Minister for Environment. Both these women have had long political careers and extensive grassroots experience, which has enabled them to influence policy.

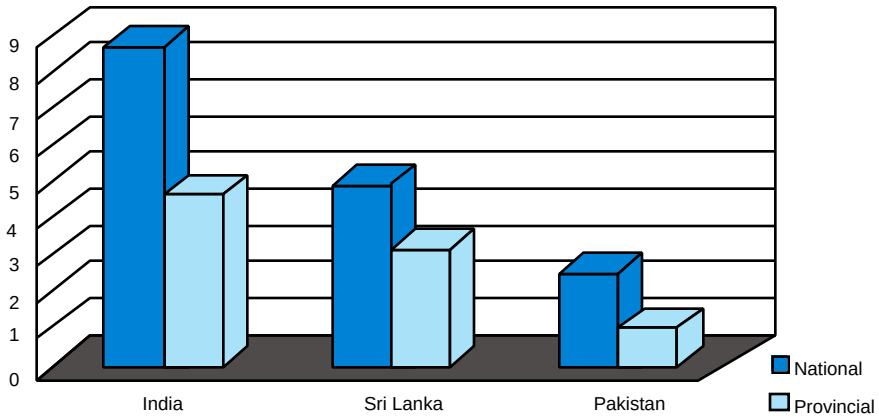
No South Asian woman has yet held a Ministry of Foreign Affairs or a Ministry of Finance portfolio. Since women ministers are generally assigned less influential portfolios, they have little influence in decision-making. The tragedy of the female parliamentarian or cabinet minister is that even women in influential positions, have tended to focus on "national" rather than women-specific issues.

Female participation at the provincial level

In the three South Asian countries with state or provincial legislatures, India, Pakistan and Sri Lanka, women have generally fared better in the national legislatures as compared to the sub-national. The overall female representation in provincial or state legislatures remains less than that in the national assemblies (see figure 8.2). In India, however, female representation in some states such as Kerala, Himachal Pradesh, Madhya Pradesh and Rajasthan, is either higher than or at par with the national level. For instance, in Kerala women currently occupy 9.2 per cent of the seats in the state legislature. Similarly, in Delhi (National Capital Territory) female representation is as high as 13 per cent. However, in the remaining states, the average proportion of women is about

Since women ministers are generally assigned less influential portfolios, they have little influence in the decision-making

Figure 8.2 Women's presence in national vs. provincial/state legislature (% 1999)



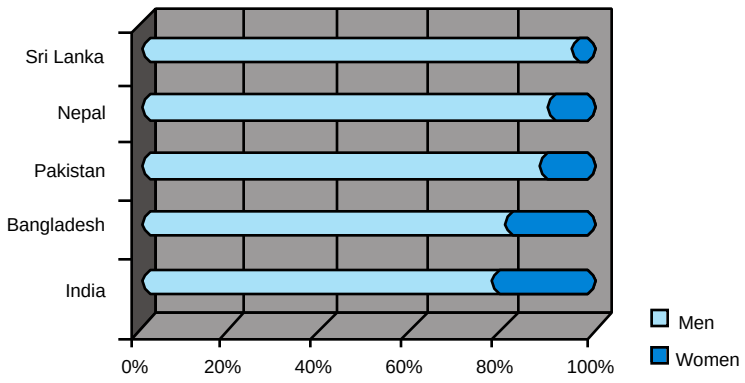
Source: GOI 1999b; GOS 1999c; Shaheed *et al*. 1998.

5 per cent. In some states such as Gujarat, Bihar and Orissa, it is as low as 2 or 3 per cent.

In Pakistan too, the proportion of women in provincial legislatures is very low. Prior to 1990, when seats were reserved for women in provincial assemblies, the number of women legislators had reached as high as twenty-seven in the four provinces combined. During the next election, with the removal of the quota for women, however, the number of women plummeted to only five, declining further to three in the following elections.

Provincial councils were established in Sri Lanka nearly twelve years ago in response to the escalation of ethnic violence. The third phase of election for these councils was held in 1999. Women hold between 2 and 3 per cent of the seats in these provincial councils. However, given the constitutional structure of these councils, one of the major disadvantages has been the ease with which seats can be transferred to other people. While this is not common practice, after the elections of 1999, two of the successful female candidates stepped down to give their seats to their husbands. On the positive side however, these elections also saw a greater number of women contesting provincial council seats. Nearly two hundred women announced their candidacies for the 1999 elections as compared to only twelve in the previous one. Furthermore, a woman's group also contested elections as members of an independent group. Despite the fact that they failed to win even a single seat, it illustrates that increasingly women are realising that if there is to be any solution to their issues and concerns, they must participate in the decision-making process at every level.

Figure 8.3 Women in local governments (1990s)



Source: GOI 1999c; GOS 1997a; HMG Nepal 1999c; Qadir 1999; Shaheed *et al*. 1998.

Women in local governance

Organisation at the grassroots level allows people to contribute significantly to the governance of their communities. For women, successful grassroots experience has meant a chance to form a coherent voice, to be heard and to make a difference in their communities. Across South Asia, the experience of women in local government has varied, with some countries being more successful than others in attaining greater female participation.

Incorporating the marginalized

As figure 8.3 shows, with the exception of India and Bangladesh, women's representation within local bodies in South Asia remains minimal. Even in these two countries, female representation barely rises above 20 per cent. In 1992, the Government of India passed the 73rd and 74th Amendments to the Constitution of India. Termed the '*silent revolution*', these Amendments paved the way for women's

entry into local governance by reserving 33 per cent of seats for them in all *Panchayats* and their Presidencies (see box 8.2). In most states, reservation of seats has met with success, with female representation exceeding the 33 per cent quota in states such as Karnataka, Kerala and Manipur. However, in some regions female participation remains low. For instance, in Madhya Pradesh only 2.99 per cent of the *Panchayat* members are women. Experience over the last decade has shown that women who have gained access to the *Panchayats* and Municipalities have performed well. Some of them have already established excellent records of service and even won distinguished awards for their performance. Being mostly illiterate, a large number of them have placed a high priority on acquiring literacy to be able to perform better at their jobs. Substantial numbers of teachers, lawyers and other functionaries at the grass-roots level have been able to win elections and become members of the *Panchayats.*

In Bangladesh, women have been incorporated into local governance through reservation at the *Union Parishad* level. Bangladesh has experimented with different forms of local government throughout its political history—sometimes at the village level, the *Gram Sarker* and sometimes at the sub-district level, the *Upazila*. But the *Union Parishad*, which consists of representatives from several villages, has remained the most effective administrative body at the local level. Currently there are about 4,276 *Union Parishads* in Bangladesh. Since 1997, a quota of 3 seats or one-fourth of the total has been reserved for women in the *Union Parishads*. This has brought up women's representation from a minimal few to over 20 per cent. However, reforms suggested for one-third female participation at the sub-district and district levels remain unimplemented.

Local government is also an integral part of the Nepalese governance system. Since adopting a policy of

Box 8.2 Panchayat Raj: an act of positive discrimination

In India, the government functions at three levels—the federal, the state or regional level and the grassroots level, called the *Panchayat Raj*. The *Panchayat Raj* system covering the village, *tehsil* and district has brought government to the doorsteps of the masses.

In 1992, the government of India enacted the 73rd and 74th Amendments to the Constitution of India to provide for one-third representation of women in local government. The aim was to correct the existing gender imbalances in local government. By 1993, all states except Bihar had ratified these amendments. Previously, *Panchayats* were governed by State *Panchayat* Acts, which allowed the nomination of only two or three women. As a consequence in all the 2,23,000 *Panchayats* across India, only 13 per cent members were women. However, with the onset of the silent revolution in the form of these Constitutional Amendments, the numbers of women rose to 33 per cent or one million. Presently, there are 6,55,629 women members in the *Gram Panchayats*, 37,523 in the *Panchayat Samithis* and 3,161 in the *Zilla Parishads*. Under the Constitutional Amendments, women can be members as well as chairpersons of these local government institutions. Elections under this system have already been held once, and some states are preparing for a second round.

The experience has been positive in states such as Gujarat and West Bengal but a host of issues still remain. Resistance from male power centres to devolution, discrimination on the basis of class and caste and opposition from religious elements are just some of the challenges these women face. In addition, lack of political skills and exposure also act as constraints for women. However, experience over time has allayed some of these concerns, as women have been quick to grasp operational strategies and have established good records of service. A substantial number of NGOs have also setup training programs that cater to this new class of women entering decision-making. Moreover, to achieve balance, a system of nominations has been instituted that recognizes the individual attributes of women.

Where the nature of participation has translated from simple numbers to active involvement, women have prioritized and worked towards the resolution of issues that concern not only themselves but also the entire community, such as health and hygiene. For instance, in Haryana, women members have been in the forefront in establishing mother and child care centres. In many cases, women have also had water taps installed in village centres to lessen the burden of carrying water from distant place to home. The all-woman *Panchayat* of Vitner in the state of Maharashtra is a model for planning and achievement for women. In the Western Kutch area, 61 villages are managed and run by young and middle aged women. The all-woman *Panchayat* of Vitner was recently awarded as the best *Panchayat* in West Bengal.

Sources: Gopalan 2000; Jaamdar 1995; Poornima and Vayasulu; and Sharma 1998.

South Asian women have a severe lack of access to and control over financial resources

decentralisation, local governing bodies have over the years acquired increasingly greater authority in Nepal. The Local Self-Governance Act of 1999 is by far the most progressive act in terms of devolving authority from central to the local governing bodies. Local governing institutions now have some taxation authority at the local level as well as limited judicial authority to tackle local level disputes.

However, female representation in local governing institutions has been very limited in Nepal. Currently, there are less than 10 per cent of women in the District Development Committees (DDC) and Village Development Committees (VDC) combined. Not a single woman is the Chairperson of a DDC or Mayor of any Municipality. Out of 3,913 VDCs, there are only 13 chairpersons who are women. On the positive side, one out of every five seats in each ward of a VDC and Municipality is reserved for women candidates. This has ensured the participation of an additional 36,023 women at the ward-level governance of VDCs and municipalities.

Sri Lanka's current system of governance consists of three tiers—the Municipal Councils, Urban Councils, and the *Pradeshiya Sabhas*. While total membership of these councils exceeds three thousand, less than 3 per cent are women. In the last local bodies' elections, held in 1997, only one woman was elected Mayor of a Municipal Council in the province of Jaffna. Unfortunately, in 1998 she became the victim of political assassination. In the Urban Councils, while there are currently two female Vice-Chairpersons, women occupy none of the 36 posts for Chairperson. At present, three of the Chairpersons and two Vice-Chairpersons in the *Pradeshiya Sabhas* are women. Despite this, women represent only 1.72 per cent of the total membership of the *Pradeshiya Sabhas*. Currently the government has also put forward a recommendation for fixing a quota of 25 per cent for women in local government.

Until recently, female representation in local governance in Pakistan was negligible. The current government has scheduled fresh elections, starting December 2000, for local government at three levels—the Union Council, the *Tehsil* Council and the District Assembly. Fifty per cent of seats at the union level have been reserved for women. At the *tehsil* and district levels women will be allocated 5 and 10 seats respectively, forming roughly about 15 per cent of the total seats.

Since politics is traditionally a male domain and as all financial, economic, commercial and political negotiations conducted outside the home are by males, South Asian women have very limited access to decision-making powers, and they have a severe lack of access to and control over financial resources. This effectively reduces women's chances of contesting elections. Political equality is as yet an elusive ideal in most South Asian countries, even though some progress has been made. As men have control over assets and have relatively better education, they have a dominant position in terms of political power and women remain surrogate actors in the political process.

Tokenism is more evident and problematic at the local level than at higher levels of government. Women councillors may not necessarily be educated. Lack of awareness leads to situations where they may become dependent on male councillors or political parties, focusing more on issues of men's interests than on women's concerns. In some cases women are elected as councillors without actually participating in the functioning of local bodies. Many women councillors in Bangladesh concede that having fathers or husbands in the local bodies facilitated their own entry into local level politics.

Similarly in Baluchistan (Pakistan), while the proportion of women councillors was as high as 16 per cent prior to the 1998 local election, many of the women were council members only on paper. This is the situation for a majority of women councillors throughout South Asia. Most

women lack any effective power or influence in local governance structure. Many of them do not have the necessary skills to present ideas effectively. Lack of awareness of the possibilities of political participation means inadequate contribution to public affairs on the one hand and women's empowerment at the other. Women councillors themselves recognise these problems. In Nepal, programmes such as the Women Representatives Training Programme have been initiated to strengthen women's capabilities and make them more active and participatory members of local governance. Similarly, several Indian NGOs act as support systems for women *Panchayat* members by providing guidance and training for acquiring negotiation and management skills.

Local bodies, if properly utilised can be the vehicle by which women's participation is effectively mainstreamed. Since these institutions function at the grassroots level, representatives, both men and women, are more aware of, and can be more responsive to the needs of women and children as well as to the problems of rural communities. Tapping into the latent capacity of women is essential to substantially enhancing the socio-economic development of South Asia. Decentralisation is thus a prerequisite for effective mainstreaming of women's concerns in development. However, unless existing mechanisms and attitudes that deny women equal chances in decision-making are not modified, simple devolution of power will not be enough to ensure greater female participation in decision-making.

Female participation in political parties

Political party membership and female leadership

Most political parties in South Asia have their own women's wings. Yet women's participation in party hierarchies remains limited. The main purpose of these wings is to mobilise women voters during elections. However, they lack autonomy and decision-making power and have rarely, if ever, influenced party agendas. While traditionally women's wings should have been stepping-stones for women into mainstream politics, few members of women's wings have risen through the ranks of party workers. There remains a wide gap between party leadership and women workers, thus marginlizing women and women's issues to the confines of the wings. On the positive side however, these wings have raised consciousness among women about the importance of their vote. In some countries, this has compelled political parties to address women. For instance, in Sri Lanka, the two main candidates in the last presidential election in 1999 addressed women's issues in their campaigns.

In recent years, political parties in India have also come alive to the strengths of the women's movement and of increased female voter turnout during elections. National as well as regional political parties across South Asia have also had women leaders in top party positions (see table 8.3). Nonetheless, political parties have not necessarily given adequate number of positions to women in their hierarchies. Women account for only 9.1 per cent of the membership of all executive bodies in the major political parties of India. Recently, the Indian National Congress is reported to have decided to reserve one-third of the executive positions in the party hierarchy for women.

Nepalese women are also quite active in party politics. All major national political parties have women's wings with the specific goal of mobilising women for particular causes. Yet, as with other South Asian countries, women are not adequately reflected in the governance of their parties. The proportion of women in the governing bodies of Nepal's major national political parties has never exceeded 10 per cent. Recent years have witnessed a change in the attitudes of Nepalese women themselves. Women are

Decentralisation is a prerequisite for effective mainstreaming of women's concerns in development

Table 8.3 Women leaders of political parties

India	Sonia Gandhi (*Indian National Congress*)
	Jayalalitha (*AIADMK*)
	Lakshmi Parvathi (*NTR Telugu Desam Party*)
	Mayawati (*Bahujan Samaj Party*)
	Mamta Banerjee (*All India Trinamool Congress*)
Pakistan	Benazir Bhutto (*Pakistan People's Party*)
	Ghinwa Bhutto (*PPP-Shaheed Bhutto*)
Bangladesh	Shaikh Hasina (*Awami League*)
	Khaleda Zia (*Bangladesh National Party*)
Sri Lanka	Sirimavo Bandranaike (*SLFP*)
	Chandrika Kumaratunga (*SLFP*)
	Sirimani Athulathmudali (*DNULF*)

Source: Gopalan 2000; Guhathakurta 2000; GOP 1999; and Jayawardena 2000.

Women form less than 5 per cent of the membership of any political party in Pakistan

better informed about their rights and more willing to stand up to protect those rights. The majority of Nepalese women vote. Political parties are aware of these trends and realise that it is to their advantage to increase women's participation at all levels including party governance at the central level. However, change comes slowly. From 1994 to 1998, the number of women in the central governing bodies of major Nepalese political parties increased from 5.6 per cent to 7.9 per cent only. Most women do not have a voice in the governance of parties and when they are given tickets by their parties, it is generally for those constituencies where the party's chances of success are not high.

In Bangladesh, there is limited female involvement in party hierarchical structures with only 5.1 per cent of women in the decision-making bodies of all political parties. The Awami League and the Bangladesh National Party (BNP) have the highest proportion of women in decision-making structures. Twenty-three per cent of the members of the Awami League's Presidium are female, while 9.2 per cent are on the executive committee. The BNP has 14.7 per cent women on its executive committee. Both the Awami League and the BNP have included women's issues on their agendas and aim for gender equality. The third largest party, the Jatiyo Party also supports equal rights for men and women. On the other hand, the *Jammat-e-Islam* and the Communist Party of Bangladesh, have no women in their top leadership.

Though female participation in Pakistan's politics was minimal in the earlier decades of independence, a huge transformation occurred with the establishment of the Pakistan People's Party (PPP). The PPP mobilised a significant number of women during its election campaign for the 1970 and 1977 general elections. However, this mobilisation did not follow through into large-scale participation of women in politics. Currently, women's membership in political parties is very low. With the exception of one political party, all other parties in Pakistan have women's wings. According to one estimate, women form less than 5 per cent of the membership of any political party in Pakistan. Female representation in the decision-making structures of political parties, the 'central executive committees' (CECs), is negligible, and few women actively participate in their functioning once appointed. Evidence suggests that female membership of CECs does not exceed more than 15 per cent at best. For example, two of Pakistan's leading parties, the PPP and the Pakistan Muslim League (Nawaz group), have only 3 out of 21 and 5 out of 47 female members in their central executive committees, respectively.

Most mainstream political parties in Sri Lanka also have women's wings, but membership in these wings remains low. Funding and infrastructure for these wings are minimal. Women-related activities of these wings remain sporadic and confined mostly to mobilisation of women for political purposes. Currently, two of the major political parties have women leaders; the Sri Lanka Freedom Party (SLFP) and the Democratic United National Lalith Front (DUNLF). Sirimavo Bandaranaike, president of the SLFP is also currently the Prime Minister of Sri Lanka. In Sri Lanka one of the major threats that female party workers have faced in recent years has come not from within party structures, but from outside. Along with the steady escalation of pre-election violence, a number of female party workers have been singled out as targets for sexual violence. This kind of harassment is increasingly utilised as a deterrent against opposition parties, as well as to prevent women's political participation at the level of canvassing and grassroots campaigning.

Women politicians face discrimination within their parties as well. Most political parties in South Asia do not keep gender-disaggregated records of their membership. Despite the fact that women party workers are very active during

elections in rallying female voter support, there is no concrete documentation of female participation in the political effort of these parties. This has only served to perpetuate a lesser status for most female party workers and has made it more difficult for them to be nominated by their parties as election candidates.

Women as election candidates

Political parties nominate a minimal number of women as candidates for elections and very few women participate in their decision-making bodies. During the 1998 and 1999 Indian general elections, all major political parties committed themselves to securing one-third reservation for women in the national and state legislatures. However, their actions have not met with their stated objectives. During the 1999 elections, out of over 4,000 candidates fielded, only 6.5 per cent were women. Similarly, in Bangladesh, the number of women who contested election has remained less than 3 per cent (see figure 8.4).

Despite the low numbers, many women apply for election tickets, which they are mostly denied. As such their only choice is to contest as independent candidates or not at all. For instance, of the more than fifty women who contested the 1997 general election in Pakistan, only 6 were fielded by the Pakistan Muslim League-Nawaz Group (PML-N) and 9 by the Pakistan People's Party (PPP) and its coalition partner Pakistan Muslim League-Junejo Group (PML-J). At the same time, 26 per cent of the women who contested election ran as independent candidates. However, the success-rate of independent candidates is very low. None of the independent female candidates in the 1997 general election in Pakistan won a seat. Similarly, in India, of the 78 independent female candidates who ran in the 1999 general election only one was successful.

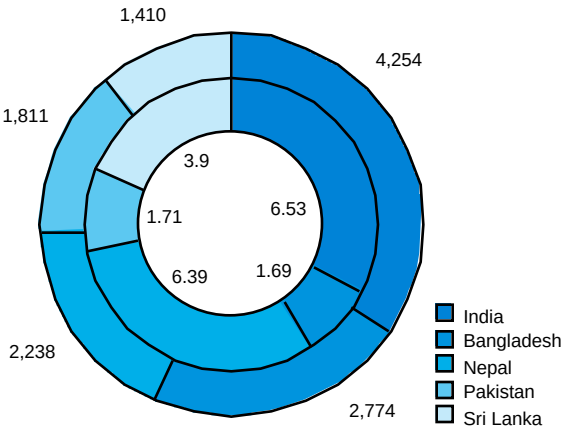
Support of a party is extremely important for entering legislative bodies. In Sri Lanka, changes in the Constitution in 1978 have made it difficult to contest elections independently. The indispensability of aligning oneself with a mainstream political party to secure election has discouraged many women who wish to enter politics independent of party politics.

Political parties are reluctant to grant election tickets to women for a number of reasons, the foremost of which is the party imperative to select a 'winnable' candidate. Political parties place a high premium on the 'winnability' of candidates. The biggest reservation that parties have regarding the nomination of women is the gender bias in society. It is assumed that given the patriarchal attitudes of the majority of the voting electorate, they would rather vote for a man than a woman. Women leaders like Sonia Gandhi of India, Khaleda Zia and Shaikh Hasina of Bangladesh or Benazir Bhutto of Pakistan are considered to be exceptions who have the legacy of their husbands and fathers behind them. Thus, when tickets are allotted to women, it is only to the few who have the guaranteed support of their constituency.

In India, for example, caste, religion, traditional patterns of voting and the personal strength of the candidate

Political parties nominate a minimal number of women as their candidates for elections and very few participate in their decision-making bodies

Figure 8.4 Female candidacy for elections (1990s)



Note: In the figure, the outer ring represents the total number of candidates that stood for election and the inner ring represents the proportion that were women.

Source: Chowdhry and Hassanuzzaman 1993; GOI 1999b; Gooneratne and Karuneratne 1996; GOP 1997a; HMG Nepal 1999c.

The biggest reservation that parties have regarding the nomination of women is the gender bias in society

become important factors to reckon with in selecting a candidate for election. Very often, women candidates who are new entrants seldom find place in the overall matrix of these criteria. In ordinary circumstances when women do not have a power base, political parties have fielded women candidates in constituencies where their chances of success were negligible. In Nepal, political parties are required by the Constitution to field at least 5 per cent female candidates during elections. Political parties usually tend to fill this constitutional requirement by fielding relatively weak female candidates from constituencies where the party is likely to lose. During the last general election in Sri Lanka, in 1996, only 3.8 per cent of the candidates who stood for election were women. While proportional representation has made it comparatively easy for Sri Lankan women to be nominated as election candidates, many factors, including lack of finances and experience, prevent them from doing so.

One of the biggest constraints that women politicians in South Asia face is financing their campaigns. Restricted financial assets not only reduce their decision-making powers in the household, wage inequalities mean that women earn less and are less able to afford political campaigns. Furthermore, political parties, assuming that women are generally unaware of happenings beyond their local areas, of their legal rights and responsibilities and the dynamics of the political process, are reluctant to lend them financial support for a public campaign. For instance, political parties in Pakistan are not responsible for extending financial support for the election campaign. While men have personal sources of income, women depend largely on their male family members for financial support for any political campaign. This in effect reduces women's chances of being allotted tickets by their political parties since few are able to garner sufficient finances for an election campaign. Similarly, in Nepal, despite limits imposed by the Election Commission, the continually rising cost of campaign has made it very difficult for women to compete in general elections.

Women's lack of mobility and interaction with male counterparts puts them at a disadvantage. Since all financial, economic, commercial and political negotiations conducted outside the home are by males, women's role in decision-making is marginalized. Further, there is opposition from male office-bearers within the parties many of whom feel that most women do not qualify on merit. Such biases make it very difficult for women to break through the power structures.

Yet, women are coming forward. In Bangladesh, intensive grassroots mobilisation and voters' education has led to a massive turnout of women voters in the last two elections. The recent changes in having women directly contest reserved seats in the local elections may change things for women seeking party nominations in the future. Many women with experience in grassroots mobilisation in non-governmental organisations (NGOs) are also likely to come forward. Although it is true that religious orthodoxy in many areas of Bangladesh still prevents women from coming out to vote, let alone contest elections, women like Motia Choudhry are finding innovative ways to strategise their campaigns. For instance, during the last elections, she encouraged villagers to raise goats that would provide them with a steady income. Her strategy was so successful that not only did she win the election, today she is the Minister of Agriculture of Bangladesh.

If female representation within political parties is to be increased, a conscious effort has to be made. On their part, political parties can set quotas and targets for women within their ranks and decision-making structures. Having token women's wings for the sole purpose of getting votes is not enough. These wings should be given some decision-making authorities and influence within their respective parties.

Women voters: rights and participation in general elections

Attitudes of political parties toward women voters vary across South Asia. Election Commission data on India's 1998 general election revealed that voter turnout was as high as 70 per cent in those states that had higher levels of adult literacy or a higher density of population and lower in the states with lower levels of adult literacy. Illiteracy and lack of awareness about their fundamental rights prevents many women from voting. The Indian Election commission maintains gender-disaggregated records of voter turnout. The difference shows in the attitude of political parties that have begun to realise the importance of the female constituency. While the ratio of female participation remains less than that of males, the gap has come down from 16 per cent to less than 10 per cent during the past four decades and female voter turnout is as high as 58 per cent.

Most women in Nepal vote. According to a study (Shakti 1995), 85 per cent of rural women and 88 per cent of urban women in Nepal regularly vote during elections. The result is that at 7.9 per cent, Nepal has one of the highest proportions of women in Parliament in South Asia. Similarly, with a voter turnout as high as 70 to 80 per cent, many of the voters are women. In Bangladesh, female voter turnout is as high as 49 per cent. In contrast, in Pakistan many people have become disillusioned by the electoral process and the result has been a declining voter turnout in the last few elections. During the 1997 general election held in Pakistan, the total voter turnout was only 35 per cent. Out of the 56 million registered voters 44.6 per cent were women and fewer actually voted. There is evidence to suggest that in some rural parts of Pakistan, women are prohibited from casting their ballot due to cultural constraints.

In Pakistan, the plight of women voters is further exacerbated by the fact that women's identity cards do not have their photographs on them, especially in rural areas. These cards can thus, be used by other people to cast votes under the names of these women. This not only deprives the women of their right to vote, it abuses that right. Furthermore fewer women than men actually have identity cards—a prerequisite for voting.

Since women in South Asia are not very mobile, lack of information about prospective election candidates also acts as an impediment against women in casting their votes. Thus most female votes tend to be influenced by the voting pattern of their male counterparts. However, exceptions exist. For instance, during the 1999 presidential elections in Sri Lanka, a last minute vote swing in favour of the current President was attributed to the female vote.

Illiteracy and lack of awareness about their fundamental rights prevent many women from voting

The issue of women's voting in South Asia is not only restricted by cultural constraints, but also by the development of the political process. Since most South Asian countries do not maintain gender-disaggregated records, it is difficult for political parties to assess how much of their voter support comes from women. The general perception that women vote for the same candidates as their male household members leads most parties to target men rather than women during election campaigns. This reduces the importance of the female vote in the electoral process. Where gender-disaggregated data is available and there is awareness about the importance of the female vote, there is a distinct difference in the attitudes of political parties towards women. For instance, several Indian political parties promised introduction of prohibition as part of their election campaigns of 1999 in direct response to women's demands to curb domestic violence due mainly to alcoholism (see box 8.3).

Urban educated women in South Asia are more likely to be aware of their rights and the policies and procedures to be followed to attain those rights. However, women in rural areas have to be made

aware of the importance of their votes and be enabled to participate in political discourse on terms that meet their political needs. There is a need for greater effort on the part of the state and civil society as a whole to encourage women to exercise their right to vote.

Women in the judiciary

The judicial system of any state is reflective of the values of that society. How laws are interpreted and upheld has a crucial bearing on the attitudes of society. This makes the roles of the upholders of justice—the lawyers and the judges—even more crucial.

Women as judges

As with the national and provincial legislatures, female presence in South Asian judiciaries is also very limited. While no overall figures exist, the proportion of female judges in both the higher and subordinate judiciaries of South Asia is no more than 5 to 10 per cent combined.

The first woman judicial officer in India, was Anna Chandy, who was appointed as *Munsiff* in 1937, in the state of Kerala. She later became a judge in the High Court of Kerala. In India, there have been two women in the Supreme Court so far, Fatima Beevi, who is now the Governor in the state of Tamil Nadu, and Sujata Manohar. During her tenure, Justice Sujata Manohar, contributed toward some landmark judgements on human rights and other important social issues. Currently, there are 15 female judges in the Indian High Courts. These women have also made significant contributions to the judiciary and have won recognition for their work.

However, women judges are subjected to the same social constraints as other women in executive positions. Support both at the family and organisational level varies from person to person and younger women are at a greater advantage than

Box 8.3 Anti-liquor struggle in India

The anti-liquor struggle in India is a fight against domestic abuse. Alcohol-induced violence has led many women to take a stand against this menace. In Nellore district of Andhra Pradesh, the anti-liquor struggle emerged from a literacy class in Doubgunta village. Soon, it became a source of inspiration for the women's clubs established in almost all the villages of the district. These women adopted various strategies including demonstrations, *gheraos*, *dharnas* (sit-ins), destruction of liquor shops and use of broomsticks to restrain and close down these shops. Literacy activists and neo-literates made tremendous efforts to spread awareness and help these women in every way possible. Around 40,000 women of the district participated in a *dharna* against the auction of liquor shops. A large number of petitions from every village in Nellore, filling 30 to 40 gunnybags, were submitted to Government authorities to stop the sale of liquor. Harassment and torture by bootleggers, their agents, the police and administration failed to suppress the enthusiasm of the women. The struggle spread like wild fire covering the entire state of Andhra Pradesh; and after three years of sustained agitation, the women succeeded in forcing the newly elected Telugu Desam Party's State Government to introduce prohibition in 1995 and fulfil its electoral promise to them. However, in the absence of similar policies in neighbouring states, implementation became a problem. This along with the loss of revenue due to prohibition, made the Government reverse its decision two years later in 1997.

In Madhya Pradesh, the anti-liquor struggle began with the initiatives of the *Mahila Jagriti Sanghathan* (Women's Awareness Organisation) when they found that liquor was the root cause of four successive rape cases. Initially, women from various communities tried to close down *bhathis* (breweries), but failed as all of them were licensed. They thus shifted focus from the breweries to the vendors. Sale of liquor was discouraged through various means including beating vendors with shoes where necessary. On 12 February 1996, nearly 40,000 women from Chattisgarh signed a memorandum demanding a ban on liquor. With the slogan '*Roti Banam Sharab*' (bread vs. liquor) the memorandum was submitted to the Chief Minister. However, despite the Chief Minister's assurance to the contrary, the liquor shops were not closed.

This led to protest by the women in the form of a *Chakka Jam* (traffic blockade). Over a hundred women were arrested. This only boosted their morale and enthusiasm. 'I will continue to fight against this evil. I do not care even if it means an end to my life,' says Vimal Dhandi, an activist of *Mahila Jagriti Sanghathan*. However, success has so far eluded them in Madhya Pradesh, especially for want of support from the political parties. Looking for other avenues, these women have found support in the *Sarpanches* and *Ward Panches* in *Gram Panchayats*. At present, women's organisations in Madhya Pradesh have joined forces with *Panchayats*, using the reservation of one-third of the seats for women, to their advantage in the struggle to achieve total prohibition in the state.

Source: Tripathi, Vandana, 'Women Against Liquor', Voluntary Action.

those who came into the profession earlier, because of the increasing gender sensitisation of the judiciary.

In Pakistan's higher judiciary, there are only two women judges—in the Lahore and Peshawar High Courts, respectively. The Sindh High Court had one woman on its bench, but she resigned in 1999. Prior to 1994, when 5 women were appointed to high courts in Pakistan, there had been no female judges in the higher judiciary. Of these 5 women, 3 were appointed to the Lahore High Court, one to the Sindh High Court and another to the Peshawar High Court. This was the first time that a female judge had been appointed to any High Court in Pakistan. Since these appointments were part of an initiative to increase female representation at all levels, they were largely seen as political appointments, and two of the judges were later removed by a court decision, both from the Lahore High Court. To this day, no woman has ever been appointed to the Supreme Court of Pakistan or to the Federal Shariat Court.

Similarly, no woman has ever been appointed to the Supreme Court of Bangladesh. The judiciary in Bangladesh exists largely within a conservative framework. While women have to pass the same tests as men to qualify for their law degrees and to meet the basic requirements of their jobs, as elsewhere, they also have to surmount the hurdles of discrimination and gender bias. Only 9 per cent of all judges in the judiciary of Bangladesh are women. Most of them are in the lower judiciary. In June 2000 the first woman was elevated to the Dhaka High Court (see table 8.4).

Sri Lanka, on the other hand, has a woman on the Supreme Court bench. Elected in 1996, Shirani A. Bandaranayake is the first female Sri Lankan judge to be appointed as a Justice of the Supreme Court. Currently, there is also a female judge in the Court of Appeal in Sri Lanka and there are two in the High Courts. However, at the lower level nearly 25 per cent of the judges are female. Interestingly, 4 out of the 9 judges in the Primary courts are women.

In Nepal, the judiciary has become more independent and powerful after the restoration of multi-party democracy in 1990, but remains virtually an exclusive male club. The Supreme Court of Nepal, has never had a woman member. There are only 2 women in the Court of Appeal out of a total of 103 judges at this level and only 3 out of 102 at the lowest level of the judiciary, the District Court. While the first woman judge was appointed in the 1970s, female participation has not increased much over the years. Currently, there are only 5 women judges out of a total of 247. There are very few chances that the proportion of women in the Nepalese judiciary is going to increase in the near future. While the process of appointing of judges in Nepal is considered quite fair, law does not seem to be a profession of choice for many Nepalese women. As is a tendency in most of South Asia, Nepalese women generally tend to shy away from public arguments, since this is a behavioural norm which Nepalese society traditionally values among women. This could be one of the reasons why women refrain from joining the legal profession. The majority of women who pass bar examination end up not taking up the legal practice.

As part of affirmative action policies, some South Asian governments have established quotas for women within the judiciary. In Bangladesh 10 per cent of judicial posts are reserved for women. Similarly, in Pakistan, quotas have been established for women in the subordinate

The majority of women who pass bar examination end up not taking up the legal practice

Table 8.4 Women in High Courts (1995-2000)

	Men	Women	Women (as a % of men)
Sri Lanka	26	2	7.69
India	488	15	3.07
Bangladesh	45	1	2.22
Pakistan	94	2	2.13
Nepal	101	2	1.98
Total	754	22	2.92

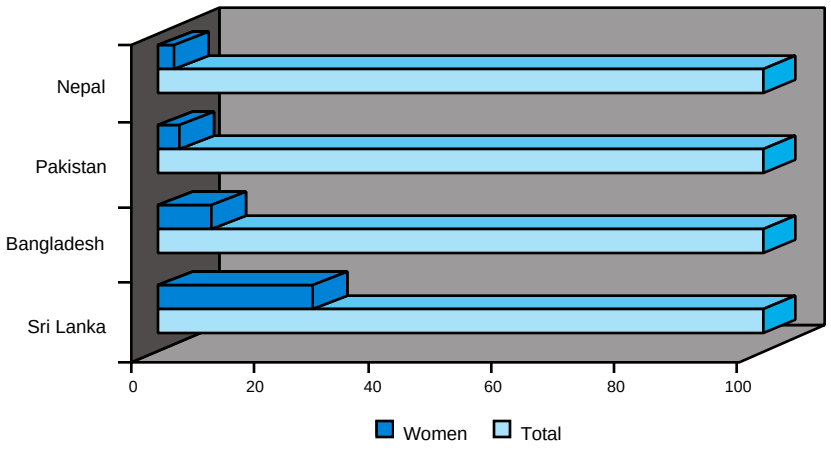
Source: GOB 1999, GOI 2000b, GOS 2000, HMG Nepal 2000, Zia and Bari 1999.

judiciary—2 per cent for civil judges and 5 per cent for district and sessions courts. However, even these minimal quotas remain unfulfilled. In Bangladesh, of the only 9 per cent women judges, the largest number of women is at the post of senior or assistant judges (see figure 8.5). In the Punjab province of Pakistan, despite the 5 per cent quota for women as district and sessions judges, there are no women in these posts. What makes this especially astonishing is that crimes under the Hudood Ordinance are tried by the Sessions Court in Pakistan. Since the Hudood Ordinance mostly relates to crimes that involve women—crimes of rape and adultery—it is vital that at least half the judges at the Sessions Courts be women. However, there are only 8 female sessions judges in all of Pakistan, 7 of whom are in Sindh and one in Baluchistan. However, the proportion of female judges in the lower judiciary is relatively higher than that in the higher judiciary, especially in Sindh, where 12.4 per cent of all judges at the subordinate level are women.

In 1988, the Indian government established *Family Courts* with the objective of speedier resolution of family disputes. However, these courts have met with some problems. Firstly, as *Family Courts* prohibit contest through lawyers, they have met with severe opposition from the lawyers' community; and secondly, the absence of adequate numbers of judges in the *Family Courts* has made these courts less effective. Similarly, the government of India has also established a few '*Mahila Courts*' (Women's Courts), although there are not enough female judges to sit in these courts.

The National Commission for Women of India is currently experimenting with a new kind of court, the '*Mahila Lok Adalat*'. These *Adalats* have been sponsored by the Commission through a network of NGOs and in collaboration with the High Courts of the states in which they are operating. The experiment has been successful so far. A large number of pending cases have been presented in these *adalats*, and many of them have resolved disputes in favour of women and their families. A large number of women lawyers have appeared in many of the '*Mahila Lok Adalats*' representing cases of custody, divorce, alimony, etc.

Figure 8.5 Women in lower judiciary (% 1999)



Source: Dawn 1999; GOB 1999b; GOS 2000; HMG Nepal 1999f; Zia and Bari 1999.

Women as lawyers

The community of lawyers in India has been very important in translating laws into effective instruments of social change. Currently, there are 630,000 lawyers registered with the Bar Council of India. While concrete data on the proportion of female lawyers is not available, in recent years many women have joined the legal profession. It is estimated that at least 10 per cent of the lawyers in India are women. In Sri Lanka, there are over 5,000 female lawyers.

Compared to female judges, the proportion of female lawyers in Pakistan is slightly greater. While their numbers are still relatively small, female presence is more evident in courts now, especially in Karachi. Currently, there are 353 women lawyers in the Punjab, 300 in Sindh, and 455 in NWFP. Similarly, in Nepal, the number of female practitioners has been increasing. On the average, 4.4 per cent of the legal practitioners are women.

In South Asia, many women lawyers do not take up practice after obtaining their licenses and many others quit after they get married due to societal pressures. Such pressures across South Asia have

discouraged many from entering the profession. The majority of working women prefer more traditional professions, such as banking, teaching and medicine. Thus, the number of women who enter the judiciary remains limited.

Cultural perceptions that prefer males to females prevent most women lawyers from establishing themselves independently. Most of them practice as juniors or associates in major law firms and there is seldom a female lawyer at the top of a law firm. In Pakistan and Nepal, most female lawyers tend to handle civil cases. Very few take up criminal or corporate cases. In Nepal, aside from taking civil cases, women lawyers, especially those affiliated with women's legal aid groups, generally specialise in women's issues. An unwritten code of conduct within the female lawyer community in Nepal is that they will not take up cases that would in any way demean women or be detrimental to their interests.

Contrary to the general trends in the rest of South Asia, women lawyers in Sri Lanka are comparatively more visible. In 1983, Maureen Seneviratne was the first and only woman to be conferred silk (President's Counsel) in Sri Lanka. While most female lawyers practice in the lower courts, nearly 48 per cent of the lawyers registered with the Supreme Court are women. Many women lawyers are attached to the Attorney General's office and the Legal Draftsman's department. In many government departments, statutory corporations and statutory boards, women lawyers head or hold very high positions in the legal branches.

While the purpose of the judiciary is to remain unbiased, the personal mindset of the court has at many times made a mockery of the existing laws that promote justice and equality. Cultural norms pervade every level of the judiciary, especially where women are concerned. Thus, while the Constitutions of all South Asian countries state that there will be no discrimination on the basis of sex, in reality personal biases may tend to enter into judgements given by courts. In a patriarchal society with a male dominated judiciary, biases and intolerance towards women can easily be strengthened.

In Pakistan, a number of female lawyers are actively involved in protecting women's rights. Women like Asma Jahangir and Hina Jilani have come to the forefront because of their continuous participation in human rights activities. The AGHS Legal Aid Cell, founded by Jahangir and Jilani, provides legal aid to women, bringing attention to cases where rights have been violated. The Pakistan Women's Lawyers Association (PWLA) also provides legal aid to women. The PWLA is an important forum for female lawyers because it not only advocates women's rights and legal reforms, but also encourages other women to join the profession.

There have also been numerous such initiatives in India. The Lawyers Collective, a lawyer's organisation with 50 per cent female membership, takes up sensitive social issues and puts up studied, strong and strategic battles to win gender justice and social justice. Despite the obstacles, some women lawyers in India have successfully carved a niche for themselves in this profession and are associated with landmark judgements, which have had positive outcomes for human rights, and for women's rights. For instance, a recent judgement on custody of children, which recognised the mother of a child as its 'natural guardian' was the effort of a woman lawyer and her associates.

In Bangladesh as well, since the women's movement has begun addressing the gender-discriminatory nature of laws in the country, women lawyers are becoming increasingly concerned with issues of women's rights. The Bangladesh Government over the years has initiated piecemeal legal reforms to protect the rights of women such as the Dowry Prohibition Act (1980), Cruelty to Women (Deterrent Punishment) Act

While the constitutions of all South Asian countries state that there will be no discrimination on the basis of sex, in reality personal biases may tend to enter into judgements given by courts

(1983) or the Family Courts Ordinance (1985). However, not only are these laws insufficient for the protection of women's rights, experience indicates that whatever legal rights are granted to women, when it comes to enforcing the law, most of the rights exist only in theory. Women practising in the family courts realise that the complex nature of legal procedure and existing loopholes only works to discourage women from seeking redress.

Most South Asian women judges and lawyers are not gender-sensitised. Thus, in a region where there are discriminatory laws against women, especially in cases of marriage, property rights, divorce and custody rights, many women who sit on the bench tend to give judgements by the word of law, which actually work against women seeking justice. In Bangladesh, a training program is currently underway by the Bar Council to overcome this problem. Women judges in Bangladesh have also formed an association of their own, mostly to lobby for their rights in the profession. In Pakistan, in an effort to reduce discrimination, proposals have been put forward to have a female Ombudsman to help solve disputes involving women. India has launched gender-sensitisation-training programs for judges. This has helped to provide better insight into gender issues for judges. Recent judgements on various cases, including the one on sexual harassment in work places, are indicators of the active participation of the judiciary in establishing greater gender justice in societal behaviour.

Mandating a greater number of women in the judiciary, especially at the higher levels, is important to enable positive changes in the attitudes of the

Mandating a greater number of women in the judiciary, especially at the higher levels, is important to enable positive changes in the attitude of the courts. Gender-sensitisation programmes are essential in the short term for all of South Asia, but until the society as whole is made more tolerant and gender sensitive, discrimination cannot be rooted out.

Table 8.5 Women in civil service (1990s)

	Women in the civil dervice (% of total)	Women at decision making positions (% of total women)
India	6.80	n/a
Bangladesh	7.88	0.012
Pakistan	5.35	0.266
Nepal	7.66	0.463
Sri Lanka	21.1	10.23

Note: Decision making levels are assumed to be additional secretaries, joint secretaries, secretaries and heads of departments.
Source: Chowdhry & Hassanuzzaman 1993; GOB 1992; GOP 1993, Gopalan 2000; HMG Nepal 1999a; Jayawardena 2000.

Women in the civil service

In all South Asian countries, men and women both have to take the same competitive examinations before being inducted into the civil service. This should leave little chance of discrimination. Yet discrimination persists in postings and promotions, in the attitudes of peers and colleagues, and it persists in entire systems that leave more than half the female population educationally disadvantaged. As a result, the overall proportion of women in the civil services throughout most South Asian countries remains less than or at 10 per cent, with the majority concentrated in social sectors (see table 8.5).

In the early years of the Indian civil service, there were restrictions on marriage for women, particularly in the Indian Foreign Service. Married women could not appear for the competitive examinations. Consequently, very few women chose the civil services as a career. These restrictions have since been removed and in the past two decades, the proportion of women in the civil service has increased significantly. Currently 8.4 per cent of all civil servants in India are women.

The first woman joined the Indian Administrative Service (IAS) in 1951. However, it was not until after 1980 that women were appointed as District Magistrates or Collectors. Prior to 1970, women were not allowed to join the Indian Police Service. While the Constitution of India provides for equal access irrespective of sex, in reality, access to sensitive and 'prestigious' positions in civil service is rarely available to women. Despite being equally competent, women face greater chances of being discriminated against. No woman has yet held the post of Cabinet Secretary, Home Secretary, Defence Secretary or Finance Secretary to this day. As an exception, however, a woman held the position of Principal Secretary to the Prime Minister

in 1987. In general, women officers are assigned to positions related to social development such as Women and Child Development, Education, Health, or in some regulatory bodies. Further, it has been observed that even within social sectors, posts concerned with 'economic and financial' portfolios are viewed as male preserves. For instance, in the Indian Forest Service, men are concentrated in the field. Women are given less challenging postings at headquarters: posts to monitor management, planning, publicity, social forestry and extension. Similarly, in the Indian Police Service, women District Superintendents of Police are given charge of less hectic districts compared to men. In the Customs Service posts involving preventive investigation, anti-smuggling work and arduous field duties are given to men.

In 1976, the Government of Bangladesh introduced a mandatory 10 per cent quota for women in all ministries, directorates and autonomous bodies to increase female participation in government. However, little had improved by 1988 when only 7 per cent of all civil servants were women. It was only in 1996, twenty years after the quota was established, that female participation rose to just over 10 per cent. One of the reasons for this has been that after clearing the civil services examinations, many women would not take it up as a career due to a multitude of factors including household responsibility, perceived difficulties in adjusting to postings and better job opportunities. Data on civil services from 1986 to 1991 show that on the average 14 per cent of the successful candidates of the competitive examinations were women. However, only 7 to 8 per cent were inducted into the civil services. Currently, there are very few women at the upper echelons of the civil service in Bangladesh. With most women concentrated at lower posts, there is only one Secretary, one Additional Secretary and three Joint Secretaries among the women civil servants in Bangladesh.

Similarly in Pakistan, gender imbalances persist throughout the civil service. According to the 1993 Civil Servants Census, only 5.4 per cent of civil servants were women. Women account for less than 10 per cent of the total employment in Ministries such as Planning and Development, Finance and Economic Affairs and Foreign Affairs. During the mid-1980s and early 1990s there were only 5 per cent women in the Foreign Service of Pakistan. At the same time, in the Ministry of Education, 51 per cent of employees at middle level are women. Similarly, again at the middle level, women account for nearly 30 per cent of employees in the Ministry of Health. Very few women hold posts in the upper echelons of the Pakistani civil service. Compared to the more than 800 men serving as Joint Secretaries, Chairmen or Directors only 19 women held posts of Joint Secretaries in 1993. Currently, there is one woman serving as the Cabinet Secretary. Women have also been appointed as Secretary in the Ministry of Women's Development.

Gender imbalances persist throughout the civil service

Female representation in the Sri Lankan civil service, however, is as high as 20 per cent. While prior to 1963 women could not enter the civil service at all, with the establishment of the Sri Lanka Administrative Service (SLAS), new doors were opened up for women in the civil service. However, as with the Indian Civil Service, there were restrictions for married women. They had to have the written permission of their spouses before they could appear in the competitive examinations for the SLAS. Further, the intake of women was restricted to 20 per cent and only six women entered the first batch of SLAS in 1965. After being reduced to 10 per cent in 1972, the quota for women was actually raised to 25 per cent in 1978. However, after 1993 the government of Sri Lanka abolished the quota restriction when it became a signatory to CEDAW.

Currently there are just over 21 per cent of women in the three highest grades

Women are almost invariably assigned to the social sectors, and many of them in subordinate positions

of the SLAS. The number of women has been increasing steadily over the years. In the last eleven years, female representation in these grades has increased by about 1.5 per cent annually. Currently there are 135 women at the highest grade, compared to only 12 in 1998. In 1999, out of 32 Secretaries to Ministries, only one was a woman. However, at the same time, there were nearly 36 per cent women at the posts of Additional Secretaries.

While entrance is based solely on merit, promotions to the highest grades are influenced by politics. There is no proper placement policy. Most women in the Sri Lanka Administrative Service are concentrated in the health and education sectors. Few of them are in decision-making positions. For instance, in the health sector, 89 per cent of the nurses are women but few are in high-level decision-making roles. Similarly, of the total of 12 Chancellors of Universities, only one is a woman. The first female Vice Chancellor, Professor Savitri Goonesekere was appointed in April of 1999.

Civil service has always been prestigious employment in Nepal. However, the overwhelming number of male candidates and the educational disadvantage that women face, makes it very difficult for the majority to successfully compete in the Public Services Commission (PSC) examinations for entry into the civil service. Despite this, female participation in the Nepalese civil service is on the rise. While the total size of the civil service has nearly doubled in the last twenty years, the number of women in the civil service has gone up five times. The proportion of women in the civil service has risen to 7.7 per cent in 1999 as compared to just 2.6 per cent in 1978. Three women are currently serving in the Special Cadre—the highest level of civil service in Nepal. However, 93 per cent of women are employed as support staff rather than in the professional cadres. The largest number of female civil servants is engaged in the health sector. Mostly, women are hired only for those positions, which are specifically reserved for them such as nurses and maternal child health workers. In the entire history of Nepal's diplomatic services there has been only one female ambassador.

These imbalances only highlight the discrimination women face due to cultural stereotyping throughout South Asia. Women are almost invariably assigned to the social sectors, many of them in subordinate positions. Statistics show that as pay, status and decision-making authority increases female representation drops. Women are disadvantaged because they have to perform significantly better than men to be considered equal.

In order to rectify such imbalances, the Department of Personnel and Training in India, launched a campaign in the late 1980s to attract more women into the civil services. Television serials were also organised for this purpose. During 1998, the National Academy of Administration at Mussoorie also organised a series of workshops to sensitise the bureaucracy toward gender issues. The results have been positive: the recommendation of the Fifth Pay Commission of India for 135 days of maternity leave and 15 days of paternity leave during the period of confinement has been accepted and implemented by the Government.

In Bangladesh, on the other hand, there are no public reforms that address gender issues. While it is common practice that married couples within the civil service may apply to be posted in the same place, it is not necessary that their request be granted. The present government has developed a National Women's Development Policy. The policy framework is based on the Beijing Platform of Action, CEDAW and other international conventions. One of the objectives of this policy is to ensure the administrative empowerment of women. But concrete steps have yet to materialise in its implementation.

There have been several administrative reform efforts in Nepal, with the latest being the High Level Administrative

Reform Commission of 1991. However none of these reforms has focused on women's issues, needs or concerns. Instead, they have focused on general issues of concern for the civil service in Nepal, which did not encompass women's issues.

In Pakistan, on the other hand, the only civil service reforms were made in 1972 when the entire service was opened to women. However, these reforms were not augmented by further affirmative action, the result of which has been declining female participation in Pakistan's civil service. Similarly, in Sri Lanka, all civil service reforms that have taken place after 1963 have been gender blind, especially with respect to promotions and placement policy and thus, women have not been able to reach their full potential in the civil service.

Despite these hindrances, women generally consider the civil service to be a source of secure employment. While glass ceilings and patriarchal attitudes pose serious obstacles, many women feel that there is great potential in the civil services as a career and are thus willing to take up the challenge.

Women in economic management

Today, more South Asian women are active participants in the economy than they were just a decade ago. Female literacy has increased significantly from 17 per cent in 1970 to nearly 40 per cent in 1999, with the Maldives and Sri Lanka taking the lead. Most gains have been made in primary education, but higher education and especially professional and technical education remain limited for women. Limited opportunities have hampered women's progress from the very beginning. Most of the female labour force is concentrated in the informal or unorganised sector and many educated and career oriented women in South Asia opt for careers in medicine or teaching, which are generally considered suitable for women. In recent years, there has been a shift towards other careers such as banking and finance. However, it will be some time before women are significantly represented in the corporate boardrooms of South Asia.

Women as decision-makers in public and private enterprises

Many women in India have become lawyers, doctors, scientists and entrepreneurs. By 1988, there were over 10,000 businesses whose major shareholders were women. In the private sector, female employment is mostly concentrated in larger business establishments, with only 13 per cent of women in smaller sized businesses. However, very few women are in managerial and influential positions. Women also have a significant presence in the public sector. Nearly 48 per cent of women in the formal sector are working in government offices, mostly in local bodies. At 17 per cent, their second largest concentration is in the State Governments. The proportion of women in the Central Government has nearly doubled in the last fifteen years.

In 1989, the Government of Pakistan established the First Women's Bank to extend loans to female entrepreneurs. Women hold all officer and executive posts of this bank. But in government-owned public enterprises, women managers are virtually non-existent. At present less than 2 per cent of all employed women are working as legislators, managers and other senior officials. However, at 6.17 per cent, a relatively significant proportion of women are working as professionals. Most educated women opt for careers in teaching or medicine since these are the most acceptable careers for women to follow in Pakistan. In the last two decades, many have also entered the banking and media professions. In 1997, women constituted nearly 2 per cent of all bank employees in the three largest nationalised commercial banks in

Most educated women opt for careers in teaching or medicine since these are the most acceptable careers for women to follow

Women have not been able to break through the glass ceilings beyond a certain limit as yet

Pakistan. During the last decade some effort has been made to include more women at the higher decision-making levels. One woman was appointed as the Chairperson of the Small Industries Corporation of Punjab during 1994-95, but such instances are rare.

In Bangladesh, the proportion of female officers in public corporations is very low. Despite a 10 per cent quota in nationalised banks in Bangladesh, only 6.4 per cent of bank employees are female. Women constitute less than 5 per cent of all employees in the autonomous bodies and various corporations across Bangladesh. However, at the Departmental and Directorate levels, which are centrally located in the capital and are in effect extensions of the Secretariat, women's representation is significantly higher at just over 13 per cent of all employees. The government of Bangladesh maintained a policy of 10 per cent district-wise quota for women which has recently been raised to 30 per cent. However, as with the nationalised banks, women constitute less than 5 per cent of employment at the district level.

In the private sector in Bangladesh, the largest concentration of female workforce is in the garment industry, where 90 per cent of all employees are female. Yet few are in managerial posts. Women are increasingly joining the pharmaceutical, electronics, jute, and textiles industries. According to a 1991 survey of urban industries in Dhaka, women occupied 12 per cent of the managerial posts within these industries. These women are generally more educated and receive on the job training and are thus relatively better off.

Despite high literacy rates, few women in Sri Lanka are in managerial and decision-making positions. For the past decade, the proportion of women in managerial positions has remained static at around 17 per cent. Women have not been able to break through the glass ceilings beyond a certain limit as yet. In recent years, the private sector has offered more opportunities to women than the public sector. In the private sector, most female-occupied managerial positions are concentrated in manufacturing, financing, insurance and business services. Women are increasingly joining financial institutions. By 1997, banking and finance accounted for 23 per cent of the total women employed in managerial positions. On the other hand, most of the women in public sector managerial positions are concentrated in community, personal and social services. Many of these women are at the middle or lower levels of management.

Out of the 70,000 employees in public enterprises in Nepal, 10,000 are women. The proportion of women in public sector enterprises has increased over the years, but mostly in the non-professional and support staff categories. At the professional and managerial level, there are less than 300 women compared to over 3,000 men. At 25 per cent, there are more Nepalese women in the private sector managerial positions than in the public sector. One of the main reasons for this preference is that the private sector is perceived by job-seekers to be more performance-oriented and less influenced by patriarchal conventions. Thus, women have better chances of promotions and recognition of their work there than in the public sector. In contrast, Bangladeshi women are increasingly opting for the public sector, which they believe offers greater job security and other benefits that may not be available in the private sector.

Whether in the public or private sector, the number of women dwindles at the top level of management (see table 8.6).

Table 8.6 Climbing the corporate ladder

	Women at managerial and professional levels (% 1990s)
Sri Lanka	22.3
Nepal	17
Bangladesh	12
Pakistan	4
India	n/a

Source: Baidya 2000; GOP 1998b; GOS 1999a; Islam 1992.

In public sector enterprises, there are very few women at high-level executive posts. In the private sector, the situation is only slightly better. Discrimination exists openly. Discrimination is not only manifested in job placement and wages, but also in the way women are treated at the workplace.

Women in parliamentary committees

Parliamentary Committees are important policy-influencing forums. Yet, as with other governing institutions across South Asia, women's voices are barely heard in these forums. With the exception of India, where it is mandatory to include every Member of Parliament in committee work, female representation in parliamentary committees is negligible. There are over 30 committees in the *Lok Sabha*. While there is female presence on most of them, only a few women have been appointed as chairpersons of important committees such as the Joint Committee on Women's Reservation Bill.

In Pakistan, until recently, permanent councils and committees such as the National Economic Council and Economic Coordination Committee have had only male members. There are exceptions as well. For instance, some provincial committees such as the Jail Committee and the NGO committee in Baluchistan have only women on them. The Council of Islamic Ideology (CII) has one woman on its 20-member board, as stipulated in the Constitution. Women have served on committees set up temporarily by various ministries from time to time. For example, the Ministry of Women's Development established several committees to draft the National Plan of Action (NPA) for women and the National Report on the Beijing Follow-up Conference. Most of the members of these committees were women. Women have also been given a voice in the various committees and commissions on women in Pakistan. Unfortunately, only few of the recommendations given by them have been implemented. Currently, efforts are underway to include women in think tanks and committees established by the new government, including the Economic Advisory Board.

Women are also periodically included in various parliamentary committees in Bangladesh. However, discrimination exists, especially against women who have entered Parliament on reserved seats. There are some exceptions. For instance, Mrs Chitra Bhattacharya, a female parliamentarian on a reserved seat, heads Bangladesh's Financial Committee. Since 1996, the Government of Bangladesh has also made efforts to include members of the Opposition in the Parliamentary Committee work to ensure equitable participation and greater cooperation for better governance.

At the other end of the spectrum, in Nepal and Sri Lanka, female presence in such committees is non-existent. Even within the National Planning Commission of Nepal, which plays an important role in allocation of resources for developmental activities within the country, there has never been a woman either as chairperson or even a member. In Sri Lanka, despite having a female President and Prime Minister, women constitute less than one per cent of committee membership. The only committee that has a significant number of women on it is the National Committee on Women, established in 1993. It has only female membership. However, it is unclear what influence it exerts for women's development.

Women in civil society

South Asia is the home of some of the most vibrant civil societies in the world. There are an estimated 500,000 non-governmental organisations (NGOs) in India alone, and many of these are involved in women's issues across the region. In 1929, the All India Women's Education Fund was established, focusing solely on education. It was followed by the All India Women's Conference.

There are an estimated 500,000 non-governmental organisations (NGOs) in India alone, and many of these are involved in women's issues

The entry point of most NGOs in Bangladesh was through rehabilitation and reconstruction work

Currently, this organisation is functioning across India and has chapters in all major urban centres of the country.

In 1953, the government of India established the Central Social Welfare Board in recognition of the need to harness the energies of voluntary organisations as partners in development. Then onwards funds were channelled to these organisations for the welfare of women, children and the disabled. The Community Development Programme initiated *Mahila Mandals* (women's groups) for raising awareness among women on a range of issues for their advancement. In some states like Kerala and Tamil Nadu, these groups were systematically registered as women's societies and formed into an organisational network for undertaking various social development activities.

From 1975 to 1985, the International Decade for Women, many civil society organisations worked exclusively on women's issues. In 1985, the Government of India established the Council for Advancement of People's Action and Rural Technology (CAPART), which created space for civil society to participate in rural development, infrastructure development, employment and water and sanitation projects. A large number of women and men are currently engaged by NGOs in such activities. The National Commission for Women has networked with over 10,000 NGOs since 1993 to generate awareness on a variety of related issues with special emphasis on women.

After independence in August 1947, there was a huge influx of refugees into Pakistan. In 1948, the Women's Volunteers Service (WVS) was formed with the aim of helping the displaced population with basic facilities. The WVS encouraged women to take on a range of responsibilities from administering first aid and dealing with health problems to distribution of food and clothing to providing moral and emotional support. It became the precursor for the first truly women's organisation in Pakistan—the All Pakistan Women's Association (APWA). The All Pakistan Women's Association was established as a voluntary non-political organisation with the aim of enhancing women's welfare. It not only opened schools for children in poor localities and provided health facilities, but was also at the head of the social movement within Pakistan, rallying for women's rights during the 1960s. It successfully lobbied with other women activists for the inclusion of Muslim Family Laws, which are progressive Islamic Laws, in the Constitution of Pakistan. With the passage of the *Hudood* Ordinance in 1979 and increasing intolerance towards women in the 1980s, the Women's Action Forum (WAF) was formed. When the Qisas and Diyat Ordinance was tabled in 1980, WAF was at the forefront of civil society's efforts to stall the Bill since it would have effectively reduced the rights and status of women of Pakistan. In 1992, when it was eventually passed, some of the more derogatory clauses had been taken out.

According to various estimates, the number of NGOs in Pakistan currently ranges between 10,000 and 29,500. In the province of Punjab alone there were about 6,000 NGOs registered with the Social Welfare Department of which nearly 2,000 listed their objective as women's development. Many others are working in related fields such as education and health.

Following a similar pattern, the entry point of most NGOs in Bangladesh was through rehabilitation and reconstruction work after independence in 1971. However, with the realisation of the need to increase production, by the mid-seventies many NGOs started directing their efforts towards provision of credit and inputs for increasing production. In 1976 the Grameen Bank was established by Professor Yunus as a project that offered credit to the poor and landless. In 1983, it was transformed into a specialised financial institution for the rural poor through a government ordinance. It has been in the forefront of

giving credit to women. Many NGOs, through their experience of close and continued work with women in the rural areas, realised that women's development needs to address both poverty and patriarchy, which marginalizes women and excludes them from channels of socio-economic power and decision-making. Others have focused on social consciousness and gender sensitisation through extensive information generation, dissemination and media campaigns. Currently, there are more than 500 such organisations operating in Bangladesh and their combined female membership exceeds two million.

In Sri Lanka as well, civil society organisations have focused on people's participation in development. Most of the growth in civil society organisations occurred after the mid-seventies. In fact 65 per cent of all the NGOs currently active in Sri Lanka were established after 1977.

The first local NGO oriented towards women and development was the *Lanka Mahila Samithi*, established in 1930. It focused on development through rural women's participation in civil society. Many other civil society initiatives such as the Women's Political Union, Sri Lanka Federation of University Women were also organised during the following decades. In 1944, the All Ceylon Women's Conference was established as an apex association for all these organisations. It successfully lobbied for the Women's Bureau set up under the Ministry of Plan Implementation. The establishment of a separate Ministry for Women's Affairs is also considered a result of NGO pressure. Currently, there are over 50,000 civil society organisations in Sri Lanka, most of them operating at the micro level. According to a survey of 291 NGOs in 1996, nearly 29 per cent were involved in gender-related activities, including development and gender awareness. Although the government has made attempts to encourage rural-based NGOs, almost 50 per cent of the NGOs are based in Colombo, Sri Lanka's capital city. Among these, only 22 per cent have women as chief contact persons. Women also head some civil society organisations. Their activities range from research on women's issues at the national level to community service at the district and village levels.

During the last decade, civil society organisations have mushroomed in Nepal. Prior to 1990, there were only 229 NGOs registered with the Social Welfare Council. Most activities of NGOs were tightly controlled and monitored by the government, which perceived civil society to be a threat to stability. However, since the restoration of multi-party democracy and promulgation of the 1990 Constitution of Nepal, there has been phenomenal growth in the number of NGOs. By 1998, there were 15,000 NGOs in Nepal of which over 5,000 have been registered with the Social Welfare Council. Nearly 600 of these NGOs are exclusively working for women's issues and concerns. Virtually all the women-focused NGOs are headed by women activists and majority of their membership is also female.

Role of civil society in women's development

Apart from aiding the women's movement, civil society continues to play a crucial role in women's development. In conservative, mostly patriarchal societies of South Asia, reaching out to women can be difficult because of strict *purdah* laws or their lack of mobiliy and access to information. Most women, especially in rural areas, are unaware not only of their rights, but also issues that concern them such as health and education. There are a significant number of women working for civil society organisations, either as volunteers or employees. Being women they have greater access to other women, be they in rural or urban settings.

Civil society initiatives have helped to organise women and to create awareness on a range of issues. In the Pakistani village of Thatta Ghulamka, women's

Many NGOs, through their experience of close and continued work with women at the rural level realised that women's development needs to address both poverty and patriarchy

Civil society initiatives have helped to organise women and to create awareness on a range of issues

doll-making expertise has been turned into an income generating enterprise. In India, the Self-Employed Women's Association (SEWA) has helped to organise women workers in the informal sector. Prior to these efforts, women in the informal sector faced exploitation in the form of low wages and job insecurity. Other civil society organisations such as Grameen Bank in Bangladesh or Working Women's Forum in India have extended support to women by offering them credit for micro-enterprise. Such efforts have helped many women become self-sufficient and more active in economic decision-making within their families. Apart from extending credit, organisations such as the Aga Khan Rural Support Program (AKRSP) and other rural support programs in South Asia, have focused on mobilising villages to form community organisations that work on development projects. Women are an integral part of these communities. Participation in such organisations has not only empowered women but also raised their status within the community.

Civil society has played a great role in advancing non-formal education (NFE). The non-formal education initiative has been highly successful in India and Bangladesh. The Bangladesh Rural Advancement Committee (BRAC) has been at the forefront of pioneering experiments in non-formal education since 1985. Similarly, in India, *Lok Jumbish* or people's movement has been involved in non-formal education since 1992. In Pakistan, the Asthan Latif Welfare Society, the Orangi Pilot Project, better known for its sanitation project in the slums of Karachi, and Bunyad are among the more successful non-formal endeavours.

Many civil society organisations are also involved in creating awareness about a range of health issues, from the importance of sanitation to reproductive health. Civil society organisations with multifaceted agendas such as AKRSP or Sungi, have been working with communities to raise the importance of sanitation. They have also trained men and women as health workers who teach communities about the importance of family planning besides imparting basic health education. Various NGOs are also involved with issues of sexual violence.

The Nurses' Association in India is an all women's movement that has waged a tenacious struggle for better working conditions for its members. They have successfully confronted threats of violence and sexual crimes like rape, victimisation and harassment. The broad-based coalition of *Shommilito Nari Shomaj* (United Women's Front) or the *Juono Nipiron Nari Protirodh Moncho* (Platform Protesting Sexual Harassment) are spearheading similar efforts in Bangladesh, creating awareness and protesting the discrimination with which women are treated in of cases of sexual harassment (see box 8.4).

In Sri Lanka, Women in Need (WIN) is an NGO that helps women victims of violence. It has also established several shelters for battered women. A large number of the micro-level NGOs or community-based organisations as they are referred to, are established in rural areas. Among these women's societies are some of the most active. Most of them are affiliated with Ministries or Departments in Colombo. The advantage has been that women's organisations have been able to lobby for a range of issues such as sanitation, employment, housing and nutrition for the women of their communities.

Women in trade unions

Trade Unions provide member workers with a platform to voice their needs and concerns and to protect them from exploitation. Unfortunately, very few women are part of any trade union in South Asia and information is scant. Most trade unions operate in traditionally male dominated areas. A significant majority of women work in low paid industries like garments, food and agriculture-related industries. These women have virtually no access to trade unions. Due to the low

level of financial contribution affordable by workers in such industries, trade unions have not targeted them. Furthermore, a larger number of women remain unorganised and exploited in the informal sector that does not come under the scope of trade unions and thus, are largely ignored by trade unions. Most women are simply unaware of the concept of trade unions. Those who are members have to deal with the patriarchal attitudes of the union leadership and workers. In many cases, the agenda of the trade union is that of the male majority. Exacerbated by such attitudes, women's issues and concerns have been pushed back on the trade unions' agenda.

Interestingly, the first person to form a trade union in India was a woman: in 1917, Anasuyaben Sarabhai founded the first trade union in Ahmedabad and remained its president till her death. Yet few women have held leadership positions in the trade unions of India. In recent years, while trade unions have begun to pay attention to women workers, with AITUC, INTUC and CITU in the lead, there are discrepancies.

As early as 1979, women's concerns were put on CITU's agenda. That year a national convention of working women was held and the union also started a journal called the '*Voice of the Working Woman*'. However, according to 1995 data, there was no female executive in its national office. In the same year, the AITUC had only two women in its 27 member national office. Similarly, INTUC, which recently established a separate woman's wing within the union in an effort to bring women's issues to the forefront, has only one woman in its 22 member national office (see table 8.7).

On the other hand, while the number of women in trade unions or as collective bargaining agents in Pakistan remains limited, their representation is slightly better than other South Asian countries.

Women's issues and concerns have been pushed back on the trade unions' agenda

Box 8.4 Campaign against violence in Bangladesh

The women's movement in Bangladesh came together against violence against women as early as the 1980s, but until recently many organisations were hesitant to identify existing institutions as the real perpetrators of violence. However, the rape and murder of Sultana Yasmin Akhter, a 14 year old girl of Dinajpur in August 1995 by three policemen, and the abduction and subsequent disappearance of Kalpana Chakma in June 1996, the 23 year old Organising Secretary of Hill Women's Federation, led to the emergence of the *Shommilito Nari Shomaj* (United Women's Front)—a common platform for all women's organisations. They held nation-wide street demonstrations and protests. A photographic exhibition on women's resistance to violence was dedicated to Yasmin. The *Shommilito Nari Shomaj* also declared 24th of August as a day of Resistance to Violence against Women; the day that Yasmin's dead body was found on the roadside. The aim of this movement was to seek accountability of the state and instill democratic values in administration.

This was only the beginning of a series of campaigns led by the women's movement to curb violence against women. More recently a new development which has taken place outside the mainstream women's movement in the last year has had important consequences for the development of women's rights in the civil society of Bangladesh. Two of the more centrally located university campuses of the country, Dhaka University and Jahangirnagar University experienced some of the worst incidents of sexual harassment ever reported. But in both Universities, first in Jahangirnagar and then in Dhaka University, it was the women students who were in the frontline of protests. The young students who protested were supported by only a few students group of left leaning who were willing to take on board gender issues in their political agenda. After the crisis was over, the networks developed during these times endured and efforts to translate them into sustained social movement has led to the formation of new platforms such as the *Jouno Nipiron Protirodh Moncho* (Platform Protesting Sexual Harassment) that includes both men and women in its struggle to end discrimination.

Women's organisations have actively solicited the cooperation of the press and other mass media. Sustained contact with the press has resulted in publishing material related to violence against women, malpractice in health care and family planning services. Other innovative media like street theatre, posters, videos, and folk songs have also been tapped quite effectively. Intense and broad-based campaigns for removing gender discrimination and gender-violence through legal redress have been undertaken by both local and national women's organisations in Bangladesh. These have included campaigning for an enactment of new and stringent laws providing deterrent punishment for gender-violence, enactment of a uniform family code to supplant the various personal laws perpetuating gender inequality within the family in various religious communities and full ratification of CEDAW.

Source: Guhathakurta 2000 (mimeographed).

Table 8.7 Indian trade unions: women in decision-making positions (1995)

Trade Union	Women	Men	Women (as a % of total)
AITUC	2	25	7.41
Bhartia Mazdoor Saba	3	45	6.25
INTUC	1	21	4.55
CITU	0	17	0.00

Source: GOI 1995.

The All Pakistan Trade Union Federation (APTFU), for example, has 20 women (26 per cent) on its executive body holding important positions including that of the Chairperson and the Vice President. Some unions have been organised specifically for women such as the Pakistan Nurses' Federation (PNF) that has over 5,000 members. During the 1990s, efforts have been made to unionise more women, but the scope has been limited. The biggest challenge faced is unawareness. Currently, there are various initiatives such as the Women Workers' Centre in Karachi whose aim is to raise awareness among women and to encourage their unionisation. The Working Women's Federation was established in 1994 in Multan to organise women on a platform that would be sensitive to their specific needs and concerns. The Women Workers' Organisation (WWO) was established in Punjab as early as 1986 to organise women and promote their unionisation. Various trade federations have also reserved seats for women in their executive bodies to encourage their participation. However, such initiatives are few and their membership consists mostly of women from the formal sector of the economy.

In Sri Lanka, it is estimated that women form less than 20 per cent of the trade union membership, and of that, less than one per cent hold leadership positions. The mobilisation of women and concern about their well being is a low priority in the trade unions. The fact that only a few women participate in trade union activities including strikes may be a contributing factor to this neglect. However, during the 1980s it was observed to the contrary that women took active part in strikes such as those waged by garment-factory workers and nurses. Even in unions where the majority of workers are female such as tea plantations, secretaries, clerks, nurses and teachers, men dominate leadership positions and women's needs and concerns do not receive the attention they deserve (see box 8.5).

Female representation in the three nationally recognized trade unions in Nepal is also minimal. At 24 per cent, the Nepalese Trade Union Congress (NTUC) has the highest proportion of women in its national executive committee. In the Democratic Confederation of Nepalese Trade Unions (DECONT), one of the four female executive committee members holds the post of its Vice Chairperson. Each trade union has a seperate women's department that is headed by a woman. However, since women form only a minority on the executive committes, their influence in the decision-making remains minimal.

Organising women in the rural areas is a bigger challenge. While there is a proportion of women who have been formally organised through the efforts of NGOs into community based organisations, there are still many more who remain unaware of their rights, trade unions and other platforms that may empower them. Despite such trends, there is some hope. The pioneering work done by SEWA in Ahmedabad and the Working Women's Forum in Tamil Nadu, India, has brought large numbers of poor working women in the unorganised sector into the trade union movement and created an expanding space for them in the trade unions.

Other Professional and Business Associations

Career women in South Asia lack adequate support systems and networking that can help them form a single coherent voice to be heard and acknowledged. Professional associations provide women with a chance to create these networks and support systems. Associations such as Women Lawyers' Forum and Women's Press Corps in India, the Pakistan Womens' Lawyers Association and the Business and Professional Women's Club female lawyers with a platform. However,

Box 8.5 Sri Lanka profiling women's participation in trade unions

In Sri Lanka, some trade unions have large number of women members. However, few are in leadership positions. The following selected profiles indicate the extent of female participation in trade unions.

The *Sri Lanka Jatika Sevaka Sangamaya* (JSS) was established in 1960. The first women joined the union in 1986, but it was not until 1998 that any woman was considered for a position in the main committee. That year, the union reserved two seats for women in the main committee. Recently the main committee has decided to increase female representation to 25 per cent in the committee and is taking an interest in women's concerns such as transport facilities for women workers, maternity leave and sexual harassment. Female members of this union have also been active in the rehabilitation of women and children in the border villages.

The *Ceylon Workers Congress* (CWC), established in 1939, consists of mainly plantation workers. Women constitute 53 per cent of CWC's membership. This is the only trade union in Sri Lanka where female members outnumber the males. However, in terms of actual participation, more men (76 per cent) than women (24 per cent) participate in union activities. Reasons cited for the low participation of women in trade union activity include male dominance, cultural constraints, family burdens, and non-availability of time as women work longer hours (CENWOR 1998). Unfortunately, such issues keep women at the lowest levels of the hierarchy within the CWC and since men dominate the upper management, these concerns are seldom addressed.

The *Jathika Saukiya Seva Podu Sevaka Sangamaya* is the only trade union in Sri Lanka where women participate in large numbers. Formed in 1974, the union's membership consists of health workers. However, due to its political affiliation some of the workers have been victimised after elections and a number of women members have been transferred to distant places as punishment. Currently, the union is headed by a man.

Sri Lanka Nidahas Guru Sangamaya or the Independent Teachers' Union was established in 1972. Eighty per cent of the union's membership is female. However, as with the CWC, actual participation of women remains limited at less than 10 per cent. Women occupy only 14 per cent of the posts in the executive committee of the union. Male dominance and cultural factors that constrain women to lower positions have adversely affected the position of women teachers within the union and outside. For instance, female teachers qualified to teach higher grades have often been confined to the primary level. Despite their qualifications, few have been promoted to higher grades. However, the union has not made any efforts to resolve this issue. Instead, male teachers have been encouraged to take up these posts.

The *Rajya Seva Jathika Vurthi Saamithi Sammelanaya* presents an interesting picture. It is another trade union with political affiliation and total membership is about 800 of whom only 5 are women. However, while female participation in trade union activities is negligible, two of the women are actually on the Executive Committee. One of them is a Vice-President of the committee as well.

Thus while women are present in large numbers in trade unions in Sri Lanka, their participation in trade union activities has remained limited. They have very limited roles in decision-making, and it is seldom that women's concerns are highlighted in the union's agenda.

Source: Jayawardena 2000.

their representation in such bodies remains negligible. For instance, in Pakistan's High Court Bar Councils, women form less than 2 per cent of the total membership (see table 8.8). Similarly, while many female journalists have been members of the Press Association of India, only a few have held decision-making positions. In contrast, the Women's Press Corps has developed a membership of about 200 women in a short span of five years.

Women's quantitative and qualitative participation at all levels of governance structures is absolutely essential for empowering women in South Asia. A critical mass of women must be given the opportunity to join political and economic systems of governance, in both administrative and decision-making positions. The strategies for a concerted effort by all stakeholders—women, men, government and civil society—are suggested in the following chapter.

Table 8.8 Female representation on bar councils in Pakistan (1999)

	Women	Men
Punjab Bar Council	2	80
NWFP Bar Council	1	20
Sindh Bar Council	1	32
Baluchistan Bar Council	0	4
Pakistan Bar Council	0	22
Total	3	158

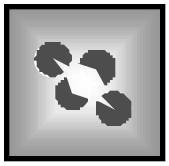
Source: Zia & Bari 1999.

9

Towards Gender Equality in South Asia

What is needed is nothing less than a revolution for gender equality. Development must be engendered. Societies cannot succeed while suppressing the talents of half their members.

– Mahbub ul Haq



Chapter 9

Towards Gender Equality in South Asia

Forced to live in desperate poverty, deprived of the means of acquiring basic needs for themselves and their families, South Asian women personify a gender and class-specific poverty of opportunity

The Beijing Conference was a milestone in the progress towards women's advancement. A far-reaching Platform for Action, based on the Nairobi Forward-looking Strategies, provided global commitments and action points in a wide range of areas to achieve the three objectives of the Conference—equality, development and peace.

All the UN conferences in the 1990s—the World Summit for Social Development in Copenhagen, the Vienna Conference on Human Rights, the Cairo Conference on Population and Development, the Rio Conference on Environment and Development, the Children's Summit in New York, and the Education for All Conference in Jomtien—not only underlined the essential links between women's empowerment and social and economic development but provided frameworks for action and follow-up mechanisms. The Beijing Platform for Action is a consolidation of all these previous global commitments, strengthening some areas, adding others, and thus the Platform, in its final form, emerged as a Magna Carta for gender equality.

The Beijing Platform urged each government to draw up its own national plan of action and formulate specific strategies for eliminating existing gender gaps in access to education and healthcare, opening up economic and political opportunities for women and ensuring their human rights. In South Asia, as well as in other regions, progress has been made in raising consciousness and undertaking research to identify bottlenecks and actions to improve women's position and conditions. Yet gender equality has remained an elusive goal in most societies. The previous chapters show how far South Asia has to travel to realise the ideal of complete gender equality, which is a *sine qua non* for both development and peace in the region.

The contents of this Report make it clear that millions of South Asian women have entered the 21st century in conditions closer to those of the 19th century Industrial Revolution than those of the post-industrial period. Forced to live in desperate poverty, deprived of the means of acquiring basic needs for themselves and their families, they personify a gender and class-specific poverty of opportunity.

After three decades of research focussed on gender and development, it is clearer than ever that there is a critical need for a gender-specific development paradigm. The essential issue is how best to incorporate awareness of the implications of gender into all areas of policy-making and planning so that women's needs can be met, their capabilities enhanced, and their opportunities enlarged. The critical questions are: by what means can women's capabilities—as individuals, as citizens, and as members of families—be enhanced? Through which institutional mechanisms can the wide gaps between current situations and potential improvements be bridged? How can pervasive inequities be corrected? And how can the women of South Asia achieve greater degrees of autonomy in their personal, economic and political lives?

While equality and the empowerment of women require actions in a number of areas, four areas stand out as most critically important for achieving the equality of South Asian women with men. These are:

a) Building women's capabilities. Although gender gaps in education and

health have narrowed over the last two decades, the pace of progress has been inadequate and uneven within and among South Asian countries.

b) Improving opportunities for women. Without improving the opportunity to earn income or to participate in decision-making forums, South Asian women's concerns and potentials will remain marginalized and hostage to patriarchal prejudices.

c) Ensuring legal justice to women; and

d) Establishing/strengthening institutional machinery to ensure implementation and monitoring of gender-empowerment policies.

Each of these areas is discussed in the following pages in the context of the proposed agenda for women's equality. First, however, we need to briefly examine the history of South Asian women's roles in social, historical and political movements of this region in order to put the whole issue of women's struggle for equality into historical perspective.

Women's movements in South Asia

South Asian women's mass involvement in social change began with Independence movements, when millions of women joined men in public actions that challenged colonial rule. It can be argued that Independence could not have been won without women's participation. Some women joined armed struggles, although the majority participated in satyagrahas, marches and other forms of passive resistance. Many women went to prison, thereby challenging gender stereotypes and demonstrating their ability to resist intimidation. When Independence was won, however, women were expected to relinquish their involvement in public activities. A number of high-profile women resisted this assumption and held public office, but the majority complied.

After Independence, a number of nation-wide organisations in each country established the structural framework of the post-colonial women's movements. These movements originated, in South Asia as elsewhere, when women collectively acted on two realisations: (i) that they were discriminated against because they were women and (ii) that there is no necessary procedure through which priorities and needs that are important to women will be incorporated into the agendas of political parties or other social movements. Women's movements act on the assumption that all socio-economic, political and ecological issues are 'women's issues' and argue that if women do not work to put these issues onto political or social-action agendas, it will not happen.

Many of the organisations formed after Independence adopted a social-welfare approach in their work with the victims of wars of independence. Efforts to alleviate poverty through 'uplift' for the poor were a necessary starting point, given the desperate need of millions of women. A social-welfare approach has remained the *modus operandi* for some elements of women's movements, playing a vital role in helping millions of poor women meet their economic needs. However, this approach does not address the patriarchal structure of South Asian societies. Furthermore, a welfare approach, with middle-class women helping the 'deserving poor' does not acknowledge that power resides in the hands of middle-class activists, and that those being 'uplifted' remain relatively powerless and dependent.

Members of women's movements grapple with the issue of establishing common ground as women across social divisions of class, ethnicity, religious community, and political commitment. It has often been charged that elite, western-educated women have determined the form and content of South Asian women's movements and that their concerns do not represent the interests of the majority of women. However, South Asian activists have insisted that responses to the problems of South Asian

Without improving the opportunity to participate in decision-making forums, South Asian women's concerns will remain marginalized

Women's movements have led the way in incorporating gender into development theory and practice

women must come from within their own cultures and they resist both critiques and proposed solutions that originate in other cultural settings.

Large-scale, grassroots women's movements have arisen in response to the economic discrimination faced by the millions of South Asian women and men who have been disadvantaged by post-colonial development processes, and whose means of livelihood have been threatened by globalizing economies. Contemporary women's movements have also joined forces with environmental movements to voice alarm about environmental degradation that threatens lives and livelihoods. One of many examples is the Narmada Bachao Andolan, whose proponents argue that the livelihoods of tens of thousands of villagers are being sacrificed to the interests of agro-industries and urban dwellers, as the damming of the river proceeds. The defining moment of the Chipko movement in Uttar Pradesh, when a number of women protected the trees that were a source of sustainable livelihood, rather than a commodity, for them, is another well-known example.

Women's movements have led the way in incorporating gender into development theory and practice. Poverty alleviation, for example, has always been an issue for the women's movement. Women's organisations across South Asia have worked against efforts to control women's religious and ethnic identities and against the politicisation of religion. These efforts have occurred in the context of wider religious and ethnic struggles, when male religious or political leaders have defined women as the bearers of culture and tradition and thereby sought to control women's participation in society.

South Asian women have also joined forces to work for peace and to alleviate the suffering of victims of war, forced relocation and inter-caste and community violence. They reiterate the long-standing argument that development cannot occur when military expenditures exceed expenditures for social development, as they do in many South Asian countries.

Through decades of research and activism, South Asian women's movements have struggled to put all of the issues addressed in this Report—women's lack of political power, gender-based economic disparities, reproductive health issues, the need for economic justice, human rights issues, the need for peaceful development—at the centre of NGO and government development agendas. The struggle is a difficult one, given the lack of commitment by governments, the power of feudal and patriarchal social structures and the demands of globalizing economies for cheap labour and high profits.

An agenda for equality of women with men

Despite the very rich history of South Asian women's efforts, today women in South Asia suffer greater poverty of education, health and nutrition, and greater lack of access to economic, political and legal opportunities, relative to their male counterparts as well as to women around the world. Although the degree of discrimination varies from one country to another, the overall picture is that of a region where pervasive inequality in one form or another has perpetuated the prevailing unequal structure. What is needed is not only to raise the collective consciousness of the region for speedy implementation of the global and national commitments that governments have made, but also to put structures and finances in place for proper implementation.

At the United Nations Special Session in June 2000 to review the follow-up of Beijing commitments by governments, South Asia showed some gains, especially in areas of awareness raising, in building capability of women in education and training, and in expanding some job opportunities. But violence against women in all forms, trafficking of women and children, and inadequate legal redress

raised the concern of the world regarding the precarious situation of South Asian women. The Special Session adopted a follow-up document to accelerate progress toward achieving women's equality with men, keeping in view the religious and cultural context of each country. The document has called for removing laws that discriminate against women by the year 2005, including tougher measures on sex trafficking and violence against women. It also called for universal education and closing of gender gaps in primary and secondary education by the year 2015. The document is non-binding on governments, but it sets standards to be followed by international organisations. It also provides a basis for advocacy and monitoring by governments, parliaments and non-governmental organisations.

But what would be the components of an agenda for equality? Achieving gender equality in patriarchal societies entails a radical change in the long-standing premises of social, economic, political and cultural life. Prevailing inequities in these areas will stand in the way. Determined commitment and action by governments and all sections of civil society are needed to surmount the barriers. Incremental changes will not bring about gender parity; revolutionary strategies are needed. It is in this spirit that we propose the following agenda. However, this is to be seen as a framework for action rather than a blueprint for each country to follow. Countries will need to prepare their own agendas for gender equality in light of the advances they have already made. In that spirit, we identify four areas for priority action to achieve gender equality.

Equality under the law

During the last five years, numerous steps have been taken in South Asia to establish institutional mechanisms for review and reform of laws discriminating against women. For example,

• In Bangladesh, a Permanent Law Commission has been established to review laws related to women, especially those dealing with violence; and the Prevention of Women and Children Repression Act has been passed to deal more effectively with rape, trafficking of women and forced prostitution.

• In India, a Women's Bureau is undertaking a review of discriminatory laws. Also, several Supreme Court rulings were favourable to women in cases related to dowry demand, adoption of children by single women, and inheritance laws.

• In Pakistan, citizenship laws discriminatory to women have been revised.

But, as our analysis in chapter 5 shows, the legal umbrella for South Asian women hardly protects them, especially the vast majority of poor, uneducated women who always receive the worst treatment from both law breakers and law enforcers. Various degrees of legal discrimination against women persist in most countries in matters related to marriage, divorce, criminal punishment, child custody, job security, inheritance and property rights. Thus the first priority for gender equality is to achieve legal equality for women. To achieve this, there has to be legal action in at least seven areas;

(i) Enforcement of constitutional rights of women. While constitutional jurisprudence varies across South Asia, constitutional review and revision to ensure legal justice can be a powerful catalyst for change. Constitutional guarantees can also contribute to policy formulation and enactment of laws that are equitable to women. Several examples of positive decisions related to women's fundamental constitutional rights have been cited in chapter 5.

(ii) Repeal of discriminatory laws. Most laws that discriminate against women are ostensibly there to protect women from the misuse of laws, and yet that is exactly what happens in the interpretation of those laws. This calls for a review of discriminatory laws, their progressive interpretation by judges who have been made gender sensitive through training,

Achieving gender equality in patriarchal societies entails a radical change in the long-standing premises

and the repeal of those laws that are against the true spirit of religion.

(iii) The principle of affirmative action has to be enshrined in law and strictly enforced. From admission to school, colleges, to recruitment of jobs, political appointments, party tickets for contesting elections to the various echelons of governance structures, the principle of affirmative action must be applied if we are serious about equalising opportunities between women and men.

The principle of affirmative action has to be enshrined in law and strictly enforced

(iv) Rape must be treated as a crime against humanity by courts. The prevalence of violence against women, rape being the cruelest of all, received a lot of international attention at the UN Special Session. Both the UN Secretary General and the First Lady of the United States called on the international community to stop this crime against humanity. 'Even though most countries have legislated against it, violence against women is still increasing—both in the home and in new types of armed conflict which target civilian populations with women and children as the first casualties,' said Kofi Annan, Secretary General of the United Nations. In South Asia, various countries have introduced positive legislation in this regard. For example, in India legislative reform and judicial developments have strengthened the law on sexual offences. In Sri Lanka the definition of rape has been significantly altered by only requiring proof of the absence of consent.

(v) So-called 'honour killing' should be treated as murder under the law. '...when honour killings continue to be tolerated, our work is far from done,' lamented Hillary Clinton at the UN Special Session. This injustice is not limited only to South Asia; it is being committed in every region and in every society, as the Special Session noted. Governments have to play a proactive role in this issue to put the power of the law behind this crime and punish the offenders.

(vi) The family laws have to be applied equitably. The area of family law is a difficult terrain in South Asia as it is based on laws of different religions practiced here. Most of these laws are discriminatory to women, although attempts have been made by various governments to surmount the obstacles in order to ensure equity. Yet, inordinate sufferings of poor and illiterate women at the hands of men and male law enforcers make it imperative for the law-makers to make sure that these laws are used and interpreted in a gender-sensitive way.

(vii) Governments and NGOs must continue and strengthen their efforts to provide women-positive legal education to: (a) law enforcement and legal officials so that they perform their duties in a manner that is both gender-sensitive and in accordance with international standards of human rights; (b) women and men so that they understand their rights and realise their responsibilities as citizens; and (c) girls and boys so that they grow into aware and responsible citizens.

Equality of access to capability building

Over the last twenty years significant improvements have been achieved across South Asia in building the capabilities of women and girls. The average literacy rate of women has doubled from 17 per cent in 1960 to 37 per cent in 1997. Girls' primary school enrolment rate has risen significantly, reaching parity in Sri Lanka and the Maldives, and near parity in several states of India and in Bangladesh. But in Pakistan, Nepal and some states in India, gender disparity in enrolment is still very wide. More importantly, two-thirds of the out-of-school children are girls, and half the enrolled girls drop out before completing the primary cycle. This situation then affects enrollment for secondary and vocational/technical education and later on in the job market.

Access to basic preventive healthcare has also resulted in dramatically reducing mortality rates, and improving the rates of child immunization. Yet South Asia's maternal mortality rate, at over 400 per 100,000 live births, is one of the worst in

the world. Within this South Asian average, again Sri Lanka and the Maldives have better records of achievement. However, all the countries have basic policies in place for universal primary education and immunization of children.

Huge challenges remain in achieving gender equality in access to education, health and nutrition, as discussed in chapters 6 and 7. Table 9.1 indicates the gender disparities in education and health, and economic and political opportunities for women as compared to men. Equality of access to all social services, most importantly education and health, must be one of the priority commitments and policy decisions taken by those governments that have failed to achieve this so far. To reduce gender disparity in education, particularly basic education, *Human Development in South Asia 1998* Report suggested a seven-point agenda which is as valid today as it was then. That agenda includes: focusing on putting all girls in schools in order to reach the goal of universal primary education; taking practical steps, such as enacting compulsory primary education laws, to translate governments' rhetoric into action; providing schooling facilities sensitive to girls' needs and concerns; recruiting and training female teachers; supportive policies and incentives schemes; community participation in planning and management; and improving the status of women. In this Report, however, our suggestions go beyond primary education in order to ensure gender equality at all levels of education and training.

• First to reiterate the recommendations of the 1998 Report, the goal of universal high-quality primary education has to be translated into policies and actions. This means compulsory primary education laws should be enacted and strictly enforced. It also means the application of the principle of affirmative action in hiring female teachers and locating schools. Some South Asian countries are already implementing these policies successfully.

• The system of technical and vocational education in the region needs both quantitative and qualitative improvement, especially keeping in mind women's special requirements for training in non-traditional fields.

Table 9.1 Capabilities and opportunities of South Asian women

	South Asia	Sub-Saharan Africa	East Asia (excl. China)	All Developing Countries
CAPABILITIES				
Education Profile				
Adult female literacy rate 1997	37	49.6	94	63
Female as % of male	58	75	96	79
Primary school enrolment 1997	97	56.2	97.9	85.7
Female as % of male	77.2	85	101	94.0
Tertiary school enrolment *(female as % of male)*	48	46	6.1	44.0
Mean years of schooling of females 1992	1.2	1.3	6.2	3.0
Health Profile				
Female life expectancy at birth 1997	63.2	50.3	76.2	66.1
Maternal mortality rate (per 100,000 live births) 1990-98	405	979	114	491
Total fertility rate 1997	3.3	5.5	1.7	3.0
Women using contraceptives (%) 1990-98	39	17	58.2	56
OPPORTUNITIES				
Economic Opportunities				
Earned income share (female as % of male) 1995	33	35.5	33.2	48
Economic activity rate (female as % of male age) 15 and above) 1997	52.4	73.9	69.7	68
Occupation				
Administrative and managerial (%) 1992-97	2.7	6.1	13.7	10
Professional and technical (%) 1992-96	21.4	17.2	45.0	n/a
Political Opportunities				
Share of females in Parliament (% of total) 1999	7.3	11.2	4.5	10
Share of females at ministerial level (1995)	4.2	6.8	4.5	5
Human Development Indicators				
Human Development Index (HDI) 1997	0.532	0.463	0.849	0.637
Gender-related Development Index (GDI) 1997	0.511	0.454	0.843	0.630
Gender Empowerment Index (GEM) 1995-97[a]	0.236	0.339	0.318	0.374

Sources: Haq 1997; MHHDC 1999a; UNDP 1995a, 1998a, and 1999c, UNICEF 2000; WB 1999.
Note: a: Latest year available.

• Accessible and cost-effective facilities for higher education and distance education should be made available to women. Access to non-traditional, professional education for women should be encouraged through affirmative action and financial incentive schemes.

To reduce gender disparity in healthcare, the following core strategies are suggested:

• Each country must set time-bound targets to reduce infant and maternal mortality rates, as well as to reduce population growth rates.

• A law against foeticide is to be enacted and/or strictly enforced where the law already exists.

• Access to health services in rural areas, especially for reproductive health, must be improved in quantity and quality.

• Budgetary allocations for social sectors, including education, health, drinking water and family planning services, at central and state/provincial levels have to be increased. No equality in this area is possible without overall improvement of the social service delivery system.

Meaningful efforts to enhance women's economic activity and remuneration require a combination of enlightened legislation, comprehensive research, and thorough data-collection

Equality of economic opportunity

As described in chapter 4, South Asian women are almost invisible in national economic accounting systems. Even when women are counted as workers, they constitute only 33 per cent of the total official labour force. Women earn only half as much as men, are concentrated in the informal and agricultural sectors, and have almost no bargaining power as regards the conditions of work.

Efforts to ensure economic equality must take into account women's economic circumstances, economic capabilities and the current state of a country's economic activity. Meaningful efforts to enhance women's economic activity and remuneration require a combination of enlightened legislation, comprehensive research, and thorough data-collection. Political commitment to improving women's economic status is a necessary starting point, but that commitment must be supported by proper implementation machinery. At the minimum, actions are required in the following seven areas:

• Legislative actions to improve women's economic opportunities are needed on three fronts: a) to abolish discriminatory legislation related to economic activity, b) to initiate proactive legislation, such as minimum quotas for public sector jobs for women, and c) to honour commitments to international conventions established to protect workers' rights. Also legislation must be enacted and enforced to protect the rights of informal-sector workers.

• Minimum-wage levels, the same for women and men, must be established and enforced in the formal and informal sectors as well as in agriculture.

• Job creation for women must be made a priority and should be linked to political accountability. In other words, the female workforce should be acknowledged as a constituency.

• Innovative efforts need to be made to move women out of gender-segregated employment, and into non-traditional occupations.

• Affordable credit for micro-enterprises has proven to be an effective way to improve women's income and to reduce poverty. South Asia has many success stories in this field; these successes must now be replicated on a larger scale so as to make a decisive difference in the lives of poor women.

• Rural economies, agricultural and non-agricultural, must be revitalised so that there are more economic opportunities for women.

• A gender-disaggregated accurate database is a must for analytical and policy-formulation purposes. Nowhere is the paucity of database as acute as in the area of women's economic activity.

Equality in governance

Just as in the economy, South Asian women are also invisible in the governance

structures. The shocking statistics in chapter 8 are the result of pervasive discrimination against women in the social, economic and legal spheres and oppressive systems of patriarchy. South Asian women occupy only 7 per cent of the parliamentary seats, 9 per cent of the cabinets, 6 per cent of the judiciary, and 9 per cent of the civil service. Even in the structures of local governance, where so much advance has been made by some countries recently, only 20 per cent of seats are occupied by women. The major political parties have women in top positions, yet large gender disparities pervade all levels of governance. A note of caution is in order here. The regional averages presented here hide the significant achievements made by some countries, particularly Sri Lanka and India. Yet the fact remains that today in no South Asian country is there a critical mass of women in positions of power to bring meaningful changes in the lives of women.

With women in the roles of decision-making and implementation, significant change in public policy in favour of women is bound to follow. For that to happen, actions are needed in at least five areas:

• The critical threshold of 33 per cent of seats must be reserved for women in all legislative, judiciary and executive bodies. In India, the introduction of Panchayat Raj has led to the participation of over a million women in local governments.

• Political parties should be legally required to reserve a minimum quota for women in party decision-making bodies and in giving party tickets for elections.

• The principle of affirmative action must be upheld in selecting women parliamentarians for powerful cabinet positions and in recruitment for the civil service.

• The capacity of women in governance structures, in all sectors and at all levels, should be enhanced through training and access to information.

• Gender-sensitisation training for male parliamentarians, judges, civil servants and members of local governments. is critically important for achieving gender equality in governance.

Implementing an agenda for equality: the institutional imperative

A meaningful and feasible agenda for gender equality requires action at every level of political and social organisation at international, national and local levels. It also requires changes in political institutions and in the institutions of civil society. In this section we call for specific action and for new relationships in order to bring about the necessary transformations.

During the last five years many developing nations have formulated thoughtful blueprints for women's advancement. Many of these have succeeded only marginally because of a lack of adequate funds for implementation or because no specific targets or timetables were set or because there was no monitoring body to assess the progress made.

The overarching problem is the lack of a powerful institution with a global vision and a mandate for ensuring gender equality. A proposal for establishing an international body capable of creating the institutional machinery to bring this about is presented in the following section.

The Beijing Platform for Action provided a wide-ranging blueprint for women's equality. But it failed to provide the institutional structure needed for its implementation. Five years after Beijing, we are realising how the institutional void has hampered making substantial progress in the implementation of Beijing Platform for Action (BPfA) nationally and globally.

Among the existing United Nations institutional structures for implementing and monitoring progress towards BPfA, the UN Commission on the Status of Women (CSW) monitors the work done by the agencies at the global and national levels. The other UN institutional mechanisms that carry on research, advocacy and implementation of catalytic

With women in the roles of decision-making and implementation, significant change in public policy in favour of women is bound to follow

projects such as the United Nations Fund for Women (UNIFEM), UN Division for the Advancement of Women (DAW), and the gender focal points in all UN agencies have been strengthened to some extent, as per the recommendations of BPfA. But the main characteristics of these institutional arrangements at the global level still remain limited financial resources, diffused mandates and inadequate interaction with national high-level policymakers. At the review of the UN Special Session, it was obvious how little progress had been made in terms of concrete achievements in reducing gender gaps in opportunities, although progress had been made in raising awareness and building capabilities.

Sustained progress in women's development cannot be made without a high-level UN agency dedicated to women's advancement

Sustained progress in women's development cannot be made without a high-level UN agency dedicated to women's advancement—on the same pattern as UNICEF, which is dedicated to children's causes. About a dozen years ago, a proposal was floated (Haq, K. 1989) to establish a United Nations Agency for the Advancement of Women (UNAAW) in order to address the need for adequate institutional machinery at international as well as national levels for formulating and implementing policies and strategies for women's advancement. But at the Beijing Conference no serious consideration was given to the proposal. Those UN agencies which were already in the field, but were rather small with limited mandates and even more limited resources, worried that they would be further marginalized. Others argued that women's concerns were all-embracing and could not be pigeon-holed in a separate agency; all agencies should deal with them. But the advocates of the proposal argued that a distinct agency, like UNAAW, could become the most ardent and professional advocate for gender equality. Such an agency could be set up as an umbrella organisation with some existing facilities and programmes grouped under its jurisdiction. The original idea was not to create a new institution but to conceive this institutional arrangement as an efficient and cost-effective way of using existing structures and resources.

Those arguments are more valid today than they were then. Today there is an urgent need for a single, highly visible UN agency for women to take forward policy advocacy for women every day and not every five or ten years. Women deserve an institutional constituency at the global level that keeps on fighting for their rights, that keeps their concerns on top of national and international agendas, and that applies pressure in the UN and in the Security Council on issues of development and peace that affect women (Haq, K. 1999).

At the national level in South Asia, women's ministries, departments, commissions and bureaux remain under-funded and lacking in the authority required to plan and implement policies and programmes for women's advancement and equality. While women remain severely under-represented in political office, the civil service and other public bodies, the application of the principle of affirmative action is not only rare, on many occasions it is used on behalf of men and against women. Despite constitutional guarantees, discriminatory legislation remains in place, and protective laws are inadequately enforced. Social sector budgets, which include programmes for women, remain severely inadequate. The time is long past when a small bureau can look after some welfare projects for women. No one can belittle the need for women-specific projects to respond to the concerns and livelihood needs of poor, marginalized women. Those concerns must be met. But our agenda for women's equality addresses even broader issues—to fight the pervasive inequality at all levels in order to equalise the institutional structures, instead of marginalizing women in low-profile, under-funded bodies.

To implement the agenda we have outlined, it is imperative that there be a stronger women's ministry with authority and human and financial resources as the ministry of finance or foreign affairs. As

our agenda advocates for a paradigm shift in social structures, it cannot be implemented through existing governmental machinery currently in place. At the global level we are advocating the establishment of a strong UN agency for women which should have political power equivalent to the economic power of the Bretton Woods Institutions. At the national level we require a counterpart with the equivalent power of the Ministry of Finance. Also, at the national level we need an equivalent structure of the Commission on the Status of Women, such as Permanent National Commissions on the Status of Women, to monitor the progress made in each country. Each country will have to decide on the structure and composition of these bodies. But that there is a need for stronger and more authoritative institutions to take forward national and global commitments for women's equality can no longer be debated.

To operationalise this strategy for women's equality, governments will have to play a much more active role than before in setting up stronger implementing and monitoring bodies, as suggested above; setting goals, specific targets and timetables; and earmarking sufficient resources for implementation. Achieving the goals of equality in the law, and of access to education, health and economic and political opportunities will require sustained and committed governmental action in numerous areas. This is where a committed leadership, with a clear and long-term vision, will be the most important factor.

States must be made to live up to the requirements, enshrined in their Constitutions, of equality for all citizens. Achieving this requires governments to go far beyond rhetorical commitments to gender equity, and beyond either token numbers or quotas to be filled. It requires both proactive and responsive efforts. It requires elected and appointed officials to examine every aspect of economic policy, bureaucratic structure, and every stage of programme implementation and evaluation to assess their impact, both positive and negative, on women.

Civil society for women's equality

Achieving meaningful and sustainable gender equality requires the creation of a new relationship between governments, civil society and international governmental and non-governmental agencies. Although governments must act in those spheres which are their responsibility, the best hope for engendering the kind of change that is necessary lies with the institutions of civil society. In most South Asian countries, it is these institutions—grassroots, community-based and non-governmental organisations, professional groups, and the media—which have gender-specific agendas, have identified the problems faced by women, and have specific programmes of action.

Most of these NGOs have established networks of members and affiliated bodies. They are able to react more quickly than governments to acute situations, having more flexible organisational structures. They also have valuable experience of successes and failures in implementing programmes. Some of these groups work to alleviate poverty and to enable economically-marginal women to earn a living. Some provide informal education and vocational training to working women. Others pressure governments to meet national and international commitments on women's rights and to enact gender-sensitive labour legislation. Some publicise human-rights issues, such as 'dowry deaths', domestic violence, and so-called 'honour killings', which threaten many women. Some groups function as women's healthcare advocates. For some, workers' rights are the focus: there are organisations of domestic workers, agricultural workers and home-based labourers. There are also organisations whose purpose is to influence public and governmental discourse on the host of

Achieving meaningful and sustainable gender equality requires the creation of a new relationship between governments, civil society and international agencies

issues related to peace and the environment.

Relations between women and men

Familial relations are at the heart of social relations. They reflect and reproduce all social values—religious, ethical, economic, institutional. Relations between women and men reflect and reproduce deeply embedded cultural attitudes about such things as the behaviour and responsibilities appropriate to women and men. Because intra-household relations are based on unequal power and authority, and the inequality favours men, efforts to change those relations are fraught with difficulty. In times of great change, when social values are perceived as being under threat, there is a tendency to uphold the status quo.

Courage is what is needed to bring about an equal and equitable society

Some changes in power relations will inevitably occur when women are able to command economic resources and when they are educated. As discussed earlier, some aspects of relations between women and men can be changed through legislation.

This call for a new, gender-centric paradigm of development requires taking seriously the arguments put forth in this Report: for example, that keeping women out of development planning impedes national economic development; that labour-force growth requires attention to women's needs and capabilities, because more women than men are joining the labour force; that female peasant farmers who live in patron-client relationships with feudal landlords are in no position to make decisions about educating their children; that increasing women's agricultural output increases GNP; that if women are invisible to policy makers and elected officials, their needs and their capabilities are ignored.

The Report is calling for nothing less than equality with men—but not equality of misery and deprivation. Increasing women's social and economic well-being is a means of enhancing a whole society's social and economic well-being. Ensuring that women's rights are respected is one way of increasing the likelihood that the rights of the wider society are met. Governments must be made to realise that it is in their own best interest to incorporate gender into planning and policy-making, and that the claim to be concerned with development and progress cannot be substantiated when the majority of women are deprived of the most basic rights. Putting gender at the centre of development planning requires nothing less than total commitment. It requires the courage to find the political will to put gender at the heart of new development paradigm and to resist the backlash that will arise from this effort. It requires vision and long-term commitment to implement changes that are truly comprehensive in scope, rather than ad hoc. Governments and those sectors of society which have benefitted from post-colonial social transformations and economic growth must take to heart the fact that if the benefits of development are not more equitably distributed, their own well-being is jeopardised.

Courage is what is needed to bring about an equal and equitable society which this region needs desperately to unleash the creative energies of all its people. As Mahbub ul Haq always reminded us: 'In the intellectual world, often it is courage that is lacking, not wisdom.'

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Chapter 2 draws on the following: Bhasin et al. 1994; Jackson and Pearson 1998; March et al. 1999; Visvanathan et al. 1998; Wieringa 1994. While there are no specific references to some of these texts, they can be considered as important background reading.

Chapter 3 draws on the following: ESCAP 1999a; UNIFEM 1999; UNSecGen 2000; and all listed Beijing Plus Five review documents and National Plans of Action prepared by governments, NGOs and NGO coalitions, and international agencies.

Chapter 4 draws on the following: AKF 1999; Beneria 1995; Elson and Evers 1996; Floro 1995; Folbre 1998; Fontana, Joekes and Marika 1998; GOB 1996b; GOP 1997b; GOS 1998; Haddad, Richter and Smith 1995; Jain and Chand 1982; Klein and Nestvogel 1999; Omvedt 1992; Parajuli 1991; Ribe and Carvalho 1990; Sathar and Kazi 1997; Shaheed and Mumtaz 1990; Shramshakti 1988; Sudarshan and Kaur 1999; UNICEF 1998; Visaria 1999; World Bank 1989.

Chapter 5 draws on the following: AGHS 2000; FWLD 1999; RCIW 1997. Apart from these references, the chapter draws heavily from background papers mentioned in the beginning.

Chapter 6 draws on the following: AIOU 1999a, 1999b and 1999c; Bhatty 1998a and 1998b; Dollar and Gatti 1999; Dreze, Murthi and Guio 1995; Dube 1997; GOB 1999; GOI 1999; GOM 1999; GOP 1999; GOS 1999; Haq 1998; HMG Nepal 1999; Jayaweera 1991; Jeffery and Basu 1996; King and Hill 1991; King, Filmer and Pritchett 1998; Klasen 1999; RGB 1999; Sathar and Kazi 1997; UNESCO 1998a and 1998b; and World Bank 1994b.

Chapter 7 draws on the following: Bumiller 1990; Dewan 1998; Kapur 1993; Karlekar 1998; Tinker 1998; UNFPA 1998, 1999a and 1999b; World Bank 1996; and WHO 1998.

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- Female judges (as a % of total)
- Number of female judges in:
  – supreme court;
  – high courts/court of appeal
- Female lawyers (as a % of male)
- Year women received right to:
  – vote;
  – stand for elections;
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Convention/covenant on:

- Prevention and punishment of the crime of genocide
- Suppression of traffic in persons and prostitution
- Status of refugees
- Economic social and cultural rights
- Civil and political rights
- Elimination of racial discrimination
- Elimination of discrimination against women
- Against torture and inhuman or degrading treatment
- Rights of child
- Protection of rights of migrant workers
- C89 - Night work (women)
- C100 - Equal remuneration
- C103 - Maternity protection
- C149 - Nursing personnel
- C156 - Workers with family responsibilities
- C171 - Night work
- C177 - Home work
- C182 - Worst forms of child labour

Note on Statistical Sources for Gender Tables

The key gender data for this Report have been collected from various international and national sources. Principle international sources include the UN systems and the World Bank. For instance, data on health and education have mostly been collected from international sources. National data has been compiled from various government and non-government sources.

Since regional international comparability is limited for data obtained from national sources, sincere effort has been made to use international data wherever available. However, due to the nature of the data required, national sources were also used extensively. The table on female participation in governance relies mostly on national sources. Extra care has been taken to ensure that the information provided at the national level is both reliable and consistent. Nevertheless, data from national sources should be used with caution, especially while carrying out cross-country comparisons. This is mainly because at times only partial data has been made available. For instance, data on the civil servants in India covers only 19 out of a total of 40 services. On the other hand, data for Bangladesh covers all civil services.

National data were collected from all South Asian countries directly, except Bhutan and Maldives. International sources have been mostly utilised for the latter two countries. Certain data have been specifically compiled for the purpose of this Report such as the data on women in the judiciary. In some cases gender-segregated data were not readily available, especially with respect to voter turnout. As is clearly visible, there is a scarcity of data of the nature used in this Report at both the national and the international level.

Moreover, the latest reliable data remain unavailable for several important gender indicators such as the statistical invisibility of women and degree of involvement in decision-making structures of governing bodies in the public, private and social sectors. In order to formulate effective polices that address gender issues there is an urgent need for up-to-date and accurate data on all these issues.

1. Summary of Key Gender Data

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Female population (as a % of total population) 2000	48	46	49	50	50	50	47	48
Female literacy rate (as a % of total female population) 1997	39	25	27	21	88	30	96	37
Female primary net enrolment ratio (as a % of female population)* 1997	71	62	70	63	100	12	98	70
Female 1st, 2nd and 3rd level gross enrolment ratio (as a % of male)* 1997	76	50	75	71	103	71	101	74
Female labour force (as a % of total labour force) 1998	32	29	42	41	36	…	…	33
Adult female economic activity rate** (as a % of male) 1997	50.3	40.3	77.2	69.6	55.4	66.7	78.2	52.4
Female unemployment rate (as a % of female labour force) 1996	…	13.7	2.3	…	17.6	…	…	…
Share of earned income (female as a % of male) 1995	34	26	30	50	55	48	55	33
Share of women in parliament (as a % of total parliamentarians) 1999	8.7	2.6	12.4	7.9	4.9	2	6.3	7.3
Women at administrative and managerial level (%) 1992-97[a]	2	4	5	…	18	…	14	3
Female life expectancy (number of years) 1997	63.9	62.59	58.2	57.1	75.4	62	68	63.2
Maternal mortality rate (per 100,000 live births) 1990-98[a]	410	340	440	540	60	1600	202	405
Female refugees (as a % of total) 1997	52	49	51	49	…	…	…	50.7
Gender-related development index (GDI) 1997	0.525	0.472	0.428	0.441	0.712	0.444	0.711	0.511
Gender empowerment measure (GEM) 1997	0.24	0.176	0.304	…	0.321	…	0.342	0.236

Note:
* relevant age group

** does not include the invisible work done by women

a: Latest available year

Source: Row 1: UN 1999c, GOP 1998e; Row 2: UNDP 1999c, UNICEF 1999b; Row 4: UNDP 1999c; Row 5: World Bank 2000; Row 6: UNDP 1999c; Row 7: ILO 1998; Row 8: UNDP 1998a; Row 9: IPU 1999, GOP 1998a, GOI 1999b, GOB 1991, De Silva 1995, HMG Nepal 1999c; Row 10: UNDP 1999c, UNDP 1998a; Row 11: World Bank 1999; Row 12: World Bank 2000; Row 13: ESCAP 1999f; Row 14,15 : UNDP 1999c.

2. Economic Participation

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Female population								
– number (million) 2000	491	66	63	12	9.5	1.05	0.14	643 T
– as a % of total	48	46	49	50	50	50	47	48
Female labour force								
– number (million) 1998	138	14	27	5	3	…	…	187 T
– as a % of total labour force	32	28	42	41	36	…	…	33
Percentage of female labour in 1994-97								
– agriculture	78.0	66.4	41.7	93.7	41.5	…	…	73.1
– industry	10.9	10.6	27.8	1.4	30.8	…	…	12.7
– services	11.1	23.0	30.5	4.5	27.7	…	…	14.4
Women as (% of total) 1990-99*								
– administrators & managers	2.3	4.3	4.9	…	17.6	…	14.0	2.9
– professional & technical workers	20.5	21.0	34.7	…	30.7	…	34.6	21.7
Female unemployment rate (as a % of female labour force) 1996	…	13.70	2.30	…	17.60	…	…	…
Women's share in the economy								
Female economic activity rate[a] (as % of male) 1997	50.3	40.3	77.2	69.6	55.4	66.7	78.2	52.4
Real GDP per capita (PPP$) 1997								
– female	902	701	767	763	1,452	985	2,698	874
– female as % of male	37.8	29.7	58.1	54.2	41.0	50.8	58.3	39.3
Female unpaid family workers (as a % of total) 1990-97*	…	33	71	61	53	…	29	12

Note:
* latest available year
a: does not include the value of the invisible work done by women

Source: Row 1: UN 1999c, GOP 1998e; Row 2: World Bank 2000; Row 3: GOI 1994, GOP 1997b, GOB 1996b, HMG Nepal 1996, GOS 1995; Rows 4,6,7,8: UNDP 1999c; Row 5: ILO 1998.

3. Female Health & Nutrition

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Female life expectancy – number of years 1997	63.9	62.59	58.2	57.1	75.4	62	68	63.3
Total fertility rate 1998	3.1	5	3.1	4.4	2.1	5.5	5.3	3.3
Births attended by trained health personnel (%) 1990-99*	34	18	8	9	94	15	90	30
Pregnant women aged 15-49 with anaemia (%) 1975-91*	88	…	58	…	…	30	…	84
Maternal mortality rate (per 100,000 live births) 1990-98*	410	340	440	540	60	1600	202	405
Contraception prevalence rate (any method) 1990-99	41	17	49	30	66	19	17	39
Number of malnourished children under 5 (% female) 1995	52	…	55	50	25	…	26	46.6
Annual number of deaths in 1000 (female children age under-5) 1998	2590	722	368	78	6	9	1	2096.3
Probability of dying (per 1000) under-age 5 1998								
male	82	108	106	110	22	98	53	86.7
female	97	104	116	124	20	94	80	99

Note:
* latest available year

Source: Row 1: World Bank 1999; Rows 2,3: UNICEF 2000; Row 4: UNDP 1999c; Row 5: World Bank 2000; Row 6: UNICEF 2000; Rows 7,9: WHO 1999; Row 8: UNICEF 2000.

4. Profile of Female Literacy

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Adult female literacy								
Female literacy rate 1997	39	25	27	21	88	30	96	37
– as a % of male	58	45	54	38	94	52	100	58
Primary Education								
Female primary school net enrolment ratio (%) 1997	71	62	70	63	100	12	98	70
Net primary school attendance (%) 1990-98*								
male	75	71	75	80	…	…	…	74
female	61	62	76	60	…	…	…	62
Female percentage of cohort reaching grade 5 1994	59	44	67	52	99	84	94	59
Female primary drop out rate (%) 1994	41	56[a]	33[b]	48	1	16	6	41
Secondary Education								
Female secondary school net enrolment ratio (%) 1997	48	17	16	40	79	2	49	42
Tertiary Education								
Female tertiary enrolment 1992	4.2	1.5	1.3	2.7	4.0	…	…	3.6
Percentage of female students in								
– education	45.0	21.0	…	19.0	60.0	…	…	37.8
– humanities	41.0	22.0		33.0	54.0	…	…	35.0
– law & social sciences		3.0		8.0	37.0	…	…	…
– natural sciences, engineering	36.0	16.0		15.0	44.0	…	…	30.1
– medical sciences	32.0	19.0		49.0	45.0	…	…	28.0
– business administration	29.0	8.0		16.0	38.0	…	…	23.8
Teachers								
Female teachers at primary level (as a % of total) 1997-98	36	22	31	22	96	30	94	35
Primary school pupil teacher ratio 1995-96	64	38	71	39	28	31	31	61
Out-of-school children								
Out-of-school children at primary level 1997								
– number (millions)	28	7	5	0.6	0.0	0.22	0.001	40
– percentage female	61	54	54	85	0.0	50	40	59

Note:
* latest available year
a,b: year 1998

Source: Rows 1,6: UNDP 1999c; Row 2: UNDP 1999c, UNICEF 1999b; Row 3: UNICEF 2000; Rows 4,8,9: UNESCO 1998a and 1998b; Row 5: UNESCO 1998b, GOB 1999a, GOP 1999b; Row 7: Haq and Haq 1998; Row 8: MHHDC 1998; Row 9: GOB 1999a, GOI 1999a, GOM 1999a, GOP 1999b, GOS 1999b, HMG Nepal 1999b and RGB 1999; Row 10: UNESCO 1998b; Row 11: UNDP 1999c, GOB 1999a, GOI 1999a, GOM 1999a, GOP 1999b, GOS 1999b, HMG Nepal 1999b and RGB 1999.

5. Female Participation in Governance

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)
Women in Parliament								
Upper house (Total) 1999	20	2	…	9	…	…	…	31 T
– as a % of total	8.5	2.3	…	15.0	…	…	…	7.0
Lower House (Total) 1999	48	6	41	11	11	3	3	123 T
– as a % of total	8.8	2.8	12.4	5.4	4.9	2.0	6.3	8.4
Cabinet (Total) 1999	8	3	4	1	4	…	…	20 T
– as a % of total	10.8	10.3	8.9	3.1	12.1	…	…	10.4
Women in Government								
Total size of the civil service (000's) 1990-99	253	175	930	99	…	…	…	304.63
Female civil servants (as a % of total)	6.8	5.4	10.4	7.7	…	…	…	6.91
Female civil servant in (as a % of that category) 1990s								
– diplomatic services	11.0	5.3	6.8	…	…	…	…	9.65
– district management	10.5	2.8	11.7	…	…	…	…	9.45
– commerce & trade	3.3	4.9	12.6	…	…	…	…	4.28
– police services	3.4	0.0	0.7	…	…	…	…	2.71
– others	5.6	8.5	…	…	…	…	…	…
Women in the Judiciary								
Female judges (as a % of total) 1999	3.13[a]	1.5	8.85	1.67	20.47	…	…	3.74
Number of female judges (1995-99) in								
– supreme court	1	0	0	0	1	…	…	2 T
– high court/court of appeal	15	2	0	2	3	…	…	21 T
Female lawyers (as a % of male)	…	…	14.3	4.4	…	…	…	…
Year women received right to								
– vote	1952	1948	1972	1951	1931	1953	1932	…
– stand for elections	1952	1948	1972	1951	1931	1953	1932	…
– first woman elected (E) or nominated (N)	1952 E	1973 E	1979 E	1952 N	1947 E	1976 E	1979 E	…
Female Voters								
Total number of registered female voters (millions) at last election	289.19	25.17	27.96	6.85	…	…	…	349.17 T
Female voters as % of total	47.73	44.45	49.29	50.74	…	…	…	46.84
Female voters turnout at last election (as a % of male)	57.88	…	…	…	…	…	…	…

Note:
a: year 1996

Source: Column 1: GOI 2000a; GOI 1999b; GOI 1999d; GOI 2000b; Bar Council of India 1999; UNDP 1998a; Column 2: GOP 1998b; GOP 1993; Zia & Bari 1999; GOP 1997a; UNDP 1998a; Column 3: GOB 1996a; Chouwdhry 1994; GOB 1992; GOB 1999b; Bangladesh Bar Council 1999; UNDP 1998a; Column 4: HMG Nepal 1999c; HMG Nepal 1999d; HMG Nepal 1999a; HMG Nepal 1999f; Bar Council of Nepal 1999; UNDP 1998a; Column 5; De Silva 1995; Gooneratne and Karunaratne 1996; GOS 2000; UNDP 1998a; Columns 6,7; IPU 1999.

6. Status of selected international conventions and international labour standards in South Asia

		Bangladesh	Bhutan	India	Maldives	Nepal	Pakistan	Sri Lanka
Convention on the prevention and punishment of the crime of genocide	1948	●		●	●	●	●	●
Convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others	1950	●		●			●	●
Convention relating to the status of refugees	1951							
International covenant on economic, social and cultural rights	1966	●		●		●		●
International covenant on civil and political rights	1966			●		●		●
International convention on the elimination of all forms of racial discrimination	1966	●	❍	●	●	●	●	●
Convention on the elimination of all forms of discrimination against women	1979	●	●	●	●	●	●	●
Convention against torture and other cruel, inhuman or degrading treatment or punishment	1984	●		❍		●		●
Convention on the rights of the child	1989	●	●	●	●	●	●	●
International convention on the protection of the rights of all migrant workers and members of their families	1990	❍						●
C89 Night work (women) convention (revised)	1948	●		●			●	●
C100 Equal remuneration convention	1951	●		●		●		●
C103 Maternity protection convention (revised)	1952							●
C149 Nursing personnel convention	1977	●						
C156 Workers with family responsibilities convention	1981							
C171 Night work convention	1990							
C177 Home work convention (not yet in force)	1996							
C182 Worst forms of child labour (not yet in force)	1999							

● Ratification, accession, approval, notification or succession, acceptance or definitive signature.
❍ Signature not yet followed by ratification.
Sources: UNDP 1999c; UN 2000.

Human Development Indicators for South Asia

Contents

Note on Statistical Sources for Human Development Indicators

The human development data presented in these annex tables have been collected with considerable effort from various international and national sources. For the most part standardised international sources have been used, particularly in the UN system and the World Bank data bank. The UNFPA and UNIFEM offices graciously made their resources available to us for this Report.

Countries in the indicator tables are arranged in descending order according to population size. Since data for Bhutan and Maldives were particularly sparse, national sources were sometimes used. These data have to be used with some caution as their international comparability is still to be tested.

Several limitations remain regarding the coverage, consistency, and comparability of data across time and countries. The data series presented here will be refined over time, as more accurate and comparable data becomes available. In particular policy-makers are invited to note the following deficiencies in the currently available statistical series and to invest sufficient resources to remedy these shortfalls:

(a) Generally the latest data are not readily available for several indicators. Some statistical indicators date back ten years or more. Analysis of the current economic and social situation is greatly handicapped in the absence of up-to-date data.
(b) Time series are often missing for even the most basic data as population growth, adult literacy, or enrolment ratios. An effort must be made to build consistent time series for at least some of the important indicators.
(c) In certain critical areas, reliable data are extremely scarce: for instance for employment, income distribution, public expenditure on social services, military debt, foreign assistance for human priority areas, etc.
(d) For certain indicators, such as maternal mortality rates, discrepancies exist within data presented in different international sources as well that need to be reconciled.
(e) Information regarding the activities of NGOs in social sectors remains fairly sparse.

It is time for policy-makers to make a significant investment in collection and analysis of up-to-date, reliable, and consistent indicators for social and human development. If development is to be targeted at the people, a great deal of effort must be invested in determining the true condition of these people.

It is to be hoped that the various gaps visible in this annex will persuade national and international agencies to invest more resources and energy in investigating human development profiles.

1. Basic Human Development Indicators

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Total estimated population (millions) 2000	1,014	138	129	24	19	2.10	0.30	1,326	4,867
Annual population growth rate (%) 1995-2000	1.7	2.6	1.6	2.7	1.1	3.1	3.7	1.8	1.8
Life expectancy at birth (years) 1998	63	64	58	58	73	61	65	63	62
Adult literacy rate (%) 1997	54	41	39	38	91	44	96	51	71
Female literacy rate (%) 1997	39	25	27	21	88	30	96	37	63
Combined 1st, 2nd and 3rd level gross enrolment ratio (%) 1997	55	43	35	59	66	12	74	52	59
Infant mortality rate (per 1000 live births) 1998	69	95	79	72	17	84	62	72	64
GNP per capita (US$) 1998	440	470	350	210	810	470	1,130	436	1,250
GNP average annual growth rate (%) 1997-98	6.2	3.0	5.9	2.7	4.6	5.5	7.1	5.8	1.0
GNP per capita average annual growth rate (%) 1997-98	4.3	0.5	4.2	0.3	3.3	2.4	4.4	3.8	-0.5
Real GDP per capita (PPP$) 1997	1,670	1,560	1,050	1,090	2,490	1,467	3,690	1,600	3,240
Human development index (HDI) 1997[b]	0.545	0.508	0.440	0.463	0.721	0.459	0.716	0.532	0.637
Gender-related development index (GDI) 1997[c]	0.525	0.472	0.428	0.441	0.712	0.444	0.711	0.511	0.630

Note:

a: Population figures for 2000 are taken from UN: World Population Prospects: The 1998 Revision. (Medium variant). Population figures for Pakistan have been calculated using 1998 Population Census, GOP. The population growth rate has been calculated by using the formula {[(new value/old value)^1/n]-1}*100

b: The Human Development Index (HDI) has three components: life expectancy at birth; educational attainment, comprising adult literacy, with two-thirds weight, and a combined primary, secondary and tertiary enrolment ratio, with one-third weight; and income. Any significant difference in the HDI for the South Asian countries is due to the change in methodology for calculating the index. Please refer to UNDP's Human Development Report 1999.

c: The Gender-related Development Index (GDI) adjusts the HDI for gender equality in life expectancy, educational attainment and income.

Source: Rows 1,2: UN 1999c, GOP 1998e; Rows 3,7: UNICEF 2000; Rows 4,5,6,11,12,13: UNDP 1999c; Rows 8,9,10: World Bank 2000.

2. Human Deprivation Profile

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Population below poverty line (%) 1989-94									
– $1 a day	53	12	29	53	4	…	…	45	32
– national poverty line	…	34	48	…	22	…	…	40	…
Population without access to health services 1995									
– number (millions)	143	63	68	…	1.3[a]	0.6	0.1[b]	276 T	910 T
– as a % of total population	15	45	55	…	7[c]	35	25[d]	22	20
Population without access to safe water 1990-96									
– number (millions)	180	50	19	12	10	0.80	0.01	272 T	3292 T
– as a % of total population	19	40	16	56	54	42	4	22	29
Population without access to sanitation 1990-96									
– number (millions)	797	87	79	21	9	0.57	0.09	994 T	3456 T
– as a % of total population	84	70	65	94	48	30	34	80	71
Illiterate adults 1997									
– number (millions)	446	87	76	14	1.7	0.95	0.01	630 T	1367 T
– as a % of total adult population	46	59	61	62	9	56	4	49	29
Illiterate female adults 1997									
– number (millions)	285	54	45	9	1.1	0.60	0.01	386 T	856 T
– as a % of total adult female population	61	75	73	79	12	70	4	63	37
Malnourished children under 5 1990-97*									
– number (millions)	59	9	8	2	0.54	0.10	0.002	79 T	167 T
– as a % of total population	53	38	56	47	34	38	43	51	31
Under-five mortality rate (per 1000 live births) 1998	105	136	106	100	19	116	87	107	95
Daily calorie supply 1997									
– quantity	2,415	2,408	2,105	2,339	2,263	…	2,495	2,379	2,628
– as a % of total requirements	114	107	97	108	99	…	82	111	115
People with disabilities 1992									
– number (millions)	1.80	6.50	0.92	0.63	0.07	…	…	9.92 T	110 T
– as a % of total population	0.20	4.90	0.80	3.00	0.40	…	…	0.87	2.60

Note:
a, c: year 1985-95
b, d: year 1991
* latest available year

Source: Rows 1,2: UNDP 1998a; Rows 3,4: World Bank 2000; UNDP 1998a; Rows 5,6,7,9,10: UNDP 1999c, Row 8: UNICEF 2000.

3. Trends in Human Development

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
GNP per capita									
– 1973	130	130	80	90	230	…	…	126	880[a]
– 1988	440	470	350	210	810	470	1,130	436	1,250
Real GDP per capita (PPP, US$)									
– 1960	617	820	621	584	1,389	…	…	648	790
– 1997	1,670	1,560	1,050	1,090	2,490	1,467	3,690	1,598	3,240
Human development index (HDI)									
– 1960	0.206	0.183	0.166	0.128	0.475	…	…	0.204	…
– 1997	0.545	0.508	0.440	0.463	0.721	0.459	0.716	0.531	0.637
Life expectancy at birth									
– 1960	44	43	40	38	62	37	44	44	46
– 1998	63	64	58	58	73	61	65	63	62
Gross enrolment ratio for all levels (% age 6-23)									
– 1980	40	19	30	28	58	7	…	37	46
– 1997	55	43	35	59	66	12	74	52	59
Adult literacy rate (%)									
– 1970	34	21	24	13	77	…	91	32	43
– 1997	54	41	39	38	91	44	96	51	71
Infant mortality rate (per 1000 live births)									
– 1960	144	139	151	212	90	175	158	144	137
– 1998	69	95	79	72	17	84	62	72	65
Fertility rate									
– 1960	6.0	7.0	6.7	6.0	5.4	6.0	7.0	6.1	6.0
– 1998	3.1	5.0	3.1	4.4	2.1	5.5	5.3	3.3	3.0
Underweight children (% under 5)									
– 1975	71	47	84	63	58	…	…	69	40
– 1990-97	53	38	56	47	34	38	43	51	31
Daily calorie supply (as % of requirement)									
– 1986	100	97	83	93	110	…	80	98	107
– 1997[b]	114	107	97	108	99	…	82	111	115

Note:
a: year 1979
b: 1995 has been used as base year for required calorie supply

Source: Row 1: World Bank 2000, World Bank 1995b; Rows 2,3,5,6,9: UNDP 1999c, UNDP 1994; Row 4: UNICEF 2000, UN 1996; Rows 7,8: UNICEF 2000, UNICEF 1998c; Row 9: UNDP 1999c, UNDP 1994; Row 10: UNDP 1999c, UNDP 1990.

4. Education Profile

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Adult literacy rate (%)									
– 1970	34	21	24	13	77	…	91[a]	32	43
– 1997	54	41	39	38	91	44	96	51	71
Male literacy rate (%)									
– 1970	47	40	47	22	86	…	…	47	55
– 1997	67	55	50	56	94	58	96	64	80
Female literacy rate (%)									
– 1970	19	5	9	3	68	…	…	17	32
– 1997	39	25	27	21	88	30	96	37	63
Primary enrolment (%) gross									
– 1970	73	40	54	26	99	…	…	68	76
– 1996	100	74	92[b]	109	109	73[c]	131	97	108
Secondary enrolment (%) gross									
– 1970	26	13	…	10	47	2	…	25	…
– 1996	49	26[d]	19[e]	42	75	5[f]	49[g]	44	58
Combined enrolment for all levels (%)									
– 1980	40	19	30	28	58	7	…	37	46
– 1997	55	43	35	59	66	12	74	52	59
Mean years of schooling 1992									
– males	3.5	2.9	3.1	3.2	8.0	0.5	5.1	3.5	4.9
– females	1.2	0.7	0.9	1.0	6.3	0.2	3.9	1.2	3.0
– total	2.4	1.9	2.0	2.1	7.2	0.3	4.5	2.4	3.9
Pupil-teacher ratio (primary level)									
1997-99*	48	48	59	38	30	41	23	49	33[i]
Percentage of children dropping out before grade 5 1990-95	41	52	53	48	2	17	7	43	25
Tertiary natural and applied science enrolment (as % of total tertiary)									
– 1992	26	…	25	17[j]	34	…	…	26	30
R&D scientists and technicians (per 1000 people) 1990-96	0.3	0.1	…	…	0.2	…	…	0.3	0.4
Public expenditure on education (as % of GNP)									
– 1960	2.3	1.1	0.6	0.4	3.8	…	…	2.0	2.5
– 1993-96	3.4	3.0	2.9	3.1	3.4	…	6.4	3.3	3.6
Children not in primary schools (in millions) 1997	28	7	5	0.60	0.00	0.22	0.001	40	…

Note:
a: year 1985
b,d,i,j: year 1995
c,e,f,g: year 1993
* latest available year

Source: Rows 1,6,12: UNDP 1999c, UNDP 1994; Rows 2,3: UNDP 1999c, UNICEF 1997; Rows 4,5: UNICEF 2000, UNESCO 1998a, World Bank 1999, World Bank 1998a, World Bank 1997; Row 7: MHHDC 1999a; Row 8: UNESCO 2000; Row 9: UNICEF 2000; Row 10: UNDP 1998a; Row 11: UNDP 1999c; Row 13: UNDP 1999c; GOB 1999a, GOI 1999a, GOM 1999a, GOP 1999b, GOS 1999b, HMG Nepal 1999b and RGB 1999.

5. Health Profile

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Population with access to health services (%) 1995	85	55	45	…	93	65	75	78	80
Population with access to safe water (%)									
– 1985-87	57	44	46	29	40	…	…	54	55
– 1990-96	81	60	84	44	46	58	96	82	71
Population with access to sanitation (%)									
– 1985-87	10	20	6	2	45	…	…	11	32
– 1990-96	16	30	35	6	52	70	66	22	29
Population per doctor									
– 1984	2,520	2,910	6,730	32,710	5,520	23,310	20,300	3,720	4,590
– 1993	2,083	1,923	5,555	20,000	4,348	5,000	5,263	2,273	1,316
Population per nurse									
– 1980	4,674	5,870	14,750	7,783	1,262	2,990[a]	600[b]	4,162	…
– 1993	3,323	3,330	11,549	2,257	1,745	6,667	…	4,091	4,715
Daily calorie supply per capita 1996	2,415	2,408	2,105	2,339	2,263	…	2,495	2,379	2,628
Maternal mortality rate (per 100,000 live births) 1990-98	410	340	440	540	60	1,600	202	405	…
Women using contraception (% age 15-49)									
– 1970	12	4	22	1	8	…	…	12	18
– 1990-98	41	17	49	30	66	19	17	39	…
Public expenditure on health (as % of GDP)									
– 1960	0.5	0.3	…	0.2	2.0	…	2.4	0.5	0.9
– 1990-98	0.6	0.9	1.6	1.3	1.4	4.0	5.3	0.8	1.9
Pregnant women aged 15-49 with anaemia (%) 1975-91	88	…	58	…	…	30	…	84	…

Note:
a, b: year 1984

Source: Row 1: UNDP 1998a; Rows 2,3: World Bank 2000, UNDP 1998b; Row 4: UNDP 1999c, UNDP 1992; Row 5: MHHDC 1999a; Rows 6,10: UNDP 1999c, Row 7: World Bank 2000; MHHDC 1999a, Row 8: UNDP 1999c, Haq and Haq 1999b; Row 9: World Bank 2000.

6. Gender Disparities Profile

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Female population 2000									
– number (millions)	491	66	63	12	9.5	1.05	0.14	643	2,395
– as a % of male	94	92	95	100	102	98	93	94	97
Adult female literacy (as % of male)									
– 1970	41	35	35	12	80	…	…	40	…
– 1997	59	46	55	37	93	52	100	57	79
Female primary school gross enrolment (as % of male)									
– 1970	64	37	48	20	92	6	107	60	79
– 1990-97*	82	61[a]	86	71	98	77[b]	97	80	94
Female 1st, 2nd and 3rd level gross enrolment ratio (as % of male) 1997	76	50	75	71	103	71	101	74	86
Mean years of schooling (female as % of male)									
– 1980	32	25	29	33	79	33	77	32	53
– 1992	34	23	29	31	79	33	76	33	55
Female life expectancy (as % of male)									
– 1970	97	99	97	97	103	104	95	97	103
– 1998	102	103	100	98	107	103	97	102	105
Real GDP per capita (PPP$) (female as % of male) 1997	38	30	58	54	41	51	58	39	48
Earned income share (female as % of male) 1995	34	26	30	50	55	48	55	33	48
Economic activity rate (age 15+) (female as % of male)									
– 1970	43	11	6	52	37	52	35	37	53
– 1997	50	40	77	70	55	67	78	52	68
Administrators and managers (% female) 1992-97	2	4	5	…	18	…	14	3	10
Share of females in parliament (%) 1999	8.7	2.6	12.4	7.9	4.9	2.0	6.3	7.3	10
Gender-related development index (GDI) 1997	0.525	0.472	0.428	0.441	0.712	0.444	0.711	0.511	0.630
Gender empowerment measure (GEM) 1997	0.240	0.176	0.304	…	0.321	…	0.342	0.236	…

Note:
* latest available year. a,b: 1993

Source: Row 1: UN 1999c; Row 2: UNESCO 1994, UNDP 1999c; Row 3: UNICEF 2000, UNICEF 1998c; Rows 4,7,12,13: UNDP 1999c; Row 5: UNDP 1991, UNDP 1994; Row 6: UNICEF 2000, UN 1994; Row 8: UNDP 1998a; Row 9: UNDP 1999c, MHHDC 1999a; Row 10: UNDP 1999c, UNDP 1998a, Row 11: IPU 1999, GOP 1998a, GOI 1999b, GOB 1999b, GOS 1999c, HMG Nepal 1999c.

7. Child Survival and Development Profile

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Population under 18 1998									
– number (millions)	396	68[a]	56	11	6.2	0.98	0.14	470	1844
– as a % of total population	40	52	45	48	33	49	50	42	38
Population under 5 1998									
– number (millions)	116	19	15	3.4	1.6	0.33	0.04	155	536
– as a % of total population	12	15	12	15	8	17	14	12	11
Infant mortality rate (per 1000 live births)									
– 1960	144	139	151	199	83	175	180	144	138
– 1998	69	95	79	72	17	84	62	72	64
Under 5 mortality rate (per 1000 live births)									
– 1960	236	226	247	297	133	300	300	235	216
– 1998	105	136	106	100	19	116	87	107	95
One year olds fully immunized against tuberculosis (%)									
– 1980	14	9	1	43	63	9	8	13	…
– 1995-98	79	66	91	86	90	94	99	79	81
One year olds fully immunized against measles (%)									
– 1980	1	3	2	2	0	18	30	1	…
– 1995-98	66	55	62	73	91	71	98	65	72
Births attended by trained health personnel (%) 1990-99	34	18	8	9	94	15	90	30	54
Low birth weight infants (%) 1990-97	33	25	50	…	25	…	13	33	18
Child economic activity rate (% age 10-14) 1997	13	17	29	44	2	55[b]	6[c]	15	16
Child Labour (millions) 1994	100	19	15	…	…	…	…	134	…

Note:
a: includes age groups 0-19; b and c: year 1995

Source: Rows 1,2: UNICEF 2000, GOP 1999c; Rows 3,4,7: UNICEF 2000; Rows 5,6: UNICEF 2000, UNICEF 1984; Row 8: UNDP 1999c; Row 9: World Bank 1998b, Haq and Haq 1998; Row 10: UNESCO 1995.

8. Profile of Military Spending

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Defence expenditure (US $ millions 1993 prices)									
– 1985	7,207	2,088	308	22	214	…	…	9,839	189,727
– 1997	9,800	2,900	480	40	680	…	…	7,870	163,700
Defence expenditure annual % increase 1985-97	2.6	2.8	3.8	5.1	10.1	…	…	-1.8	-1.2
Defence expenditure (as a % of GNP)									
– 1985	2.5	5.1	1.3	0.7	2.6	…	…	3.0	7.2
– 1997	2.7	4.5	1.1	0.8	4.6	…	…	2.7	2.9
Defence expenditure (as a % of central government expenditure)									
– 1980	19.8	30.6	9.4	6.7	1.7	…	…	21	…
– 1997	16.1	20.7	…	0.6	17.0	…	…	14.7	…
Defence expenditure per capita (US$, 1993 prices)									
– 1985	9.4	22	3.1	1.3	14	…	…	10	52
– 1997	10	23	3.9	1.7	38	…	…	11	34
Defence expenditure (as a % of education & health expenditure)									
– 1960	68	393	…	67	17	…	…	113	143
– 1995	57	181	46	22	100	…	…	71	…
Armed forces personnel (no. in thousands)									
– 1985	1,260	484	91	25	22	…	…	1,882	16,027
– 1997	1,145	587	121	46	115	…	…	2,014	14,050
– % increase 1985-97	-10	18	25	46	81	…	…	7.0	-14
Number of soldiers									
– per 1000 population 1997	1.2	4.6	1.0	2.0	6.4	…	…	1.6	2.9
– per 1000 doctors 1990	4,000	9,000	6,000	35,000	25,000	…	…	5,594	18,500
– per 1000 teachers 1990	300	1,500	300	400	400	…	…	434	600
Employment in arms 1997 production (000's)	250	50	…	…	…	…	…	300	3,930
Military holdings[a] 1997 index (1995=100)	175	152	153	40	926	…	…	168	105
Aggregate number of heavy weapons 1997	10,330	5,330	309	10	250	…	…	16,229	208,800

Note:
a: military holdings include combat aircrafts, artillery, ships & tanks that a country possesses. The index is a calculation based on the aggregate number of heavy weapons

Source: Rows 1,2,7,10: BICC 1999, BICC 1998; Row 3: BICC 1999, BICC 1997, UNDP 1998a; Row 4: BICC 1999, BICC 1997, UNDP 1999c, World Bank 1995; Row 5: BICC 1999, UN 1999c, GOP 1998e; Row 6: MHHDC 1999a; Row 8: BICC 1999, UN 1998, GOP 1998e, Rows 9,11: BICC 1999.

9. Profile of Wealth and Poverty

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Total GDP (US $ billions) – 1998	430	63	43	4.8	16	0.4	0.3	558 T	6,194 T
Real GDP per capita (PPP$) – 1997	1,670	1,560	1,050	1,090	2,490	1,467	3,690	1,600	3,240
GNP per capita (US$) – 1998	440	470	350	210	810	470	1,130	386	1,250
Income share: ratio of highest 20% to lowest 20% 1995-97	5.7	4.3	4.9	5.9	5.4	…	…	5.5	…
Population below poverty line (%) 1989-94									
– $1 a day	53	12	29	53	4	…	…	45	32
– national poverty line	…	34	48	…	22	…	…	40	…
People in poverty (%) 1990									
– urban	38	20	56	19	15	…	…	37	…
– rural	49	31	51	43	36	…	…	47	…
Social security benefits expenditure (as % of GDP) 1993	0.3	0.2	…	…	2.5	…	…	0.4	…
Public expenditure on education and health (as % of GNP) 1995	4.2	3.6	3.7	4.3	4.5	…	13.3	4.1	…
Gross domestic investment (as % of GDP) 1998	24	17	22	22	25	43	…	23	24
Gross domestic savings (as % of GDP) 1998	21	13	17	10	19	32	…	20	24
Industry (as % of GDP) 1997	30	25	27	22	26	38	…	29	36
Tax revenue (as % of GDP) 1997	11	13	8	9	16	6	21	11	…
Exports (as % of GDP) 1997	12	16	12	26	36	31	…	13	27[a]
Debt service ratio (debt service as % of exports of goods and services) 1997	20	35	11	6.9	6.4	5.1	6.7	20	18
Total net official development assistance received (US$, millions) 1997									
– quantity	1,678	597	1,009	414	345	70	26	4,139 T	34,469 T
– as % of GNP	0.4	1.0	2.3	8.4	2.0	21.3	8.4	0.8	0.9
Total external debt 1998 (US$, billions)	98	32	16	3	9	…	…	157	2,536 T

Note:
a: year 1995

Source: Rows 1,9,10: World Bank 1999c, UNDP 1999; Rows 2,11,13,14,15: UNDP 1999c; Row 3: World Bank 1999; Row 4: World Bank 1998a; Row 5: UNDP 1998a; Row 6: UNDP 1996; Row 7: MHHDC 1999a; Row 8: WHO 1999, UNDP 1999c, World Bank 1997; Row 12: UNDP 1999c, GOB 1998; Row 16: World Bank 1999, World Bank 1998b.

10. Demographic Profile

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Population (in millions)									
– 1960	442	50	51	9	10	1.0	0.1	563 T	2,070 T
– 2000	1,014	138	129	24	19	2.1	0.3	1,326 T	4,867 T
Population growth rate (annual) (%)									
– 1960-70	2.3	2.8	2.6	2.0	2.4	1.8	2.0	2.4	2.5
– 1970-80	2.2	2.6	2.8	2.6	1.7	2.0	2.7	2.3	2.2
– 1980-90	2.1	3.6	2.1	2.6	1.6	2.2	3.2	2.3	2.1
– 1990-95	1.9	2.7	2.0	2.0	1.1	3.7	2.6	1.9	1.8
– 1995-00	1.7	2.6	1.6	2.7	1.1	3.1	3.7	1.8	1.6
Population doubling date (at current growth rate) 1995	2036	2022	2039	2021	2058	2018	2014	2034	2039
Crude birth rate (per 1000 live births)									
– 1960	43	49	47	44	36	42	41	44	42
– 1998	25	36	28	34	18	38	35	27	25
– % decline 1960-97	42	27	40	23	50	10	15	39	40
Crude death rate (per 1000 live births)									
– 1960	21	23	22	26	9	26	21	21	20
– 1998	9	8	10	11	6	10	7	9	9
– % decline 1960-97	57	65	55	58	33	62	67	57	55
Total fertility rate									
– 1960	6.0	7.0	6.7	6.0	5.4	6.0	7.0	6.1	6.0
– 1998	3.1	5.0	3.1	4.4	2.1	5.5	5.3	3.3	3.0
– % decline 1960-98	48	29	54	27	61	8	24	46	48
Total labour force 1998 (in millions)	431	49	64	11	8	…	…	563 T	2,416 T
Male labour force 1998 (in millions)	293	35	37	6	5	…	…	376 T	1,447 T
Female labour force 1998 (in millions)	138	14	27	5	3	…	…	187 T	969 T
Percentage annual growth in labour force									
– 1970-80	1.7	2.7	2.0	1.8	2.3	…	…	1.8	…
– 1980-98	2.0	2.9	2.5	2.3	2.2	…	…	2.0	2.0
Unemployed/Underemployed labour (as a % of total) 1993	22	13	12	43	16	6	1	21	…
Employed labour force (%) 1997									
– agriculture	60	46	60	94	46	94	20	59	…
– industry	18	22	22	0	23	1	33	19	…
– services	22	33	18	6	31	6	48	22	…
Real earnings per employee annual growth rate (%) 1980-92	2.5	…	-0.7	…	1.4	…	…	2.2	…

Source: Rows 1,2: UN 1999c, UN 1994; Row 3: UN 1999c; Rows 4,5,6: UNICEF 2000, UNICEF 1997; Rows 7,8,9,10: World Bank 2000; Row 12: ILO 1998; Rows 11,13: Haq and Haq 1998.

11. Profile of Food Security and Natural Resources

	India	Pakistan	Bangladesh	Nepal	Sri Lanka	Bhutan	Maldives	South Asia (weighted average)	Developing Countries
Food production per capita 1997 (1989-91=100)	119	134	111	116	115	107	113	120	132
Food imports per capita 1993 (1980=100)	46	114	86	137	553	…	…	69	…
Cereal imports per capita (1,000 tons) 1994 (1980=100)	2	195	33	79	87	…	…	68	70
Food aid cereals per capita (1,000 tons) 1994-95 (1980=100)	46	23	91	33	126	…	…	57	63
Food aid (US$ million) 1992	99	190	240	6	63	3	1	602 T	3,130 T
Land area (1000 ha) 1997	297,319	77,088	13,017	14,300	6,463	4,700	30	412,917 T	7,494,675 T
Percentage of land area under 1997									
– forest and woodland[a]	22	2	8	35	28	59	3	19	26
– cropland	57	28	63	21	29	3	10	54	11
Irrigated land (as % of cropland) 1997	34	81	45	38	32	25	…	40	20
Deforestation (1000 ha per year) 1980-89	1,500	9	8	84	58	1	…	1,106	866
Annual rate of deforestation (%) 1990-95	0.0	2.9	0.9	1.1	1.1	0.3	…	1.0	…
Reforestation (1000 ha per year) 1980-89	138	7	17	4	13	1	…	103	797
Production of fuel wood and charcoal (1000m^3 per year)									
– 1980	201,956	16,683	22,941	13,732	7,305	1,027	…	263,644 T	1,253,900 T
– 1996	279,350	276,470	32,020	20,718	9,780	1,381	…	370,889 T	1,669,840 T
Internal renewable water resources per capita (1000m^3 per year) 1998	1,896	1,678	10,940	7,338	2,341	49,557	…	2,937	6,055
Annual fresh water withdrawals[b]									
– as % of water resources	21[c]	63	2	2	15[d]	0	…	…	63
– per capita (m^3)	612[e]	1,269	217	154	503[f]	13	…	638	496

Note:
a: Data refers to the year 1995; b: Data refer to any year between 1987-96 unless otherwise stated; c & e: year 1975; d & f: year 1970

Source: Rows 1,13: UNDP 1999c; Rows 2,3,4: World Bank 1997; Row 5: World Bank 1995a; Rows 6,8: FAO 1998; Row 7: FAO 1998, UN 1997; Rows 9,11: UN 1990/91; Rows: 10,14: WRI 1998/99; Row 12: FAO 1996.

Selected definitions

System of National Accounts (SNA) is a description of economic activities of a nation in terms of the value of goods and services produced. Production is calculated on the basis of value of the physical product generated and services rendered *in the market*. As per the current definition, all goods produced are within the SNA boundary. However, only traded services are included.

Labour force participation rate refers to the proportion of a population that is in the labour force. Sometimes this is used synonymously with economic activity rate. The definition of labour force used in different countries may vary.

Informal sector is usually defined relative to the formal sector. In general, much of the economic activity in South Asia, as in much of the developing world, is in the informal sector. Basic characteristics of the informal sector include exclusion from the tax net, lack of contractual obligations, and absence of legal guarantees for workers.

Export processing zones (EPZs) refer to particular zones, or areas within which any industry can operate without paying duties or taxes of any kind. All production from these zones is then exported. A common example of an industry found in EPZs in South Asia is garments.

Under–5 mortality rate is the probability of dying between birth and exactly five years of age per 1000 live births. This is exactly how another figure, *probability of dying before age five* is defined and any inconsistency in these figures can be attributed to differences in calculation.

Total fertility rate refers to the number of children that would be born per woman if she were to live to the end of her childbearing years and bear children at each age in accordance with prevailing age-specific fertility rates.

Adult literacy rate is the percentage of persons aged 15 and over who can read and write.

Drop out ratio refers to the percentage of children starting primary school who leave school before completing Grade 5 (or the duration of primary school).

Education/Military expenditure ratio is the ratio of total education expenditure to total military expenditure.

Combined gross enrolment rate is the ratio of persons of all ages enrolled at the 1st, 2nd, and 3rd levels to the country's population at these levels.

Out of primary school children refers to children not attending primary school. These ratios may be influenced by over-aged and under-aged children.

Percentage of female teachers is the number of female teachers, at the level specified, expressed as a percentage of the total number of teachers at the same level. For secondary education, the data refers to general education only.

Pupil-teacher ratio represents the average nmber of pupils per teacher at the level of education specified. Since teaching staff includes in principle both full and part-time teachers, comparability of these ratios may be affected as the proportion of part-time teachers varies from one country to another.

School age population refers to the population, in millions, of the age-group which officially corresponds to a particular level of schooling.

Vocational education refers to programmes that aim to prepare people directly for a trade or occupation at a semi-skilled or skilled level.

Technical education refers to post-secondary courses of study and training that aim at preparing technicians to work as middle-level, or associate professional, staff.

Voter turnout refers to the actual number of voters that cast a vote, i.e. it is the number of votes polled divided by the total number of registered voters.

KEY TO INDICATORS

Indicator	Indicator tables	Original international source
A, B, C		
Annual number of death		
female children	3g	UNICEF
Armed forces personnel	8	BICC
Births attended by trained		
health personnel	7,3g	UNICEF
Calorie supply (daily)	2,3,5	UNDP
as % of total requirement	2	UNDP
per capita	5	UNDP
Cereal imports per capita	11	WB
Child economic activity rate	7	UNDP; WB
Child labour, total	7	UNESCO
Child labour convention	6g	UNDP
Children not in primary schools	4	HDC
Civil service, total size	5g	National sources
number of women	5g	National sources
Cohort reaching grade 5 female	4g	UNESCO
Contraceptive prevalence rate	3g,5	UNDP
Convention/covenant on		
Prevention of genocide	6g	UNDP
Trafficing & prostitution	6g	UNDP
Status of refugees	6g	UNDP
Economic & cultural right	6g	UNDP
Civil & political rights	6g	UNDP
Racial discrimination	6g	UNDP
Discrimination against women	6g	UNDP
Inhuman treatment	6g	UNDP
Rights of child	6g	UNDP
Rights of migrants	6g	UNDP
Crude birth rate	10	UNICEF
Crude death rate	10	UNICEF
D		
Debt, total external	9	WB
debt service ratio	9	UNDP
Defense expenditure, total	8	BICC
annual % increase	8	BICC
as % of GNP	8	BICC; UNDP
as % of govt. exp.	8	WB; BICC
per capita	8	UNDP;BICC
as % of education &		
health expenditure	8	UNDP;WB
Deforestation, total	11	UN
% annual rate	11	WRI
Disabilities, total	2	UNDP
% of population	2	UNDP
Drop out rate of children		
(before grade 5)	4	UNESCO
E		
Earned income share	6	UNDP
female as % of male	6,1g	UNDP
Earnings per employee	10	HDC
Economic activity rate female	6	UNDP
female	1g,2g	UNDP
Education, public exp.		
(as % of GNP)	4	UNDP; UNESCO
Employment in arms		
production	8	BICC

Indicator	Indicator tables	Original international source
Enrolment, primary level	4	WB; UNICEF
female	6, 1g,4g	WB; UNICEF
Enrolment, secondary level	4	WB
female	4g	UNDP
Enrolment, combined 1st,		
2nd & 3rd level	1,4	UNDP
female as % of male	6,1g	UNDP
Enrolment ratios, gross	3	UNDP
Equal remuneration		
convention	6g	UNDP
Exports, % of GDP	9	WB
Expenditure on education		
and health	9	UNDP; WB
F, G		
Female administrators &		
managers	6,1g,2g	UNDP
percent of total	2g	
Female share in parliament	6,5g	UNDP
% of total	1g	National Sources
Female students in selected		
fields	4g	UNESCO
Female professionals &		
technical workers	2g	UNDP
Fertility rate, total	3,10,3g	UNICEF
Food aid, total	11	WB
cereals per capita	11	WB
Food imports per capita	11	WB
Food production per capita	11	UNDP
Fuel wood & charcoal		
production, total	11	FAO
Gender Empowerment Measure	6,1g	UNDP
Gender-related		
Development Index	1,6,1g	UNDP
GDP, total	9	WB
GDP, real per capita	1,3,9	UNDP
female	6,2g	UNDP
GNP, growth rate	1	WB
GNP per capita	1,3,9	WB
GNP annual average growth	1	WB
GNP per capita growth rate	1	WB
Gross domestic investment	9	WB
Gross domestic savings	9	WB
H, I, J		
Health expenditure, public		
(as % of GDP)	5	WB
Health services, % with		
access	5	UNDP
% without access	2	UNDP
Heavy weapons, aggregate	8	BICC
Human Development Index	1,3	UNDP
Illiterate adults, total	2	UNICEF
female	2	UNICEF
Immunization against		
Measles	7	UNICEF;UNDP
Tuberculosis	7	UNICEF;UNDP
Income poverty, 1 $ a day	2,9	UNDP
National poverty line	2,9	UNDP

Indicator	Indicator tables	Original international source
H, I, J		
Income share: ratio of top 20% to bottom 20%	9	WB
Industry (as % of GDP)	9	WB; UNDP
Infant mortality rate	1,3,7	UNICEF
Judiciary, women in	5g	National sources
K, L		
Labour force, total	10	WB
female	10,1g,2g	WB
male	10	WB
% annual growth	10	WB
% unemployed/ underemployed	10	WB
% of female in		
industry	2g	National sources
agriculture	2g	National sources
services	2g	National sources
Female unemployment		
% of female labour	1g, 2g	ILO
% employed	10	WB
Land area	11	FAO
irrigated land	11	WB
arable land	11	FAO
Life expectancy at birth		
total	1,3	UNICEF
female	1g,3g	UNICEF; WB
female (as % of male)	6	UNICEF
Literacy rate, total	1,3,4	UNICEF
female	1,4,6,1g,4g	UNICEF
male	4	UNICEF
Low birth weight infants	7	UNDP
M, N, O		
Malnourished children		
under five	2	UNICEF;UNDP
% female	3g	WHO
Maternal mortality rate	5,1g,3g	WB;UNICEF
Maternity protection convention	6g	UNDP
Mean year of schooling	4	UNDP
male	4	UNDP
female	4,6	UNDP
Military holdings	8	BICC
Night work convention	6g	UNDP
Number of soldiers	8	BICC;UNDP
Nursing personnel convention	6g	UNDP
ODA received, total	9	UNDP
as % of GNP	9	UNDP
Out of school children		
at primary level	4g	National sources; UNDP
% female	4g	National sources; UNDP

Indicator	Indicator tables	Original international source
P, Q, R		
People in poverty		
urban	9	UNDP
rural	9	UNDP
Population		
annual growth rate	1	UN
doubling date	10	UN
estimated (millions)	1, 10	UN; National sources
Female (as % of male)	6	UN
Female (as % of total)	1g, 2g	UN
Population under 18	7	UNICEF
Population under 5	7	UNICEF
Population		
per doctor	5	UNDP
per nurse	5	UNDP
Primary school attendance		
female	4g	UNICEF
Primary dropout rate, female	4g	UNICEF
Pregnant women with anaemia	3g,5	UNDP
Probability of dying		
before age 5	3g	WHO
Pupil-teacher ratio	4,4g	UNESCO
Refugees		
female as % of total	1g	ESCAP
R&D scientists & technicians	4	UNDP
S		
Safe water, % with access	5	WB
% without access	2	WB
Sanitation, % with access	5	WB
% without access	2	WB
Soldiers		
per 1000 population	8	BICC
per 1000 doctors	8	BICC
per 1000 teachers	8	BICC
Social security benefits, expenditure	9	National sources
Tax revenue, % of GDP	9	UNDP; National sources
T, U, V		
Teachers		
female at primary level	4g	National sources
Tertiary, natural & applied		
sciences enrolment	4	UNDP
female	4g	UNESCO
Underweight children		
(under 5)	3	UNDP
Under-5 mortality rate	2,7	UNICEF
Unemployment rate		
% of female labour force	1g	UNDP
Unemployed labour	10	WB
Unpaid family workers		
female	2g	UNDP
Voter turnout, female	5g	National sources

Indicator	Indicator tables	Original international source
W, X, Y, Z		
Water withdrawals, fresh	11	WRI
Water resources, per capita	11	WRI
Workers with family responsibility convention	6g	UNDP
Year women received right		
to vote	5g	UNDP
to stand for election	5g	UNDP

Note: 'g' is added to table numbers that appear in Profile of Gender in South Asia

Key to source abbreviations

ADB	Asian Development Bank
BICC	Bonn International Centre for Conversion
FAO	Food and Agriculture Organization
ILO	International Labour Office
IMF	International Monetary Fund
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNESCO	United Nations Educational Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
WB	World Bank
WHO	World Health Organization
WRI	World Resources Institute