

HEC Recognized (in Y Category)

ISSN 1813-9892  
EISSN 3008-1734

# JOURNAL OF GENDER & SOCIAL ISSUES

Autumn 2024, Vol. 23, Number 2



*Fatima Jinnah Women University*

The Mall, Rawalpindi-Pakistan.

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ISSN 1813-9892  
EISSN 3008-1734

JOURNAL OF  
**GENDER &  
SOCIAL ISSUES**

Autumn 2024, Vol. 23, Number 2

Subscription Rates

Students Rs. 400.00 per copy

Others Rs. 500.00 per copy

Annual Subscription (National)

Individual Rs. 800.00

Institutional Rs. 1000.00

Annual Subscription (International)

Individual US \$ 40.00

Institutional US \$ 50.00

Printed in April 2025

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## Revisiting Nepal's Rights of Persons with Disabilities Act: A Contemporary Analysis

### Abstract

*This article delves into the constitutional rights guaranteed to persons with disability in Nepal. The Constitution of Nepal, a federal charter, guarantees a plethora of rights to the population with disability. It outlaws discrimination on the grounds of health conditions. A person with a disability has the right to seek a certificate stating their disability, and the state has been entrusted with the power to bring affirmative action for their advancement. Still, the Constitution and the Rights of Persons with Disabilities Act also remain silent on some key issues, including in the political sphere, where the law does not mandate political parties to field a certain percentage of candidates in a way that reflects inclusivity for persons with disabilities. Nevertheless, government reports indicate that the state continues to struggle to fully implement the mandates of laws and policies, both in letter and spirit.*

**Keywords:** Constitution, Fundamental Right, Nepal, Persons with disability

### INTRODUCTION

The concerns of persons with disabilities hold global significance. Since its establishment in 1992, the International Day of Persons with Disabilities has been observed worldwide on December 3. This day serves as a powerful reminder of the ongoing need for action, urging nations to adopt equitable laws that promote the inclusion and rights of people with disabilities in society. In alignment with international commitments, the government of Nepal has implemented a series of laws designed to enhance the lives of its differently-abled citizens. The Constitution of Nepal guarantees fundamental rights and includes provisions to foster an inclusive society. These provisions explicitly support the empowerment and integration of persons with disabilities. Articles 16 to 47 outline various fundamental rights, with several progressive measures encompassing socio-economic and civil-political rights.

Article 18(2) prohibits discrimination based on disability. Article 31(3) guarantees individuals with disabilities the right to access free education at all levels. Article 39(9) mandates special protections and benefits for disabled children. Article 42 ensures the right of persons with disabilities to participate in state bodies, following the principle of proportional inclusion. Article 43 guarantees the right to social security, while Article 84(3) requires political parties to consider proportional representation of persons with disabilities when fielding candidates for the proportional electoral system. Through these constitutional guarantees, Nepal has taken significant steps toward creating a more inclusive society for

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persons with disabilities, reinforcing its commitment to international norms and human rights.

## LITERATURE REVIEW

The government of Nepal, for the first time, adopted independent legislation dealing with disabled persons' rights in 1982. Such an attempt was after the progress of International Year of Disabled persons proclaimed by the United Nations in 1981. Then, in 1992, the government brought Rights of Children Act and Education Act and later in 1999, Local Self-government Act came into operation and these laws had mandates for the persons with disability. Nepal ratified the Convention on Rights of Persons with Disability in 2009<sup>2</sup>.

The government of Nepal in 2006 brought policy-level interventions, including a quota for disabled persons in government jobs and the state's commitment for the construction of public buildings and places friendlier to persons with disability.<sup>3</sup> Also, the government announced for the concession in public transport fare and free health services and free primary and higher-level education for persons with disability. The National Policy for Disabled Citizens, 2023 reveals that as many as 1112 disabled persons have made entry in civil services in between 2007-2008 and 2022-2023.<sup>4</sup> In addition, the Civil Liberties Act, 1954, and the National Code, 1963, Disabled Persons Rights' Rules, 1994, Interim Plan (2013-2015) and the National Human Rights Action Plan of 2010-2013 too, had, provisioned for the concerns of disabled persons. The Women, Children and Social Welfare Ministry works as a focal ministry for differently-able citizens of Nepal.

As per the census of 2021, Nepal records 2.2 percent of disabled persons (out of the national population). The 2023 National Plan underscores the need to implement different strategies. Also, the plan provides that the government is yet to adopt robust schemes for the health, education, and overall development of persons with disability. The government has adopted a ten-year (2016-2026) Policy, Strategy, and work plan to ensure disabled-friendly

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<sup>2</sup> Consideration of Reports Submitted by States Parties under Article 35 of the Convention: Initial Reports of States Parties due in 2012, available at: <https://un.info.np/Net/NeoDocs/View/5959>

<sup>3</sup> Baskota, Mahesh, *Nepal Disability Policy Review*, Disability Research Centre, (School of Arts, Kathmandu University), available at: <https://drc.edu.np/storage/publications/Kele3p6ZwOcvDK2D885O7Rz04F9z2OraOrJgmozx.pdf>

<sup>4</sup> National Policy for Disabled Persons, 2023, <https://nfdn.org.np/wp-content/uploads/2024/11/%E0%A4%85%E0%A4%AA%E0%A4%BE%E0%A4%99%E0%A5%8D%E0%A4%97%E0%A4%A4%E0%A4%BE-%E0%A4%AD%E0%A4%8F%E0%A4%95%E0%A4%BE-%E0%A4%B5%E0%A5%8D%E0%A4%AF%E0%A4%95%E0%A5%8D%E0%A4%A4%E0%A4%BF%E0%A4%B8%E0%A4%AE%E0%A5%8D%E0%A4%AC%E0%A4%A8%E0%A5%8D%E0%A4%A7%E0%A5%80-%E0%A4%B0%E0%A4%BE%E0%A4%B7%E0%A5%8D%E0%A4%9F%E0%A5%8D%E0%A4%B0%E0%A4%BF%E0%A4%AF-%E0%A4%A8%E0%A5%80%E0%A4%A4%E0%A4%BF-%E0%A5%A8%E0%A5%A6%E0%A5%AE%E0%A5%A6.pdf>

infrastructural developments, including that of hospitals, schools and government offices.<sup>5</sup> The 2015 Constitution of Nepal, adopted and enacted by the elected members at the Constituent Assembly, hosts many provisions for disabled citizens. The government has promulgated the Rights of Disabled Persons Act of 2017 to implement the constitutional mandates.

## **RESEARCH METHODOLOGY**

This research is legal research with a socio-legal approach to the relationship between disability and the rights of disabled persons and its implications for Nepal. The paper critically analyzes the constitutional provisions for disabled persons. The data sources in this research include legal documents, literature, case laws, and national policies. The qualitative document analysis technique has been applied in this research. Content analysis was done to identify patterns, themes, and legal mandates. The data collection in legal documents includes laws, regulations, and court decisions relating to disability laws in Nepal. Further, literature documents include journal articles, books, and other research on disabled persons' rights.

## **FINDINGS & DISCUSSIONS**

### **Toward Legal Recognition of Disability**

An Act was adopted in 2017 to defend the rights of persons with disability. The preamble of this law provides the Act has been brought into force to respect the civil, political, social, and cultural rights of differently-abled persons. The Act has been entrusted with an obligation to enable persons with disabilities to earn self-reliant and respectful living. It aims to ensure the respectful participation of citizens with disabilities in the policy-making process and development. In this respect, the law intends to mainstream the differently-abled populations.

Under Section 2(b), "persons with disability" has been defined. It provisions that a person who has long-term physical, mental, intellectual, or sensory disability or functional impairment or existing barriers that may disallow them to participate equally in social life would be considered as "Persons with Disability." Again, if such persons don't have anyone to look after and don't have any property or family members to standby, then such persons would be called "helpless persons with disability," as provided under Section 2(a). These two definitions clarify that persons with physical, mental, or any functional impairment preventing them from participating in social life could benefit from this law. In addition, the law's provisions could help persons with disability.

The "Ministry of Women, Children, and Senior Citizens" can modify the disability classification. A person with a disability could seek an identity card. However, to obtain an identity card, the person concerned or his nearest relative would have to make an application, along with the recommendation of the ward chair of the local body concerned. The local body would have to inquire about the application demanding the issuing of a disability identity card. For a person whose application is not entertained by the local bodies, a complaint could be made before the Ministry within 35 days, and the decision made by the

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<sup>5</sup> Ten-Year Policy, Strategy and Work Plan for the Rehabilitation of Disabled Persons (2016-2026), available at: <https://www.edcd.gov.np/uploads/resource/5c6659c696eec.pdf>

Ministry on such matter would be final. This arrangement has been made under Section 4. Section 5 of the law prohibits the issuance of disability identity cards on false details. Section 6 prescribes that the local bodies shall prepare records relating to persons with disabilities. Later, the source of the record has to be forwarded to the government at the Centre and the Provincial ministry looking after the social sector.

### **Reorienting the Rights of Persons with Disability**

Under Chapter 3, the provisions guarantee the rights of persons with disability. Section 7 mandates that persons with disabilities avail themselves of all rights guaranteed under the laws on an equal basis with others; thereby, Section 7 prohibits every form of discrimination and promotes equality. Section 8 slams discrimination. It guarantees personal liberty and protection against discrimination at private and public places, educational institutions, employment, socio-cultural spaces, etc. Even family members cannot discriminate against a person with a disability regarding maintenance, love, provisions of food, property, or any other act. This means the law prohibits discrimination in private and public life. Such persons would have all rights to live with their family members. They have all rights to obtain protection against inhuman and degrading treatment, sexual violence, or any other. Moreover, they have the right to stand in the election. Article 84(3) of the Constitution mandates that the political parties should ensure the representation of disabled persons by fielding candidates in a manner that guarantees their inclusion. However, the law is silent on providing reservation in electoral seats to persons with disability. It means the law does not oblige political parties to field a certain number of candidates who represent persons with disability.<sup>6</sup>

Still, the law allows them to establish, manage and operate unions and organizations. This way, the law treats them equally when it comes to guaranteeing political participation. The unions and organizations working in favour of such persons would have right to suggest the government in regard to policy making. The persons with disability have been conferred with right to participate in cultural life, cultural programs, TV shows, drama, or any. Most importantly, the persons with disability have the right to every access over accessing services and facilities provided for the public.

They have the right to free legal aid for easy access to justice. Along with this, they have the right to information, social security, and movement without distinction. Under Chapter 4, the Act hosts additional rights for women and children with disability. Section 19 of the law obliges the government to make necessary provisions to protect the rights of women with disability so that they can maximize their potential, knowledge, and skills. The government at the central level is shouldered with the responsibility to protect such people's health and reproductive rights—similarly, Section 20 guarantees the rights of children with disabilities. This group's children would have the right to obtain education and a proper teaching and

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<sup>6</sup> Nepali, Bishnu Chandra and Jha, Jivesh, अपांगता अधिकार र कानून पालनाको प्रश्न [Rights of disabled persons and discourse on law implementation], Naya Patrika, (3 December 2024) available at: [https://www.nayapatrikadaily.com/news-details/154628/2024-12-03?fbclid=IwY2xjawJObytleHRuA2FlbQIxMAABHW7uvWAKOOMQIkOISluKihfRIV4Zq54FwwOBuBkXyR\\_RDrdnodTDdDCvYQ\\_aem\\_-3yQj4m-QcRJxeMQiXF8pw](https://www.nayapatrikadaily.com/news-details/154628/2024-12-03?fbclid=IwY2xjawJObytleHRuA2FlbQIxMAABHW7uvWAKOOMQIkOISluKihfRIV4Zq54FwwOBuBkXyR_RDrdnodTDdDCvYQ_aem_-3yQj4m-QcRJxeMQiXF8pw)

learning environment. These provisions are aimed at making women and children with disability capable of standing at their own feet by all means. In addition to this, persons with disability would have the right to free higher education. In this respect, educational institutions are barred from collecting fees. There must be provisions for brail, alternate scripts, and other facilities to ensure their education. Along with this, they would be encouraged to obtain adult learning, technical or vocational and technical education.

### **Mandates for State's Investment**

Chapter 5 of the Act hosts a plethora of provisions regarding education for persons with disability. For instance, Section 21 provides that government-aided schools receive grants to provide scholarships. No fees are to be collected from them, either at the time of admission or during the period of study of a course. In education, there has to be fee relaxation, free technical and vocational training, non-discrimination, use of brail script and other scripts, and among other facilities, if necessary, curriculum and library access; the government may consider providing separate residence to the persons of this category, separate evaluation pattern, curriculum and scholarship to disabled students. Section 22 obliges the government to allocate a budget for ensuring free education to disabled students. Section 22(2) further provides economic assistance to schools for infrastructural developments. The succeeding provision envisages the government to ensure proper arrangements for continuing education of persons with disability. The central government would also provide the reading materials free of cost. However, the actual situation remains modest. Ensuring the compliance of policies, particularly regarding the rights of persons with disabilities in the areas of health, education, and rehabilitation, has been a significant challenge for Nepal.<sup>7</sup>

Under Chapter 6, the law provides legal mandates regarding skill development and employment. The government would give proper training regarding skill development and employment opportunities. If the person with disability wishes to establish or operate business, the government would provide loans to disabled persons at accessible interest rates. The employer would have to provide a working atmosphere to the persons with disability. An employer cannot fire an employee just because of his disability reasons; neither can he degrade his post because of his health conditions.

The law provides that the employer or occupier would maintain a record of employees with disability. Chapter 7, the law covers health, rehabilitation, social security, and entertainment. Section 28 casts an obligation on the government to ensure free medical treatment at government hospitals to such persons who don't have sufficient means. Also, the government should provide free occupational and other therapy. The medicines and treatment of haemophilia should be given at government hospitals. Under the explanation clauses, Section 28 further obliges the government to adopt measures for ensuring access to disabled persons in hospitals. For instance, the government casts a duty on government hospitals to provide medicines freely to persons with Haemophilia. The hospitals operated at the government as well as the private level of more than 25 beds are directed to designate at least two beds for

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<sup>7</sup> National Policy for Disabled Persons, 2023, page 2 (Government of Nepal, Ministry of Women, Children and Senior Citizens, Singh Durbar, Kathmandu).

patients with disability.

The law has introduced schemes for “restoration” and “rehabilitation”. Under Section 29, the government has been obliged to allocate funds and other assistance for the “restoration and rehabilitation” of such persons. A fund has been envisaged under Section 30 to reach the aims and objectives of “restoration” and “rehabilitation.” Section 31 provides that the government would initiate research for ensuring the empowerment and access to persons with disability over resources. Under social security schemes, the government has been obliged to ensure community residence, residence to the helpless persons with disability, “life insurance, health insurance, medical insurance,” and “allowance to unemployed youths,” among others, including pension schemes for older people. Still, the disability movement has not been strategic enough for rehabilitation and overall socio-political developments.<sup>8</sup>

In addition to this, Section 33 provides for cultural rights to persons with disability. The government would give scholarships to persons with disability, and they would allot funds for enhancing capacity building to enhance their art, specialties, and other assistance. Section 34 provides schemes for ensuring access to persons with disabilities in sports. The government would change the course structure to promote their access to sports. Moreover, the government would re-design playgrounds and organize competitions for sports activities. Section 35 guarantees additional protection to persons with psycho-social disabilities. They could avail of free medical assistance. Similarly, persons with psycho-social disabilities and psychiatric problems could not be jailed for whatever reason.

### **Schemes and Policy Level Interventions**

The erstwhile constitutions of 1990 and the Interim Constitution of 2007 also mandated inclusivity and diversity. Article 11 of the 1990 charter directed the state to formulate special laws and policies to advance the weaker sections. The Interim constitution pushed for the adoption of laws for the betterment of weaker sections, including reservation mechanisms. The 2007 amendment brought under the Civil Service Act of 1993 introduced 45 percent of reservation in the state apparatuses. Considering the reservation of 45 percent as a total, 5 percent of these seats have been allocated to disabled citizens in civil services.

However, Nepal’s journey towards inclusion depends, to a great extent, on the quality of democracy and constitutionalism it will achieve on the foundation of its constitution.<sup>9</sup> In fact, inclusivity and diversity are the core focus of the 2015 constitution.<sup>10</sup> The Supreme Court of Nepal, in the case of *Surendra Bahadur Rawal and Others v. Government of Nepal*<sup>11</sup>, ruled

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<sup>8</sup> Shrestha, S, et al, (2009), "A community assessment of poverty and disability among specific rural population groups in Nepal", *Asia Pacific Disability Rehabilitation Journal*, 20(1), 83-98.

<sup>9</sup> Bipin Adhikari, et al, *From Exclusion to Inclusion: Crafting a New Legal Regime in Nepal*, p. 152, (2022, Kathmandu: Social Science Baha).

<sup>10</sup> Bipin Adhikari, *Salient Features of the Constitution of Nepal, 2015*, p. 159 (Edn. 1<sup>st</sup>, 2016, Kathmandu: Nepal Consulting Lawyers Inc)

<sup>11</sup> Nepal Kanoon Patrika (NKP), Part 65, 2080 BS (2023) Decision Number 11199.

that the special measures introduced for the betterment of marginalized groups, including women and disabled citizens, should be regarded as substantive rights. This interpretation reflects a transformed form of de jure and de facto law.

The law hosts ample provisions guaranteeing amenities and benefits to persons with disability. Section 37 envisages that the government would provide loans at accessible interest rates, provide assistance in agriculture, or generate employment opportunities. Section 37(2) provides that persons with disabilities would get a 50% relaxation in fare on public transport. They would receive complete or partial relaxation in taxation in excise, customs duty, or any other taxes on equipment, vehicles, education materials, and other goods and services they use. Organizations, banks, and different types of institutions that provide employment opportunities to persons with disabilities would get relaxation in loans. Also, the government would provide free education to the issues of such persons.

The "National Direction Committee" has been envisaged under the ninth chapter. Section 38 provides for it to intervene in the implementation of the laws or to suggest the laws for the protection and promotion of the rights of people with disability. The "Minister for the Welfare of Women, Children, and Senior Citizens" is the chairperson. Section 39 provides for the functions of the committee. It would recommend policies, laws, and planning to protect the rights of such a group of persons. Also, it has been empowered to oversee the effective implementation of the policies law, laws, and programs running for the promotion of the rights of such people.

The law obliges the Committee to recommend that the government adopt laws and policies to implement international commitments effectively. As per the mandate of Section 40, the Committee would sit at least once every three months under the chairmanship of the chairperson or vice-chairperson. The vice-chairperson is appointed from amongst the organizations and institutions working to advance the rights of differently able persons. A vice president holds the office for tenure of two-year.

This Committee could be constituted at the provincial level under the chairmanship of the Minister, looking after the welfare of senior citizens, women, children, and disabled citizens. Such a committee is empowered to adopt plans and policies to implement the laws. At the local level, a coordination committee has been envisaged under the leadership of the Mayor. The Coordination committee is empowered to recommend the local body to grant Identity Card to persons with disability. A Member-Secretary of the Committee authenticates the Committee's decisions. The Committee has been given autonomy to decide the procedure of the meeting. The majority opinion prevails in the meeting, but when the "equal number of members stand for and against" a proposal, then in such a case, the view of the chairperson would be given primacy, and the proposal would be passed accordingly. In this respect, the view of the chairperson prevails in the subjects and contents of the proposal.

The law puts every tier of government in the implementation of laws. It provides a shared responsibility of the Centre, Province, and Local bodies to implement the laws enacted to enforce the adopted laws and upkeep the rights and concerns of persons with disability. In addition, the local bodies would have a solemn duty to ensure the amenities received by the

persons. This way, the provincial, local, and central governments have a common goal of enforcing the laws enacted for the betterment of such groups of persons. In a nutshell, it's the "concurrent" responsibility of the center, provincial, and local governments to accelerate the cause of such groups. The educational institutions would have a responsibility to ensure the effective implementation of their rights over education; Section 46 says so.

Family members would have to ensure that such persons are protected or receive timely healthcare and treatment. Medical doctors would have a responsibility to ensure proper treatment and healthcare of such a group of persons. Institutions and corporate houses would have to invest a sum in philanthropic activities. Development partners would have a duty to allot certain funds for the welfare of such a group.

### **Remedial Measures**

The aggrieved persons could approach the "Chief District Officers" to effectively implement the laws in person or with their family members. The "CDOs" could issue orders in the name of persons or institutions violating their rights. Section 51(7) provides that the aggrieved persons who are disappointed with the decisions or order of the "CDO" could invoke the appeal jurisdiction before the concerned High Court within 35 days from the date of the order or decision so issued from the office of "CDO". In addition to this, an aggrieved person could directly file a case before the District Court for the realization of his/her rights (Section 52). A person found to have received a certificate of disability out of producing fake documents would be punished with up to three months of jail sentence or up to ten thousand of fine or both. A person who is found engaging a person with a disability in begging work shall receive an additional 50% of the punishment so prescribed in the law. A person found violating the rights of such persons or failing to abide by his duty towards such groups of persons would be punished with up to 50,000/- fine. The punishment provision has been embodied under Section 55. Section 56 provides the acts punishable under the preceding Section, which would have to be sued within three months from the occurrence of such act. This law has repealed the Disability Protection and Welfare Act, 2039 BS.

### **CONCLUSION**

The Act is a step ahead in the right direction, for the law intends to upkeep the rights and concerns of persons with disability. It obligates the state to introduce schemes for rehabilitation and restoration. In addition, the scholarship schemes, reservations, and other protective measures for persons with a disability further augment the state's commitment. Nonetheless, the actual situation remains modest. The national reports reveal that the laws and policies relating to the rights of disabled persons are yet to come into full-fledged implementation due to many reasons. The law has grossly failed to enhance the political rights of persons with disabilities. It remains silent on ensuring the reservation of electoral seats for persons with disabilities, meaning it does not compel the political parties to field a specific number of candidates who represent this group. As per the mandate, the center, province, and local bodies are empowered to introduce schemes to better the rights of such persons. In this respect, it clarifies that the instrumentalities of the state should be on the same page when it comes to upholding the rights and concerns of persons with disability. However, the law does not specify the allocation ratio of budget shared by the Centre,

Province, and Local bodies for the welfare of disabled citizens. The law would have a mere cosmetic value unless it's implemented in a true and material sense.

## A Critical Exploration of Power Dynamics and Ideological Perspectives in Taboo Narratives within Feminist Discourses

### Abstract

*This research investigates the power dynamics and ideological perspectives in the feminist discourses in contemporary Pakistan. By employing discourse analysis based on Fairclough's three-dimensional Critical Discourse Analysis (CDA) model (1989), this study examines textual features, ideological underpinnings, and power structures embedded in the primary and secondary discourses of the Aurat March (Women's March) campaign texts. By exploring these texts' linguistic and sociolinguistic dimensions, the study examines the transforming taboo narratives and shifting power dynamics and ideological standpoints within the feminist discourses in Pakistan. The research contributes to understanding the role of language and discourse in creating modern feminist narratives in Pakistan. Also, it highlights how contemporary feminists strategically utilize language to construct a narrative that amplifies their feminist ideals and advances the cause of gender equity in Pakistan. The findings also illuminate how language becomes a tool for asserting agency and negotiating power constructions within feminist discursive practices.*

**Keywords:** Aurat March, Feminist discourse, Feminist ideology, Power dynamics, Taboo Narratives

### INTRODUCTION

Examining feminist discourse in Pakistan is paramount when considering linguistic and sociolinguistic perspectives on feminist ideals. This paper endeavors to dissect the discourse of *Aurat March*, a notable feminist movement in Pakistan, to unveil its distinctive textual features and far-reaching sociological implications. By delving into the intricacies of identity formation, narrative construction, and power dynamics, this research contributes to understanding the evolving feminist landscape in Pakistani society. The *Aurat March*, more widely known as the 'women's march,' constitutes a series of annual marches in Pakistan dedicated to raising awareness about women's rights. Over time, this movement has expanded its focus to encompass transgender rights, advocating for more robust legal protections for women, effectively enforcing existing laws, and promoting awareness and shifts in societal attitudes. Diverse participants, hailing from various backgrounds and representing both genders, have united in these marches to amplify their voices in support of fundamental rights. This movement has gained global recognition for its use of slogans that passionately call for an end to gender discrimination, the pursuit of Gender equality, and the recognition of shared responsibilities at national and domestic levels. However, it is worth

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noting that these slogans, which passionately advocate for feminist rights, have faced criticism from specific segments of the Pakistani population who perceive them as offensive and contradictory to Islamic and cultural values.

### Research Questions

1. What linguistic, semiotic, and thematic strategies are employed in the discursive practices of the *Aurat March* campaign in Pakistan, and how do these textual and thematic discourses create the feminist narrative in Pakistan?
2. What ideological standpoints and power structures manifest in the primary and secondary discourse of the *Aurat March* campaign texts, and how do linguistic and sociolinguistic dimensions of these text indicate transforming taboo narratives within feminist discourses in Pakistan?

## LITERATURE REVIEW

### *Aurat March* - Modern Feminism in Pakistan

*Aurat March* (women's march) refers to a series of women's rights awareness marches held throughout Pakistan since 2018, coinciding with International Women's Day. These marches, inspired by the global *#MeToo* movement, have gradually evolved into a broader movement advocating for transgender rights and improved legal protections for women, to raise awareness and transform societal attitudes. Since its inception, the movement has become a cultural phenomenon, attracting both supporters and critics (Saigol & Chaudhry, 2020). Notably, the campaign has garnered attention due to its utilization of contentious slogans, which have been deemed offensive by many Pakistanis due to their departure from prevailing social, cultural, and religious norms in the country. Following the 2021 *Aurat March* protests, legal petitions were filed against the organizers, accusing them of undermining cultural values (Shah, 2021). Zia (2022) highlights that the organizers of the *Aurat March* lack conceptual and political preparedness, leading them into a predictable religio-patriarchal trap that could have been avoided had they cultivated both ideological and strategic clarity in equal measure to their creative performative politics. Saigol (2020), referring to the *Aurat March* movement as the fourth-wave feminist movement, asserts that while the movement has effectively utilized digital platforms for mobilization, ongoing and inclusive engagement among participants and organizers across the country is essential to address reservations and differences arising from diverse understandings of gender power structures in Pakistan.

Detractors, encompassing both conservative voices and religious feminists, have pejoratively characterized the movement as a foreign and Western-influenced concept to discredit local customs and traditions. In her analysis, Shaheed emphasizes how Pakistani society often tends to view women involved in women's movements as disconnected from their cultural context (2019). Critics of the *Aurat March* campaign have portrayed it as overtly liberal and influenced by Western ideologies, accusing it of propagating sentiments perceived as 'anti-men' within Pakistan. As a result, many moderate women distance themselves from the movement due to its controversial slogans. Akhtar et al. (2021) provide a valuable examination of the *Aurat March* slogans, highlighting their role in challenging patriarchal norms in Pakistan. By analyzing the protest signs from the 2019 march, the study reveals how

these slogans articulate feminist demands and resonate with different strands of feminism, including liberal, radical, and intersectional perspectives. The study demonstrates that the slogans do more than demand gender equality; they question deep-seated social norms and give voice to marginalized groups, including religious minorities and the transgender community. This work is crucial for understanding the complex dynamics of Pakistani feminism, as it shows how the Aurat March serves as a platform for diverse feminist narratives. By including this perspective, the present study builds on existing scholarship to offer a more comprehensive analysis of the feminist narrative construction in Pakistan.

### **Discourse and Identity - Sociological Implications**

Identity is a concept with various interpretations and implications. Butler (1990) views identity as a performance enacted through interactions. Crossley (2005) defines identity as an individual's sense of self, while Mohanty (2005) emphasizes that identity is also shaped by external perceptions. Discourse, as defined by Gee (2005), refers to oral and written language imbued with socio-politically oriented meaning. Discourse, a social activity, exhibits sociological characteristics (Wetherell, 2001). Howarth (2002) equates discourse with the entire social system, emphasizing that discourses fundamentally shape the social and political world. Discourses transcend the texts that constitute them and encompass the ideologies and belief systems generated within those texts (He, 2001). Discourse, therefore, necessitates the inclusion of sociological implications for comprehensive analysis, as it constitutes the act of meaning-making within social life (Wetherell et al., 2001). The relationship between discourse, identity, and social realities is foundational. The social and cultural contexts in which discourses originate and circulate determine their content and influence societal narratives (Phillips & Hardy, 2002). Discourse extends beyond mere language use, encompassing language as a type of social practice that both reflects and shapes social order and individuals' interactions with society (Jaworski & Coupland, 2006). Discourses are representatives of the socio-cultural contexts in which they originate and circulate, reflecting and influencing social and cultural norms. By creating and disseminating social narratives, discourses shape and are shaped by the social realities they encompass.

### **Sloganeering in Feminist Movements**

Slogans have always played a powerful role in feminist movements, turning complex ideas into simple, memorable phrases that inspire action and spread powerful messages. They bring complicated feminist concepts to life in a way that speaks to people from all walks of life. Slogans also help highlight how issues of race, class, and gender are connected within feminist struggles. In contemporary feminist movements, slogans continue to play a crucial role in advocacy and awareness-raising. Van De Velde (2022) explores how protest slogans are more than just catchy phrases and how they are powerful political tools that reveal the emotions, identities, and demands of social movements. She argues that slogans act as public performances, giving voice to both individual and collective experiences and influencing political discourse.

**RESEARCH METHODOLOGY****Research Method and Data Collection**

Content analysis as a research method was used with a purposive sampling technique employed to strategically select slogans that are most representative of the ideological perspectives discussed during the Aurat March. The study uses photographs from on-the-ground coverage, showing placards held by participants during the marches, as well as images from official social media pages, where slogans are frequently shared to expand their reach. This approach is chosen to focus on slogans that generate significant public discourse and controversy, as they are more likely to reveal underlying power dynamics and ideological conflicts. The intention is not to provide an exhaustive analysis of all slogans but to critically examine those that have the most sociopolitical impact. The data is collected from the official Facebook pages of the Aurat March campaign in Pakistan, covering the Aurat March processions from 2018 to 2022. These are analyzed to examine the digital amplification of feminist narratives. This study examines the recurring ideological themes and power dynamics within feminist discourses as reflected in the slogans of the Aurat March, highlighting their collective challenge to societal norms and advocacy for women's rights.

**Theoretical Framework and Analytical Procedures**

This research employs Fairclough's Critical Discourse Analysis (CDA) model (1989) as a framework to analyze the textual and visual features of discourse and examine the associated social implications and contexts. The CDA model consists of textual, process, and societal analysis, illuminating how discourse generates meaning within social contexts.

To guide the analysis, parameters integrating inquiries from Fairclough (1989), Janks (1997), and Berger (1998) have been formulated and presented in Table 1.

**Table 1:***Parameters of Study in Textual Analysis (Umar, 2016, p. 74)*

| Sr. No. | Parameters of Study in Textual Analysis   |
|---------|---|
| i.      | Pictures and images   |
| ii.     | Semiotic signs and symbols and their significance   |
| iii.    | Codes used (code mixing/switching)  |
| iv.     | Lexical and grammatical patterns  |
| v.      | Use of selective voice  |
| vi.     | Foregrounding and/or back grounding <sup>2</sup> the picture or text  |
| vii.    | Use of words/phrases with specific connotations <sup>3</sup>  |
| viii.   | Tag lines/ Topics   |
| ix.     | Modality (tone)   |
| x.      | Presuppositions <sup>4</sup>  |
| xi.     | Hinting at certain issues   |
| xii.    | Embellishments (textual and graphical)  |
| xiii.   | Agency <sup>5</sup> (information about the power relations); Nominalization (information about agents of power) |
| xiv.    | Ideologically significant words denoting ideological and sociological matters                                   |
| xv.     | Metaphors   |

By integrating these parameters for studying the textual characteristics of both primary and secondary discourse into Fairclough's CDA model (1989), the resulting research framework is employed to analyze the linguistic, semiotic, and thematic features encompassed within the feminist discursive practices in Pakistan.

## RESULTS & DISCUSSIONS

### Analyzing the Feminist Narrative within the Aurat March Discourse

This section entails the analysis of the data related to the language used in the discursive practices of the Aurat March (occasionally used as *AM* in the present research) feminist discourse. The primary objective is to examine the prevailing themes within the data and to comprehend how these themes are established through textual elements that encompass relational, expressive, and experiential values. Additionally, this section focuses on exploring the ideological perspectives and power dynamics inherent in the primary and secondary discourse of the Aurat March campaign texts, particularly in relation to identity and power.

<sup>2</sup> To Huckin (1997) foregrounding highlights the ideas in the text, whereas, backgrounding helps to understate the ideas.

<sup>3</sup> *Connotations* to Chandler (2002) are "the socio-cultural and 'personal' associations produced as a reader decodes a text. The term also refers to the relationship between the signifier and its signified" (p. 225).

<sup>4</sup> Goddard believes that *presupposition* are "all about reading between lines; since this is, as it suggests, a hidden process, it is very interesting to advertisers, as we can be taking in all sorts of assumptions without consciously paying attention to them." (1998, p. 125)

<sup>5</sup> Agency gives information about the doer of things.

### Rethinking Conventional Gender Perspectives and Redefining Feminine Ideologies

Throughout history, men have constructed narratives about women, which have been widely accepted as standard ideologies. Just as language is a human creation, so are the limitations imposed on women, dictating what they can achieve, how they can achieve it, to what extent, and through which means. Against this backdrop, the Aurat March narrative seeks to redefine traditional notions of limits, boundaries, agency, and power, thus reconstructing a narrative of their own through the use of linguistic devices in their feminist discursive practices. The discourse of the AM campaign offers a compelling context for discourse analysis, particularly in terms of language usage and its various linguistic and extralinguistic features that aim to redefine and reconstruct contemporary feminine ideologies.

#### *Figure 1:*

*Addressing Sexual Assault*



In Figure 1, an image depicts a female participant in the AM holding a placard with the words '*DON'T GET RAPED*'. This references the prevailing societal norm in Pakistan, where women often face blame for being raped, attributed to factors such as provocative clothing, going out alone without a male companion, staying out late, or even simple acts such as wearing perfume or attracting the opposite gender through physicality. By ignoring any reference to the doer and rendering the rape victim passive, the statement effectively shifts all blame onto the victim and removes the rapist from the narrative. To highlight this issue, the deliberate striking out of the word '*GET*' and the letter '*D*' in the inscription draws visual attention to the need for redefining traditional social behaviors using the linguistic technique of introducing agency into an otherwise nominalized socio-linguistic pattern. The text here aims to redefine the concept of blame for rape by holding the perpetrator accountable, directly reproaching them for their actions.

Another narrative challenged by the Aurat March discourse is the societal obligation imposed on women to conform to standards of beauty, particularly for the sake of pleasing men. This obligation manifests privately, socially, and even culturally, pressuring women to maintain

their youth, physical appearance, and figure for an extended period of time, disregarding natural changes that occur after childbirth and over time. The AM discourse aims to disrupt this behavioral pattern by creating a new, more realistic narrative that encourages women to break free from the unrealistic beauty requirements and standards imposed as per social standards. Consider Figure 2 in this regard:

**Figure 2:**  
*Assertive and Unapologetic Narrative*

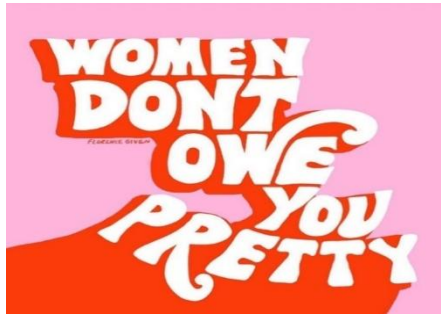
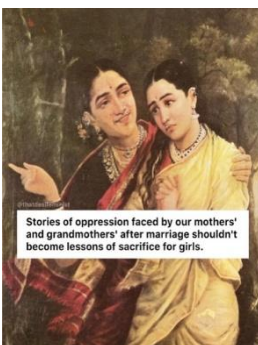


Figure 2 shows an image shared on the official Facebook page of the Aurat March team, in which the linguistic technique of topicalization is employed. The inscription on the picture boldly declares, *'Women don't owe you pretty'*, establishing an assertive and unapologetic tone. This text serves as a lesson for women to maintain self-assurance in the face of societal pressures that demand prioritization of their physical appearance at any cost. It also challenges men in society who assume that women must always embody beauty, youth, and charm. The text establishes modality through confident assertions, emphasizing that women do not owe anyone their time and effort in conforming to societal expectations of beauty.

The AM discourse endeavors to challenge another longstanding notion about *ideal women*, namely, the association of heroism with sacrifice and selflessness. Throughout history, women have been socialized to prioritize self-sacrifice and submission in the context of domestic inequalities and prejudice. The visuals depicted in Figures 3 and 4 exemplify the process of redefining femininity and reshaping gender narratives.

**Figure 3:**  
*Reshaping Gender Narratives*



**Figure 4:**  
*Redefining Femininity*



The text on these images serves as a lesson in self-awareness for women. The inscriptions on the images challenge the conventional definition of a heroic woman who endures domestic injustices in silence and submission. Figure 3 portrays the impact of social and cultural norms on a woman's well-being, with the younger woman burdened by her circumstances while the older woman appears content as she perpetuates the lessons of subservience to the new bride. The text boldly challenges societal norms by asserting, '*Stories of oppression faced by our mothers and grandmothers after marriage shouldn't become lessons of sacrifice for girls.*' While Figure 4 conveys the message, '*Tu khud ke liye ji*', translated as, '*Live your life, for yourself only*'. The text aims to redefine women's worth, value, space, and priorities by critiquing the traditional expectation for women to sacrifice their dreams, aspirations, and self-love to maintain marital harmony. The text challenges the subservient customs that have been passed down through generations of women. It offers a new definition of modern womanhood, emphasizing that the oppression endured by previous generations should not be the focal point of women's lives, nor should it be considered a lesson in sacrifice. The AM discourse redefines the traditional feminine narrative by advocating for a woman's own world, prioritizing her own needs above sacrificing herself, her freedom, and her dreams for the desires of her family.

The feminists have a statement to convey through the placards showcased in Figure 5:

**Figure 5:**  
*Agency within Discourse*



Figure 5 portrays women participants of the Aurat March holding two placards, each bearing a significant message. One placard features the text '*Weak men fear strong women,*' aiming to challenge the perception of men towards strong women and shed light on the existing social reality where men feel uncomfortable in the presence of strong women. The text explicitly condemns men who fear strong women, labeling them as weak. The selective voice used in identifying such men as weak asserts the assertiveness and modality of the text, granting authority to the text producers. Their narrative is presented as a factual statement, expressing their views with certainty and inherent authority. The other placard bears the caption '*It's my choice*'. The image on the placard depicts silhouettes of two women, one wearing a head covering and the other without. The head covering in Pakistan symbolizes a woman's religious affiliation. The image portrays women with different choices regarding their religious attire, emphasizing the message of personal choice. The placard's direct

assertion establishes a tone of certainty and grants agency to the text, asserting that women have the right to choose how they dress according to their religious beliefs. The caption expresses the text producers' opinion as a factual evaluation based on their own beliefs, further reinforcing the embedded authority of the discourse. This aligns with the Frankfurt School's notion that real power lies with the creators and mediators of the text, as the consumers are influenced to accept the narrative presented to them with implicit power.

### Reconceptualizing Taboo Narratives

Gender equality remains a paramount goal for contemporary activists in Pakistan, urging a reevaluation of societal norms and structures. The Aurat March feminist discourse is characterized by its emphasis on taboo topics and its questioning of deeply entrenched power dynamics that have permeated Pakistani society for many years. By openly discussing these taboo subjects and challenging long-standing power structures, the Aurat March narrative becomes more contentious among the general public. In Pakistan, several topics, including rape, drug abuse, divorce, menstruation and hygiene, marital rape, and domestic violence, are considered taboo. Within this context, contemporary feminists in Pakistan fearlessly highlight these taboo topics through the texts shared in marches, rallies, and on social media platforms. An illuminating example of this can be observed in Figure 6, sourced from an Aurat March campaign page on Facebook.

**Figure 6:**  
*Silenced Voices*



Figure 6 portrays a compelling image of a young girl with her lips bound by the hands of an adult family member, symbolizing the discouragement of her voice. The accompanying caption, ***'Be quiet! This is the matter of our family's honor!'***, reflects a commonly used statement within Pakistani households, influenced by societal pressures that suppress women's ability to speak up in the face of personal and social adversities. This image serves as a reflection of the concept of honor in Pakistan, which revolves around women within the family. In Pakistan, ironically the notion of male honor is closely tied to women's sexual conduct, posing a potential threat to family honor. Even when a woman in the family experiences mistreatment, harassment, or disrespect from an outsider, she is discouraged from speaking out against oppression. Societal pressure dictates that she remains silent about instances of sexual assault or harassment, ultimately blaming her for the unfortunate incidents she encounters both outside and inside her own home. The distressed expression on the girl's face in the image poignantly conveys the burden of oppression imposed upon her by society. The use of selective voice, exemplified by the caption inscribed on the image,

highlights the plight of harassment victims in Pakistan.

One notable topic that has gained prominence in the contemporary feminist discourse is consent. Sexual harassment, rape, and even marital rape, which are typically shrouded in silence, have become significant subjects addressed within the feminist discourse. By bringing attention to these contentious issues, the movement aims to challenge societal norms, initiate conversations, and strive for a more inclusive and equitable society. Figure 7 exemplifies Aurat March's engagement with these taboo topics, particularly focusing on the concept of consent. The image emphasizes the need to address sexual harassment and rape within the broader context of power dynamics.

**Figure 7:**  
*Empowering Consent*



Figure 7 depicts an image of a girl with her mouth taped, displaying the word 'YES' on it. The accompanying caption, '**IF IT'S FORCED, IT'S NOT CONSENT!**', reinforces the notion of a woman's autonomy and her right to her own body. This concept applies not only to public spaces where women face physical harassment but also to private domains, including instances of marital rape. The text unequivocally establishes that any physical action imposed on a woman without her genuine consent cannot be considered consensual. The text producers present their opinion as an indisputable fact, reflecting their beliefs through a selective voice that emphasizes the fundamental importance of consent in all relationships. This narrative aligns with the feminist discourse, shedding light on the significance of consent and empowering women to establish their own physical boundaries. In the context of Pakistan, where women have historically been deprived of the agency to define their personal boundaries, this narrative represents a significant shift.

One of the most prominent features of the Aurat March feminist discourse, which has garnered significant criticism from the general public, is the use of controversial slogans. These slogans have sparked intense backlash and misunderstandings. Among these slogans, the most infamous and highly criticized one is '*Mera jism, meri marzi*', translated as '*My body, my choice*'.

**Figure 8.1:**  
*Asserting Autonomy*



**Figure 8.2:**  
*Challenging Norms*



Figures 8.1 and 8.2 display two images from different rallies organized by the Aurat March in support of feminism in Pakistan. Both images feature placards bearing the inscription *'Mera jism, meri marzi'*. While this slogan may appear straightforward and logical to individuals with an enlightened mindset, its interpretation differs significantly among average Pakistanis, who are deeply entrenched in a complex web of social, cultural, and religious ideologies. For them, this slogan contradicts religious norms and challenges cultural values. The slogan is often seen as a manifestation of waywardness, defiance, and rebellion, granting women the audacity to openly assert their rights over their bodies. Although the slogan serves as a reference to the need for women to stand against violations such as rape, harassment, unwanted pregnancies, abortions, forced marriages, and marital rape, it is deemed highly controversial and offensive by the general public.

**Figure 9:**  
*Perception Divide*



Figure 9 provides insight into the public's perspective on the infamous slogan. The text on

the placard, translated as *‘Women: My body, my choice’, ‘Society: Why do they (women) want to roam naked?’*, highlights the disparity between the intended meaning of the slogan and society’s interpretation. According to the feminist narrative, the slogan signifies a woman’s demand for absolute autonomy over her body, particularly concerning matters of physical contact and biological decisions. However, the general public perceives the slogan differently, viewing it as an expression of shamelessness and a desire to free oneself from sociocultural and religious obligations. This interpretation fuels the public concern that dismantling these socio-cultural norms would undermine the deeply rooted religious ideologies and disrupt the social fabric of Pakistan.

Within the contemporary feminist discourse, there is a distinct and pervasive theme of questioning double standards and challenging long-established norms, that have long been considered taboo in Pakistan. The discourse content surrounding the movement has captured the attention of the masses, primarily due to the effective utilization of linguistic devices in the slogans employed. Figure 10 serves as a noteworthy example:

**Figure 10:**

*Deconstructing Dichotomies*

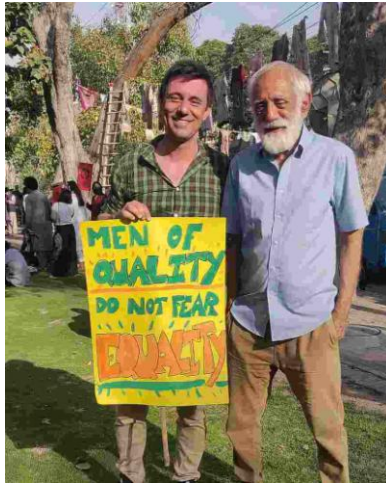


The slogan in Figure 10, which reads “MEIN KARON TOH SLUT; TU KARAY TOH STUD” (translated as ‘If I do what I want, I am labeled a slut; if you do what you want, you are called a stud’), utilizes certain linguistic techniques to convey its message effectively. The deliberate choice of words, ‘slut’ and ‘stud’, creates a poetic effect, with both words written in the same red color and sharing similar structures of four letters, beginning with the letter S. Despite the rhyme and visual similarities, the words ‘slut’ and ‘stud’ carry starkly contrasting meanings. ‘Slut’ carries a highly negative and derogatory connotation, associating it with a wayward woman, while ‘stud’ is endowed with positive connotations, denoting heroic qualities in a man. This dichotomy aptly captures the contrasting perceptions assigned to individuals based on their gender in Pakistani society. By employing this wordplay, the slogan effectively captures viewers’ attention and prompts them to recognize the contradiction inherent in prevailing gendered perceptions within society.

### Shifting Power Dynamics and Ideological Perspectives

Gender equality has long been the aim of contemporary feminists in Pakistan, sparking a noticeable shift in the perceptions of power dynamics of gender identity. These marches are not limited to women; they attract enthusiastic participation from many men, especially those belonging to the upper-middle class. Figure 11 illustrates an example of this phenomenon:

**Figure 11:**  
*Shifting paradigms*



The image presented in Figure 11 depicts two men, likely a father and his son, actively participating in the march. They appear self-assured as they hold a placard bearing the inscription, '**MEN OF QUALITY DO NOT FEAR EQUALITY**'. The use of all capital letters in the topicalized text emphasizes and amplifies the message conveyed. This technique aims to influence the reader's perception of Gender equality. Accompanying the image, a caption through the use of selective voice asserts, '**Real men know what equality is, and aren't afraid to march for the opposite gender**', thus reinforcing the message. The text producers' opinion is presented as an indisputable fact, rooted in the producers' own set of beliefs. The message creates a narrative that challenges traditionally held beliefs, which view accepting women as equals as a sign of weakness. The term '*real men*' is a social construct and is associated with men in positions of authority, often perceived as unemotional and unsympathetic towards women. However, societal norms are evolving, and the definition of '*real men*' is being redefined. The participation and support of men from different generations and social classes in the Aurat March highlight the necessity of redefining not only narratives associated with women but also those tied to men. This collective involvement signifies a shifting paradigm that challenges traditional gender roles and expectations.

Figure 12 captures the essence of challenging stereotypes not only associated with women but also with men.

**Figure 12:**  
*Empowering statements*



In the image a woman participant in the march is seen holding a placard featuring the caption, *'Sons can also cry, Daughters can also fly'*, accompanied by a confident and self-assured smile. This image emphasizes experiential values as the statement originates from an older individual who draws upon her own experiences and personal knowledge of the social world. The linguistic technique of presupposition is employed in the text, as the caption assumes that men are typically not expected to cry, and women are often confined to domestic roles within the existing socio-cultural traditions. This presupposition sheds light on the prevailing socio-cultural gender practices and classifications. By challenging these stereotypes, the text producers aim to promote Gender equality and empowerment. The woman's confident smile further reinforces the message, suggesting a sense of liberation and breaking free from societal expectations. Similarly, the image shown in Figure 13 exemplifies this paradox, showcasing the intricate interplay between strength and vulnerability.

**Figure 13:**  
*Breaking Stereotypes*



The image shows a woman directly gazing into the camera, exuding strength and resilience. She holds a placard in her hands, which boldly states, *‘Women are not your punching bags. Not physically, not emotionally’*. The image addresses binary oppositions such as strength and weakness, physicality and emotionality, and aggression and submission. The message conveyed in the slogan is explicit and assertive, demonstrating a firm tone that establishes the modality of the text. It identifies power with the speaker, whose discourse is disseminated through the text. The use of selective voice in a self-assured manner, coupled with the confident gaze of the participant, empowers the narrative being circulated. By employing such textual features and visual representations, the feminist discourse offers a compelling lens through which to analyse power dynamics within Pakistani society. It challenges existing norms, encourages critical dialogue, and fosters a deeper understanding of gender dynamics and women’s rights within the country.

### **Embracing Diversity: Advancing Equity and Belonging**

The data highlights the comprehensive scope of feminism in Pakistan that goes beyond advocating solely for women’s rights. Instead, it embraces diversity and inclusion, encompassing various dimensions such as trans rights, the empowerment of women of color, and promoting diversity across ethnic and religious backgrounds, as well as addressing labor-related issues. The contemporary Pakistani feminist discourse actively acknowledges the role of stay-at-home housewives within the laboring circles, advocating for their recognition and support, not only in financial terms but also in terms of emotional well-being. Figure 14 exemplifies this perspective.

#### **Figure 14:**

#### *Recognizing Unpaid Domestic Labor*



The image shows a placard bearing the inscription, *‘Un-paid labor is still labor’*, and an image of a pregnant woman, possibly representing a housewife engaged in domestic household tasks. Through this portrayal, the rights of domestically oriented women are being advocated, emphasizing that domestic chores are indeed a form of labor that warrants acknowledgment and recognition, similar to paid work outside of the household. Furthermore, the Aurat March demonstrates its support for victims of rape and sexual harassment. In a post shared on one of their Facebook pages, the producers of AM discourse express, *‘AM stands in solidarity with the victim-survivors of sexual harassment and*

*violence and will continue to do so.*' Through this text, the AM feminists demonstrate their unwavering support for assault survivors by establishing a strong emotional connection with the readers. The carefully chosen words, such as '*stands in solidarity*', carry immense value and positive connotations, allowing readers to relate to the cause. Figure 16 visually represents support for survivors of assault.

**Figure 15:**

*Marching for rape victims*



In Figure 15, a participant is seen holding a poster advocating for rape victims. The inscription on the poster states, '**#I MARCH FOR RAPE VICTIMS AND THEIR UNHEARD STORIES**'. Using the pronoun '*I*' establishes a personal connection between the text producers and the rape victims, creating a sense of empathy and solidarity. The text fosters social relationships, conveying support for the victims of physical assault and their often overlooked and disbelieved stories. This declaration of support reveals the ideological stance of contemporary feminism in raising awareness about the challenges faced by these victims.

Additionally, the feminist campaign has recently included the trans community of Pakistan, giving them a voice and representation. Figure 16 serves as an illustration of this inclusion.

**Figure 16.1:**  
*Redefining trans rights*



**Figure 16.2:**  
*Inclusivity and equality*



Figures 16.1 and 16.2 showcase two distinct scenes from the Aurat March protest, both advocating for the rights of the trans community through slogans. The inscriptions on the posters read, '*Trans rights are human rights*' and '*Trans-inclusive feminism always*'. These texts emphasize the expressive values conveyed through clear and direct words, leaving no ambiguity about the strong support for trans rights in Pakistan. Hence, the analysis of the contemporary feminist discourse reveals that the text producers of the campaign construct a particular identity for their movement. This identity represents the cause as one that seeks to redefine the narrative surrounding femininity, challenge stereotypes, and question entrenched patterns that perpetuate gender inequality and injustice.

## CONCLUSION

The study delves into the different strands of feminism represented in the Aurat March slogans. It explores how liberal feminism is reflected in calls for legal rights and gender equality, including demands for equal pay, educational opportunities, and political representation. Radical feminism is evident in slogans that challenge patriarchal structures and question traditional gender roles, particularly domestic expectations. Intersectional feminism emerges by including marginalized voices, such as those of religious minorities and the trans community, highlighting the diverse experiences within the feminist movement. Examining these ideological perspectives offers a more comprehensive understanding of the feminist narratives shaping contemporary discourses in Pakistan.

This research contributes to understanding the contemporary feminist narrative in Pakistan by examining the linguistic and sociolinguistic dimensions of the feminist discourse. The distinctive textual features of the feminist discourse provide a captivating terrain for investigating language use, both in terms of its linguistic and extralinguistic aspects. This exploration delves into power dynamics in Pakistan while redefining and reconstructing contemporary feminine ideologies. The contemporary feminist discourse challenges conventional notions of limits, boundaries, agency, and power through the skillful

deployment of linguistic techniques that introduce agency to otherwise nominalized sociolinguistic patterns; the desired narrative for the need for Gender equality emerges, necessitating a re-evaluation of traditional social behaviors. The findings illustrate that the AM discourse strives to redefine the worth, value, space, and priorities traditionally attributed to women, thus engendering new narratives. Moreover, in addition to reconstructing the modern feminine narrative, the AM discourse sheds light on the imperative to transform perceptions of gender equity for both genders.

Furthermore, the findings elucidate the operation of power structures within a text, highlighting the ideological interests of the discourse participants. Despite its feminist nature, the AM movement has not garnered complete support from most women in Pakistan. The public holds its perceptions of heroism, nobility, and grace, which are beyond the scope of criticism or endorsement in the conclusions of this research, as are the ideals presented by the Aurat March narrative. This research exclusively focuses on the discourse analysis of linguistic constructions in Pakistani feminist discourse, refraining from making subjective or objective judgments.

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## **Investigating the Impact of Leadership Effectiveness on Gender Egalitarianism in the Public Universities of Pakistan with the Mediation of Talent Development and Moderation of Perceived Government Support**

### **Abstract**

*This study aims to investigate the relationship between leadership effectiveness and gender equality by moderation of perceived government support and mediation of talent development. Through online and self-administered questionnaires, 215 female leaders working at Pakistan's public universities in Lahore, Rawalpindi, and Islamabad provided the data. Purposive sampling is employed in this study, and the association between the variables is assessed using PLS-SEM. Findings show that perceived government support has a significant relationship with women's leadership effectiveness, it doesn't moderate the relationship between gender equality and leadership effectiveness. Instead, talent development mediates this relationship. The research demonstrates that universities should concentrate on the talent development of their female employees along with government support by creating strategies for women's empowerment to make use of inherent women leadership effectiveness. With emphasis on the higher education in Pakistan, study focuses on the empirical investigation of gender equality and leadership effectiveness in the Asian context.*

**Keywords:** Gender egalitarianism, Higher Education Institutions, Leadership effectiveness, Perceived government support, Talent development.

### **INTRODUCTION**

Women's participation in leadership positions has been considered in various fields, including academics, medicine, administration, and entrepreneurship (Shaukat et al., 2021). Since empirical research has shown that women-managed organizations are more successful with consistent growth rates and fewer failures due to their innate inclination to empowerment and participation, it is reasonable to associate leadership effectiveness with female leadership characteristics (Al-Halwachi, 2018). It promotes the idea that facilitating women's leadership roles would lead to diverse leadership skills focused on incorporating different ways of thinking into the institutions (Shaukat et al., 2021). According to research, female board members may be more receptive to shareholder demands and take managerial actions that motivate companies to invest more in innovation (Lakhal et al., 2024). Due to their stronger attention to excellence, female directors may have more influence over business decisions than their male counterparts, thereby improving the organization's success (Khandelwal et al., 2023; Pandey et al., 2022). Gender diversity on boards enhances corporate innovation, according to empirical results based on 81 organizations sampled over 13 years from 2007 to 2019 (Lakhal et al., 2024). There is undoubtedly enough data to confirm that female leaders are on par with their male counterparts. This is because of their innate collaborative and

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cooperative leadership style, which fosters an engaged workforce; they also take a risk-averse and comprehensive approach to organizational decisions, which results in more stable organizational growth (Al-Halwachi, 2018). Particularly when it comes to women's experiences in leadership roles, organizational dynamics, and stereotypes often obscure the character trait of bravery in leadership, which is crucial for inspiring individuals to overcome challenges and effect positive change in businesses (Bartlett, 2024). The average percentage of women in leadership positions is 16.7%, varying from 3% in Japan to 19% in the US and 30% in France. Women comprise 19% of organizations with female senior managers and 6% of CEOs at S&P 500 companies. Women are also largely inactive in politics, holding only 23% of seats in national parliaments worldwide. In contrast, in the US, only 10% of governors and 20% of mayors of the 100 largest American cities are female. In the academic sector, less than one-third of full professors are female, with the percentages falling to 13.9% in economics and 10.5% in engineering (Yoder, 2018).

### **Problem Statement**

Strength, decisiveness, effectiveness, competitiveness, and assertiveness are male (i.e., agentic) traits that have long been associated with leadership (Jongen, 2024). According to a recent update from Times Higher Education, the proportion of women leaders in the world's top universities has increased for the first time since 2017, but it is still below 20% (Bothwell, 2020). It is not surprising that there is a significant gender gap in university leadership throughout the world (Kohtamäki et al., 2024). Significant gender disparities have been found in academics, even in the Nordic countries, which are highly regarded globally for gender equality (Kohtamäki et al., 2024). Despite the efforts to improve women's status at higher levels, it is observed that female participation in upper-level higher education has remained low (Shaukat et al., 2021). Women in the higher education industry continue to fall behind men in leadership positions despite having a thorough record of educational accomplishments (Baptist, 2017). Women are believed to typically follow a traditional career path that leads to senior academic positions (Shaukat et al., 2021). Social and cultural barriers prevent women from participating in leadership roles, even though most women in higher education institutions prefer teaching (Batool et al., 2013).

In the higher education industry, women's labor, work experience, and results are heavily influenced by their intersecting individualities (Warren & Bordoloi, 2021). The gender gap in higher education persists, as demonstrated by the 2.3:1 male-to-female full-professor ratio in the US (Baptist, 2017), compared to 0.03 in Pakistan. The glass ceilings female academicians face is ascribed to gender-related practices at higher education institutions. This has resulted in a latent bias favoring women seeking leadership positions (Shaukat et al., 2021). It has become the duty of women to fight for themselves in settings that suppress their voices in an orderly fashion (Warren & Bordoloi, 2021). Accordingly, tests and challenges within the academic domains, such as poor performance, discouragement over professional development, personal reservation, and invisible rules in the organization, have been linked to the lack of talented female leaders in senior roles in the higher education sector (Croucher et al., 2018; Elkington et al., 2017; Rashwan, 2015; Lapovsky, 2014).

Furthermore, women instructors form up to 19 percent of professors in Australian higher education institutions and 16.5 percent of full professors in English universities (Morley, 2013; Schneider et al., 2011; Tessens et al., 2011). In practical terms, compared to Asian nations, women make up around 27% of associate professors and full professors in Australian universities (Alajmi & Ahmad, 2016; Pyke, 2013). Women face more complex and varied obstacles than men, preventing them from rising to leadership positions. Numerous factors may contribute to these obstacles (Steele et al., 2024). The idea of gender equality, which holds that gender should not influence how work is distributed or how both genders' tasks are evaluated (Gheaus & Robeyns, 2011), does not seem to be applied enough to working women. According to Gipson et al. (2017), women are harmed throughout the leadership selection process, a global issue (Samo et al., 2019). Social limitations hinder the presence of women in leadership roles (Faizan et al., 2018). Gender-related stereotyped expectations mainly cause prejudice and discrimination against women. Thus, the pervasiveness of patriarchy, as defined by Glick and Fiske (1997), is a system in which men control the political, economic, legal, and religious spheres, leading to prejudiced and discriminatory behavior toward women (AL-SULAITI, 2018).

### **Purpose of the Study**

In addition to raising living standards, promoting social gender equality, and increasing public investments, policies that represent the interests of women, families, and ethnic minorities should be linked to the empowerment of female leaders (Beaman et al., 2012; Cohen & Huffman, 2007; Paxton et al., 2007). The substantial role of government in women's empowerment cannot be renounced. Policymakers and academics must work hard to create positive, action-oriented practices that empower women professionals and secure the goal of gender equality in the workplace in order to address the issue of gender equality in the higher education sector (Farooq et al., 2020). Likewise, higher education institutes must also avail themselves of this vital female leadership effectiveness with the support of talent development practices. By attracting new students, providing excellent coaching and learning, undertaking out-of-class research, and obtaining funding for additional research, these skilled individuals significantly improve university performance (Horseman, 2018; Hazelkorn, 2017; Bradley, 2016). Establishing talent development strategies, such as talent pools, enhancing staff competencies, supporting effective planning, and boosting human resource performance are further advantages for institutions of higher learning (Kasemsap, 2017; Wu et al., 2016). These are the ensuing research questions as a result.

**RQ1:** What is the effect of gender egalitarianism on female leadership effectiveness?

**RQ2:** What is the effect of talent development on gender egalitarianism?

**RQ3:** What is the effect of talent development on leadership effectiveness?

**RQ4:** What is the effect of talent development as a mediator between leadership effectiveness and gender egalitarianism in higher education sector?

**RQ5:** What is the effect of perceived government support as a moderator between leadership effectiveness and gender egalitarianism in higher education sector?

## LITERATURE REVIEW

In leadership, effectiveness is widely recognized (Sudha et al., 2016). Researchers offered up to 5,000 definitions of effective leadership (Bass & Stogdill, 1990a). A significant and broad definition of leadership effectiveness is the idea of a positive individual impact by one or more people who motivate others to achieve common goals in a way that pleases everyone (Hardey, 2019). According to Cooper and Nirenberg (2004), it involves overcoming changing obstacles to successfully connect with clients, employees, and organizational goals and forge solid, fruitful relationships. The leadership style is the primary factor influencing leadership effectiveness (Hur et al., 2011; Bruno & Lay, 2006). According to research, women leaders who possess exceptional leadership effectiveness demonstrate positive response-feedback, which includes identifying and categorizing exceptional welfare strategies and performances as opposed to subpar leadership functions (Hoyt & Blascovich, 2007). According to Glass and Cook (2018), companies with a female leader have shown more equitable outcomes than those with a symbolic female leader or those with gender inequity (managed by men). In multidimensional leadership classifications, transformational leadership outperforms transactional and laissez-faire leadership (Judge & Piccolo, 2004). According to a study by Haque et al. (2015), transformational leadership is an effective strategy female leaders use (Faizan et al., 2018). It is a well-established fact that women are naturally transformational leaders due to their thoughtfulness, transformation, collaboration, social demonstration, and people-orientedness (Appelbaum et al., 2003).

However, despite having these exceptional leadership capabilities, when we look at their presence in leadership positions across all 27 EU member states, only 13 percent of higher education institutions are run by women (Shaukat et al., 2021; Gorondutse et al., 2019). Current research has shown that women worldwide with leadership qualities make up only 26 percent of college and university heads, regardless of their qualifications and abilities (Szymanska & Rubin, 2018; Lapovsky, 2014; White, 2012). On a national level, however, women with superior leadership positions are at the bottom, at 3 percent, in Pakistan (ILO, 2015, 2020). Universities have a higher rate of enrolling women in most faculties except for specific professional degrees (Shaukat et al., 2021). More specifically, women experience difficulties in academia due to their gender and the attitudes and expectations around it (Asal, 2019). According to Yenilmez, the proportion of female academicians at the entry level is increasing. However, the majority of them are unable to reach the top, demonstrating that prejudice based on gender still exists in this field (Yenilmez, 2016). Songul Demir conducted the same thorough investigation, interviewing one hundred women in the academic field. The findings of her study revealed that women experience open gender discrimination daily, regardless of their title (Demir, 2018). The results support the previously proposed “funnel structure” of academic development, which holds that female faculty members advance to higher positions more slowly than male faculty members, who face less discrimination as they rise through the ranks of leadership (Baptist, 2017).

Similarly, it is difficult to reconcile the high attrition and rank stagnation rates among female faculty members with the low number of females in higher leadership positions (Shaukat et al., 2021). In the current era, women must be reasonably present in the workplace; even though most females do not enjoy gender-neutral work environments, this is encouraging for

the future. According to research, government support has a long-lasting impact on performance (Gorondutse et al., 2019). It is equally important to ensure that these women who obtain leadership positions use their authority to create gender-equal environments for everyone with an egalitarian viewpoint. The ultimate goal is to equip these women with the necessary resources and power to become egalitarian leaders who are aware of gender-driven issues and can implement desirable arrangements to prevent discrimination (Asal, 2019). Thus, following thorough literature reviews of (Farooq et al., 2020 Asal, 2019 Gorondutse et al., 2019 Rana, 2016 IRUM et al., 2015), perceived government backing is employed as a moderator here. It is suggested that efforts to maintain gender equality require these organizations' structures to be altered (Bencivenga & Drew, 2021). Talent development has been recognized as a critical component of institutional performance since McKinsey coined the phrase "War for Talent" at the beginning of the 1990s (Scullion & Collings, 2011).

In addition to the operations and dynamic management of higher education institutions, talent helps to boost rankings and earnings (Hazelkorn, 2017; Lynch, 2015). Talent provides a significant basis for institutions to gain a competitive edge (Shabane, 2017; Gateau & Simon, 2016; Daraei et al., 2014; Lawler, 2010; Jones, 2008). Consequently, numerous significant advantages exist for organizations that prioritize talent (Diezmann, 2018; Horseman, 2018; Hazelkorn, 2017; Refozar et al., 2017; Bradley, 2016; Lynch, 2015). For example, the ability of high-achieving employees is associated with university rankings and performance (Horseman, 2018; Hazelkorn, 2017; Bradley, 2016; Lynch, 2015); similarly, studies on gender equality and talent development have been conducted (Lahiri & Sharma, 2019); some studies on gender inclusion in academia and talent development have been conducted (Mohammed et al., 2020; Harun et al., 2019; Mousa & Ayoubi, 2019; Mokgojwa et al., 2018; Paisey & Paisey, 2016). Following a thorough review of the literature on all the variables, it can be concluded that there are several studies on the effectiveness of female leadership and gender equality in academia, followed by fewer on the role of government support and gender equality in academia (Farooq et al., 2020; Asal, 2019; Gorondutse et al., 2019; Rana, 2016; IRUM et al., 2015). Similarly, there have been studies on gender equality and talent development (Lahiri & Sharma, 2019) and gender parity in the higher education sector and talent development (Mohammed et al., 2020; Harun et al., 2019; Mousa & Ayoubi, 2019; Mokgojwa et al., 2018; Paisey & Paisey, 2016). However, no study has included leadership effectiveness, gender equality, perceived government support, and talent development; as a result, this is the first attempt to examine the relationship between these factors and the career advancement of female academicians in Pakistan.

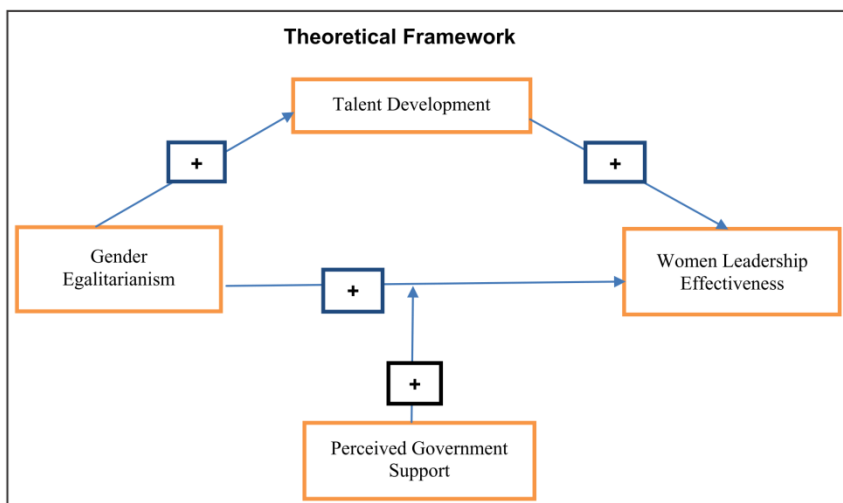
## **THEORETICAL FRAMEWORK AND HYPOTHESES**

According to the role congruity theory, evaluating the competence of female leaders is based on their traditional role expectations, as opposed to male leaders who discriminate against women in leadership roles (Eagly & Karau, 2002; Morrison et al., 1987). According to theory, a person is considered suitable for a function when certain aspects of that role align with the individual's stereotyped sociocultural group (Eagly & Karau, 2002). Across cultural boundaries, women are associated with common personality qualities like kindness and concern for others, whereas men are associated with agentic personality traits like aggression and combativeness (Bosak et al., 2018; Cuddy et al., 2015; Abele et al., 2008; Williams &

Best, 1990). According to role congruity theory, people possess mental images of specific qualities necessary for specific roles (Schock et al., 2019; Lord & Maher, 2002; Sarbin, 1968). The criteria (basis) determining whether being male or female is associated with being liked or hated are agency and communion (Yoder & Zipp, 2018). Using role congruity theory, this study aims to investigate gender equality by examining the causes of gender inequality stemming from social gender stereotypes and how they hinder women's leadership potential. Similarly, efforts are made to mitigate this gender disparity in the higher education industry through talent development and perceived government backing.

In summary, the current study aims to determine the impact of gender equality, which emphasizes that gender has no say in how work is distributed and should not influence how men and women should evaluate their tasks (Gheaus & Robeyns, 2011), on women's effectiveness as leaders. Effective leadership is the practice of persuading others to understand and comply with what should be done and how it should be done in a productive way, as well as a practice that encourages individual and group efforts to achieve shared goals (Nabih et al., 2016). In the current study, government assistance refers to any government support given to women in higher education institutions. In contrast, gender equality and women's leadership effectiveness are moderated by examining the significance of perceived government support, which includes financial, coaching, mentoring, and regulatory support (Rasha, 2014). Mediation is carried out through the use of talent development, which is defined as procedures and activities that include the deliberate attempts to identify talent needs that are especially important to the institution's ability to maintain a competitive edge over time and use women's skills for student success (Collings & Mellahi, 2009).

*Figure 1*



**H1:** There will be a direct effect of gender egalitarianism on woman leadership-effectiveness.

**H2:** There will be a significant effect of gender egalitarianism on talent development.

**H3:** There will be a strong effect of talent development on women leadership-effectiveness.

**H4:** Talent development will mediate the relationship between gender egalitarianism and woman leadership effectiveness.

**H5:** Perceived governmental support will moderate the relation between gender egalitarianism and woman leadership effectiveness.

## **RESEARCH METHODOLOGY**

The positivist philosophy used in this work includes surveying, observing, and conducting experiments to gather data (Quiñones et al., 1997; Schiffman & Kanuk, 2005). By its very nature, this study is cross-sectional, quantitative, and deductive. Purposive sampling is used to collect data from experienced and professional women to acquire accurate results, and a non-probability sampling technique is used for this research study (Cresswell & Plano Clark, 2011). Both online and structured questionnaires were used to collect the data. The HEC website was used to gather information about the female academicians in leadership positions at the public universities in Lahore, Rawalpindi, and Islamabad. The websites of each of these public universities were then consulted. Then, because of the pandemic, individuals are contacted in person and online. Women leaders from 30 public universities completed a total of 215 questionnaires. The data was assessed using Smart PLS-SEM in the Statistical Package for Social Scientists (SPSS), and conclusions were drawn to examine the suggested theories.

Following a thorough literature study, House et al. (2004) created the gender equality scale. The figures in Table 1 below show that the reliability was checked and found to be good. The scale used to measure leadership effectiveness was taken from (Al-kahtani et al., 2011). Cronbach's alpha value was significant at (0.92) for this variable. To evaluate the perceived government support scale (Al-Shihabi, 2008) and (Rasha, 2014) were adopted, and the analysis outcomes were significant with Cronbach's alpha value (0.779); all these were mentioned in (Gorondutse et al., 2019). The talent development scale was obtained from Al-Kerdawy (2016) and Chami-Malaeb and Garavan (2013) with a significant Cronbach's alpha value (0.894) and mentioned in (Mohammed et al., 2020). All the items were measured on a 7-point Likert scale ranging from strongly disagree to strongly agree. The demographic questions were employed to help us understand the details of the selected sample, which is provided in the subsequent part of the results.

## **RESULTS & DISCUSSION**

The sample comprised 100% women to ascertain accurate results from experienced and knowledgeable women faculty. The educational level of this sample was a PhD. In contrast, they were categorized into multiple levels of leadership according to their designation, such as deans, 3.9 percent; HoDs, 20.6 percent; chairpersons, 22.3 percent; and 45.5 percent in charge of the department. While their age ranges from 40 to 60. Further details about the demographics are given below.

**Table 1.**

|                     |              | Frequency | Percentage |
|---------------------|--------------|-----------|------------|
| Age                 | 40-50        | 78        | 33.5%      |
|                     | 50-60        | 137       | 58.8%      |
| <b>Designations</b> |              |           |            |
|                     | Deans        | 09        | 3.9%       |
|                     | HoDs         | 48        | 20.6%      |
|                     | Chairpersons | 52        | 22.3%      |
|                     | In-charge    | 106       | 45.5%      |

Source: Authors' calculations on SPSS

**Table 2**

|            | N   | Mean   | Std. Deviation | Skewness | Kurtosis |
|------------|-----|--------|----------------|----------|----------|
| <b>LE</b>  | 215 | 3.5092 | .58912         | -.564    | .166     |
| <b>GE</b>  | 215 | 3.3795 | .67806         | -.013    | .166     |
| <b>PGS</b> | 215 | 3.6857 | .57925         | -.057    | .166     |
| <b>TD</b>  | 215 | 4.4775 | .82496         | -.121    | .166     |

GE=Gender Egalitarianism, LE= Leadership Effectiveness, PGS= Perceived Government Support, TD=Talent Development.

Table 2 exhibits that the standard deviation values of all variables lie near 1, implying that numeric lies around the mean or data point tends to be near the mean. The mean value of most of the variables ranges from 3.5, which shows that most respondents' responses either agree or somewhat disagree. The benchmark value of Skewness should range from -2 to +2; therefore, our collected data is in negative numbers, which implies that the data is skewed negatively. On the contrary, the benchmark value for kurtosis should range from -3 to +3, and they both depict the symmetry of data and explain whether data is normally distributed. In this case, most of the values range between 0.38 and -.202, which depicts the normality of data under this threshold.

**Table 3**

| LE         | GE     | PGS    | TD     |
|------------|--------|--------|--------|
| <b>LE</b>  | 1      | -      | -      |
| <b>GE</b>  | .451** | 1      | -      |
| <b>PGS</b> | .448** | .714** | 1      |
| <b>TD</b>  | .542** | .496** | .489** |

\*\*Correlation is significant at the 0.01 level (2-tailed).

To measure the correlation SPSS was employed, and the Pearson's correlation method was used. The benchmark value should exist between -1 to +1. Table 3 above depicts that the correlation values in this research study are positive and significant.

**Table 4**

|                   | <b>Cronbach's Alpha</b> | <b>Roh A</b> | <b>Composite Reliability</b> | <b>Average Variance Extracted (AVE)</b> |
|-------------------|-------------------------|--------------|------------------------------|---|
| <b>LE</b>         | 0,745                   | 0.761        | 0.832                        | 0.502                                   |
| <b>GE</b>         | 0.920                   | 0.930        | 0.935                        | 0.520                                   |
| <b>Moderation</b> | 0.893                   | 1.000        | 0.833                        | 0.218                                   |
| <b>PGS</b>        | 0.779                   | 0.773        | 0.852                        | 0.540                                   |
| <b>TD</b>         | 0.894                   | 0.921        | 0.919                        | 0.555                                   |

GE=Gender Egalitarianism, LE= Leadership Effectiveness, PGS= Perceived Government Support, TD=Talent Development.

The measurement model of reliability and validity is calculated by employing values of Cronbach's alpha and Composite reliability, it is calculated by Smart PLS, the benchmark value should range from 0.6 to 0.7 or higher considered good (Zalma et al., 2015). Whereas the threshold value for composite reliability should be 0.6 or higher (Fornell & Larcker, 1981). However, Table 4 demonstrates that the values of Cronbach's alpha and composite reliability ranges from 0.745 to 0.920 and 0.832 to 0.935 respectively, which establish that data is reliable. The value for variance should be 0.5 or above (Henseler et al., 2016) and in this study it ranges from to. 0.218 to 0.555. Convergent validity is measured by the outcomes of measurement model factor loadings, average variance extracted, and composite reliability and all the calculated values are within the acceptable range.

**Table 5**

|                          | <b>Beta value</b> | <b>P-value</b> | <b>T-Statistics</b> |
|--------------------------|-------------------|----------------|---------------------|
| GE->LE                   | 0.200             | 0.010          | 2.576               |
| <b>GE -&gt;TD</b>        | 0.642             | 0.0001         | 21.369              |
| <b>TD-&gt;</b>           | 0.234             | 0.007          | 2.721               |
| <b>GE-&gt;TD-&gt;LE</b>  | 0.150             | 0.006          | 2.750               |
| <b>GE-&gt;PGS-&gt;LE</b> | 0.184             | 0.152          | 1.434               |
| <b>PGS-&gt;LE</b>        | 0.197             | 0.05           | 2.794               |

The threshold value of t-statistics should be 1.96 or higher according to the suggested criterion. In this study, all values are above 1.96 which implies that relationship among the variables is positive except for moderation, rest of the beta value lies between 2.576 to 21.369 which maintains that they have significant and direct relations. The benchmark value for P is 0.05 so that any value lower than 0.05 is significant and below in Table 6 all P values are lower than 0.05 which implies all these relationships are significant and positive except for moderation.

**Table 6**

Factor loadings are calculated in PLS-SEM and threshold criterion suggests that loadings of all constructs should be higher than 0.5 (Hair et al., 2007).

| <b>Constructs</b>                   | <b>Measurement Items</b>  | <b>Factor Loadings</b> |
|-------------------------------------|---------------------------|------------------------|
| <b>Gender Egalitarianism</b>        | GE 1                      | 0.601                  |
|                                     | GE 2                      | 0.738                  |
|                                     | GE 3                      | 0.847                  |
|                                     | GE 4                      | 0.685                  |
|                                     | GE 5                      | 0.687                  |
| <b>Leadership Effectiveness</b>     | LE1                       | 0.804                  |
|                                     | LE2                       | 0.813                  |
|                                     | LE3                       | 0.792                  |
|                                     | LE4                       | 0.708                  |
|                                     | LE5                       | 0.845                  |
|                                     | LE6                       | 0.841                  |
|                                     | LE7                       | 0.767                  |
|                                     | LE8                       | 0.768                  |
|                                     | LE 9                      | 0.701                  |
|                                     | LE10                      | 0.633                  |
|                                     | LE11                      | 0.802                  |
|                                     | LE12                      | 0.724                  |
|                                     | LE13                      | 0.601                  |
| LE17                                | 0.615                     |                        |
| <b>Perceived Government Support</b> | PGS1                      | 0.798                  |
|                                     | PGS2                      | 0.749                  |
|                                     | PGS3                      | 0.754                  |
|                                     | PGS4                      | 0.807                  |
|                                     | PGS6                      | 0.634                  |
|                                     | <b>Talent Development</b> | TD1                    |
| TD2                                 |                           | 0.672                  |
| TD3                                 |                           | 0.894                  |
| TD4                                 |                           | 0.866                  |
| TD5                                 |                           | 0.888                  |
| TD6                                 |                           | 0.897                  |
| TD8                                 |                           | 0.648                  |
| TD12                                |                           | 0.669                  |
| TD13                                |                           | 0.601                  |
| TD14                                |                           | 0.855                  |
| TD15                                |                           | 0.648                  |

According to the study's first finding, leadership effectiveness and gender equality are significantly and favorably correlated ( $T=2.579$ ,  $P=0.010$ ). These results also align with previous studies (Gazzaz, 2017; Alajmi and Ahmad, 2016). Additionally, this study examines

the substantial association between gender equality and talent development ( $T=21.369$ ,  $P=0.000$ ). According to these findings, the higher education sector should create training programs for skilled workers with the necessary expertise, provide enough training opportunities and career development programs for staff, and help women advance their careers. In the end, this will help to clear the path for gender equality in higher education (Mohammed et al., 2020). This study concludes that Talent Development has a significant relationship with Leadership Effectiveness ( $T= 2.721$ ,  $P= 0.007$ ). These empirical results are in line with Yap's (2016) argument that higher education institutions should provide career development opportunities to their highly qualified workforce in order to continuously develop them (Mohammed et al., 2020). Finally, the study's results show that Talent Development mediates the relationship between Gender Egalitarianism and Women Leadership Effectiveness, which has a positive and significant association ( $T= 2.750$ ,  $P= 0.006$ ). These findings are in line with those of Mohammed et al. (2019a), who found that high level leaderships provide talented personnel with a plethora of opportunities for effective training initiatives (Gorondutse et al., 2019). However, Perceived Government Support has a significant relationship with Leadership Effectiveness ( $T= 2.794$ ,  $P= 0.005$ ). Therefore, the importance of government support and leadership effectiveness is evident in the case of higher education institutions that have female employees in their scientific councils and many departments by providing incentives to gain the support of current governments and to boost the confidence of female leaders by involving them in scientific discussions and discourse that can help them become effective leaders (Gazaz, 2017; Kalafatoglu et al., 2017; Alajmi and Ahmad, 2016). In contrast, the study's final results indicate a negative and negligible relationship between perceived government support and women's leadership effectiveness ( $T= 1.434$ ,  $P= 0.152$ ). This is in accordance with other research on gender equality and government support, as well as the observation that government assistance cannot transcend the prevailing culture (Gorondutse et al., 2019).

## CONCLUSION

Higher education institutions in Pakistan and their staff will benefit from this study as they anticipate and address the issue of gender inequality and its core cause, which is ingrained in cultural gender-driven role segregation. One of the study's notable findings, however, is that perceived government support was unable to moderate the relationship between gender equality and leadership effectiveness. This suggests that something is wrong with this relationship, as government support is unable to go beyond Pakistan's dominant culture. Through talent development, officials in higher education institutions should emphasize the importance of female leaders in enhancing their effectiveness as leaders.

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## Beyond Assault Trajectory of Rape in Pakistan

### Abstract

*Rape – article 375 has become a non-compoundable and non-bailable offense in Pakistan under the Criminal Laws (Amendment) Act, 2021. It is a critical and highly sensitive social subject that is inadequately addressed and mishandled by the system. It emerges from the historical subjugation of women and the structural dominance of men – systemic failures and perceptions of society. Another aspect of rape culture is the pathologizing of victims, declaring them mentally unstable – attention seeking in superficial language. The stigma around discussion on sexual violence is perpetuated by how it is viewed. The course of action on rape has faced structural undermining to the extent of penalizing the victims. This paper studies the stigmas as myths and victim-blaming as rape apology – embedded in cultural convictions related to the status of women and can be analyzed in how women were treated as mere objects aimed at sexual and domestic gratification.*

**Keywords:** Pakistan, Rape Culture, Sexual Violence, Victim Blaming, Women,

### INTRODUCTION

Rape is a life-changing trauma for a woman, which is an irreversible action (Taylor, 2022). Its effects are neither isolated nor transient (Orwela, 2022). It brings shame, guilt, and self-scrutiny to the victim (Perilloux et al., 2012; Vandermassen, 2011), especially when victim-blaming is the norm (Niemi & Young, 2014). Society is a continuous reminder of it while the victims pay the cost (Gottschall & Gottschall, 2003). It is imperative to measure the impacts of such an offense, where the status of women is primarily perceived through moral institutions. The female body is the target of policing, disgust, and egoistic pursuit, often resulting in violence or using their bodies as a weapon against them (Kazmi, 2023) – constraints on representation and participation. Violence manifesting in rape is a subject of neglect and denial. Cultural ethics, oral anecdotes, and social structures deny it to the extent of dehumanization of women and girls. This research studies the pressing issues of rape trajectory, seeking an integrated insight to unmask the ambiguous questions of cultural, moral, and political factors that shape the lived experiences of survivors.

Rape is defined as an assault on a person's body – typically women and children, forcing victims to give up their personal space, integrity, and bodily autonomy – mainly sexual, with or without their explicit consent (Brownmiller, 1993). In other words, it is a seizure of a human body (Jillani, 2021). The victims below the legal age to grant consent – minors, people incapacitated due to disability, intoxicated or unconscious, or in any circumstance where their ability to consent renders any sexual act non-consensual constitute rape as well. Legal requirements required physical penetration to classify as rape; however, the Criminal

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Laws (Amendment) Act 2021 has eliminated “penetration” as a necessary agent to determine rape.

### **Research Methodology**

This research follows a qualitative approach, aimed to study social and legal aspects of the subject matter being discussed.

**Research Design:** A descriptive-analytical method is utilized to investigate the context of rape. It has focused on studying legal documents, academic discussions, and reference materials. The objective underscores critical analysis of structural and cultural aspects that enforce certain attitudes within the system and society. The position of this paper is feminist ontology. It is understood through feminist gaze and the interaction of female gender with power dynamics, which produce male violence in order to minimize the agency of women pertaining to their interests (L. Ellis, 2013).

**Data Collection:** This study is applying primary and secondary data sources such as police records, books, and research articles.

- a. **Primary Data:** The primary data includes First Information Reports (FIRs) and *Challans* from the Punjab & Sindh Police and judicial rulings in rape cases. Such data enables to explore firsthand handling of rape cases in which patterns of language execution and legal framings has been studied.
- b. **Secondary Data:** A wide array of academic discourses, scholarly books, and peer-reviewed journal papers were accessed to support a theoretical conceptualization of the study problem, as well as analyze the available primary data. The scholarly discourse was instrumental in building solid arguments to validate and invalidate existing research questions.

While no victims or survivors were interviewed, ethical considerations were maintained in addressing sensitive topics or legal records. All non-public FIRs were anonymized.

## **THEORETICAL FRAMEWORK**

For theoretical view, this study draws two concepts with respect to understanding the anatomy of rape: ontology and male violence.

### **I. Ontology of Sexual Violence**

Hundreds of pieces of evidence suggest violence existed in human societies before the agricultural or cognitive revolution in human history. The cave paintings depicting fights, ancient artifacts, or burial rituals are quite evident (Harari, 2014). The need to dominate and survive in harsh nature exhibits a human tendency of inclining towards violence while suggesting sexual violence could have been one of the tactics. There are explicit references to rape and other forms of sexual violence in almost all ancient texts, religious documents, mythologies, or early documentation in human history. Rape is considered as old as war in human civilization (Farwell, 2004). Sexual violence can be traced in history by understanding

the responses of the victims today. The debate here is not whether it was criminal, condemned, or punished, but it is to be maintained that it existed. Humans have innate traits as responses towards violence, force, and pain (De Zulueta, 2006), which have been passed on; for example, a common or natural response to rape is disgust towards the perpetrator; however, disgust is not a usual response in many other violent crimes, suggesting extreme psychological effects on the victim (Feldner et al., 2010).

On the other hand, people are often driven by violence as their behavior triggers aggression, leading to sexual violence, and their target is always a vulnerable person (Bourke, 2015). However, temptation or aggression does not drive the perpetrators “crazy” as is usually held, as they can skillfully decide whom and when to violate (Steven, 1994).

The innate responses to rape are similar to the tonic immobility response (Suarez & Gallup, 1979) exhibited by many living creatures to avoid or deceive a predator or a natural expression in a state of stress or fear. Tonic immobility manifests as a countermeasure to a traumatic event or overwhelming anxiety. Such an extreme state of paralysis or the need to avoid a life-threatening situation is usually evident in cases of sexual assault (Galliano et al., 1993) as a means to protect the body from external aggression.

Rape is the ultimate manifestation of the power of perpetrators over their targeted victims, influenced by anger and revenge (Robin, 2000). Dominance theory in ethology discusses the structure of dominant hierarchies which develop functions, norms, and techniques within human societies in terms of operating and maintaining social designs, behavioral patterns, ways of survival, and reproductive methods aiming at achieving preferential accessibility of resources, possessions, and wealth in competitive social climates. People who were in power gained resources, pleasures, and labor from violence, i.e., sexual violence.

## **II. Male Violence**

The criminal justice system or criminal law presents a view in which the perspective of women is obscured. Such an understanding of an issue by the male view, which profoundly affects women, creates further problems instead of solutions. Even in good faith, these standards fail to see the problem from the woman’s gaze – specifically from the victim’s view. There is a reason that a specific set of norms, despite clear, unbiased instructions, still view women from the male standards in cases of gender-based violence (Estrich, 2018).

Dr. Jessica Taylor, in her book “Sexy but Psycho: How the Patriarchy Uses Women’s Trauma against Them” changes the narrative of victim and survivor. She states that a woman who fell prey to gender-based violence must not be labeled a victim or a survivor. The discourse must change from the woman and shift to the offender. It is not the choice of a woman to become a “victim” of male violence; rather, it is a conscious decision made by the man. Women who face male violence should not be defined by the trauma they endure; instead, the abuser has to be identified and stigmatized. Terms like “survivor” are not liberated or progressive but suggest that a woman has moved beyond the trauma, which conflicts with reality. She introduces the expression “male violence,” referring to women or children as individuals “subjected to male violence” instead of phrasing them as victims or survivors. The phrasing of language against sexual violence decides the social and legal attitudes around the subject

(Taylor, 2022). Women have hardly been party to law-making, lacking instrumental representation and participation in legislation in their favor, particularly emphasizing gender-based violence, in which men benefit from the oppression and silence of the victims.

## LITERATURE REVIEW

For over thirty years, the evidence rape lied around ‘a sexual activity witnessed by reliable, good men’ (Sarfraz, 2024), which itself is considered unsettling for its depraved context. (Bourke, 2015). On a societal level, sexual violence is perceived as a consequence (M. A. Aziz et al., 2024) of specific actions, which on a moral level is problematic as it produces a justification, then leading to victim blaming but on the other hand, it might suggest that rape as a consequence is used as a tool to inflict violence against a woman or a family to which she belongs to harm their honor – honor and rape are two correlated variables (Mateen, 2019). However, there are victim-centered laws in place, but there is a visible gap between the execution of these laws benefit the victim (Ghosal, 2013). The lower rate of conviction is another direct variable of this gap, which fails to tackle the problem of rape (Jillani, 2021). Whether it was war or freedom, punishing the enemies or celebrating victories, throughout history, across the world, in old traditions or modern values, a man’s anger often finds a woman. (Kazmi, 2023) Women and children have long been sold out as sex slaves under the hierarchy of social structures. These sex slaves were domesticated to be used according to the required needs of the master (Patterson, 2012).

Men asserted their power through rape. Women sought out male figures as protectors of families against other men, whom they viewed as predators. This reliance on safe mating led to the formalization of the role of men as husbands or fathers; later on, it established households or tribes and gave rise to patriarchal structures that subjugated and exploited women (Brownmiller, 1975). However, this theory has been criticized by many. It is theorized that the belief in the physical superiority of one gender over the other has led to both patriarchal influence and violence. Men held their masculinity-centered dominance over women as strong predators. This dominance, shifting from natural to social spheres, continued to gain significance, resulting in the subjugation of women, manifesting in violence. In such a social structure, a woman’s value was decided by the man she belonged to (Brownmiller, 1977; D. Ellis, 1989).

Women’s movements have brought issues of sexual violence into focus. Rape is termed as an extreme act and a severe violation of the law (Russell, 1975). Women’s rights advocacy has reshaped the domains of criminology and sociology, influencing a shift in the production of influencing literature. Such shifts have given rise to the discourses around sexual violence in both inner and outer domains, which have framed rape as an issue of male dominance and how patriarchy enforces it, benefits from it, or hides behind it (Deming & Eppy, 1981). In general, women are criticized and blamed for rape. Some people believe that women enjoy sexual violence. Rape is initiated by the sexual ambitions of the two, or rape takes place within a family and is motivated by the woman herself. These social attitudes only encourage the sexual exploitation of women and children, which protects the offenders (Ariffin, 1997a).

Women are commonly victim-blamed for not taking enough safety measures or avoiding conflict with perpetrators. Their appearance, attitudes, or conduct are often cited as reasons

contributing to rape. They are conditioned to assume responsibility for it (Ahrens, 2006). It has been ingrained in their minds that any misfortune that befalls them directly results from their impulsiveness or actions – how they look, speak, walk, and carry themselves around men or in public (Franiuk et al., 2008). When there are accusations of rape, many institutions, instead of taking action against the perpetrators, conceal their crimes and protect them (Taj, 2021). The tendency of social and legal institutions to victim-blame and investigate the credibility of the complainant more than the perpetrator's action suggests how victims are perceived, which impedes justice. Victims are subjected to it and, if reported, have to prove it. The lack of understanding of consent has yet to be understood and acknowledged at a social level (Robin, 2000). From the perspective of evolutionary psychology theories, when men commit rape, they are “wired” to target a highly fertile woman than a woman who is less fertile; that is why most of the victims are young women. However, researchers find this argument unclear whether it reflects a specialized tactic of evolutionary rape adaptation or a generalized mating strategy to secure sexual pleasure as specialized rapists whose stimuli are coercion other than consensual sex (McKibbin et al., 2008; Thornhill & Palmer, 2001).

## RESULTS & DISCUSSION

A report by the Ministry of Human Rights in the national assembly suggested that 14,456 women had been reportedly raped in the last four years. These statistics were collected from the national police bureau. Over 16,152 cases of sexual harassment were reported in Pakistan (Kaleem, 2022). According to the estimates by WAR, 60 to 70 percent of women do not engage with law enforcement agencies (WAR, n.d.). Research by Aurat Foundation proposes that as many as eight females, including four children, are raped daily in Pakistan (Rakhshanda, 2021). In the study of 50 rape cases from Karachi, it took an average of 16.8 months to issue verdicts, while the police reports were submitted after 7.2 months. However, the law clearly states that cases of rape must be concluded within 3 months, suggesting severe (M. A. Aziz et al., 2024) manpower gaps in the system. Of the fewer reported cases entered in the legal system, one-third are not *challaned*. The rest are disposed of by courts or by investigating machinery as non-recognizable. The criminal justice system often reflects social attitudes (Hayes, 2024).

In many cases, rape is handled with leniency because authorities are mindful that a powerful party can influence the system or the families would withdraw. The police sometimes mediate peace between the offender and the victim's families. Courts have also been observed to acquit the accused after a settlement was reached between the two parties without the victim's consent. Verdicts are often influenced by their prior beliefs (Burt, 1980). Often, victims are married off to the offenders as a settlement. Many times, offenders would take bail before the arrest. On June 15, 2021, an orphaned minor girl was gang raped and filmed in Rawalpindi after returning from work (house help) at night. The local magistrate bailed out the perpetrators. It took a month for the media to air the news, and offenders were arrested later (Choudhary, 2020). According to the Criminal Laws (Amendment) Act, 2021, rape has become a non-bailable and warrantless offense; however, there is a gap in resources between the laws and implementation.

### **Euphemistic Phrasing of Rape**

The stigma associated with rape victims has roots in structural and historical oppression of women. These stigmas are endorsed and often celebrated by men. For example, revenge rape or revenge porn is considered a grandiloquent act of virility, as such acts of violence tend to do greater damage. The violent and misogynist symbolism in language and literature defines social responses and normalization of sexual violence. Language becomes the initial perpetrator of violence and discrimination. It enables hate towards women, women's agency, equality, and traditional gender stereotypes, disregarding women and girls. Symbolic violence is traced via literature, media, imagery of vulnerable communities, representation, participation, and portrayal of women in society, all leading to commodification and objectification.

Language is the mirror through which the world is analyzed. It is a powerful source, forging a connection between the people and their environment. It names things, conditions, possessions, emotions, and actions, determining the credibility of situations. The language around them is skillfully fashioned in most social behaviors witnessed, particularly stigmas. People use language patterns differentiated into idioms, proverbs, and phrases that have long been created for them (Hussein & Simorgh Collective, 1990). Most of the time, language falls short of the words to describe experiences and circumstances that have not been fostered before. In different languages spoken in Pakistan, there is no such word for rape. Rape is often defined as Zayadti, which means the excess of something or something unjust. It is a common word used regularly; for example, excess of water is also Zayadti, and excess of words in an essay is also Zayadti. Another word to phrase rape is Zabardasti, which means the use of force or compelling; however, it is another commonly used word for many other things. It cannot be said that excess salt in soup or compelling someone to eat an exotic cuisine is rape.

More terms like Ezzat Lut Jana and Ezzat Kharab Hona denote how a woman's sexuality is linked with her modesty and honor of the family as a woman who has been sexually violated does not possess her Ezzat anymore. It brings this discussion back to the point where women are treated no more than commodities. Their physical labor is utilized as a less expensive utility while their sexuality is valuable. Once their valuable commodity is violated, as in rape, it becomes invaluable. The term "Zina Bil Jabar" shows how rape is viewed in the essence of Zina (adultery) instead of an act of violence, which, in turn, implies the stigma associated with Zina onto the victim. Several contemporary female writers have focused on introducing the terms such as "Jabar Jinsi," "Jinsi Tashadud," and "Jinsi Istehsaal" to phrase rape. Nevertheless, there is a striking absence of a specific term for "rapist" in the local vernacular. The term "Zani" is generally used, which indicates the crime within the context of mutual consent instead of precisely representing the nature of rape. Could it be suggested that the denial of rape is severe to the extent that it is still viewed from the angle of Zina or the one committing it? Rather than using terms like Zani, which refers to adultery – a sin in Islam, the term "Rape Kaar" can be used to indicate the severity of the act. The use of terms like Zani not only diminishes the intensity of rape but also brings innate shame of sin to the victims who are conditioned into believing that rape was their mistake. Contemporary female writers have produced feminist literature towards changing the language of sexual violence by altering the phrasing of the language of sexual violence.

## Rape Apology

Women subjected to sexual violence are victim-blamed, not believed, and have to retell the ordeal of their assault to authorities, detectives, counselors, jury, or others, which is called secondary victimization (Campbell, 1998). In oral or written literature, sexual violence is spiritually romanticized as a reward in the afterlife by diverting attention from seeking justice, which sets a dangerous precedent in society. False beliefs, stereotypes, and prejudicial take on rape, victims, and offenders create a more hostile situation. The make-believe ideas of "good girls" and "bad girls" create a social and moral narrative for women that hinders the pursuit of justice and recovery. Rape culture does not only contribute towards harnessing a hostile environment for the victims; instead, it also seeks grounds to protect the rapist as well. One basic argument is that rapists are sex-starved men – disadvantaged male hypothesis (McKibbin et al., 2008), which has been created by either the conservative culture of gender segregation or the feminist culture, in which women do not give enough chances to men due to many reasons – which drives men to rape (Burt, 1980). Such myths and faux morality protect rape. These myths distort the understanding of sexual violence, contributing to larger rape culture, perpetuating victim blaming, and diminishing the severity of the crime. These myths are generally believed falsehoods, which are consciously crafted to denigrate the victims (Hayes, 2024). It is often assumed that the victim may have asked for or deserved it based on prior factors such as dressing a certain way – not necessarily immodest – hanging out with friends, or staying late. Another misconception is that a woman possesses enough power to protect herself from rape simply by screaming aloud.

Rape is often viewed as a crime committed by the victim who failed to protect herself (Ariffin, 1997b). According to research conducted at a local medical college on rape victims, more than 63% of male students and 20% of female students believed that a girl of strong character would never find herself in such a situation (Kamal et al., 2010). Some studies also suggest that women who date or have extensive contact with men are at a greater risk of sexual assault (Abbey et al., 1996). Another myth is that a perpetrator whose wife is beautiful, fair, and young cannot rape any other woman, especially if the victim is married, older or darker. Rape and violent narratives against women are also promoted by publicly forcing women to "cover-up" so that men will respect them. Such arguments are held that it becomes justifiable to disrespect or harm women who do not adhere to a specific dress code that becomes an extension of rape culture. Cultural attitudes may elevate the risk of rape in societies where the blame is placed on women for "seducing" or "provoking" men to justify their aggression (Burt, 1980). Individuals subjected to male violence are met with scrutiny and suspicion more than any other crime (Harsey & Freyd, 2020). They receive indifference manifesting in victim-blaming and disbelief (Ahrens, 2006; Filipas & Ullman, 2001; Harsey & Freyd, 2020). Lack of support often leads the victims to seek a peaceful way out or not interact with the system in the first place (Ahrens, 2006).

One common belief is that strangers commit rape. The idea persists that a family member cannot commit the offense, or the possibility of such an occurrence is never seriously considered, as the family system is perceived as highly ethical regarding the treatment of

women and girls. The data on child sexual abuse (CSA) from 2007 to 2011 highlights that 10,726 children were sexually abused in Pakistan. This data was gathered from more than sixty newspapers across Pakistan. In 2011 alone, there were 2,252 reported cases of child sexual abuse, with 138 cases involving incest or acquaintance rape. Of these 138 cases, 24 were committed by immediate family members (father or brother), while cousins, uncles, or others committed 114 offenses. Another report from 2011 documented 2,303 cases of child abuse, and in 2012, 3,028 cases were reported, with 63% of the perpetrators being relatives and 28% being strangers (SAHIL, 2011).

Following is the case in which a father was sentenced to 25 years for sexually abusing his victim:

### **State vs. Shahid Maqsood Case of 2002**

A 12-year-old girl filed this case while her brother called the police. In her statement, she maintained that her father had been violating her sexually for three years when the family lived in Saudi Arabia. She had previously disclosed the ordeal to her mother, who asked her to stay quiet as the laws regarding adultery were strict in Saudi Arabia. They arrived in Sargodha after returning to Pakistan, but the perpetrator did not stop. She also held that her mother had once seen her husband violating her daughter, where the husband threatened both the mother and daughter with serious consequences. However, the father then arranged for the young girl to marry his nephew. Once he invited the victim for the preparation of her exams, the perpetrator raped her on the same day. This time, her mother and sister had witnessed her abuse. The mother stayed quiet and did not want to risk her daughter's future. The mother told her son a week later, who took them to a local police station. The father got arrested after fleeing from the home. The session court convicted the perpetrator. The defendant stated in the court that his wife and son were planning to gain monetary benefits from him. The medical evidence did not match as she was married, but the court assented and affirmed the girl's testimony. The convicted rapist was jailed for 25 years, while the court also denied his appeal. The First Information Report (FIR) is filed in the name of the State, and hence, it is incumbent upon the State to diligently take every required action on the matter. Parties involved should abstain from seeking compromises in cases of such heinous crimes, as they have far-reaching consequences. Rape myths have long been institutionalized, and the criminal-justice system failed to address it. The Zina Ordinance of 1979 is one of the most criticized laws on sexual violence, disempowering the complainants against perpetrators. Apart from the law of evidence Section 203-A, the Pakistan Penal Code had a section 151(4), which allowed the accused to introduce evidence impugning the woman's character.

### **The State vs. M. Rehan, S.C, 1286 of 2004**

This following incident of sexual violence took place during the absence of the victim's mother, who had left the 7-year-old in the care of her 17-year-old cousin, Rehan, for grocery shopping. Rehan then led the young girl to a vacant plot, where he violated her, leading to immense bleeding. In response, Rehan took a cloth and tried to wipe the blood off her body while changing her clothes. When her mother returned, the victim disclosed the whole ordeal to her. Eventually, an FIR was registered with the help of a local government counselor. A

forensic examination confirmed the victim's account of being abused – sodomized. Legal proceedings against Rehan began under Section 377 of the Pakistan Penal Code – unnatural offenses instead of 375 – rape. During the trial, it was revealed that, after a settlement, the victim's father pardoned the accused. Allegations of promiscuity were leveled against the victim's mother and testified by the father in court, which also made her mother's testimony inadmissible. Despite clear evidence of the crime on the victim's garments, the court dismissed the case based on an out-of-court settlement.

Victim blaming is embedded in rape culture, where the accountability for the crime is shifted onto the victim. It is both historical and structural, which is a direct projection of the commodification of women and the objectification of their bodies. Their unequal status and system of oppression deprive them of their ability to make independent choices but also keep them under continuous surveillance and unjust accountability.

### Virgin Syndrome

When something lacks evidence, lies are spread to confirm the viewpoints, which, over time, become the new normal, whether constructive or destructive. History lacked the gaze of women, where patriarchal institutions had unlimited control. They traded women and girls as commodities in sexual and domestic slavery, in wars, disputes, and marriage arrangements. Rape also emerges from the private possession of men historically. The parallel between goods and girls was drawn in which men preferred virgins as they preferred new goods. The causative factor behind it used to be the honor of one man against the other, who could not own a woman touched by another (Caplan, 1987). The construct of virginity was seen as indicative of a woman's purity in the sight of both ideological hierarchies and men. Society is often drawn towards women's sexuality to judge her as an individual. A woman's morals and character values are linked to her sexuality rather than her personality (Valenti, 2010).

Until recently, two fingers test was conducted to investigate whether the complainant was raped. In this test, the examiner inserted two fingers inside the vaginal canal of the victim, only to affirm if the hymen had broken or not. The Lahore High Court outlawed the finger test in January 2021 (S. Aziz et al., 2020). One of the fallacies about rape is that married women are less susceptible to being raped, which brings us back to the point that only "taking" virginity was considered an offense. One of the myths is that only unmarried victims are raped, while a sex worker cannot be because of continuously engaging in sexual activity for a living, which makes her used to it (Farley & Barkan, 1998). Here, it conflicts with the understanding of consent. Similarly, married women are often not considered victims of rape because medical examinations may not reveal evidence of vaginal trauma (*The State vs. M. Akram, S.C 431 of 200*, 2008). However, the laws have tremendously progressed in favor of the victims' testimonies which do not require vaginal trauma as evidence anymore.

### State vs. Akram, S.C 431 of 2008

In the case of State vs. Akram, S.C 431 of 2008, a 31-year-old divorced woman and a mother of a child was raped by her brother-in-law, Akram, twice, a well-off and well-connected man within the police department. The incident happened on January 21, 2008, when the victim, H, was alone at her sister's place. Akram forced himself on her, threatening to harm further if

she did not adhere. He offered an illegal marriage, discrediting Islamic law, which forbids simultaneous marriage with two living sisters. H's efforts to seek justice were difficult as she was denied the right to lodge a First Information Report (FIR) at the local police station. She requested a medical examination at a Women's Medical Legal Organization (WMLO), which documented injuries on her lips, breasts, and thighs; however, there were no genital lacerations. Regardless of the evidence, the FIR was registered only after victim H remained undeterred. Akram, who secured a pre-arrest bail, kept intimidating her to recant her case. The trial carried on and resulted in Akram's release due to victim H's inability to produce evidence of vaginal injury because she had been married and had borne a child. Moreover, the court showed suspicion of the delay in lodging the FIR, even though victim H had approached the police a day after the assault. As an aftermath of her trial and the court's verdict, victim H faced complete isolation from her family and relocated to a different place. Her appeal against the session court's verdict was still pending in the Sindh High Court.

Rape is immensely degrading; it is a humiliating incident for any woman who faces it, and its physical and emotional effects are unbearable. It can malign a victim's physical and mental health, body organs, self-esteem, and social interactions. Virginity is tested by the hymen myth, which is a membranous layer located at the vaginal end. Its purpose in mammals is to prevent bacteria from entering. It is assumed that the breaking of the hymen causes bleeding, which ultimately serves as proof of someone's virginity. As to gynecologists, there is no reliable way to determine someone's past in this regard. As commonly believed, a tight vaginal canal or opening or bleeding are signs of virginity. However, experts differ from it. The vaginal opening does not become loose, not even after childbirth, unless a woman has had 12 to 14 deliveries. Only a doctor can comment on the hymen or vaginal opening during a proper examination, as hymens and vaginal openings vary significantly from woman to woman, including the fact that not everyone bleeds (Dr. S. Khan, personal communication, September 9, 2024). The size of the vaginal opening also varies and has nothing to do with "virginity." Virginity is not natural but culturally oriented to keep women in check. (Nina Dolvik & Dahl, 2017).

A woman is judged for her sexual status—whether she is a virgin, married, or divorced. These notions are directly linked to her sexuality. When it comes to sexual assault, specifically rape, what disturbs the most is her sexuality. The only concern is that she is no longer a virgin; her health, injuries, and other aspects are usually ignored. Historically, women were treated as mere subjects and commodities passed from father to husband like property. This is why it is assumed that women should not be "used." Many societies believe in testing a woman's virginity before or after marriage (World Health Organization, 2018). Walking down the aisle is a tradition where the father hands over the daughter to the husband on the wedding day (Poulin, 2003).

## CONCLUSION

It is ordinarily understood that social morality forces the victims into silence, encouraging faux morals of shame and honor; however, it does not only safeguard the perpetrators but perpetuates more violence. Legislation on sexual violence does not guarantee the eradication of sexual violence; however, it shifts the responsibility from the victim to the perpetrator(s).

Victims often cannot understand why someone would commit such a course against them. One motive is starkly clear: it exhibits disregard for the victim's feelings and autonomy, leaving survivors to struggle with emotional, physical, and psychological trauma. The question of sexual violence is not an issue of a single or more constituency; instead, it is a national quandary. It is a crime and a concern of law and order, peace, and safety of citizens. Dealing with violence requires an authoritative allocation of values, leading to the required aggregation of interests within a political system. There is an urgent need to educate society about sexual abuse by fostering informed discussions and launching instrumental implementation of retributive measures. It is usually believed in Pakistan that if the defense is progressive or modern, it will favor women; however, any defense which justifies the crime is a rape apology, i.e., transformative justice. This subject can use a critical understanding of justice measures for future research. Considering the attitudes prevalent in society, along with its historical, social, and intellectual trajectory, there is a pressing need for the reconstruction of discourses around sexual violence. Simply deconstructing myths about rape is insufficient; instead, there is a need to address their cultural influence and beliefs, which dehumanize the victims.

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## **Traditional Birth Attendants' Contribution to Maternal Health and Malaria Prevention in Ilorin Metropolis, Nigeria**

### **Abstract**

*The study investigates the role of Traditional Birth Attendants (TBAs) in preventing malaria among pregnant women in Ilorin Metropolis, Nigeria, where TBAs are deeply rooted in local customs and handle a significant number of deliveries. Despite this, Nigeria faces high rates of maternal and infant mortality, highlighting gaps in the healthcare system, particularly in rural areas. Using a cross-sectional survey, 234 pregnant women who had utilized TBA services were studied, employing both structured questionnaires and oral interviews. Results show that most pregnant women (62%) reported TBAs referring women with complications to hospitals, indicating collaboration with modern healthcare. However, concerns exist about healthcare workers' attitudes and the strained relationship between TBAs and healthcare facilities. Further exploration is needed to address these issues and redefine the roles of TBAs, emphasizing the importance of adequate supervision for their integration into the formal health system.*

**Keywords:** Malaria, Maternal Health, Maternal Mortality, Traditional Birth Attendants.

### **INTRODUCTION**

According to estimates, there were 263 million cases of malaria worldwide in 2023, with an incidence of 60.4 cases per 1000 at-risk people. According to the World Malaria Report (2024), the incidence has increased from 58.6 cases per 1000 people at risk in 2022 to 11 million cases over the previous year. Particularly in regions with high rates of transmission, including sub-Saharan Africa, Papua New Guinea, and the South Pacific islands, malaria presents a serious risk to tourists (Kogan & Kogan, 2020). Although malaria is a preventable and curable disease, an estimated 219 million episodes of sickness and 660,000 fatalities occur from it annually. Without treatment, malaria can be fatal, and symptoms usually show up seven days or more later (Al-Worafi, 2024). There is evidence linking malaria to several pregnancy issues, such as low birth weight newborns, early labor onset, moderate to severe anemia, and an increased chance of stillbirths. In holo-endemic regions, malaria is recognized as the primary cause of the high incidence of anemia in pregnant women, which in turn significantly contributes to the high rates of maternal and perinatal mortality in these regions

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(Bauserman et al., 2019; Moore et al., 2017; Saito et al., 2020; Saito et al., 2020). The World Health Organization has recognized that preventing malaria is a crucial public health intervention for enhancing maternal and perinatal health in underdeveloped nations, given the impact of malaria during pregnancy (Al-Worafi, 2024; Garrett, 2017).

Malaria during pregnancy can result in complications like maternal anemia, low birth weight, and an increased risk of stillbirth (McClure et al., 2022; Saito et al., 2020); improving maternal health through antenatal care and safe delivery practices is crucial for reducing maternal mortality (Bauserman et al., 2019). This makes malaria and maternal health particularly important for safe motherhood in developing countries. Malaria infection during pregnancy poses grave dangers to the mother, her fetus, and the newborn, making it a significant public health concern. Of all the malaria parasites that are now known to exist, *Plasmodium falciparum* is the most prevalent one that causes illness and clinical symptoms in expectant mothers (Bauserman et al., 2019; Sato, 2021). Compared to non-pregnant women, pregnant women experience more severe clinical consequences due to a considerable decrease in both humoral and cell-mediated immunity to malaria (Shulman & Dorman, 2017).

In Sub-Saharan Africa, malaria morbidity and mortality from *Plasmodium falciparum* infection are highest in pregnant women, newborns, and children under five. This remains a major concern for these vulnerable groups. In Nigeria, pregnancy is greatly impacted by malaria, which can result in serious side effects like hypoglycemia, early labor, and low birth weights (Bakken & Iversen, 2021; Emmanuel et al., 2024). High fertility rates and increased risks of maternal and infant mortality, which are often linked to inadequate healthcare and nutrition, are largely driven by cultural norms in African societies and developing nations that emphasize motherhood and frequently limit women's autonomy over their reproductive health (Marabele et al., 2020; Olonade et al., 2019). With one in eight women dying during childbirth, the everyday problem of maternal and newborn mortality is in sharp contrast to the significantly reduced risk in affluent countries such as the United States, where the rate is one in 4,800 (Adams et al., 2023; Pourette et al., 2018). This high death rate highlights a serious weakness in the primary healthcare system, especially in rural areas with limited access to healthcare (Endalamaw et al., 2023; Haque et al., 2020; Kumar et al., 2020).

In underdeveloped nations like Nigeria, the presence of traditional birth attendants (TBAs) has proved crucial to the efficient treatment of maternal health issues, including malaria. Their knowledge and practices concerning malaria prevention and management throughout pregnancy are essential for enhancing mother and child health outcomes. TBAs have been proven to play a critical role in maternal healthcare, especially in areas with limited access to official healthcare (Ntoimo et al., 2022; Ohaja & Murphy-Lawless, 2017). The introduction of the Safe Motherhood Initiative in 1987, the ensuing change in policy, and sectoral contextual assessments intensified the arguments for and against TBAs in maternal health care globally (Fantaye, 2020).

Given the significance of TBAs in healthcare services, especially in poor and remote regions, scholars have not given up on recognizing their contributions (Allou, 2018; Miller & Smith, 2017; Orya et al., 2017). Therefore, by aligning with the 2030 Agenda for Sustainable

Development Goals, namely the third objective (SDG 3), the current endeavor is enhancing this. This study is appropriate since SDG 3 calls for universal health coverage and fair access to healthcare services for all men and women. It also suggests ending epidemics and the avoidable deaths of newborns, infants, and children under five. The function of Traditional Birth Attendants (TBAs) in enhancing maternal health in the face of the malaria epidemic is being investigated in light of this with specific attention to the Ilorin metropolis, Nigeria.

### **Research Objectives**

- a) To investigate the roles played by traditional birth attendants in preventing and treating malaria among pregnant in the Ilorin metropolis.
- b) To assess the working relationship between traditional birth attendants and the formal health system by exploring the referral linkage between traditional birth attendants and the formal health system.

## **LITERATURE REVIEW**

### **Traditional Birth Attendants and Challenges of Malaria during Pregnancy**

Traditional birth attendants handle the bulk of births in Nigeria and other developing nations; 60–80% of deliveries occur outside contemporary medical institutions, frequently with the assistance of TBAs (Haruna et al., 2019; Olaore et al., 2020). According to Ntoimo et al. (2022), Garces et al. (2019), and Miller & Smith (2017), TBAs are now providing advice during adolescence, pregnancy, labor, and postpartum care in addition to birthing. In the UK, TBAs have been there since the 1800s, and UNICEF has supported their work since 1952 by giving them delivery kits. The WHO's 1978 Alma Ata Declaration, which promoted their training as a component of primary healthcare services, further acknowledged their importance (Efevbera & Bhabha, 2020; Sarelin, 2018). TBAs are involved in almost 85% of deliveries in underdeveloped nations, demonstrating their vital importance in mother and child health, even if their role has evolved from that of primary healthcare professionals to that of a bridge to expert birth attendance.

Global healthcare strategies by the late 20th century focused on prenatal care, maternal education, and the need for skilled birth attendance. They also acknowledged the ongoing need for emergency obstetric care because of the lack of adequate healthcare infrastructure in developing countries (Pehl & Howell, 2021). In Nigeria, where there is a shortage of medical workers, TBAs are viewed as an untapped resource that, with the proper training, may significantly improve healthcare delivery, particularly in rural regions (Sulis et al., 2023). TBAs provide a role that goes beyond simply helping women give birth; they represent a comprehensive strategy based on traditional medical methods that have long been a mainstay of healthcare in many cultures (Gurara et al., 2020; Miller & Smith, 2017). Up to 80% of people in Africa rely on these services, which are essential to developing nations' healthcare systems due to their accessibility and affordability (Azevedo & Azevedo, 2017; Oleribe et al., 2019).

Women naturally become resistant to malaria as their pregnancies go on, and subsequent pregnancies strengthen this resistance as a result of the development of antibodies against placental malaria. These antibodies preferentially target malaria parasite-infected

erythrocytes that stick to the placenta. Although these antibodies are initially absent in first-time pregnant women, many start to exhibit immune responses during the second trimester, identifying parasitized cells that attach to the placenta's chondroitin sulfate A (Cutts et al., 2020; Gueneuc et al., 2017; Unger et al., 2023). Around week ten of pregnancy, when chondroitin sulfate A is present and facilitates the parasite's adherence, the placenta becomes vulnerable to malaria infection. The greatest risk of malaria infection in the placenta occurs between 13 and 20 weeks of pregnancy, indicating that this vulnerability persists (Lawford et al., 2019; Zakama et al., 2020).

The presence of particular immune cells and the malaria pigment hemoglobin can be used to identify placental infections, which are then categorized according to these results. From no infection to acute, chronic, or previous stages of infection, the intensity of the illness varies (Bihoun et al., 2022; Cutts et al., 2020; Zakama et al., 2020). First-time (primigravida) and seasoned (multigravida) pregnant women build antibodies against malaria differently. Although all pregnant women can produce these protective antibodies, women who are reexposed to the parasite during a subsequent pregnancy can do so more quickly, which may improve the prognosis of the pregnancy. Neither males nor children often exhibit this immunity, which is unique to pregnancy (Aguado-Martínez et al., 2017; Persson et al., 2019; Walker & Rogerson, 2023).

## **THEORETICAL FRAMEWORK**

### **Gender and Development (GAD) Theory**

The Gender and Development (GAD) approach, emerging in the 1980s, advocated for women's empowerment by transforming unequal gender relations (Amin & Girard, 2024). GAD stresses the importance of analyzing gender roles and divisions of labor to address inequalities (Balgansuren & Arunotai, 2025; Jaehn et al., 2020; Vásquez-Vera, 2022). Central to GAD is the understanding that societal structures disadvantage women, recognizing women's diverse societal roles and the importance of addressing practical and strategic gender needs. Practical needs refer to immediate necessities, whereas strategic needs aim to tackle the root causes of inequality (Jaquette, 2017). By utilizing gender analysis frameworks, GAD aims for gender-sensitive policy planning and a deeper level of women's empowerment, addressing their immediate conditions and systemic barriers to equality (Chopra & Ugalde, 2018; Obbo, 2017). This comprehensive approach acknowledges the intricate relationship between societal structures, economic systems, and cultural norms, enabling the development of interventions that not only fulfill women's immediate needs but also challenge and change the systemic causes of gender inequality (Gerba et al., 2024; Guthridge et al., 2022).

## **RESEARCH METHODOLOGY**

This study employed a cross-sectional survey design. The study was conducted in selected Traditional Birth Attendants outfits in the Ilorin metropolis, Nigeria. Eighteen (18) outfits that engage in Traditional Birth activities were identified within the metropolis. These outfits were composed of 8 that were faith-based and 10 that were secular. Two hundred ten respondents were sampled from these outfits, while 24 were sampled through the convenience sampling technique. This is composed of the pregnant women who have utilized

the services of these outfits in the past and those who are presently making the service therein for maternal care. This method ensured that participants with relevant experiences and insights regarding TBA services and malaria prevention were included in the study. Data was collected through structured questionnaires and oral interviews to complement each other. The questionnaire was designed to gather quantitative data from 234 respondents, while oral interviews with 10 participants provided qualitative insights into participants' experiences and perspectives. The support of these respondents was obtained through the outfit operators. Purposive sampling was utilized to select the participants in qualitative sampling who were engaged in in-depth interviews (IDI) and key informant interviews (KII) sessions. Five (5) operators of TBA outfits were involved in IDI. At the same time, five officials of the Ministry of Health participated in KII—the pregnant women and mothers who have utilized TBA services for maternal care in the Ilorin Metropolis. Quantitative data collected through the questionnaires were analyzed using descriptive statistics, including frequencies and percentages, to summarize and interpret participants' responses. Informed consent was obtained from all participants, and measures were taken to ensure the confidentiality and anonymity of their responses. Participants were also informed of their right to withdraw from the study at any time without penalty.

## RESULTS & DISCUSSIONS

The socio-demographic data in this study shows the respondents' age category. According to the data, 23% are less than 25 years old. Those between 25-30 years of age are 58%, followed by those above 30 years (19%). Religious affiliation of the respondents reveals that 48% of them are Muslims. The Christians and those who refused to indicate their religious affiliation are 37% and 15%, respectively. The educational qualifications of the respondents revealed that 52% are secondary school certificate holders, 28% have National Diploma/Nigeria Certificate in Education certificates, and the rest (20%) have Higher National Diploma and University Degrees. Substantial proportions of these respondents are from secular, traditional birth attendant outfits, followed by those from faith-based outfits. These respondents included the petty traders (47%), students (29%) and artisans (24%).

**Table 1: Monthly Income in the Last 6 Months**

| Response         | Frequency | Percentage |
|------------------|-----------|------------|
| below N5000      | 39        | 16.7       |
| N5,000-N10,000   | 63        | 27.0       |
| N11,000- N20,000 | 60        | 25.6       |
| N21,000- N30,000 | 38        | 16.2       |
| N31,000- N40,000 | 34        | 14.5       |
| Total            | 234       | 100.0      |

*Source: Field Survey, 2023.*

Table 1 reveals the monthly income of the respondents. The majority of the respondents earned between N5000-N10,000 (27%), followed by respondents who earned between N11,000 – N20,000 (25.6%), 16.2% earned between N21,000-N30,000 monthly, 14.5% earned between N31,000-N40,000 while 14.5% earned below N5,000 monthly. On the regularity in the Usage of the services of Traditional Birth Attendants, the data revealed that the participants frequently utilize traditional birth attendants (TBAs) (49%), others noted that the services are often used

(28%), 9% use their services sporadically, and 14% do not use TBAs at all. This indicates a significant reliance on TBAs among pregnant women. Simpson (2004) supports this observation, noting that despite awareness of maternal and child mortality, the use of TBA facilities remains prevalent. The explanation is straightforward: the lack of public healthcare facilities offering essential services like immunization, health education, nutritional promotion, and management of common illnesses such as malaria, diarrhea, and respiratory infections forces rural residents to rely on the available healthcare options, such as TBAs.

**Table 2:**

*Do you believe that traditional birth attendants' services are expensive?*

| <b>RESPONSES</b> | <b>FREQUENCY</b> | <b>PERCENTAGES (%)</b> |
|------------------|------------------|------------------------|
| Yes              | 97               | 41                     |
| No               | 126              | 54                     |
| Sometimes        | 11               | 5                      |
| <b>TOTAL</b>     | <b>234</b>       | <b>100</b>             |

*Source: Field Work, 2023*

Table 2 reveals that 41% of participants find the services of traditional birth attendants (TBAs) expensive, while 54% disagree, and 5% consider these services to be occasionally expensive. Despite the perception of high costs among some pregnant women, likely influenced by their socio-economic background, TBAs remain a popular choice over modern health facilities. This preference suggests that, for many, the cost does not outweigh the benefits. Raheem (2011) elaborates on this by noting that TBAs' fees, while posing a challenge to reducing maternal and child mortality rates, do not deter their use. Instead, the trust and confidence placed in TBAs, coupled with their community presence and lower fees compared to health centers, sustain their relevance in child delivery services.

**Table 3:**

*Attitudinal Disposition of Traditional Birth Attendants and their Services*

Strongly Agree (SA), Agree (A), Undecided (UD), Strongly Disagree (SD) and Disagree (D)]

| <b>Responses</b>  | <b>Mean</b> |
|---|-------------|
| TBAs are more accessible and affordable than a health facility  | 3.12        |
| TBA's services often involved reference to conventional health facilities in time of pregnant women with complications  | 2.88        |
| TBAs services are important for positive pregnancy outcomes hence my strong belief in encouraging its usage   | 3.64        |
| The staff members in TBAs are usually accessible and easily understand the needs of pregnant women than those in conventional health facilities   | 4.02        |
| My experience of malaria treatment outcomes during and after pregnancy by the TBAs is very positive hence my reliance on them and continuous recommendation of their services to other pregnant women | 3.76        |
| The approach of TBAs operators towards guiding pregnant women on malaria prevention and treatment is very encouraging and effective   | 4.42        |

*Source: Field Survey, 2023.*

Table 3 illustrates the attitudinal disposition of traditional birth attendants and their services. According to the data, the TBAs are more accessible and affordable than a health facility. Such proximity likely contributes to their popularity among expectant mothers. Studies on health-seeking behavior, such as those by Develay et al. (1996) and Becker et al. (1993), underscore the significance of service availability and accessibility. Access to healthcare services has been consistently identified as a crucial factor influencing the utilization of health services, particularly in developing countries. It equally affirmed that TBA's services did not often involve reference to conventional health facilities in the time of pregnant women with complications.

The data presented in the table further revealed that TBA services are important for positive pregnancy outcomes, hence my strong belief in encouraging its usage. The staff members in TBAs were affirmed to be usually accessible and easily understand the needs of pregnant women compared to those in conventional health facilities. The respondents' experience of malaria treatment outcomes during and after pregnancy by the TBAs was not as very positive, hence my reliance on them and continuous recommendation of their services to other pregnant women. The TBA operators' approaches to guiding pregnant women on malaria prevention and treatment were affirmed as encouraging and practical. The qualitative data collected further complemented the foregoing. According to a participant in the in-depth interview:

"Since I took over this job from my mother, I have never had to refer any complications to orthodox hospitals. Some years ago, when I just started, there was a complication with a pregnant woman in which the pregnancy was tied in her womb. I only consulted a senior TBA in the community to intervene, and it was sorted out; the woman delivered safely, and the child was okay. Even in cases where the orthodox hospitals are brought to us here, and with the power bestowed on us, we will deliver it" (IDI/Female Participant/TBA Operator 1/July/2023).

Another TBA interviewed believed that God has given her control over any complication since she began practising as a TBA. She indicated that there is a solution to every problem under the sun.

"God has given us power over every situation. If a woman has excess bleeding, there is a leave that takes care of that, or if the baby does not want to come out normally, there is also a leave that I will squeeze and sprinkle the juice on the woman's back, and immediately, the baby will respond positively. All these are unacceptable in the hospital, making them embark on surgery when they experience such a situation" (IDI/Female Participant/TBA Operator 2/July/2023).

However, there remains insufficient evidence to assert that trained Traditional Birth Attendants (TBAs) alone can effectively reduce maternal mortality rates unless they are integrated with healthcare services and empowered to facilitate referrals to well-equipped hospitals offering vital obstetric care (Owoseni & Owumi, 2012).

In another instance, it was further revealed that the perceived efficacy of the services being rendered by the TBA operators has instilled trust in the minds of their clients. According to a participant,

"We ensure that all our efforts and expertise are deployed into our services for positive outcomes. Our zero tolerance for laziness and commitment, therefore, serve as a means of enhancing the trust of our clients and as sustenance of operation of TBA" (IDI/Female Participant/TBA Operator 3/July/2023).

Another participant shed light on the revelation from their clients where the exposition was made about the negative impression created in the minds of the clients by the staff members in the orthodox healthcare center. According to the participants,

"Most of our clients informed us about their lukewarm attitude to the patronage of healthcare facilities, which, according to them, was facilitated by poor service outcomes and insulting languages that often emanate from the orthodox healthcare facilities. This negative practice did not apply to TBAs, and the success story about the outfits informed their preference and continuous patronage of TBAs" (IDI/Female Participant/TBA Operator 2/July/2023).

The position of the Key Informants in this discourse further showcased the subject matter of this study. According to a participant, realizing the importance of cultural norms and their impacts on people's everyday activities in developing societies informed the introduction of traditional birth attendants as a healthcare option for pregnant women. This position has been certified as justified by ceaseless positive information from these outfits. According to one of the participants,

"The practices are being sustained because the operators are people of the same cultural background. Most often, they are of the same faith, while in some instances, the clients are not alien to the practices obtainable from these outfits. Aside from this, the operators have ample knowledge of ongoing events within the communities and how these affect their clients' health and pregnancy situation. Therefore, it enhances the preference for TBAs and their sustenance" (Female KII/Participant/Primary Health Department/Ministry of Health, Kwara State).

Complementing the above, it was stated further that

"The clients' economic status is often low. However, the affordable services of the TBAs influenced the nature of the people patronizing the outfits and their sustenance. Other factors included limited educational status. People with high levels of education are not always enthusiasts of TBAs except where the prevailing circumstance made the choice inevitable. The regular coordination of TBA outfit activities by the Ministry of Health officials serves as quality control. Such

coordination that equally involves training and retraining of the officials of the TBA outfits makes the cases of referral to orthodox health facilities almost irregular” (Female KII/Participant/Public Health Department/Ministry of Health, Kwara State).

The analysis showed a substantial dependence on traditional birth attendants (TBAs) among pregnant women in the study area. Nearly half (49%) of the respondents reported frequent use of TBAs, while an additional 28 percent indicated that they often relied on their services. Although a smaller proportion (9%) used TBAs only sporadically, it is noteworthy that only 14 percent of the participants reported not utilizing their services at all. These figures underscore the pivotal role that TBAs continue to play in maternal healthcare, particularly in rural or underserved regions. This finding agrees with Ntoimo et al. (2022), who observed that the use of TBA services remains widespread even in contexts with growing awareness of maternal and child health risks. The persistence of this trend can be largely attributed to systemic deficiencies in public healthcare infrastructure. In many rural settings, the absence of accessible and adequately equipped health facilities significantly limits women's options for antenatal and delivery care (Gamberini et al., 2022). Critical services such as immunization, health education, nutritional counseling, and treatment of prevalent illnesses like malaria, diarrhea, and respiratory infections are often unavailable or out of reach for many (DeFraités et al., 2020; Olu et al., 2021).

Consequently, TBAs emerge as the most accessible and trusted source of maternal support, not necessarily by choice but by necessity. Their availability, cultural familiarity, and proximity to communities make them a default option for many pregnant women, especially in areas where formal healthcare services are either geographically distant, economically inaccessible, or perceived as culturally insensitive. Thus, the findings highlighted by Kea et al. (2018) and Liverani et al. (2024) show the continued relevance of TBAs and the urgent need to strengthen public health infrastructure and integrate community-based care providers into the broader healthcare system. Also, based on the findings, 41 percent of participants perceive TBA services as expensive, while a slightly larger proportion (54%) disagree with this view. Additionally, 5 percent of respondents consider the cost to be occasionally expensive. These results suggest a divided perception of the affordability of TBAs, yet they also highlight that the perceived expense does not significantly deter their use.

This dichotomy between cost perception and continued patronage reflects a complex interplay of socioeconomic factors and cultural attitudes (Ajetunmobi & Laobangdisa, 2024). The belief among some respondents that TBA services are costly may stem from their limited financial means, making even modest fees seem burdensome. However, despite this perception, TBAs continue to be widely used, suggesting that other factors outweigh concerns about cost. This finding aligns with the assertion by Chukwuma et al. (2019) and Vellakkal et al. (2017), who note that while the fees charged by TBAs can present barriers to maternal and child health improvements, they do not act as strong deterrents to utilization. Rather, TBAs retain popularity due to deep-rooted community trust, cultural familiarity, and consistent availability within local settings. Moreover, the preference for TBAs over formal health institutions, even in cases where costs are not seen as high, indicates that pregnant women may be prioritizing aspects such as personalized care, cultural sensitivity, and

convenience over strict economic considerations (Nasir et al., 2020; Shimpuku et al., 2021). Unlike public health centers, which may be perceived as bureaucratic, understaffed, or distant, TBAs often provide more flexible, emotionally supportive services tailored to the local context. In some cases, their willingness to accept payment in kind or to offer services on credit further increases their accessibility.

The findings also suggest that perceptions of affordability are relative and heavily influenced by comparisons with modern health facilities (Ortiz et al., 2022). While some women may find TBA services expensive in absolute terms, they are often still considered cheaper and more accessible than hospital-based care, which may involve additional costs such as transportation, registration fees, medications, or unofficial payments. This comparative affordability and the perception of better interpersonal relationships with TBAs reinforce their continued relevance in maternal health service delivery. Despite perceptions of expense, the sustained utilization of TBAs underscores the importance of addressing financial barriers and cultural and systemic factors in efforts to improve maternal healthcare outcomes. Policymakers and healthcare providers should consider strategies for integrating TBAs into the formal health system, offering training and support to enhance their services while bridging the gap between traditional and modern healthcare approaches (Bhutada et al., 2024).

TBAs are often trusted individuals, known personally to the women they serve, and are perceived as more approachable and responsive than healthcare professionals in formal institutions. This level of accessibility plays a critical role in shaping women's health-seeking behavior, particularly in rural areas where modern healthcare services may be far away, require transportation, or involve long waiting times and bureaucratic procedures. The importance of accessibility in health service utilization is well-documented in the literature. Ravi et al. (2024) and Shi et al. (2025) emphasize that availability and proximity of services are decisive factors influencing individuals' choices in seeking care. In developing countries, where infrastructure and transportation systems are often inadequate, physical distance to health facilities can be a major barrier. Women may have to travel long distances, sometimes on foot or via costly means, to access basic healthcare. TBAs offer a more immediate, less burdensome alternative (Banke-Thomas et al., 2020; Parajuli & Doneys, 2017).

Affordability is another critical factor intertwined with accessibility. TBAs typically charge lower fees than formal health institutions and may offer flexible payment options, such as installment plans or barter arrangements. This economic leniency makes them a practical choice for many families, particularly those living below the poverty line. For these women, the decision to use TBAs is not merely based on preference but on pragmatic considerations related to ease of access and cost. Moreover, the findings by Ntoimo et al. (2022) suggest that healthcare decisions are influenced not only by the quality or modernity of services but also by their convenience and availability. Even when modern facilities exist, if they are not readily accessible—due to location, transportation issues, cost, or perceived poor treatment—pregnant women are likely to choose TBAs that offer more convenient and culturally familiar care.

These insights underscore the need for a more nuanced approach to improving maternal

health outcomes in low-resource settings. Rather than attempting to replace TBAs, health systems could benefit from integrating them into the broader healthcare framework. By providing TBAs with proper training, supervision, and collaboration with formal health workers, their accessibility and community trust can be harnessed to strengthen maternal and child healthcare delivery. The strong community presence of TBAs, combined with their perceived affordability and social connectedness, makes them indispensable to many pregnant women. Recognizing and addressing these factors is crucial for designing effective interventions that bridge the gap between traditional and modern healthcare systems (Sparkes et al., 2019).

The analysis revealed that the overall majority (72%) who believe TBAs do refer complicated cases to formal health facilities reflect positively on the potential role TBAs can play in a more integrated healthcare system. It indicates that many TBAs are aware of their limitations and are willing to seek help from trained medical professionals when necessary. This level of cooperation can be seen as a strength, particularly in communities where TBAs are often the first point of contact for pregnant women due to accessibility, trust, and cultural familiarity. Effective referral practices are essential in reducing maternal and neonatal mortality, especially in cases of obstructed labor, severe bleeding, eclampsia, or fetal distress, conditions that TBAs may not be equipped to manage. The reported willingness of TBAs to refer such cases highlights their potential to serve as a valuable link between community-based maternal care and formal health services. This aligns with public health strategies that advocate for the training and supervision of TBAs to improve maternal outcomes, particularly in rural or underserved regions (Kea et al., 2018).

However, 28 percent of respondents doubted the consistency of TBA referrals (disagreeing or strongly disagreeing), which is a cause for concern. It may reflect either a lack of standardized referral protocols, inadequate knowledge or training among some TBAs, or reluctance due to fear of losing clients or income. In some instances, TBAs may delay referrals in the hope that complications can be managed with traditional methods, which can increase the risk of adverse outcomes for both mother and child. This mixed perception suggests that while there is a growing awareness and practice of referrals among TBAs, gaps must be addressed through policy and capacity-building efforts. Formalizing the role of TBAs in the healthcare system through training programs, referral networks, and incentive structures could significantly enhance their effectiveness and reduce preventable complications. Collaboration between TBAs and skilled healthcare providers, supported by community health education, can help foster a seamless transition of care when complications arise (Olivas et al., 2023).

Furthermore, the perception of TBAs' referral practices also reflects communities' trust in their judgment and commitment to maternal health. Where TBAs are known to refer timely and appropriately, confidence in their services increases. Conversely, where such behavior is inconsistent, it can undermine both maternal health outcomes and efforts to improve community-level healthcare (Mosley et al., 2020). The findings from Table 4 reveal a cautiously optimistic picture: a significant proportion of TBAs are perceived to refer complicated cases to orthodox hospitals, indicating a potential for collaboration and integration with formal healthcare services. However, doubt among some respondents

highlights the urgent need for standardized training, improved monitoring, and strengthened referral systems to ensure that all TBAs act promptly and appropriately when complications occur. Leveraging this community-based asset through better support and oversight could substantially improve maternal and neonatal health outcomes, particularly in low-resource settings (Erzse et al., 2024; McNab et al., 2022).

## **CONCLUSION**

The attitudes of healthcare workers and the strained relationship between Traditional Birth Attendants (TBAs) and health facilities raise significant concerns. There is a need for further investigation to identify ways to overcome these barriers and redefine the roles of TBAs, aiming to integrate them as vital links between communities and formal health systems. Additionally, ensuring appropriate supervision of TBAs is essential. Moreover, the urgent need for additional health facilities, particularly in remote areas, cannot be overstated. Alongside infrastructure, there is a pressing demand for well-trained healthcare personnel, especially considering the impact of HIV on the healthcare workforce. Recruiting and training capable healthcare staff is crucial to meet the increasing demand for pregnancy-related services and deliveries, requiring a shift away from reliance on TBAs. However, establishing these resources presents a significant challenge that must be addressed. In the interim, addressing the human resources and facilities crisis necessitates collaborative efforts within communities, including providing transportation assistance, implementing birth planning initiatives, involving TBAs in healthcare planning, engaging men, and promoting awareness of national policies. It is also vital to support practicing TBAs to ensure they deliver safe and attentive care to women in their communities. Looking ahead, the role of TBAs should evolve towards that of community educators, focusing on reproductive health issues. Encouraging future generations of TBAs, particularly their daughters and granddaughters, to pursue higher education in nursing can merge local expertise with modern healthcare practices. As a leader in achieving the Millennium Development Goals (MDGs), the government should prioritize TBA training and integration as a strategic intervention to reduce maternal mortality rates within target deadlines.

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## Notes To Contributors

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