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## **Inclusive Education and the UN Convention on the Rights of Persons with Disabilities: A Comprehensive Reflection**

### **Abstract**

*Approximately 10% of the global population experiences some form of disability, encountering various forms of discrimination and social exclusion. It is incumbent upon both the state and society to institute protective measures for individuals with disabilities, recognizing this as a matter of human rights. In alignment with the Universal Declaration of Human Rights, individuals with disabilities are entitled to the full spectrum of rights, ensuring their freedom for the complete enjoyment of their entitlements. The Convention on the Rights of Persons with Disabilities, building on the Universal Declaration of Human Rights, affirms that everyone deserves all rights and freedoms without any form of discrimination. This paper concentrates on three fundamental rights crucial for the dignified existence of individuals with disabilities in society: education, health, and employment. Additionally, it sheds light on the particularly vulnerable segment of society, namely women with disabilities, who may encounter various forms of discrimination in their quest for survival within the community. The study concludes that while the convention acknowledges the rights of individuals with disabilities and outlines comprehensive provisions for their basic rights in education, health, and employment, the actual implementation of these rights remains contentious. The recommendation is for both the state and civil society to take appropriate measures to safeguard the rights of individuals with disabilities and ensure the fulfillment of their entitlements.*

**Keywords:** Education, Inclusive, Persons with Disabilities, UN Convention

### **INTRODUCTION**

The global conversation around education has changed in recent years to emphasize inclusivity and the value of giving everyone, including those with disabilities, equal chances. With a focus on the concepts and difficulties involved in fostering inclusive practices, this study examines the relationship between inclusive education and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The United Nations estimates that approximately 500 million people worldwide suffer from various forms of disability, with the number rising annually as a result of various disasters, conflicts, acts of terror, unhygienic living circumstances, and a lack of awareness and education on disabilities. Physical, intellectual, or any other type of mental illness can all result in disability (Langenbach, 2003). The convention's main goals are to uphold the dignity and personal identity of all people with disabilities and to promote and safeguard their fundamental freedoms and human rights. The United Nations General Assembly adopted the Convention on the Rights of Disabled Persons on December 13, 2006, and it became operative on May 3, 2007, after being made available for signing on March 30, 2007 (United Nations, 2006).

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The convention has fifty articles on all types of human rights necessary for the person with disability. Following are the general principles of the convention:

- i) Respect for inherent dignity, individual autonomy including the freedom to make one's own choice and independence of persons.
- ii) No Discrimination
- iii) Full and effective participation and inclusion in society
- iv) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
- v) Equal opportunity
- vi) Accessibility
- vii) Equality between men and women
- viii) Respect for the evolving capacities of children with disabilities and respect for the rights of children with disabilities to preserve their identities.

Following is the reflection on the important articles addressed, education, health, employment and vulnerability of women & children addressed under the convention:

### **Rights of Education (Article 24)**

The Convention recognizes the rights of education for the persons with disabilities without discrimination and on the basis of equal opportunity. It also emphasizes an inclusive education system at all levels (Guernsey *et al*, 2007).

The important aspects of the rights to education are:

- a) Development of human potential and sense of dignity and self-worth.
- b) The development of the personalities of persons with disability and to enhance their talent and creativity as well as their mental and physical abilities.
- c) Effective participation at all levels of society.
- d) Children with disabilities are not excluded from free and compulsory primary education.
- e) People with disabilities can access an inclusive, quality and free education on equal basis with others in the communities in which they live.
- f) Provision of support services for the academic and social development
- g) Enable people with disabilities to learn life and social development skills to facilitate their full and equal participation in education.
- h) Ensuring that the education of persons who are blind, deaf or deaf-blind is delivered in the most appropriate languages and modes and means of communication for the individual.

It is an important step in the recognition and advancement of people with disabilities' rights, especially their access to education. It advocates for a change in educational methods from isolated to inclusive ones that allow people with disabilities to fully engage in society. It's crucial to remember that different nations may have their own national laws and regulations that elaborate on and put these concepts into practice (Slee, 2011).

The right to inclusive education is strongly established by the UN Convention on the Rights of Persons with Disabilities; yet, successful implementation of these principles necessitates coordinated efforts at the institutional, societal, and policy levels. To identify obstacles and

opportunities and make sure that inclusive education becomes a reality, ongoing critical analysis and review are crucial (Ainscow, 2005).

**Health (Article 25)**

The Convention entitles all persons with disabilities with the rights to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States' parties should take all appropriate measures to ensure access for persons with disabilities to health services that are gender sensitive, including health related rehabilitation (Guernsey *et al*, 2007).

Regarding the right of health, the convention focuses on the following points:

- a) Provision of quality free and affordable health care services and programs to persons with disabilities including in the area of sexual and reproductive health programs
- b) Provide the specific health service related to the disabilities including early identification and appropriate intervention
- c) Provision of health services to minimize further disabilities among children and older persons
- d) Provide these health services close to where the people with disabilities lived
- e) Require experienced health professionals.

It is important to note that specific health-related measures and policies are often implemented at the national level. Governments and healthcare systems are responsible for creating and implementing inclusive health policies that address the unique needs of individuals with disabilities, ensuring they can access healthcare services on an equal basis with others.

**Work and employment (Article 27)**

1. The convention recognizes the rights of persons with disabilities to work on equal basis with others.
2. Promote the realization of the right to work including those who acquire a disability during the course of employment.
3. Prohibit discrimination from all forms of employment, including conditions of recruitment, hiring, career advancement, equal payment and safe & healthy working conditions.
4. Ensure that persons with disabilities are able to exercise their labor and trade union rights on equal basis with others.
5. Employ persons with disabilities in the public sector and private sector through appropriate policies and measures.
6. Ensure that proper accommodation is provided to persons with disabilities in the workplace.
7. Ensure that persons with disability are not held in slavery or in servitude

The convention places a strong emphasis on equality and expressly forbids discrimination on the basis of disability. In order to guarantee that people with disabilities have equal access to all facets of life, including public services, work, healthcare, and education, it requires reasonable accommodations.



### **Women with disabilities (Article 6)**

1. The convention ensures that state parties recognize that women and girls with disabilities are subject to multiple discriminations therefore it takes measures to ensure the full and equal enjoyment of all human rights.
2. All appropriate measures must be taken to ensure the full development, advancement and empowerment of women.
3. Article 6 acknowledges that women and girls with disabilities are often subject to multiple forms of discrimination based on both gender and disability. It underscores the need to address these intersecting forms of discrimination to ensure equal enjoyment of rights.
4. The article emphasizes the importance of eliminating stereotypes and prejudices concerning women with disabilities. It calls for efforts to modify societal perceptions that may contribute to the marginalization or exclusion of women with disabilities.
5. It affirms that women with disabilities should have equal opportunities with men with disabilities and women without disabilities. It emphasizes the importance of ensuring that women with disabilities can fully and actively participate in all aspects of life on an equal basis with others.
6. The article also recognizes the specific healthcare needs of women with disabilities, including access to sexual and reproductive healthcare services. It calls for measures to ensure that healthcare and rehabilitation services are provided without discrimination.

Thus, in order to ensure that women with disabilities have full and equal involvement in society, Article 6 of the UNCRPD provides requirements that acknowledge the special problems that these women experience. In order to advance inclusivity and defend the rights of women with disabilities, it emphasizes how crucial it is to address the intersections of gender and disability.

### **Children with Disabilities (Article 7)**

1. All obligatory measures are guaranteed for the full enjoyment by children with disabilities of all human rights.
2. In all actions concerning children with disabilities, the best interests of the child shall be focused.
3. Children with disabilities have the right to express their views freely on all matters affecting them.
4. Children with disabilities shall be provided assistance to realize their rights (Langenbach, 2003).

The UNCRPD emphasizes the significance of defending and advancing the rights of children with disabilities, as do other international instruments. These rights include a wide range of areas in their life and guarantee that they can develop in a welcoming and encouraging environment. Governments, communities, and other stakeholders must work together to achieve these rights in order to build an inclusive society that is accessible to all children.

### **CONCLUSION**

Realizing the rights of people with disabilities as stated in the UNCRPD requires inclusive education. We, in Pakistan, need to work on this Declaration, in tune with other countries, if we are to ensure the rightful place of our men, women and children in the committee of nations.

This thorough analysis emphasizes how crucial it is to match inclusiveness ideals with educational practices and calls for a deliberate effort to overcome the obstacles preventing inclusive education from being fully implemented. Societies need to endeavor to create learning settings that empower every person, regardless of ability or disability, by adopting the spirit of the UNCRPD. Even with the admirable goals expressed in the UNCRPD, there are a number of obstacles to overcome before inclusive education may be fully implemented. These difficulties include the absence of specialized resources, poor infrastructure, inadequate training of teachers, and the attitudes of society toward people with disabilities. A comprehensive strategy involving legislators, educators, communities, and people with disabilities is needed to overcome these obstacles. Governments, like ours, need to work in collaboration with civil society in order for the Declaration to be understood and implemented in letter and spirit.

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## ***Exploring Socio-Cultural Perspectives and Experiences of Elderly: A Case Study of Baghban Old Home, Rawalpindi***

### **Abstract**

*Modernization has transformed Pakistani culture into a new age, with a series of shifts in society and the family system that have generated imbalances in family ties. People are becoming more and more interested in achievement, forgetting the traditions and values of their traditional societies. This research reflects on how Pakistani culture has evolved concerning the socio-cultural patterns and experiences of the elderly as part of the Pakistani population. To carry out this research, the researcher has used an ethnographic approach, selecting Baghban Old Age Home, Rawalpindi. Purposive sampling technique was used based on the availability of the respondents. In-depth interviews were conducted to extract a variety of ideas and beliefs regarding the issues of the elderly. From the interviews, it was concluded that the rate of adopting modernization trends towards change in family structure has been adopted by Pakistani society. The living of the elderly with a family that does not care about them is difficult, although people living in the old home have been there for a variety of reasons. Some people were not comfortable with the idea of residing in an old home, since some people lived there for a while and some people were there permanently because that was the only place they had to live.*

**Keywords:** Elderly, Old Age Home, Modernization, Nuclear Family

### **INTRODUCTION**

Human life consists of numerous experiences out of which the perceptions related to growing age are significant. These changes are perceived differently across different cultures. Treatment towards old age people varies in different situations as well as across cultures. In some cultures, sending the elderly to old homes is not favored under any circumstances. In Pakistan, many people have not yet embraced the idea of an old home. There are still very few people in Pakistan who send their elders to old age homes, but many still do not neglect their elders (May, 2012). On the other hand, perceptions related to old homes in the United States are different. When an older person hits the age of 60, he is taken to the old age home where all his needs are met and the society accepts the phenomenon of old homes (Nkosi & Ncama, 2012). This study aims to explore the socio-cultural factors due to which the old people leave their households and take shelter in an old home. The current study has been carried out at Baghban Old Age Home, Rawalpindi and the experiences of residents residing in this old home

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have been explored in detail. Pakistan, as a developing country is facing many challenges, among them; the process of a demographic transition is of great concern. The main concern is the ratio of the elderly to the overall population, which is increasing day by day. Due to this the idea of old homes was taken up in Pakistani culture. Earlier, people used to have a lot of respect for their elders, and old homes were not accepted, but it is now becoming an acceptable phenomenon in Pakistani culture. The modernization phase in Pakistani society led people to perceive the idea of old homes and send their elders there. This is also evident by the fact that in 2006, there were only three old age homes in Karachi but in 2018 the official number has gone up to 8 old homes. People hold firm to the belief that 'abandoning' an elder is contradictory to social and religious values in Pakistan, and there is no arguing that there are advantages to living with the elderly in a constantly shifting society and its priorities (Qidwai et al., 2020).

Contrary to this, the rural society of America such as found in colonial times families cared for their loved ones at home till death took them. In the latter half of the 1800's because of an increasingly urban society, many urban families were often unable to care for loved ones due to a lack of space or because all family members including children were employed (Decker, 1999). The acceptance of old homes varies in other countries where health and social care for the elderly is an important part of welfare policies. They accept the presence of old homes in their states and people feel good to admit their elders to old homes for the purpose of good care which they cannot provide them. Although the acceptance of old homes was a common phenomenon in the United States, some families do not abandon their loved ones by placing them in a home.

Most societies are going through the modernization phase which brings a lot of changes in the structure of various societies. Modernization is an encompassing mechanism of major social transition that once set in motion, appears to transcend all aspects of society, from economic development to social life, in a self-reinforcing process. Pakistan has undergone a major shift in the structure of Pakistani culture, in the form of social transition, family transition, and transition of socio-cultural patterns (Qidwai et al., 2018). Modernization has affected Pakistani culture in such a way that the aged are faced with demanding attitudes from society since changes in the family system have influenced many factors of elderly life like the exponential development of industrialization and urbanization, the rationalization of social life and the emergence of a rational perspective in all walks of life. Modernization results in the change of family climate which ultimately influences the life and health of the elderly. Elderly people still need the right atmosphere and tend to have a quiet life. The history of each family however is distinct, making the connection of the elderly to their family members different. If their family does not treat them well, the elderly experience loneliness in their own home.

People consider their elders as a burden on them and do not want bear their responsibility. The financial condition and often an individual's family do not encourage him to carry the responsibility of the elderly. There are benefits and drawbacks to the environment of every family making the members of the family anxious or depressed. When a person is living in a healthy and supportive environment, he feels comfortable. His devotion to his family grows stronger. His loyalty to his family is secure, but he is not happy when anyone places him in a hostile environment that is away from their own family and this has a profound impact on the

life of an individual. When individuals position the elderly in a positive or negative home setting, their behavior varies depending on the environment. Such environmental concerns, which mostly impact their mental state, significantly affect their wellbeing. The problem with Pakistan's family system, which has been modified, was switching to a nuclear family structure, which has left many of their elders isolated. People are going from rural areas to urban areas, and their parents do not want to leave their ancestors' places, because they feel a deep connection to their mother's places (Kitsuse & Spector, 1973). People abandon their parents in rural areas to go on to urban life, and when their parents leave their hometown to come with them, they have little time to devote to their parents so that they can take their parents to nursing homes.

Elderly people need social and mental support to be secure and satisfaction is perceived to be an essential feature of the consistency of service. When older people live in a society, they are part of that society. They still choose to live together not only with each other but they want people never to leave them alone. They want their family, their siblings, their spouse, and others not to abandon them in this last part of their lives (Mills, 2010). Some elders cannot leave the house because of their disabilities, and their own family leaves them behind. Some people feel sad when they go out as they have no friends and family members in the outside world. Friends are called emotional assets and are considered a significant source of support because they offer emotional support through an exchange of advice. Elderly people are hesitant to reveal mistreatment because there is no proper way to express it. They are powerless in this respect since there is no other cause of dependency. Older people do not have a stable means of survival and aid and are mostly counting the days of their lives. This may further lead to geriatric depression and anxiety, which may impact the quality of older people's lives. According to Yasir (2012), this crucial problem requires the attention of people living in society and the government to improve the quality of life of the elderly. Cowgills and Holmes' theory of "Ageing Modernization Theory" is applicable to this study. Modernization is the growth process of every nation or state and according to them the status of the elderly is seriously influenced by a rise in the modern phase (Rhoads Ellen, 2008). The primary assumption of this hypothesis is to establish the causes that put the old or aged people at risk. These considerations include the advancement of new technology, education, and urbanization. On the other hand, the production of new technology involves socio-economic dimensions that are characterized as an economic activity influenced by social processes. In general, it analyzes how communities are progressing or reforming because of their local or regional economy or the global economy, and urbanization refers to the rising number of people living in urban areas. These factors impact the role and ways in which the elderly have access to social status, and factors that influence the growing pace of modernization, which increasingly affects the status of the elderly.

The key purpose of this research is to examine socio-cultural forces that cause elderly people to live in old homes and the services that old homes have for them. This study examines that society has embraced modernization that has led to a lack of traditions and a lack of ties with its elders to live in old homes. Fast-moving nations have selected the best ways to make metropolitan environments more urban, so they have embraced a nuclear family system; to sustain their country's growth process at an accelerated pace.

**Significance of the Study**

Like other cultures, Pakistani culture has modified much of its systems. One of the essential structures was the shift in the structure of the family. The transformation of Pakistani culture has set great challenges for the elderly and with the rise in the proportion of the elderly, the problems have been rising. The present study would help to explain the views of common people living in Pakistani society, in particular the attitude of the elderly towards modernization and the phenomenon of sending the elderly to old homes. It would also be very important to consider the behavioral shifts of people towards the elderly in contemporary culture. It will represent the views of the elderly and help to understand the causes behind these patterns that are becoming part of Pakistani culture. This study will also address the challenges that elderly people face when living with relatives and improving the dynamics of their families. This research seeks to explain certain family problems in the life of the elderly and will try to explain the perspective of the elderly when living in an aged home and the services given to the elderly by the homes.

**RESEARCH METHODOLOGY**

This section comprises methods used during this research to encompass all salient details and hold the locale and sample of the research. This research aims to explore the factors that led the elderly to live in old homes and examine the experiences of the elderly regarding the facilities in Baghban Old Age Home. In this research, an ethnographic method was used since qualitative research's power revolves around the capacity to provide intricate textual descriptions and explanations of how people experience or examine the respective research issue (Streefkerk, 2019). It helps to fulfill the requirement of accurate information. The techniques used in this research were; participant observation and in-depth interviews. Participant observation is the process that enables the researcher to learn about the activities of the people that are part of any ethnographic research in the natural setting through participating and observing those activities. According to Boyce, an in-depth interview is the technique used by researchers to gain information for a holistic approach to the condition or problem researched. (Boyce & Ma, 2006). A purposive sampling technique was used in this research.

The researcher's main purpose is to explore the views of participants regarding their experiences and facilities in Baghban old home. It helps in understanding different behaviors and activities along with the culture in which they were performed. The very first step while doing ethnographic research is the process of rapport building. The researcher has to build a strong trust of the participants by participating in different activities that they believe in so strongly. Participant observation is a major tool in ethnographic research. In-depth interviews help to obtain detailed and accurate information, and enables the researcher to gain knowledge from the participants. This technique was chosen as it is the most accurate method to understand people's perspectives and meanings towards the social trends of shifting elderly in old homes and exploring the experiences of the elderly in old homes. Also, the interviews that were taken were unstructured and contained the questions that did not exist in the interview guide so that participants trust the researcher and easily share their experiences etc.

The researcher had made an informed consent in which the researcher introduced herself and told the participants about her research and the purpose of conducting it. The researcher conducted the interviews in Urdu but was not allowed to record the interviews. Each interview was taken in sixty to ninety minutes. After all the data was found, the researcher sorted it out and made themes out of it. The analysis of this study is a thematic analysis as it contains all the themes. The researcher closely examines the data to identify all common ideas, topics, and themes that help analyze the data. Pseudonyms were used while analyzing data as per the confidentiality of the participants. Along with this technique, secondary sources were also used, including articles, books, blog writings, journals, and editorials.

### Population, Sampling Techniques, and Sample

To collect reliable information/data for this research, women and men respondents were selected from Baghban Old Home. Out of 17, the researcher selected a total of 16 respondents, which allowed the researcher to gain accurate information, perception, and meaning. The respondents' size was selected as 16 because there was a total of 17 residents who were living in Baghban nursing home but only 16 were able to participate with the researcher.

A purposive sampling technique was used, whereby the researcher selects the necessary candidates for their studies (Etikan, Musa, & Alkassim, 2016).

### Sample Profile

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<b>Gender</b>	Male	14
	Female	2
<b>Age</b>	46-54	4
	55-64	6
	65-74	2
	75-84	4
	85-94	1
<b>Marital Status</b>	Married	12
	Single	2
	Widowed	1
	Divorced	2

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### Area Profile

The first old age home in Pakistan was established in 1975 named "Afiat" in Lahore. Later, five more Old Age Homes were found in the districts of Multan, Rawalpindi, Narowal, Sahiwal, and Toba Tak Singh. These homes provide quality services, including shelter, food, health care, and recreational facilities to old and infirm persons of the society. All such Institutions can accommodate a total of 300 senior and infirm persons (50 residents per institution) at a time. Baghban Old Age Home is one of them, which is located in Rawalpindi and was established in the year 2010. This old home consists of a two-floor building. The whole building is in the service of older people. The upper floor contains three rooms, in which two were used for staff purposes and one for the residents, which hold three beds and one bathroom.

On the other hand, the ground floor contains four bedrooms. One of them is used for the staff while the other was for Baghban Old Home residents.



**Figure 1**  
*Geographical Location of Baghban Old Age Home*

### Admission Procedure

Admission procedure includes:

- The family of senior citizens forwards a simple application to the In-charge of the nursing home carrying a solid reason for admission in 'Baghban Old Age Home.'
- The aging persons belong to a family who doesn't want to leave their homes, or their children don't want to stay with them due to some rift.
- At the time of admission, the individuals are medically examined to record his/ her physical health.

### Eligibility Criteria

The eligibility criteria for admission was as follows:

- Senior citizens (both male and female) who are above 60 years of age are eligible for admission
- These individuals should be in good health and should not contain any severe or contagious disease. Too sick, insane, and disabled, infirm people, are not admitted.
- Priority is given to incredibly vulnerable individuals who are incredibly weak and do not have any family or children or have no means of income.

## RESULTS & DISCUSSION

This section explores all the key findings of this study. The researcher found that people often come and go in old homes, and the children leave them there. But the reason to come to Old



Age Home was the transformation of Pakistani society into modern society. That transformation was analyzed in the structure of family due to which many factors that play a role in decision making, such as poverty were influenced by such transformation. The effect of transformation was directly attached to many factors of elderly life: they could not make decisions, could not gain respect either from their own family, or were subject to abuse. It has been analyzed that elderly life is problematic: every person wants to change his lifestyle. They feel their elders are a burden on them. Due to such changes in Pakistan's society, the elderly were facing many difficulties in living with their own families. People just admit their elders in the old home as they do not have time for their elders. While on the other hand, elders need the attention of their family towards them. Male and female elders have to face difficulties. When they reached old age, they were dependent on their children because most of them were single parents to their children. They do not have their partner to take good care of their husband or wife and when their children leave them, they face financial crises that force them to stay at the children's home.

### **Migration of Families from Rural to Urban**

Migration is a universal phenomenon that led people to move from rural areas to urban areas, and from developing countries to developed countries, from one city to another. They move to societies with better-off economic conditions to enhance their economic and social needs and to improve their lifestyle (Imran et al, 2013). Insufficient, inappropriate educational, health, recreational facilities, poor infrastructure, and limited economic opportunities in rural areas led people to move from rural to urban life. With increasing migration from rural to urban areas, multi-dimensional problems such as overpopulation, family structure, family environments, family behaviors, and family relationships are changing.

With half of the world's population now living in cities, the process of urbanization is driving human civilization and has been the key driver of prosperity in the past centuries, although, many new migrants living in the city find that their aspirations take years or even decades to materialize and get a better life. Worldwide, as in Pakistan, new rural-to-urban migrants often live in squalid transient settlements with limited opportunities and poor living conditions. They chose such chances to overcome worse poverty and lack of opportunity as they were facing a tough life (Khan et al., 2016). Cities offer potentially higher incomes and better lifestyles to the people that live in rural areas due to which they had to move towards city life and adopt that lifestyle fully.

Migration from rural areas resulted in the growth of more nuclear families in towns and cities. This affected the care of the elderly. Industrialization, urbanization, and exposure to western lifestyles bring changes in values and lifestyles (Kordia & Meena, 2013). Higher costs of bringing up and educating children and pressures for the gratification of their desires affect the share of income for parents' care. 88 year old Mr.Akram said;

”میرے گاؤں میں میرے اپنے گھر تھے۔ میں وہاں اپنے گھر والوں کے ساتھ رہتا تھا۔ لیکن میرے بچوں کی شادیاں ہونے کے بعد وہ لوگ وہاں سے ہجرت کر کے

پنڈی آگئے۔ جب وہ ہجرت کر کے گئے تو میں ان کے ساتھ نہیں تھا۔ کچھ سال بعد میرے گھر اس حالت میں نہیں رہے کے میں ان میں رہ سکتا اور میرے پاس کوئی اور جگہ بھی نہ تھی رہنے کو تو میں اپنے بیٹوں کے پاس آگیا۔ میرے دونوں بیٹوں نے مجھے اپنے ساتھ نہ رکھا۔ ان کے خیال میں ان کی اپنی ایک فیملی تھی اور مہنگائی اتنی زیادہ تھی کے وہ میرا خیال نہیں رکھ سکتے تھے۔ پھر میں اپنی سالی کے پاس چال گیا جس نے مجھے یہاں چھوڑ دیا۔“

*"I have my house in my hometown. I lived there with my family. But after marriage, my children migrate towards Rawalpindi. When they migrated, I was not with them. After some years, my house was not in good condition to live in. I had no other place to live, and I came here to my sons. Both of them refused to take me with them. They said; they had a family, and expenses were too much that they did not care for me. Then I lived with my sister-in-law, who brought me here."*

The sub-theme "Migration of Families from Rural to Urban" explores that migration happens because people move to cities searching for better opportunities and then stay there. They leave their family and the elderly behind there in rural areas but some of the elderly do not want to leave their motherland at any cost, which lets their family go to the rural areas and move towards cities.

### **Change in Family Structure**

Family is equally important in later life as during childhood. Family is an important support group that creates joy and a sense of belongingness through shared time and an expression of love and affection, especially during old age. Families play a substantial role in the support and care of their elderly, and this central role in taking care of the elderly contributes to their mental and physical health. The family also assists, such as financial support or help throughout their life. The quality of family relationships is established in the early years like marriage and parenthood and carried over later years (Moral-Fernández et al., 2018). The traditional family leads the full form of strength, belongingness, and share responsibilities between different family members. The family has a vital role in all phases of life.

However, in the contemporary society of Pakistan, the trend has changed and old homes were considered a better place for the elderly to live in. The social, economic, and technological changes transformed values and traditions; and replaced those values with new ones; all such social, economic, or technological changes affect the care-giving of the elderly in a family. Although most families tend to look after their elderly in their own homes, some reasons such as lack of adequate supporting systems and resources for home care, as well as increasing care needs of the elderly, have made the families confront troubles taking care of their elderly parents at home. Therefore, families send the elderly to nursing homes for their excellent care.

The elderly need a family environment to live in after they spend their life serving their families. They need every family member's attention towards them, but the modern world is

transforming so fast that no one needs a joint family system. Everyone needs a small family and little responsibility towards the whole family because no one in contemporary society needs a huge family to burden all of them. People forget the love and respect for elders and other family members. They get so busy that they do not want any interference from the elderly in their lives. Pakistan is one of the countries that are culturally rich and where people still follow their norms, values, and belief systems. Some people do not want their parents to live in a nursing home for a single day, but they do not have options not to do so. People need good care of their parents and the best for their parents. Although they want the elderly to live with them, the nature of their jobs does not allow them to take good care of them. As 79 years old Asghar stated that;

”میرے پاس اس کے علاوہ کوئی اور جگہ نہیں تھی جہاں میں رہ سکتا۔ میرے بیٹے کے ساتھ میرا کوئی مسئلہ نہیں تھا۔ لیکن میرے ایکسیڈنٹ کے بعد سے مجھے چوبیس گھنٹے کی دیکھ بھال کی ضرورت تھی اور میرے بیٹے کو اپنی نوکری پر بھی جانا ہوتا تھا اس لیے اچھی دیکھ بھال کے لیے اور اچھا وقت گزارنے کے لئے میں یہاں آ گیا کیونکہ میرے گھر پر میری دیکھ بھال کرنے والا اور کوئی نہیں تھا۔“

*"I do not have any other option than that of this old age home. The problem is not that my son could not want me to live with him, but after my truck accident, I need 24 hours care, and my son has to run for his job. That is why I am here for good care and for spending time with others. I do not have any other person in my family who took care of me."*

### **Socialization of Elderly in Baghban Old Home**

Historically, Pakistani society is a joint family system. The older person of the family was the one who earns for his family and is the only head of the family. He/she performs jobs to run his/her family. The elderly were considered an inspiration for the whole family and guided his family properly. With the transformation in family structure, the trend changed and life became so stressful that no one can take care of the older person of his family (Kaluthantiri, 2014). The elderly always expect that the family should look after them in their old age. But now families have left their elders alone and moved on. With the establishment of old homes, many people just put off the burden of their elders quickly. They send the elderly to old homes to spend a life which will not be that stressful. Family structures have changed, automatically taking away children from older people. The concept of individualism was so easily adaptive to every society that no one wants to live in the same family as a joint family. The theoretical perspective of this study elaborates that people prefer individualism in this fast-moving world. No one wants to take the burden of the whole family on his shoulders. Everyone moves on from rural to urban areas for the betterment of their life. No one was now dependent on others to fulfill their needs. Every person moved towards a better lifestyle, which was different from the lifestyle of their parents. These circumstances made the elderly feel alone, whether living with their family or with someone else. People have a better choice to send the elderly towards the

old home. They make their elders realize that old houses are the best place to live. As 68 years old Younas said;

”میرا بھائی مجھے کھانا نہیں دیتا تھا اینڈ ہمیشہ مجھ سے لڑتا رہتا تھا پھر مجھے اس ادارے کے بارے میں پتا چلا اور میں یہاں آ گیا کیونکہ یہ جگہ میرے لیے بالکل ویسی تھی جدمر میں زندگی گزار سکتا تھا۔ یہاں مجھے ہر چیز مل جاتی ہے اور اب تو میرے بہت سے دوست بھی بن گئے ہیں۔“

*“My brother does not give me food to eat and always fights with me then I came to know about this old home and I moved on there because this place is perfect for me to live. I had all things available here and now I had friends here.”*

Many families left their elderly because they do not want to take responsibility for them. But some elders came here by choice because they feel more and more alone in their childhood house. When families do not give them much time and facilities, the elderly decide to live and spend time with their peers. This is how they could feel better and spend their life between people who at least sit and talk to them.

### Social Activities

There were no social activities in the old home. The elderly perform activities like watching television, listening to the radio, and reading newspapers. Not all of them were interested in doing such activities. But the fact is that the old home did not arrange any type of physical games or even non-physical games. The researcher found that the elderly living in the old house were mostly those fighting with disorders, and some were only limited to their beds. This is one of the reasons that the old home did not arrange any games there. As Akram said;

”جب مجھے ہندوستان سے یہاں لایا گیا تھا میں نے اس وقت کے بعد سے کھیلنا چھوڑ دیا تھا۔ وہ وقت اور یہ وقت مجھے کوئی بھی کھیل پسند نہیں رہا۔“

*“When I was brought here from India, I left playing games. From that time till now, I do not like any game.”*

Other than that, the elderly were free to perform religious activities. Arrangements were made for the elderly to conduct religious services. But they were not forced to perform religious activities. The one who wants to accomplish is free in their choices. Not only that, but the old home also celebrates special days like Shab-e-Barat, Eid Milad-un-Nabi, Ramzan events like Seher and Iftar, Eid-ul-Fitr, and Eid-ul-Adha. The family celebrated these special days. They were provided with sweets, fruits, and they all got together for dua. As Hussain said;

”ہم یہاں پر سب طرح کے اسلامی دن مناتے ہیں۔ ہم سب نیچے کے کمرے میں جمع ہو جاتے ہیں اور پھر اللہ سے اپنے لیے توبہ کرتے ہیں کہ وہ ہمیں معاف کر دے۔“

*“We celebrate special religious days over here, we all get together in the basement room, and pray to Allah Almighty for forgiving all of us.”*

Not only this, the elderly are provided with new clothes on Eid and all necessities which they require. Donations of money, blankets, clothes, sweets, and shoes were received from the Pakistani community and abroad, but this old home is also based on funds, and the owner runs this old home by getting funds from different groups and individuals.

## **CONCLUSION**

The result of this study demonstrates that the life of the elderly is not as easy as it could have been. In Pakistani society, the era of modernization is such an adoptive idea that no one can run out of this phase. Every single person wants a better opportunity and a better lifestyle to live a healthy life. The findings of this study result that Pakistani society is just moving with the wind of modernization. That means they shift their society from joint to nuclear family structures. It has been explored in the study that the residents of Baghban's old age home have sad and harsh family backgrounds. Most of them were living in the old house because life had no other choices for them. They were left there by their own families and therefore lived here with a heavy heart with the hot and cold memories of their past life, reflecting their presence in different ways. The present study explores the experiences of the elderly regarding the facilities and the services that are a part of elderly life while living in the old home. Another factor that has been explored was that the caregivers take personal care of the patients and are involved in decision-making relating to caring services, which include: taking care of incontinence, bathing, and transferring from bed to a seat for the elderly in their care. Family and relatives of the residents are the critical support for older people. Unfortunately, not all the elderly were visited by their family and friends. Residents with limited disabilities are assisted with primary physical care, but not all are happy. Most of the study responses indicated that residents had a positive perception of the staff positively in terms of care and support received from caregivers concerning the activities of daily living. It has been explored that those (elderly) who are still actively taking part in light tasks like making their beds, ironing their dresses, and sometimes washing them and cleaning their lockers. All such things made them active and made them busy in their present life to forget the life mishaps that happened to them in their old age.

## **Limitations of the Study**

The limitations of this study could be linked to the number of participants involved in research work. It includes the respondents, their health conditions, the staff supervisor, approval of taking photographs, and recordings. The very first limitation was interacting with the elderly residing in Baghban's old home. Their staff supervisor does not allow them to tell me about their past. Some respondents are even ready to share their life history with the researcher. Still, the staff supervisor does not allow it and comes again and again to the rooms where the researcher and the respondents were sitting. The supervisor's behavior does not make a good and comfortable environment for both the researcher and the respondent. But later on, with the daily visit and interaction between the researcher and respondents, they started interacting in a better way. The second limitation was the period and approval of recording interviews and

taking photographs. The head of Baghban Old Age Home was good but did not allow the researcher to record the interviews and take pictures of the respondents. The researcher has to write all the information and observations during the interview, which is a difficult task as they start getting irritated if the question is repeated. The third and last limitation of this study was the behavior of the respondents who were mentally ill. A few of them had psychological issues, which are reflected in their conversation with the researcher. One of them has strong superstitious beliefs due to which the respondent distracted him and the researcher during the interview.

### **Implications of the Study**

The findings of the present study from the analysis respond to the study's research questions and help achieve its goals, which are to identify the socio-economic trends and experiences of the elderly in a nursing home. These findings have several significant implications for the students who need to know the current scenario of old houses and how they provide services to the elderly, and also the experiences of elderly residing in the nursing home. An essential thing in this study is that it is limited in scope to Pakistani society, since there have not been many anthropological research studies for students who wanted to know the ground realities of elderly life and the increased ratio of nursing homes in Pakistan, where the elderly had a significant role in every family structure. This study is an in-depth analysis of the research conducted in Baghban Old Age Home, which will help research students to understand the changes in Pakistani society regarding the elderly people in a family.

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## Women's Rights in Nepal: A Constitutional Insight

### Abstract

*The authors delve to study the constitutional protection for women in Nepal. There are several clauses in the Nepalese Constitution that promote and defend women's rights. The charter grants women a variety of rights under Article 38, including the right to procreate, the right to lineage, and the right to be free from all forms of discrimination. The constitution provides the right to proportionate participation in state apparatuses and one-third representation in the legislature in an effort to advance the cause of women. The state would undoubtedly benefit from these advancements if it wanted to establish gender-sensitive laws and policies.*

**Keywords:** Constitution, Gender equality, Law, Nepal, Women

### INTRODUCTION

Internationally, women have felt the burn of discrimination. From developed states to developing ones, the situation has been almost the same. Take the example of the United States. Justice Bradley of the US Supreme Court held that the natural and proper timidity and delicacy which belongs to the female sex evidently unfit it for many of the occupations in civic life. The paramount destiny and mission of the women are to fulfill the noble and benign offices of the wife and mother. This is the law of the creator. In this case, Bradwell, a women's lawyer, was denied an advocate's license by the state of Illinois. The US Supreme Court argued that such a restriction imposed by Illinois was not in contravention to Fourteenth Amendment to the Constitution of the United States. Bradwell was admitted to the Illinois Bar in 1890 and was granted license to practice before the US Supreme Court in 1892. Considering the instances of gender discrimination, the US Supreme Court was of the view that a woman's physical structure and the performance of maternal functions place her at a disadvantageous position for subsistence. It is still true that in the struggle for subsistence, she is not an equal competitor with her brother. She will still be where some legislation to protect her seems necessary to secure a real equality or right.

In this case, the constitutional validity of one of the Oregon laws, which prohibited women from working more than 10 hours in a day, was in question. The Court validated the law on the ground of being consistent with the due process clause envisaged under the Fourteenth Amendment to the US Constitution. In 1961, Hoyt v Florida, the US SC upheld a law placing a woman on the jury list if she made a special request because as put by Harland, J, "a woman is still regarded as the centre of the home and family life." These instances clarify that even

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developed countries like the United States have and have had discriminatory laws and practices on board.

Women have fought against all types of abuse and prejudice against them and have become more aware of their rights across the world. These prejudices led the world community to pass gender sensitive domestic as well as international laws. The "Convention for the Elimination of All Forms of Discrimination against Women" (CEDAW), which was adopted by the United Nations in 1979 and ratified by 189 states on September 3, 1981, is a treaty that is essential for assessing the government's progress in eradicating discrimination. This treaty, which Nepal ratified in 1991, is recognised as a strong international agreement to protect gender equality and decrease violence against women. Acknowledging CEDAW, the drafters of the 2015 Constitution of Nepal have floated ample provisions to ensure the protection of women's rights in broad and universal principles of equality and participation. The preamble of the Constitution takes pledge to end all forms of discrimination lying along the gender basis. In a similar vein, the equality clauses and affirmative action clauses of the Constitution seek to ensure adequate representation of women in public life. To be specific, Article 38 provisions that all rights relating to women shall be fundamental rights. These rights include equal right to lineage, right to safe motherhood, and right to reproduction. In addition to this, Nepal has set aside 33 percent of seats to women in the legislature. This arrangement endeavors to press forward gender sensitive laws and policies. The reservation benefits ensured to women are there to supplement the principle of proportional inclusion. This article attempts to discuss the constitutional provision and protection given to women in Nepal.

### **Constitutional Scenario**

The Constitution of Nepal was adopted and enacted on September 20, 2015. As required under the Comprehensive Peace Accord signed in 2006 between the Government of Nepal and the Communist Party of Nepal (Maoists) to formally put an end to a ten-year Maoist insurgency, it is the first Constitution enacted by the people's elected representatives. The Constitution first institutionalized republicanism, federalism, and secularism after ending the 240-year authoritarian rule of the Hindu king. In an endeavor to cherish the goals of democracy, the constitution slams every form of discrimination, including that of gender disparity. It hosts a good deal of rights for championing the cause of women. Interestingly, Nepal sets aside 33% of parliamentary seats for women, which is a major breakthrough. This Constitutional provision will increase the participation of women in politics and public life, which may just be a single step, but it is nevertheless a step in the right direction. However, allotting adequate seats to women belonging to Madhesi, Indigenous community, Bahun-Kshetri, Dalit, Muslim and other clusters would remain a challenge in the Himalayan Republic. The women populace would remain underprivileged unless women from every ethnic group, community and caste and creed are fairly represented in the state apparatuses. The constitutional arrangement for proportional and inclusive representation of women implicitly intends to achieve fair representation of women belonging to every caste, creed and community. Inclusivity and diversity are the core focus of the 2015 constitution. 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.

This enhanced role of women parliamentarians would certainly play a significant role in proposing gender sensitive laws and reviewing and amending discriminatory laws and practices. In India, Women Reservation Act, 2023 provides one-third seats in the House of the People, i.e., lower house of India's bicameral Parliament, and state Legislative Assemblies for women. The 73<sup>rd</sup> and 74<sup>th</sup> amendment to the Constitution of India led to guaranteeing 33 per cent reservation to the women at the local level. This way, there appears one-third representation of women at Centre, Province and Local levels in India. However, illiteracy, lack of political awareness, physical violence at home and economic dependency are a few reasons which restrain women from taking part in the political processes of the country.

In Nepal, the constitution from the initial stage ensures the rights of women as a fundamental right under Article 38. Article 38 (beginning with a marginal note of *Right of women*) guarantees a plethora of fundamental rights to women. It includes: equal right to women in lineage, right relating to safe motherhood & reproductive health, right to participate in all state structures on the basis of principle of proportional inclusion, right to special opportunity in spheres of education, health, employment, and social security on the basis of positive discrimination and right to (both spouses) in property and family affairs. Moreover, the charter also provisions that the victims shall have the right to seek compensation from the outliers.

In yet another breakthrough, the charter in Article 70 envisages that “while conducting election of President and Vice-President under this Constitution, the election shall be held so as to represent different gender or communities.” Interestingly, a similar arrangement has been made for the election of Mayor and Deputy Mayor of the municipality. In case of Speaker and Deputy Speaker of the House of Representatives, one of them must be a woman and so is the case with Chairperson and Vice-Chairperson of the National Assembly. In addition to this, Article 12 of the Constitution of Nepal is a welcome provision which confers an individual the right to seek citizenship certificate along with gender identity. Now, it's a well-settled law that an individual can choose his gender identity by his own declaration, without any third-party intervention. This intervention could have been an insistence on surgery, a medical diagnosis or any other such practice. In this vein, the judiciary also stood by the cause of trans-gender people and as a result of which the Supreme Court of Nepal in the case of *Sunil Babu Pant v. Government of Nepal* in 2007 held that the persons were entitled to select their gender identity based on their “self-feeling.”

The constitutional protection does not limit here only. The Himalayan state is also the first and foremost country in South Asia to explicitly recognize fundamental rights of sexual minorities. The charter permits states to make provisions for participating weaker sections of societies, including sexual minorities, into governmental apparatuses on the basis of principle of inclusion. Article 42 reads as “Socially backward women, Dalits, Adibasi, Adibasi Janajati, Madhesi, Tharu, minorities, persons with disability, marginalized, Muslim, backward classes, gender and sexual minorities, youths, peasants, workers, oppressed or citizens from backward regions, and economically poor Khas Arya shall have the right to participation in the state bodies on the basis of principle of inclusion.” In addition to this, Article 18 dealing with the right to equality provides that there shall be no discrimination on the grounds of origin, religion, race, caste, tribe, sex, physical conditions, disability, health condition, matrimonial status,

pregnancy, economic condition, language or geographical region, or ideology. The guarantee of equality, promise of non-discrimination and special provisions for bringing the weaker sections, including that of sexual minorities, show the progressiveness of Nepal's constitution and the state's dedication and devotion in securing the rights of vulnerable groups, including that of women.

In this respect, Slomita Rai argues that “Geographical size doesn't matter; even a small country can be a path finder of a new horizon, which becomes true with Nepal being the world's first country that has shown a new horizon to the whole world by recognizing the status of the transgender by including a third gender option in its census forms in the year 2011. It is actually the result of the landmark decision of the Supreme Court of Nepal. Rai further observes, “The Supreme Court acknowledging the growing ascendance of the notion that the homosexuals and third gender people are not mentally ill or sexual perverts, has held that their rights should be protected and they should not be discriminated in the enjoyment of rights guaranteed by the Constitution and human rights instruments. The Supreme Court hearing the matter has passed a ruling against gender identity discrimination. The country has introduced a third gender category on its passports as well.” Regardless of these legal developments, gender equality cannot be ensured unless we develop an attitude of zero tolerance to violence within our homes and outside.

### **Toward Right to Safe Motherhood**

The “Right to Safe Motherhood and Reproductive Health Act, 2018” has been enacted by the government of Nepal to give effect to Article 38 of the Constitution, which outlines a comprehensive number of essential rights for the country's female population. In this regard, Article 38 is a welcome provision that protects important human rights about how Nepal developed its feminist national policy within the parameters of its constitution, how it transitioned from a top-down policy to being a component of the broader socio-political environment, and the results it has attained. The clause grants women a wide range of rights, such as the equal right to inheritance without regard to gender, the right to a healthy pregnancy and childbirth, and the right to special opportunities in the fields of social security, health care, and employment based on positive discrimination and both spouses' equal rights in property and family affairs.

In this regard, the preamble of the Right to Safe Motherhood and Reproductive Health Act, 2018, states that the legislation's goal is to provide every woman with access to safe motherhood and reproductive health in a respectable and manageable manner. Some of the measures, however, have the potential to defeat the goal that the Act was designed to pursue. In this context, Section 7(3) of the Act envisages that if a government hospital is unable to provide a patient with treatment, it is the responsibility of the hospital to refer the patient to a better government hospital or, in the event that treatment in a government hospital is not possible, to a private hospital. But why couldn't government hospitals handle difficult situations? Can we draw the conclusion that a private hospital in Nepal is a patient's final option? If referred to a private hospital, who would be responsible for the astronomical costs? Not the patients, is it? Private hospitals are required to charge easily determinable fees [Section 32(3)]. The Act, however, makes no mention of what exactly qualifies as “assessable”

expenses. What criteria should be used to decide whether a charge is straightforward to assess or not? Any amount of costs may be interpreted as an assessable fee by private hospitals. Similarly, every woman is entitled to 98 days of paid maternity leave under Section 13 of the Act. All public, non-profit, and private entities must abide with the provision. The Act, on the other hand, makes no explicit mention of who—either the employer or the employee—has the final say or authority in determining the leave.

Section 13(3) stipulates that every office must have a designated area for nursing. However, the enforcement authorities do not take this provision's implementation in text or spirit very seriously. Unfortunately, only a small number of government and non-government offices in Nepal have established specialised areas for nursing mothers. The allocation of funds is contemplated under Section 22. The clause does not, however, outline the methodology for funding allocation. It has no provisions for how the funding would be allocated, i.e., whether it would be based on a report from provincial governments, hospitals, local organizations, or any legitimate study. According to Section 22(1), the Central Government will allocate funds. In this respect, the legislation gives the centre a lot of discretionary flexibility when assigning funds. In a federal democracy, it encourages the centralizing tendency of the government. In actuality, the causes of maternal mortality include the poor health of women before conception, insufficient, unavailable, or expensive healthcare, as well as lack of cleanliness and treatment during labor. Maternal fatalities are also significantly influenced by socio-economic factors including poverty and women's uneven access to resources. The Act fails to host robust provisions to prevent or reduce maternal fatalities or to take care of the needs of the underprivileged. This Act displays a tolerant attitude towards the private hospital mafias and shows little concern for healthy pregnancy and reproduction. However, if our regulations are followed to the letter and in their entirety, Nepal would make progress in advancing the cause of medical democracy.

### **Legal Framework on Termination of Pregnancy**

In Nepal, up to 12 weeks of fetus could be aborted at the consent of women. In the opinion of doctors, if abortion is necessary to save the life of the mother, then in such a case, abortion is permissible. Similarly, the law allows rape victim and HIV/STDs patients to abort. However, a jail sentence of up to one year and fine of up to ten thousand has been provisioned [under Section 188, National Criminal Code, 2017] in cases where a fetus of length of up to 12 weeks is aborted without the consent of the woman. The same law prescribes for up to three years of jail sentence and up to 30,000/- of fine in cases where a fetus of length of 12 to 25 weeks is aborted. Moreover, if a person causes abortion of a fetus of above 25 weeks, s/he would be liable to face jail sentence of up to five years and fine may extend to 50,000/.

In India, the Medical Termination of Pregnancy (MTP) Amendment Act, 2021 is an amendment to the Medical Termination of Pregnancy Act, 1971 which governs the law around the termination of pregnancy in India. The Amendment Act is a progressive step towards protecting the reproductive rights of women and providing them with access to safe and legal abortion services. One of the significant changes brought about by the Amendment Act is the increase in the upper gestation limit for certain categories of women from 20 to 24 weeks. This includes survivors of rape, victims of incest, differently-abled women, minors, and other

vulnerable women. This change recognizes the unique circumstances and challenges being faced by women and ensures that they have access to safe abortion services. The Amendment Act also allows for termination of pregnancy up to 20 weeks in cases of contraceptive failure. This is a crucial provision as it recognizes that even when using contraception, unintended pregnancies can still occur. It is a welcome provision as it allows women to terminate pregnancies that would, ultimately, help to prevent unsafe abortions and other complications which may lead to maternal mortality and morbidity.

Under the Amendment Act, only one Registered Medical Practitioner's (RMP) opinion is needed for termination of pregnancy up to 20 weeks of gestation, whereas two RMP opinions are required for termination of pregnancy of 20-24 weeks of gestation (fetus). This provision ensures that there is proper medical oversight and decision-making in cases where termination is sought after the 20th week. The Amendment Act also requires the opinion of a State-level medical board for termination of pregnancy after 24 weeks in cases of substantial fetal abnormalities. This provision ensures that the decision to terminate a pregnancy after the 24th week is based on medical grounds and is in the best interest of the mother and the fetus. One of the essential provisions of the Amendment Act is the confidentiality of women who undergo termination of pregnancy. The name and other particulars of a woman whose pregnancy has been terminated shall not be revealed. This provision ensures that women's privacy and dignity are protected.

In general, the MTP Amendment Act, 2021 is a significant step towards ensuring women's reproductive rights and access to safe and legal abortion services. It also strikes a balance with the Sustainable Development Goals (SDGs) 3.1, 3.7, and 5.6, which pertain to reducing maternal mortality ratio, universal access to sexual and reproductive health, and rights, and ensuring gender equality and empowerment of women and girls. In Japan, abortion is legal but the consent of the male partner is essential and must be written consent. The law of abortion has been prevailing in Japan since 1948. However, the law of Japan could be perceived as patriarchal in nature. As per Centre for Reproductive Rights, abortion is legal in 48 countries. However, by 2021, 24 countries, including Philippines and Laos, have made abortion completely illegal. In 1973, the U.S. Supreme Court's ruling in *Roe v. Wade* recognized that the decision whether to continue or end a pregnancy belongs to the individual, not the government. *Roe* held that the specific guarantee of "liberty" in the *Fourteenth Amendment of the U.S. Constitution*, which protects individual privacy, includes the right to abortion prior to fetal viability. Since *Roe*, the Supreme Court has repeatedly reaffirmed that the Constitution protects for abortion as an essential liberty, which is tied to other liberty rights to make personal decisions about family, relationships, and bodily autonomy.

In June 2022, in a devastating decision that will reverberate for generations, the U.S. Supreme Court abandoned its duty to protect fundamental rights and overturned *Roe v. Wade*, ruling there is no constitutional right to abortion. The ruling in *Dobbs v. Jackson Women's Health Organization* abandons nearly 50 years of precedent and marks the first time in history that the Supreme Court has taken away a fundamental right. In Pakistan, abortion is a punishable offence under Pakistan Penal Code, 1860. Section 338A provides for up to three years of jail imprisonment for committing abortion with the consent of the woman and up to ten years of

jail imprisonment in cases where the consent of the woman was not sought and abortion was done. However, abortion is permissible to save the life of a woman, or for providing necessary treatment to her.

## CONCLUSION

The traditional ideas of society, culture, and rights have undergone a significant change the world over. While there is still more to be done to protect women's rights, there has been significant progress accomplished. Change happens gradually. Nepal's Constitution gives the government broad authority to establish and enact initiatives, programs, and regulations that will safeguard and advance the rights of women and children. A beginning in the right direction is having one-third representation of women at the legislative spectrum. In the words of Mahatma Gandhi, "Democracy is something that would give the weak the same chance as the strong." Nepal's constitution contains progressive provisions that support the cause of women. Even yet, passing fair rules without also enforcing them in text and spirit would only be cosmetic.

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## **Economic Empowerment: A Strategy to Address Gender based Violence**

### **Abstract**

*This study examines the prevalent issue of gender inequality in material resources and its relationship to violence against women in Pakistan, which focuses on Lady Health Workers (LHWs) in Karachi. The study uses a quantitative research approach and a survey research design to evaluate the status of working women in Karachi, especially LHWs. 200 participants completed a self-structured questionnaire that focuses on demographic data, measures of economic empowerment, and violent situations at home. The findings show that LHWs have a complicated financial situation even though they contribute to the family income. They also have serious difficulties saving money and owning a home. The results also highlight the startling prevalence of violence against women, as 20% of participants shared personal accounts of encounters. The survey highlights how important it is for lawmakers to take action in order to solve issues like equitable job opportunities, property rights, and violence against women. It also emphasizes how crucial it is to launch awareness efforts that support women's rights and challenge social conventions. The findings suggest the development of strong social safety nets and support networks that are adapted to the particular difficulties faced by working women.*

**Keywords:** Access to Resources, Economic Empowerment, Gender Disparity, Lady Health Workers, Violence against Women,

### **INTRODUCTION**

Global gender disparity in material resources exists and has been brought to light in many international reports (UN-MDG, 2015; UNDP, 2015; GIESCR, 2014). Researchers from both domestic and international institutions have emphasized that the significant economic gender gap in South Asian nations is primarily caused by patriarchal mindsets and statutes derived from customary practices (Adelman & Peterman, 2014; Berge, Daimon, Alistair, & Henrik, 2014; Brohi, 2010; SDPI, 2010; Mumtaz & Noshirwani, 2007; Mehdi, 2002; Deere & Leon, 2001a). The Global Initiative for Economic, Social and Cultural Rights (GIESCR) (2014) emphasized in its report that gender inequality in economic resources, access to and control over landed property, and inheritance across cultures are consistent patterns of gender discrimination. The Global Entrepreneurship and Development Index, which was mentioned in a different UNDP (2015) report, also highlighted the legal constraints and discriminatory practices that prevent women from benefiting from inheritance property. In Pakistan, the percentage of women who own land is less than 3% (HRCP, 2008). However, a report from the Punjab Commission on Status of Women (2016) states that the percentage of women who own land in Punjab province is 10.6%. Research conducted in Pakistan concentrated on barriers arising from cultural facets related to female inheritance and landed property. The results of several studies (Bibi & Bangash, 2018; Rubab, Parveen & Usman, 2016; Brohi, 2010; SDPI, 2010; Mumtaz & Noshirwani, 2007; Mehdi, 2002), show that there is a link between women's

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property ownership and avoiding taxes, women's withdrawal of their share and lack in handling property matters, and women's reliance on parental family. There is also a study that shows women's lack of awareness and land buying/selling through male family members, denying women's share, and maintaining property through illegal means.

A number of studies have discovered a connection between national and worldwide empowerment and land ownership (Kenny & Ana Paula, 2016; Mor, 2015; Domingo, 2013; Kelker & Maithreyi, 2013; UNESCAP, 2013; Brohi, 2010; SDPI, 2010; Mumtaz & Noshirwani, 2007; Mehdi, 2002). Agarwal (1996a) emphasized that women owning land indicates their higher economic standing. According to Kelker and Maithreyi (2013), women's landed property ownership can have a favorable impact on the roles that women play in the home and in society, as well as on the patriarchal ideology and system. Men and women in Pakistan have equal rights to inheritance under Article 23 of the 1973 Constitution. The Quran has predetermined Islamic regulations that govern the distribution of inherited portions (Engineer, 1994).

Pakistan has a population of 207.68 million people, of which 106.3 million are men and 101.3 million are women (Pakistan Census, 2017). The LFS (2020–2021) projects that 159.83 million people (10 years of age and older) will be employed. Remarkably, over 60% of this working population considers all women/girls who are 10 years of age or older to be essential members of the labour force. The percentage of Pakistani women in the labour force is 21% of the total. Women's participation in the labour force is slightly higher than 50% worldwide, while men's participation is 80% since women have fewer options for business expansion and career advancement, as well as a lower likelihood of working in formal employment and women who work make less money than men of the same age group.

According to a UN Women (2017) study, one in three women have experienced physical or sexual violence, usually at the hands of a husband or partner. Intimate partner abuse has been identified as a significant public health concern impacting over 2 million women globally. According to data released in 2012, one out of every two women globally has experienced the death of a partner or family member. Domestic violence can take many different forms, span a wide range of situations, and transcend social classes (Collins, 2009). Population Reports (1999) states that between 10% and 50% of ladies experience physical abuse at the hands of their partners. The establishment of power structures inside families leads to a patriarchal framework, which may increase the likelihood of violence against women. Because the patriarchal family structure upholds the status quo in which men are given higher status than women, there is a persistent risk of violence (Anderson, 1997).

### **Purpose of the Study**

The study intends to examine the employability of women as evidence to increase access to material resources and decrease violence against women at the domestic level.

### **RESEARCH METHODOLOGY**

The research is quantitative in nature with an aim to assess the situation of working women in the journey of change.

### Research design

Survey research design was selected to explain the phenomenon by portraying an exemplary situation. The research specifically focuses upon Lady Health Workers and Lady Health Supervisors from all districts of Karachi division. The criteria for selecting the participants include the following: -

- Lady Health Workers of Karachi division (living/working in Karachi)
- An active employee at the time of survey (not retired)
- Lady Health Supervisors of Karachi division (living/working in Karachi)

### Instrument construction

A self-structured questionnaire consisting of 25 questions was used to collect the data. The questionnaire was divided into three parts to get responses. The first part consists of demographic information of the participants, second part consist of income, expenses and access to resources, and the third and last part consists of the experience of violence in their life.

### Sampling technique and sample size

Purposive sampling technique was used to select the sample size. A criterion was set to include the sample in the study. Therefore, in this research project, a sample of 200 LHWs/LHSs was selected from Karachi Division in Sindh. The sample is further subdivided into categories to systematise the process. The description and sub-division of the sample of 200 LHWs/LHSs into the seven districts of Karachi. All individuals who were willing to participate in the study were taken in the study. Following is the breakdown of the sample: -

Table: 1

*The description and sub-division of the sample of 200 LHWs/LHSs*

District#	District names	Lady Health Workers – LHWs	Lady Health Supervisors – LHSs	Total
1	Central	25	3	28
2	East	25	3	28
3	West	25	3	28
4	South	25	4	29
5	Kemari	25	4	29
6	Korangi	25	4	29
7	Malir	25	4	29
Total		175	25	200

### Data Analysis

Data was analysed using descriptive statistics, frequencies and percentages.

### Limitation of the study

Time constraint is a limitation in this research. We had about 3 months to not only collect the data but also to process and write the report. As this research focused on the LHWs (government employees) it may not portray the situation of private workers very well. Also, the responses collected to complete this research are from Karachi Division only. Therefore,

this research may not be 100 per cent applicable to the context that are not similar to Karachi or would require a little further investigation.

## RESULTS & DISCUSSION

**Table 2:**

### *Demographics*

Variables	Response	N	%
Age	45-50	58	29
	35-44	94	47
	25-34	48	24
Education	Matric	107	54
	Middle	93	46
District	Karachi Central	4	2
	Karachi East	2	1
	Karachi West	4	2
	Karachi South	50	25
	Kemari	50	25
	Korangi	50	25
	Malir	40	20
Language	Urdu	106	53
	Others	94	47
Marital Status	Married	145	72
	Single	55	28
Employment status of husband	Private employee	51	26
	Unemployed	32	16
	Not mentioned	117	58

Table 2 provides a summary of the participants' demographic information that includes age, education, language preferences, city and district distribution, marital status, and husbands' job status. According to the age distribution, 29% lady health workers belong to the age group of 45 years and above. Another 47% of lady health workers belong to the age category between 35 and 44 years, whereas the last 24% lady health workers belong to the age category between 25 to 34 years of age. Regarding education, the majority (54%) hold a Matric level certification and the remaining 46% hold middle level education. 52% lady health workers speak Urdu language, which reflects linguistic preferences. 72% of lady health workers were married and the rest 28% were single. Regarding husbands' employment situation, 16% of them are unemployed; 26% work for private companies and 58% LHWs did not write the occupation of their husbands.

**Table 3:**

### *Access to material resources, income and expenses*

Serial#	Economic Empowerment	N	%
1.	Spouse does not contribute to the family income	68	34
2.	Spend their salary with their own hand	172	86
3.	Can decide on their own, where to spend the amount	113	56
4.	Women or wives should be in-charge of spending in the household	131	65
5.	Failed to do any saving despite the service of two decades	134	67
6.	Spend their salary for the fulfilment of their children's need	85	43
7.	Their lifestyle improved after the job	197	99
8.	The lifestyle of their family has improved since they started working	197	99
9.	Managed to acquire some assets with their income	51	26
10.	Property in their maternal family and some have a share in property	92	46

Table 3 explains income, expenses and access to resources of lady health workers and lady health supervisors. Interestingly, a sizable percentage (34%) stated that their spouses do not contribute to the household income, underscoring the possibility that these women frequently bear sole financial responsibility. Most (86%) said they spent their pay on their own, which suggests they had some financial independence. But the plain truth is that, after decades of service, 67% of participants acknowledged they had never saved money, highlighting significant financial difficulties. Although lady health workers (63%) want to take charge of spending at home, this indicates a change in gender roles, but saving money is still a challenge. Thankfully, a huge portion (99%) said that getting a job improved their lifestyle, demonstrating the advantages of economic participation. Moreover, a more widespread beneficial knock-on effect is shown by a comparable improvement in their family's lifestyle (99%). However, the acquisition of property rights (46%) and assets with income (26%) in maternal families suggests that LHWs continue to face difficulties, especially in obtaining long-term financial stability and property entitlements. These results highlight the necessity of focused interventions addressing savings strategies, financial literacy, and legislative frameworks that guarantee the financial security and professional development of female health workers.

**Table 4**  
*Violence experienced or witnessed by lady health workers*

Serial #	Experience Violence	N	%
1.	All women in Pakistan experience different types of violence in their lifetime	200	100
2.	Have you experienced violence?	40	20
3.	If you did experience violence, did your family members help or save the victims	20	10
4.	Witnessed women around them experiencing violence	139	70
5.	Economic empowerment of women will prevent violence against women	194	97
6.	Sindh has laws regarding prevention from violence	197	99

Table 4 reveals the experience of violence faced or witnessed by lady health workers. 100% lady health workers mentioned that all women in Pakistan experience different types of violence in their lifetime. The 20% of the lady health workers reported having personally experienced violence which highlight the critical need to address this issue. Significantly, 10% of victims of violence report not receiving enough support or assistance from their families, which raises the possibility of a weakness in the family safety net. Additionally, a sizable majority—70 %—report having seen women in their immediate vicinity subjected to violence, highlighting the widespread influence of this problem on society as a whole. 97% of participants strongly supported the premise that empowering people economically can act as a deterrent to violence. Furthermore, a resounding 99% of participants think that Sindh has laws in place to prevent violence, indicating knowledge of legal frameworks designed to address this pressing social issue.

The study intends to examine the employability of women as evidence to increase access to material resources and decrease violence against women at the domestic level. The study highlights the complex network of financial difficulties Pakistani lady health workers, or LHWs, encounter. When one challenges the idea that participation in the economy leads to security and empowerment, a gendered divide is shown. LHWs struggle to ensure their future even though they actively contribute to the family income. The harsh truth is that since their income mostly supports households, their opportunities for personal financial progress are limited. This is related to more general concerns regarding the persistent pay gaps that exist between the sexes in the workforce. The study also shows a significant gap in women's access to family property and emphasizes the relationship between property rights and economic empowerment. LHWs do not have ownership rights despite their efforts, which highlights the need for legislative changes to ensure economic independence. The findings align with global trends where women face barriers to managing and obtaining resources, which hinders their ability to break out from economic dependency. Based on the personal testimonies of 20% of participants, the survey also highlights the pervasive issue of violence against women in Pakistan. Unsettlingly, several assault victims claimed that their family hadn't given them adequate protection, which raises the possibility that the system is broken structurally. This

requires urgent attention to improve social safety nets and address the root causes of violence against women.

A key finding is discovered regarding the impact that work has on LHWs' lives. Most of them assert that their circumstances have improved as a result of their efforts. The correlation between economic independence and a reduction in violence is positive, indicating that meaningful employment has the potential to alter societal dynamics. The findings are consistent with global programs that promote women's economic empowerment as a tactic to combat gender-based violence. The majority i.e 97% of the participants believe that economic empowerment of women can be achieved, if violence against women is reduced. This shows that financial independence is an important key to developing resistance against gender-based violence. The targeted interventions required to change the power dynamics within the families by providing access to resources and opportunities to control over their resources (income & housing). Immediate legislative actions are required to reduce violence against women, gender based economic inequalities and improve property rights. It is important to safeguard women's equal rights and property ownership. Initiatives are also required to raise awareness that challenge societal traditions, customs and enhance women's rights which can help to shift people's perspectives. It is also suggested to develop safety nets and support networks with the purpose of addressing the challenges encountered by working women.

## **CONCLUSION**

This study explored the complex issue of gender inequality in material resources and its relationship to violence against women in Pakistan, with special focus on Lady Health Workers (LHWs) in Karachi. 200 lady health workers of Karachi division participated in the study. The study highlighted the situation of lady health workers who not only contribute to the family income but also look after household chores all in rather constrained conditions. They also have serious difficulty in saving money and are not able to buy their own house. The participating lady health workers also highlighted the startling prevalence of violence against women, as 20% of participants shared personal accounts of encounters. They also mentioned that although it has improved their lifestyle, 20 % are highlighted as facing violence in the event of asking anything from their husbands. The study also mentioned the importance of taking action in order to solve issues like equitable job opportunities, property rights, and violence against women. The findings also suggested the development of strong social safety nets and support networks that are adapted to the particular difficulties faced by working women.

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## **Studying Intersectionality in Research on Minority and Ethnic Women's Leadership in Higher Education in Pakistan**

### **Abstract**

*This paper contributes to the study of gender, leadership, and identity by investigating how gender, ethnicity, and class may either hinder or facilitate access to leadership positions, both during and after assuming a leadership role. This paper specifically focuses on experiences of minority and ethnic women leaders in public and private universities of Pakistan. The author employs an approach of intersectionality to leadership methodology by using their own autobiographical account as a starting point for the research. The findings are analysed through the lenses of feminist, intersectional, and critical auto-biographical theory. The paper introduces the literature, describes the research design, and discusses the initial findings, highlighting the key themes that emerged from the data. The results indicate that minority and ethnic women face greater challenges and obstacles in their roles as leaders compared to their majority counterparts. Additionally, minority and ethnic women perceive their ethnicity as having a significant impact on their identities, their perceptions of leadership, and their experiences as leaders.*

**Keywords:** Intersectionality, Educational Leadership, Female leadership, Higher Education

### **INTRODUCTION**

In recent years, there has been a growing interest in the study of gender, leadership, and identity. However, a significant research gap exists when it comes to understanding the experiences of minority and ethnic women leaders within Higher Education Institutions [HEIs] in Pakistan. The under-representation of women in leadership roles within these institutions, coupled with a lack of comprehensive intersectional analysis, restricts our comprehension of the challenges and opportunities faced by these women in Pakistani academia. This research seeks to fill this crucial gap by delving into the interplay of gender, ethnicity, and class to provide a deeper insight into access to leadership positions and experiences in academia within the context of Pakistan. Pakistan's diverse ethno-cultural landscape makes the exploration of race a broader and multifaceted project, beyond the scope of this study. Therefore, this research focuses on gender and ethnicity as the primary lenses through which to examine these issues. The paper assumes and acknowledges that Pakistan is a diverse nation with a multitude of ethnic and religious communities, therefore, I have specifically aimed to examine the experiences of minority and ethnic women leaders, including but not limited to individuals from Christian, Hindu, Ahmadi, Hazara, Ismaili, Bohra, and other minority backgrounds. The choice of these groups is not exhaustive but serves as representative examples to illustrate the diversity within Pakistan's academic landscape. It is important to acknowledge that the challenges and experiences of minority and ethnic women leaders may vary significantly among different groups. Factors such as religious affiliation, cultural practices, and regional

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dynamics can contribute to distinct forms of marginalization and empowerment. For instance, Christian women leaders may face unique challenges related to religious discrimination, while Hazara women leaders might confront issues tied to ethnic identity and security concerns. Hindu women leaders also may have their own set of challenges stemming from cultural differences and societal norms. These variations in experiences of the various minority and ethnic groups are essential to understanding the nuances of marginalization. By exploring the specific challenges faced by various groups, we can gain insight into how intersecting identities, including gender, ethnicity, and religion, shape the leadership experiences and opportunities of minority and ethnic women in Pakistani academia.

By addressing these nuances and variations, this study aims to provide a comprehensive analysis of the diverse challenges and opportunities encountered by minority and ethnic women leaders within the chosen context. It is our hope that this research will shed light on the complexities of their experiences and contribute to more inclusive and equitable leadership practices within HEIs in Pakistan.

## **LITERATURE REVIEW**

The study of gender, leadership, and identity has been a longstanding subject of scholarly inquiry, with roots dating back to classic works by pioneering scholars such as Eagly and Mladinic (1994), and Eagly and Karau (1995). Over the years, this field has evolved, and more recent studies, including those by Funk et al. (2023), Hobgood and Draucker (2022), and Holland and Lemke (2022), have continued to contribute to our understanding of these complex dynamics. The profound impact of gender on individuals' access to leadership positions and their experiences within these roles has been well-documented in both classic and contemporary literature (Tabassum and Nayak, 2021). The persistent gender disparities across various sectors, including academia, have been explored extensively. Earlier works by scholars such as Eagly and Mladinic (1994), and Eagly and Karau (1995) laid the groundwork for identifying barriers and challenges faced by women in leadership, followed by recent scholars such as Gandhi and Sen (2021) and Maheshwari and Nayak (2022), who shed light on the influence of societal norms, stereotypes, and structural inequalities that hinder women's progress in leadership roles.

Intersectionality has emerged as a critical framework for understanding the intricate interplay between gender, ethnicity, and class in shaping individuals' experiences (Showunmi, 2020). This concept recognizes that individuals possess multiple intersecting social identities, resulting in unique experiences of privilege and oppression. In the context of leadership, intersectionality emphasizes the need to examine how gender intersects with other social categories, such as ethnicity and class, to comprehend the distinct challenges faced by minority and ethnic women leaders (Nair and Vollhardt, 2020). While studies on gender and leadership have made significant contributions over the years, research focusing specifically on minority and ethnic women leaders remains limited, particularly in the context of Pakistani universities. The experiences of these women are influenced by multiple dimensions of identity, including gender, ethnicity, and cultural background (Nguyen, 2020). Existing literature suggests that minority and ethnic women leaders may face compounded challenges due to the intersection of gender and race/ethnicity, which may further marginalize their access to leadership

opportunities (Thacker and Minton, 2021). This study also employs a unique approach by incorporating autobiographical perspectives in leadership research. By drawing from the author's own experiences as a starting point, this research employs a critical autobiographical analysis. Such an approach allows for an intimate exploration of the researcher's lived experiences and provides insights into the personal and professional challenges faced by minority and ethnic women leaders. This autobiographical lens adds depth and authenticity to the study, capturing the nuanced complexities of leadership experiences within the specific context of Pakistani universities.

### **Theoretical Framework**

This study draws upon feminist theory, intersectionality theory, and critical auto-biographical theory to analyse the findings. Feminist theory provides a lens through which to understand gendered power dynamics and challenges prevalent patriarchal structures within leadership contexts (see Allen, Goldberg, and Jaramillo, 2022). The Intersectionality theory allows for a more comprehensive understanding of how gender intersects with ethnicity, class, and other social categories, shaping the experiences of minority and ethnic women leaders (see Rodriguez, Guenther, and Faiz, 2023). Critical auto-biographical theory enables a reflexive analysis of the author's own experiences while considering broader socio-political contexts (see Burke, 2021).

### **Research Gap**

The existing research on gender, leadership, and identity has neglected the experiences of minority and ethnic women leaders in Pakistani universities. Existing literature overlooks the intersectionality of gender with ethnicity and class, limiting knowledge about the challenges faced by these women. This study aims to bridge the research gap by examining the unique experiences of minority and ethnic women leaders in HEIs in Pakistan. Autobiographical approaches are underutilised in leadership studies, and this research seeks to address this gap by incorporating the author's personal account. By adopting an intersectional lens and utilising autobiographical approaches, this study aims to offer a deeper understanding of the complexities surrounding gender, ethnicity, class, and leadership experiences in Pakistani universities. The findings can inform inclusive and equitable leadership practices in higher education.

### **Research Questions**

This study examines the experiences of minority and ethnic women leaders in public and private universities in Pakistan, focusing on the intersections of gender, ethnicity, and class. The research questions guiding this inquiry are as follows:

1. What challenges do minority and ethnic women leaders face in assuming and navigating leadership positions in Pakistani universities?
2. How does ethnicity influence the identities, perceptions of leadership, and experiences of minority and ethnic women leaders?
3. What key themes emerge from the intersectional analysis of gender, ethnicity, and class in relation to the experiences of minority and ethnic women leaders in Pakistani academia?

4. What are the implications of these findings for promoting inclusive leadership practices and creating a more equitable and diverse academic environment in Pakistan?

Through these research questions, this study aims to gain a comprehensive understanding of the challenges, opportunities, and complexities encountered by minority and ethnic women in leadership positions in Pakistani universities.

## **RESEARCH METHODOLOGY**

This study adopts a qualitative research design to explore the experiences of minority and ethnic women leaders in public and private universities in Pakistan. Qualitative research methods provide an in-depth understanding of individuals' lived experiences, allowing for rich and nuanced insights into the challenges and opportunities faced by minority and ethnic women in leadership positions (Hendren and colleagues, 2023). The study utilizes an intersectional approach to leadership methodology, based on Showunmi's (2020) method of incorporating the author's own autobiographical account as a starting point for the research.

### **Data Collection**

The primary data collection method employed in this study is semi-structured interviews. Semi-structured interviews offer flexibility in capturing participants' perspectives while allowing for a systematic exploration of the research questions. The interviews were conducted with a purposive sample of minority and ethnic women leaders from various public and private universities in Pakistan. The sample was selected based on criteria such as ethnicity, leadership role, and years of experience to ensure diversity and breadth of insights. The interview questions were designed to elicit participants' experiences, challenges, and perceptions related to gender, ethnicity, and class in leadership positions. The questions were informed by the research questions and the relevant theoretical frameworks of feminist theory, intersectionality theory, and critical auto-biographical theory. The interviews were audio-recorded with participants' consent and transcribed verbatim for data analysis.

### **Data Analysis**

Thematic analysis was conducted to analyse the collected data, focusing on identifying patterns, themes, and categories within the interview transcripts (see, for example, Lester, Cho, and Lochmiller, 2020). The analysis was guided by feminist theory, intersectionality theory, and critical auto-biographical theory. The process began with multiple readings of the transcripts to familiarize the researcher with the data. Initial codes and themes were identified, followed by organizing and refining the codes to develop comprehensive themes that capture participants' experiences. To ensure rigour and trustworthiness, member checking and peer debriefing techniques following Hamilton (2020) were employed. Member checking involves sharing preliminary findings with participants to validate the accuracy and relevance of identified themes. Peer debriefing includes seeking input and feedback from other researchers or experts in the field to enhance the rigour and credibility of the analysis (idem).

### **Ethical Considerations**

This study adheres to ethical guidelines and principles following Kingston (2020) to ensure the protection and well-being of participants. Informed consent was obtained from all participants, and their confidentiality and anonymity were strictly maintained throughout the study.

### **Limitations**

It is important to acknowledge certain limitations of this research design. The qualitative nature of the study limits the generalizability of the findings to a broader population. Additionally, the sample selection from specific public and private universities in Pakistan may not capture the entire range of experiences within the country.

## **RESULTS & DISCUSSION**

### **Challenges and Obstacles Faced by Minority and Ethnic Women Leaders**

The analysis of the data revealed a range of challenges and obstacles faced by minority and ethnic women leaders in public and private universities in Pakistan. Participants highlighted various systemic barriers, including biased selection processes, lack of mentorship opportunities, and limited access to networks that perpetuate gender and racial inequalities in leadership positions. Additionally, participants noted the existence of implicit biases and stereotypes that hindered their credibility and undermined their authority as leaders.

### **Ethnicity and its Impact on Identity and Perceptions of Leadership**

The findings indicate that ethnicity significantly influenced the identities and perceptions of leadership among minority and ethnic women leaders. Participants reported that their ethnicity shaped their self-perception, influencing their confidence levels and how they perceived their own leadership capabilities. Moreover, participants expressed that their ethnicity often defined how they were perceived by others, both within and outside their institutions, and impacted their interactions with colleagues and subordinates.

### **Experiences of Minority and Ethnic Women Leaders**

The experiences of minority and ethnic women leaders revealed distinct patterns and themes. Participants described a sense of isolation and marginalization, reporting that they often felt excluded from informal networks and decision-making processes. They also highlighted the need to navigate cultural expectations and stereotypes, often being burdened with additional responsibilities due to cultural norms and expectations. Moreover, participants shared instances of encountering resistance and opposition when attempting to implement change or assert their leadership authority.

### **Intersectional Analysis of Gender, Ethnicity, and Class**

The intersectional analysis of gender, ethnicity, and class underscored the complex interplay of these factors in shaping the experiences of minority ethnic women leaders. The findings revealed that the challenges faced by participants were not solely attributed to their gender or ethnicity but were also influenced by their socio-economic backgrounds. The intersectionality of these factors created compounded barriers, further marginalizing their access to leadership opportunities and reinforcing existing power dynamics within the academic setting.

### **Implications for Inclusive Leadership Practices**

The findings of this study have important implications for promoting inclusive leadership practices within HEIs in Pakistan. They highlight the need for targeted interventions to address the specific challenges faced by minority and ethnic women leaders. These interventions should focus on enhancing access to mentorship, fostering networks of support, and implementing policies and practices that mitigate biases and stereotypes. Moreover, creating a more inclusive and equitable academic environment requires recognizing and valuing the diverse perspectives and experiences brought by minority and ethnic women leaders.

### **Theoretical Implications**

The findings of this study hold significant theoretical implications for the fields of gender studies, leadership theory, and intersectionality. By delving into the experiences of minority and ethnic women leaders in the context of public and private universities in Pakistan, this study contributes to the existing body of literature in the following ways:

#### **Advancing Intersectionality Theory**

This study adopts an intersectional approach, considering the interplay of gender, class, and the varied experiences of minority and ethnic women leaders within Pakistan. The findings underscore the profound significance of intersectionality in comprehending the complexities and compounded barriers faced by these women. By weaving intersectionality theory into the analysis, this study furthers the development of intersectionality as a lens for examining the intricate dynamics of gender, class, and their intersections within leadership contexts.

#### **Extending Feminist and Critical Auto-biographical Theory**

The analysis of data through the lenses of feminist theory and critical auto-biographical theory deepens our understanding of the experiences and challenges encountered by minority and ethnic women leaders. This study extends these theoretical frameworks by incorporating intersectionality as a pivotal aspect, emphasizing the specific barriers and obstacles faced by these women. These theoretical implications contribute to the ongoing discourse on gender, power, and identity in leadership research.

#### **Challenging Essentialist Notions of Leadership**

The findings challenge essentialist notions of leadership by demonstrating how gender, class, and ethnicity intersect to mould leadership experiences and opportunities. This challenges the traditional understanding of leadership as a neutral and universal concept, highlighting the importance of recognizing and valuing diverse leadership styles and perspectives. By exploring the experiences of minority and ethnic women leaders, this study contributes to the theoretical re-conceptualization of leadership, underlining the need for more inclusive and contextualized leadership theories.

#### **Highlighting Power Dynamics of Structural Inequalities**

The analysis of challenges faced by minority and ethnic women leaders underscores the power dynamics and structural inequalities inherent within the academia. The findings accentuate the urgency of addressing these systemic barriers and biases that hinder the advancement of women leaders from minority and ethnic backgrounds. This contributes to the theoretical

understanding of power relations and structural inequalities within organizational settings, calling for a more critical examination of leadership practices and structures.

### **Bridging Gap Between Theory and Practice**

This study bridges the gap between theory and practice by providing practical insights and recommendations for fostering inclusive leadership practices within HEIs. The theoretical implications of this study inform the development of interventions, policies, and strategies aimed at promoting diversity, equity, and inclusion in leadership roles. By bridging theory and practice, this study contributes to the implementation of real-world changes that support the advancement of minority and ethnic women leaders.

### **Organizational and Policy Recommendations**

The findings of this study carry profound implications for organizations, particularly HEIs, in their pursuit of promoting diversity, equity, and inclusion within leadership positions. Based on the research findings, I propose the following recommendations, which not only draw from the theoretical underpinnings of our study but also present actionable steps for bridging the gap between theory and practice, while considering the unique challenges posed by various ethnicities and minorities:

1. HEIs should establish mentorship programs tailored specifically to support minority and ethnic women leaders. These programs should go beyond generic mentorship by providing tailored guidance, support, and networking opportunities. Mentors should be selected based on their expertise, commitment to diversity, and cultural sensitivity. By fostering such mentoring relationships, organizations can effectively enhance the professional development and advancement of minority and ethnic women leaders. This recommendation bridges the gap between theory and practice by translating the theoretical importance of mentorship into a practical, targeted intervention.
2. HEIs should prioritize comprehensive diversity and inclusion training for all staff, including leaders, faculty, and support staff. Such training should aim to raise awareness about biases, stereotypes, and the specific challenges faced by minority and ethnic women leaders. It should promote an understanding of intersectionality, inclusive decision-making, and strategies to mitigate bias in evaluations and promotions. This approach ensures that theoretical concepts around intersectionality are transformed into practical tools for creating a more inclusive environment within academia.
3. HEIs should actively cultivate inclusive networks and communities that provide robust support and networking opportunities for minority and ethnic women leaders. Establishing affinity groups, resource centres, or digital platforms can facilitate connections, knowledge sharing, and collaboration. These spaces should be designed to be safe and inclusive, empowering leaders through connections, experience sharing, and learning. By implementing these inclusive networks, organizations translate the theory of inclusive leadership into tangible support structures.
4. HEIs must critically evaluate their selection and promotion procedures to identify and address biases and barriers faced by minority and ethnic women leaders. This could involve revising criteria for leadership positions, ensuring diverse representation in selection committees, and considering blind evaluation processes. Transparent and

inclusive procedures provide equal opportunities based on qualifications, regardless of gender or ethnicity. This recommendation bridges the gap by operationalizing the theory of unbiased evaluation and merit-based advancement into organizational policies.

5. HEIs should develop policies specifically designed to address the intersectional challenges faced by minority and ethnic women leaders. These policies should aim to dismantle systemic barriers, promote equitable workloads, and recognize their unique contributions. Examples include flexible work arrangements, family-friendly policies, and targeted professional development opportunities. These policies foster an inclusive environment that values diverse identities and experiences, bringing the theoretical framework into practical policy implementation.
6. HEIs should actively seek collaborations with external organizations and institutions specializing in diversity and inclusion. These partnerships provide access to invaluable resources, support, and best practices. Collaborations also facilitate knowledge-sharing, leading to innovative solutions and strategies for promoting inclusive leadership practices. By collaborating externally, HEIs bridge the gap between theoretical knowledge and the practical implementation of inclusive policies, creating a more inclusive academic environment.

In summary, this paper effectively bridges the gap between theory and practice by translating theoretical concepts of intersectionality and inclusive leadership into practical, actionable recommendations. These recommendations are tailored to address the unique challenges faced by various ethnicities and minorities within academia, providing a roadmap for HEIs to foster a more diverse, equitable, and inclusive leadership landscape.

## **CONCLUSIONS**

In conclusion, this study contributes significant insights into the experiences of minority and ethnic women leaders in Pakistani universities, shedding light on the multifaceted challenges they face due to gender, class, and ethnic dynamics. The findings underscore the critical need to address systemic barriers and biases that hinder the equitable representation of minority and ethnic women in leadership positions within academia. Furthermore, this study emphasizes the importance of intersectionality theory in understanding the compounded obstacles faced by these leaders and calls for a re-conceptualization of leadership that values diverse perspectives and experiences. The practical recommendations outlined in this study provide a bridge between theory and practice, offering actionable steps for organizations, particularly HEIs, to promote diversity, equity, and inclusion within their leadership ranks. The recommendations are designed to address the unique challenges posed by various ethnicities and minorities while fostering a more inclusive academic environment: While the recommendations provide practical steps for organizations to promote diversity and equity, it is essential to acknowledge the limitations of this study, such as the limited sample size and potential biases introduced by the researcher's autobiographical account. Additionally, the absence of quantitative data limits the generalizability of the findings. Future research may consider comparative studies, longitudinal analysis, exploration of intersectionality within organizational culture, and the evaluation of the impact of policy interventions. In summary, this study advances intersectionality theory, deepens our understanding of gender, ethnicity, and class dynamics in



leadership, and offers practical solutions for creating more inclusive academic environments. By addressing these issues, organizations can create environments that value diverse identities and experiences, ultimately supporting the success of minority and ethnic women leaders in academia and beyond.

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## Relationship between Childhood Trauma and Hysteria in Pakistani Females

### Abstract

*This research was conducted to find out the nature of trauma that might have occurred in early childhood and result in the person developing psychological symptoms of Hysteria. The result of the study shows significant positive relationship ( $r=.49$ ,  $**p<.01$ ) between childhood trauma and the development of Hysteria among females. Different sorts of traumas were also identified in this research. The findings of the research are interesting as they have strong implications in developing therapeutic interventions for the females suffering from Hysteria. Hence this research will be highly beneficial for future researchers and clinicians as well as for consciousness raising among Pakistani females.*

**Keyword:** Childhood, Females, Hysteria, Trauma

### INTRODUCTION

Childhood trauma, including abuse and neglect, death of loved ones and injury is probably our nation's single most important public health challenge, a challenge that has the potential to be largely resolved by appropriate prevention and intervention. Most traumas begin at home and the vast majority of people (about 80 %) responsible for child abuse are children's own parents. All mental illnesses are based on social and cultural factors, which affect its supposed etiology, structure and treatment (Castillo, 1997). Hysteria is an ancient term used to describe symptoms, which now fall under the term Conversion Disorder. As yet there has been no clear explanation of its etiology. Hysteria as a term in its own right was dropped from both DSM-IV and ICD-10 (Illis, 2002) and was replaced with Conversion Disorder.

Histories of childhood trauma like physical/sexual abuse and death of loved ones are associated with a host of other psychiatric diagnoses in adolescence and adulthood: substance abuse, borderline and antisocial personality, as well as eating, dissociative, affective, somatoform, Conversion (Hysteria), cardiovascular, metabolic, immunological, and sexual disorders (Van der, 2003). Research conducted in Pakistan indicates that Conversion Disorder is one of the most prevalent psychiatric diagnoses representing 12.4% of the admissions in the inpatient psychiatric unit (Farooq, 2007).

### Rationale of the Study

In Pakistan there has been limited research conducted on childhood physical and sexual abuse and there is a dearth of research on the overall childhood trauma like physical, sexual abuse, neglect, death of loved ones and injury. In particular the relationship between childhood trauma and conversion (hysteria) disorder has rarely been addressed. The aim of the present research is an attempt to find out association and pattern of childhood trauma in female patients presenting with conversion (hysteria) disorder.

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## **RESEARCH METHODOLOGY**

### **Hypothesis**

There is a relationship between childhood trauma and hysteria (conversion disorder) among Pakistani females.

### **Sample**

The sample comprised 100 female patients whose age range were between 18 years and older. The patients were diagnosed by the psychiatrist and researcher according to the diagnostic criteria given by the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision (American Psychiatric Association, 2000). The sample of study was collected from the psychiatry departments of different hospitals, government hospitals and private clinics in the cities of Punjab e.g., Rawalpindi and Lahore.

### **Assessment Measures**

Demographic Questionnaire.

Childhood Traumatic Events Scale (CTES) developed by Pennebaker & Susman in 1988 and translated by Researcher in 2014.

Minnesota Multiphasic Personality Inventory – Subscale Hysteria (MMPI - Hy) translated into Urdu by Mirza in 1977.

### **Procedure**

The researcher visited different hospitals one by one and with collaboration of the relevant authorities. Before carrying out the research, the researcher briefed the authorities of different hospitals and the patients about the purpose of study and the researcher was able to ensure them of complete confidentiality since the data was to be used only for research purposes. Researchers have taken consent from all of the participants, then all the scales have been administered in person to each subject of the study and data has been collected individually. After the procedure of data collection, the data was statistically analyzed in order to test the hypothesis.

### **Statistical Analysis**

The data was analyzed statistically through computer software, Statistical Package for Social Sciences (SPSS) Version 18. Demographic variables were analyzed using descriptive analysis and the relationship between the childhood trauma and hysteria (conversion) among females was obtained by correlation coefficient.

## RESULTS & DISCUSSION

**Table 1**

*Frequencies and percentages of demographic characteristics and Clinical characteristics of the sample (N = 100)*

Characteristic	Groups	Frequency	Percentage
Age;	18 – 25	66	66
	26 – 35	31	31
	36 – older	3	3
Education	Under matric	38	38
	Matric	28	28
	Intermediate	17	17
	Graduation	14	14
	Post-graduation	1	1
	No Education	2	2
Marital Status	Single	68	68
	Married	29	29
	Widow	3	3
Living area	Urban	39	39
	Rural	61	61
Trauma	Death	69	69
	Parental	39	39
	Separation/Divorce		
	Sexual	44	44
	Physical/Violence	36	36
	Health (Illness, Injury)	59	59
	Other	24	24

Table 1 shows frequency and percentage of demographics and different types of traumas. Age range is 18 and older. Table 1 describes that a high frequency in the age range of 18 to 25 is 66% in females. In the category of marital status 68% female participants are single. Females who belonged to rural areas are 61%. Females who faced different traumas like death of loved ones (69%), parental separation/divorced (39%), sexual abuse (44%), physical abuse and violence (36%), health (illness and injury) is 59% and other trauma is 24%.

**Table 2**

*Correlation matrix among Childhood Trauma and Conversion Disorder (Hysteria) in Pakistani females (N=100)*

Childhood trauma	Conversion .49**
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Note. \*\* $p < 0.01$

Table 2 explains that the correlation coefficient between childhood trauma and Conversion Disorder ( $r = .41$ ) are found to be highly significant ( $p < 0.01$ ). The table shows a significant positive relationship between childhood trauma and Conversion Disorder (Hysteria) in Pakistani females.

**Table 3**

*Multiple regression analysis to test effects of Childhood trauma and Conversion Disorder (Hysteria) in Pakistani females (N= 100)*

Variables	Conversion (hysteria)	
	B	Model 1 95% CI
Constant	61.18	[70.66, 51.70]
Childhood trauma	.33	[.44, .21]
$R^2$	.24**	
F	31.38	

Note. CI = confidence interval.

\*\* $p < 0.01$

Multiple regression analysis is computed to explore the predictive features of childhood trauma and conversion (hysteria) in females. As shown in Table 2, the childhood trauma ( $\beta = .49, p < 0.01$ ) predicted Conversion Disorder (hysteria). The value of  $R^2$  shows that Conversion Disorder (hysteria) and childhood trauma explained a total of 24 % variance in Pakistani females.

In the present study the relationship between childhood trauma and Conversion Disorder (hysteria) was explored. The hypothesis of the present research was that there is a positive relationship between childhood trauma and Conversion Disorder (hysteria) among Pakistani females and previous research supported the hypothesis (Table 2). One study examines the association and pattern of childhood sexual abuse in patients exhibiting conversion disorder. The sample consists of 60 female in-patients with conversion disorder. Results showed positive associations of childhood trauma like sexual abuse in childhood and Conversion Disorder in adult life (Maqsood, Leghari, & Akram, 2013). According to Aamir, Farooq & Jahangir (2011), who conducted research on life events and Conversion Disorder among females, concluded that important characteristics of Pakistani people who experience trauma and Conversion Disorder were being female, low socio-economic status and low educational level. This research also supported the results of the study. In another cross-sectional study (Malik et al, 2010) of patients with conversion disorder, the majority of participants were young, female, formally educated, rural residents, unmarried, unemployed, having no family history of mental illness and were presented through the outpatient’s department.

## CONCLUSION

The present study was proposed to explore the relationship between childhood trauma and hysteria in Pakistani females. Childhood trauma has a significant positive relationship with Conversion Disorder (hysteria). It was also concluded that childhood trauma has a positive predictor of conversion (hysteria) disorder. It can be concluded that childhood trauma has a significant impact on the development and maintenance of Conversion Disorder (hysteria). The findings of the research are interesting as they have strong implications in developing therapeutic interventions for women suffering from Hysteria.

## Limitation and Recommendation for Future Research

This research has potential for future studies if linked with other issues that have not been studied in this research. The study was limited to women only and the sample size was small. This study recommends that further research with larger sample size and addition of male participants may be required. The data should be validated by family, parents, caregiver, spouse and significant others as it would open new doors in understanding the problem through another perspective.

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## Notes To Contributors

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