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Women's Rights=Human Rights: Pakistani Women against Gender Violence

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Gender-based violence constitutes a major public health risk and is a serious violation of basic human rights throughout the world. Counter to many Western images of Muslim women as passive victims, women's groups in Pakistan have begun to organize to respond to these conditions. This study is based upon in-depth interviews conducted with the founders and senior staff of Dastak (Knock on the Door), a shelter for women in Lahore, Pakistan that uses a human rights framework to provide services and advocate for public support for women's rights to safety and security. The study explores how Pakistani women are taking action against violence within their social, cultural and political reality and analyzes how the of human rights approach has been applied in a non-Western, Muslim, developing country.

Key words: gender violence, human rights, women's rights, Pakistan, international social work

Gender-based violence constitutes a major public health risk and has been determined to be a serious violation of basic human rights throughout the world (World Health Organization [WHO], 2005; Amnesty International, 1999, 2002). The urgent need to address this problem because of its toll on the physical and mental health of women worldwide has been recognized by various international organizations (UNDP, 2006; WHO, 2005; United Nations Population Fund, 2000). The Fourth World Conference for Women held in Beijing in 1995 recognized violence against women as a serious

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obstacle to women's advancement. In spite of such declarations and efforts to place high priority on eliminating violence against women, human rights advocates in Pakistan assert that such violence has been on the rise (Jilani & Ahmed, 2004; Amnesty International, 2002). Yet, counter to many Western images of Muslim women as passive victims, women's groups in Pakistan are organizing to respond to these conditions. Since the 1980s there is growing resistance to gender violence and the political and cultural forces that contribute to it.

In today's global world it is argued that a broader understanding of human rights and an internationalist viewpoint is needed to ground social work practice and social action (Ife, 2001). Accordingly, this paper presents a study of Dastak (Knock on the Door) in Lahore, Pakistan which applies a human rights approach to address gender violence. The organizational philosophy and the ways in which Pakistani women are taking action against violence within their social, cultural and political realities are examined, highlighting the strategies these women and human rights activists are adopting to influence policy and campaign for the improved status of women in Pakistan.

Background

Brief Overview of Dastak

Dastak, a non-governmental organization (NGO) which operates a shelter for women, was established in 1990 by the AGHS Legal Group, a legal organization founded by four women in 1986. Dastak has expanded to provide crisis intervention, protection and a temporary residence/safe haven for women and their children, as well as education, legal aid, counseling and resettlement services. Originally managed by one superintendent, they have grown to include to a staff comprised of a program director, a program coordinator and a part-time psychologist. The superintendent and warden live on the premises and assume 24-hour managerial responsibility for the residence. The two organizations work in an integrated manner. A crisis worker located at AGHS makes referrals to the shelter, facilitates family visits when appropriate and conducts outreach, especially in prisons and state-run shelters to

identify women in need of assistance. Dastak has served over 5,000 women since their inception.

Dastak's efforts extend beyond direct service delivery. An important aspect of Dastak's work involves lobby and advocacy activities to gain political and public support for women's basic right to safety and security through opposition of discriminatory laws and use of court litigation to ensure that the existing Constitutional laws which establish rights for women are interpreted properly and enforced. Dastak has been a trail-blazer as the first private shelter program in Pakistan. Working within their cultural context, they have sought to bring about a change in the notion of "protection" for women that isolates rather than strengthening them (Jahangir, 2000). The Dastak model stands in stark contrast to the network of existing state-run shelters for women (Darul Amans) that function in a prison-like manner and severely limit freedom of movement.

A Human Rights Framework

A human rights framework advocates for women under the belief that regardless of culture or gender all humans are entitled to certain basic rights, such as freedom from violence and political economic and social freedoms. In recent years there have been advances in the application of human rights law to address the specific rights violations suffered simply on the basis of gender, including gender violence (Charlesworth, 1994; Cook, 1994; Friedman, 1995; Merry, 2006; Peters & Wolpert, 1995; Stewart, 2000). International norms of non-discrimination on the basis of gender have been developed through international human rights instruments such as the Convention on the Elimination of Discrimination against Women (CEDAW) which prohibits practices that perpetuate women's inequality (Cook, 1994). The 1993 World Conference on Human Rights further articulated the notion of women's rights as human rights, the state's obligation to protect such rights, and clearly extended the interpretation of human rights violations to include those that are committed on the basis of gender within the "private" sphere of the family (Peters & Wolpert, 1995; Sullivan, 1995). Gender violence is defined as a denial of women's fundamental humanity and states are responsible for the failure to respect women's rights to life, liberty and security of person,

the right to be free from torture, cruel, degrading and inhuman treatment and failure to ensure equal protection under the law (Romany, 1994). The 1995 Beijing Conference dealt explicitly with violence against women and enunciated strategic objectives for government action, constituting another step forward in establishing women's rights.

Women's rights in Pakistan are articulated in the provisions of the Constitution and international laws such as the Universal Declaration of Human Rights and international treaties such as the CEDAW, signed by Pakistan in 1996. Pakistan not only signed the Beijing Conference commitments, but also supports the implementation of the United Nations (UN) Millennium Development Goals (MDGs). These also include goals regarding gender equality and women's empowerment (Rai, Shah, & Ayaz, 2007).

A human rights-based orientation emphasizes universalist concepts of rights and freedom and contrasts with other approaches to gain rights for women. There has been an emergence of women's voices from within Islam, with a grounding of arguments for women's rights within the framework of Islam and emphasis on the intended equality and dignity for women (Hassan, 1999; Mernisi, 1987; Sardar Ali, 2000). This movement has gathered momentum for a host of reasons: in response to colonialism and the hegemony of the West; as part of a quest for an authentic Muslim identity that transcends constructed binaries between "East" and "West", "traditional" and "modern" and religious and secular; and also in the belief that it is a more effective way to appeal to the populace to promote cultural change (Barlow & Akbarzadeh, 2006; Mir-Hosseini, 2004). Muslim feminism reflects positions that are diverse and evolving and do not always agree on what constitutes "justice or "equality" or the best ways to attain them (Barlow & Akbarzadeh, 2006; Mir-Hosseini, 2004). Some interpretations by Islamic states insist that men and women are not equal and that it is the duty of husbands to honor wives without declaring equality (An-Na'im, 1994). AGHS and Dastak turned to norms of human rights law because efforts to reinterpret religion "created controversies and no resolutions," while the human rights framework offered the basis for "equality and social justice in accordance with a set of

internationally accepted standards" (Friedman, 1995, p. 22).

Critiques of a rights-based approach emerge from the cultural relativist perspective which originated from within anthropology and is used by religious fundamentalists and heads of state to oppose the notion of international human rights, especially in the context of the role and treatment of women (Coomaraswamy, 1999; Reichert, 2003; Singer, 1999). Cultural relativists assert that there are no universal standards by which cultures may be judged, that all cultural practices must be accepted without judgment, and many view human rights as an opponent of national culture (Coomaraswamy, 2005; Howland, 1999; Merry, 2006; Muktar, 2003; Singer, 1999). Various critiques of cultural relativism question the assertions of religious fundamentalist movements claiming to speak for an entire culture (Rao, 1995), employ "culture" to serve a variety of interests, construct imaginary, falsely rigid, ahistorical visions of the "Muslim women" based upon a chosen set of self-justificatory texts with which to restrict and control them (Helie-Lucas, 1999; Mayer, 1995; Rao, 1995) or rely on simplistic notions of identity with static and essentialist views of culture (Merry, 2006).

Defenders of women/human rights must often fend off persistent attacks from those who claim that human rights advocates are Westernized or that this approach serves Western economic or other neo-imperial ends (Jamal, 2005; Mayer, 1995; Moghadam, 2003; Muktar, 2003). The human rights approach is fraught with tensions between definitions of rights and societal realities (Coomaraswamy, 1999; Merry, 2006). In Pakistan some tensions arise from the focus on individual rights in a society that is based upon a collective, family orientation, although this collective orientation is generally synonymous with interests of men (Coomaraswamy, 1999; Jamal, 2006; Merry, 2006). Women experience immense pressure to adhere to norms set by the "community," which makes it difficult to leave the family/extended family or social group in order to escape violence or challenge customary practices. Nevertheless, there has been increasing recognition that human rights treaty bodies, constitutional law and law enforcement can effectively promote state accountability and also have normative value in setting standards, sensitizing the community and

strengthening societal response to violence against women and human rights protections (Charlesworth, 1994; Goonesekere, 2004; Jilani & Ahmed, 2004).

Gender Violence in Pakistan

Although there are no systematic studies or reliable government data on the prevalence in Pakistan, it has been asserted that gender violence is pervasive (Amnesty International, 1999, 2002; Jilani & Ahmed, 2004; Shirkat Gah, 2007). It has been noted that data collection in countries like Pakistan is extremely challenging due to the fear and shame that prevents most victims from seeking help from criminal justice or health or social service providers. Questions about accuracy of data also arise because many incidents of violence against women, such as burnings, acid-throwing and murder, are often recorded as accidents. Moreover, in resource-poor countries such as Pakistan, priority is usually concentrated on the delivery of aid to women rather than on statistical data collection. As a result, knowledge and information about the prevalence and consequences of violence come from a wide range of formal and informal sources (Johnson, Ollus, & Nevala, 2008; WHO, 2002).

It is commonly reported that at least 80% of all women in Pakistan are subjected to some form of domestic violence (Amnesty International, 2002; Hassan, 1995; Human Rights Commission of Pakistan, 2002). Gender violence in Pakistan takes a variety of forms, some of which are similar to the West, such as marital violence and rape, wife beating and others more culture specific. These include so-called "honor killings," forced marriage, child marriage, death by burning (stove deaths, which are presented as accidents), acid attacks, nose cutting (a form of humiliating and degradation) and trafficking of women. In 2002, more than 450 cases of women killed by relatives in so-called "honor killings" were documented and many incidents go unreported or are treated leniently by authorities (Amnesty International, 2002; Human Rights Commission of Pakistan, 2002; Human Rights Watch, 1999).

Pakistan is a patriarchal society and women are often deprived of their right to make their own life choices. Patriarchal structures are stronger in the rural and tribal settings where local customs prevail, so that women may also be

treated as property or as objects of exchange between families to enhance social status, gain resources or settle disputes (Amnesty International, 2002; Asian Development Bank, 2000). A high percentage of women are also subject to sexual and physical violence in police custody, especially the poor who do not have powerful connections (Amnesty International, 1999, 2002; Hassan, 1995; Jilani & Ahmed, 2004).

The 1973 Constitution of Pakistan adopted by the Parliament established women with equal status as citizens. Article 32 of the Constitution stipulates "there shall be no discrimination on the basis of sex alone." Article 9 of the Constitution also established the right to liberty: "No person shall be deprived of life or liberty save in accordance of law." The Constitution also guarantees the right of consent to marriage and divorce (a right allowed in Islam). These provisions can and are being used in legal interventions to address violence against women and as a mechanisms for state accountability.

The equality for women provided by the Constitution is diminished by discriminatory ordinances, laws and customs (Jamal, 2006; Jilani & Ahmed, 2004). Pakistan is also among the countries that have entered reservations to CEDAW that justify inaction relating to women's and gender issues due to cultural and religious expediencies, which has qualified the commitment to women's rights (Rai et al., 2007). Survivors of violence often encounter unresponsiveness and hostility in the criminal justice system. Domestic violence is not explicitly prohibited in Pakistani domestic law. A recent proposed bill to address domestic violence has been tabled, although women's groups continue to press for passage of such legislation (Shirkat Gah, 2007). Due to this lack of formal recognition, the judicial system, from police officials to Pakistani courts, tends to view domestic violence as a private affair and not open to legal scrutiny (Jilani & Ahmed, 2004; Rai et al., 2007). The paucity of legal remedies, few safe houses and lack of reliable mediation mechanisms to intercede to protect against violence creates an overwhelming situation for many women.

A critical challenge confronting women in Pakistan attempting social and legal reform has been the increased Islamization of the law as a result of the 1979 regime of Zia ul-Huq which lasted for 12 years and left a legacy of

discriminatory laws that continue to oppress women today. It is also significant to note that this regime was heavily financed by the U.S. in its Cold War efforts against the Soviets in neighboring Afghanistan and was responsible for the funding and training of violent and radical Islamist *jihadi* movements that continue with destructive consequences in Pakistani society today (Mamdani, 2004).

Zia enacted the Hudood Ordinances, ostensibly intended to implement Islamic Shari'a law for *zina* (extramarital sex) *Qazf* (false accusation of zina), and theft, laws that had not been applied in Pakistan for centuries. The ordinances made it exceptionally difficult to prove an allegation of rape because the woman was required to provide four adult male witnesses of good standing, and failure to do so could place the woman at risk of prosecution for extramarital sex or for accusing an innocent man of adultery. This law resulted in a large increase in the number of women in prisons, especially poor and uneducated women (Human Rights Commission of Pakistan, 2005). In 1990 the implementation of the laws of Qisas and Diyat further undermined women's rights to safety and security by privatizing violent crimes of murder and bodily harm and eliminating the possibility of state prosecution. As a result, women can be killed in the name of honor without penalty since families can forgive offenders and accept compensation (Ahmed & Jilani, 2004; Amnesty International, 2002).

A positive outcome of this repressive regime was the strong resurgence of the women's movement in Pakistan. The founders of Dastak and many who work there were among those who mobilized. Through their persistent activism these laws came under increased scrutiny within Pakistan and internationally.

The Political, Social and Cultural Context

Women's rights must be viewed in the context of larger issues confronting Pakistani society. There have been continual crises in civil society since its founding in 1947 and Pakistan has been governed more by military dictatorships than by elected governments. Military presidents have ruled from 1958-71, 1977-88 and from 1999-2008, when the country's fourth military coup took place and the military President Pervez Musharraf assumed power (Malik, 1997).

Pakistan is also characterized by a long-standing legacy of underdevelopment, a feudal, elitist socio-political structure and a retreat to conservatism that has marginalized women (Jahangir, 2000; Malik, 1997). The original vision of a secular nation by Pakistan's founders has gone unrealized. Religion has been manipulated and used for political purposes, obscures vital issues of social and economic justice for the Pakistani population, and is imposed in a selective and narrowly defined manner by successive rulers to bolster insecure regimes (Afkami, 1999; Jahangir, 2000). Women have suffered disproportionately from distorted interpretations of Islam and from underdevelopment (Jahangir, 2000; Malik, 1997). Although there is considerable diversity among women and the nature and degree of women's circumstances varies across classes, regions, and the rural-urban divide, the lack of social value and status of women results in less investment of resources and gender disparities in their basic human development (Asian Development Bank, 2000). These disparities are most conspicuous in the rural and tribal areas where poverty, rates of illiteracy and poor health indicators are the highest (Asian Development Bank, 2000).

Historically, Pakistan has been considered a moderate country, and while there have been many setbacks to the democratic process, fundamentalist parties have received limited support. However, during the past decade women and human rights groups have spoken out against the increasing "Talibanisation" of the country and the government's lack of countervailing action. This is a failure to honor the state's commitments under international treaties such as CEDAW and threatens reverse progress for women (Shirkat Gah, 2007). Overall, a realization of rights is hampered by weakened institutions such as the judiciary, failure of state leadership and the dire need of access to economic and social rights that can enable citizens to live dignified lives (Jahangir, 2000).

Methodology

This study employed a descriptive, qualitative case study approach designed to provide a holistic understanding of the organization and its approach to the problem of gender violence in Pakistan (Yin, 2003). The study is based upon in-depth

interviews of 90 minutes to two hours conducted in winter of 2007 with two of the principal founders of the organization and the shelter program director of Dastak in Lahore, Pakistan. A digital recorder was used to tape the interviews, which were later transcribed by a research assistant. The interviews were conducted in English and took place in the offices of the AGHS law firm and at the Dastak shelter. A semi-structured interview protocol was used which had open-ended questions relating to the history, philosophy and approach of the organization, some of the challenges and successes they have experienced and their vision for the future. The subjects agreed to waive the right to confidentiality due to the fact that they are internationally known public figures in the area of human and women's rights and are frequently interviewed in the media, so that there is no risk involved in revealing their identities. Additional sources of information were also used to corroborate information obtained from the interviews, such as observation at the shelter and at the AGHS legal office and participant observation and extensive reading of newspaper reports and other published interviews (Yin, 2003). The analytical method of constant comparison was used. Systems of classification were derived from the research questions and additional conceptual codes were developed as they emerged from close examination of the transcripts with attention to key themes, phrases or quotations. Validity was also confirmed through discussion of the data with the research assistant and other Pakistanis (Yin, 2003).

Findings

The Study Participants

The participants consisted of two of the key founders of Dastak, Hina Jilani and Shahtaj Qizilbash and the shelter Director Victoria Bhajan. All have a long association as activists in the women/human rights movement. Hina Jilani, Executive Director of Dastak, is an internationally recognized human rights leader, an Advocate in the Supreme Court of Pakistan, a founding member of the Women's Action Forum (WAF) a pressure group formed in 1980 in response to the military dictatorship and passing of the Hudood Ordinances, a

founding partner of AGHS Legal Aid Cell in 1986 and a Founder of the Human Rights Commission of Pakistan (HCRP) in 1989. In 2000 Jilani was appointed Special Representative of the Secretary General on Human Rights Defenders at the United Nations. Shahtaj Qizilbash is the Founder and Coordinator of the Paralegal Program at AGHS and an original member of WAF and HCRP. Victoria Bhajan was drawn into the women's movement through her work at the YWCA in Pakistan, which also hosted the first meetings of WAF of which she became a member. She is also a longtime member of HRCP and assumed her position at Dastak in 2005.

Agency Background

The shelter began in response to the need identified by the lawyers at AGHS Legal Aid. They encountered many women seeking divorce, most commonly due to violence. These women were under great pressure and were experiencing threats to their safety by their spouses and extended families. Divorce, especially at that time, carried a strong stigma; although divorce was a declared a right of women under Islam, it was difficult for women to obtain. The lawyers at AGHS saw firsthand that many women urgently required much more than legal assistance. Hina Jilani described why the shelter program became necessary:

The services had to be more integrated, more than just taking people's cases to court. We had a long problem of providing protection to those women and I think that is a fundamental right that has to be addressed. So that's the reason why we started giving shelter to these women on a very "ad hoc" basis. We found that without a systematic arrangement for women's protection, we were leaving a lot of loopholes and at the same time raising the expectation of the survivor that she is protected, but without being able to really give that kind of protection. So that's how the whole idea of creating a shelter for women came.

The program is distinguished by its human rights orientation that seeks to counter the "protective" approach that secludes women and is reflected in other programs in Pakistan.

A primary concern is that it does nothing to empower women and reinforces women's dependency, which is already a serious obstacle to women being able to survive independently. Hina Jilani continues:

Why we wanted another shelter when some already existed was because of the approach of the government and the non-governmental organizations that already had started shelters in this country. It's a very patriarchal approach towards protection and does not give any defense to women's parliamentary right to liberty. And we do think that protection cannot be given at the cost of liberty. So the general approach here was if you entered a shelter, you could enter one at any time but you could never leave, something known as "custodial restraint" and that I very strongly disagreed with. I also felt that the shelters were not treating women with dignity; their fundamental right to dignity was not being respected, for one thing.

The founders of Dastak pragmatically adopted a rights-based approach, viewing it as the most compelling strategy to address gender violence in Pakistan rather than those infused with a religious ideology. They also firmly reject cultural relativist arguments and believe that within every cultural context women must be able to decide for themselves when they have reached their limit of tolerance of oppression. "At the center of the human rights movement," said Hina Jilani, "we've always said that people know what is just and what is not just."

Organizational Challenges

Pakistani women activists confront formidable obstacles as they seek to provide services and advocate for social change. Numerous attempts have been made by opposing forces to threaten, discredit and vilify them and to deter women from using their services. Hostile propaganda and misinformation campaigns labeled them as well as their clients as "loose women" and have gone so far as to accuse them of running a brothel, of trafficking women and misguiding them and encouraging rebellious behavior. Shahtaj Qizilbash states with irony, "A women who gets out of her house and demands her

rights has to be a loose woman." Hina Jilani further analyzes why they are targeted:

The fact that we are challenging social norms, state practices and institutions like the judiciary and even the police—that was a new notion that had to be accepted. We try to draw attention to what is being done wrong and we draw hostility from those who want to maintain the status quo. That doesn't deter me—we will continue to draw hostility. Every woman who comes to us is free from violence—when we give support to women, women gather the strength to confront the perpetrators and she can do that with much more strength. This creates anger and they transfer the anger from the women onto us.

Over the years there have been many threats of violence against staff, as well as clients, who are subject to ongoing fear for their lives. The women of Dastak are highly critical of the failure of the state to protect women and believe that continued pressure on the state to assume this function is critical because NGOs such as Dastak cannot do it alone. Shahtaj states: "We learned everything the hard way through experience; we had no model here."

A critical incident in 1999 projected the issue of "honor killing" into the national and international arenas. Samia Sawar, a 29-year-old from an influential family in Peshawar who sought shelter at Dastak while seeking a divorce, was shot dead in the office of Hina Jilani. Samia's mother brought the gunman with her to the office to visit her daughter, claiming that he was there for her assistance due to her ankle injury. After the shooting, Shahtaj was taken hostage, forced into a car to be held as a human shield and fortunately later released unharmed.

It was traumatic for everyone. It was terrible for that girl, obviously...But it was also traumatic for me because this woman had come to us expecting that we would be able to protect her. And we failed. Now I can't blame myself totally for that day but there is no way that we can escape the blame also. We should be

much more vigilant. We should have realized the state colludes and connives with influential parties so that they get that courage to come kill somebody. *They have the guts to come into my office and kill her.*

Referring to the fact that no one was prosecuted for this crime, Jilani highlights the limits to the full protection of women without broader state support:

It's very telling, with regards to what the social beliefs in this society are and how the state in this country has totally failed in obligation to protect women. I have said time and again that women in this country are a population at risk, from the age of zero. Right from birth.

Service Provision and Social Change

According to data maintained by the organization, the shelter has admitted over 5,025 women since their inception in 1990. From August 2007 to August 2008, a total of 296 women were admitted, accompanied by 165 children. Ninety-one of the women were married and accompanied by children, 169 were married and arrived without children, and 36 were single or divorced at the time of admission. During this period a majority (172) of the residents were from the Lahore district, while 122 came from other provinces of Pakistan, although at other intervals there are often more women from distant areas. Two non-Pakistani citizens were also served during this time. The most frequent type of services provided were psychological counseling (235 women) and free legal aid (155 women) which primarily included assistance with divorce, child custody and property or inheritance claims, in that order, although the breakdown is not available. Over the course of the year, nine skills training courses, twenty awareness trainings and one theatre workshop was provided.

Additional data from a study conducted at Dastak in 2003 of the shelter activities for the previous 18 months provides further background on their services. During this period roughly 347 women were serviced. Almost all were experiencing physical violence and sexual abuse at the rates of 98 percent and 96 percent respectively, and 45 percent cited emotional

abuse. Some women had been treated as property, resulting in an abuse of their rights such as forced marriages, forced prostitution, rapes, property/money disputes, selling of daughters, husbands' extra marital affairs or second marriages, and threats on their lives due to marriage by choice. One hundred and nine of women were victims of forced marriages, nine were child-marriages, and 158 women reported that they were involved in watta satta marriages, a tribal custom of exchanging brides between two families.

Most of the women came from rural areas (267). The majority of them were unemployed housewives (200). Further obstacles to a successful transition to independent living stemmed from the fact that 142 women were illiterate and another 75 women completed primary school only. However, violence affects women of all backgrounds. Women from various levels of educational attainment have also been sheltered, including 10 college graduates and 5 masters degree holders. The intended duration of a woman's stay in the shelter home is three months, but the shelter must be flexible in order to meet individual women's needs and ensure their safety. Women are able to stay until a divorce is finalized if that is their plan. Several women who were in danger due to intense threats from family had been allowed to stay for several years. Unfortunately, even with increased precautions, the director reports that at least two women have been killed by their families after leaving the shelter.

Multiple interrelated factors at individual, familial-cultural, community and environmental levels work against a woman becoming independent. Resettling women is reported as the most challenging work of the shelter because of the limited employment and housing options, the low levels of human capital of the women and an inhospitable community climate for women who live apart from family. During 2007-2008 about 31% of the women (91) were resettled, generally meaning that they obtained divorces and established new residences. Staff works to develop linkages with employers such as factory owners, offices and households in need of domestic help. They also provide training in traditional female activities such as sewing and handicraft making as income generation strategies. Women's economic dependence and

community pressures lead about two-thirds of the women to return to their families, although the data does not distinguish whether they returned to husbands or families of origin.

The organization makes a conscious choice to maintain independence from the state so that they can advocate and speak to the issues freely. Major funding comes Oxfam Novib (the Dutch affiliate of Oxfam) and from private donors. Change efforts are directed at multiple levels including the individual, family, community and society and state. A key macro level change strategy includes litigation in order to advance or uphold rights and inculcate respect for the rule of law. Litigation has successfully established valuable legal precedents, such as the right of a woman to marry of her own choice and in defense of rape victims charged with adultery under the Hudood Ordinances. Media has also been skillfully used to publicize high profile cases in order to create greater awareness of violence against women in police custody and the need for greater protection against honor killing. This is done to stimulate public dialogue and create pressure for state and judicial action. According to Shahtaj Qizilbash:

Litigation is a part of the strategy in which we have exposed a lot of problems with the laws and while exposing the problems with the laws, we have also been able to expose the social attitudes that make or exacerbate the problem or are the root of the problem. So a lot of the women's rights debate in this country has been from legal cases that have been taken up like you know, many of the cases became very very well known.

Achievements

In spite of many obstacles, the organization is able to claim a number of achievements. In the absence of national data and comprehensive studies of violence, it is not possible to evaluate their overall impact on the prevalence of violence in the society. It would be unrealistic to expect that one organization in any society, let alone Pakistan, would be able to diminish such a pervasive problem. In fact, it can be argued that an increase in reported gender violence, a phenomenon

which has been acknowledged by the leadership of Dastak and appears in Amnesty International reports, can be interpreted as a successful outcome of efforts to raise awareness among women so that more women are speaking out.

Firsthand accounts of the founders themselves provide their assessment of the progress and changes they have witnessed over the course of the twenty years of the organization's existence. Women are coming forward in greater numbers. Attitudinal changes among the population regarding the acceptability of women's decisions to exercise their rights are also observed by Shahtaj:

I mean it's a different story today from 1989 to now. It's a different acceptance, let's say. Now women have accepted; families have also accepted. If a marriage is not working or if there is violence in a marriage, it is better to get a divorce rather than make the woman suffer like that.

Through its visible stance on issues confronting women and its unwillingness to back down in the face of difficulties, the organization has been able to withstand the backlash and overcome some of the resistance to their model. Shahtaj counts among their accomplishments the following:

I think we've built a very good image for Dastak, which we are very happy about. And all the Mullah propaganda that these women were loose women or that we were supplying women from Dastak, that never took hold. You know now that women who come to Dastak, they feel secure...And previously they used to come and say we've heard this and that. They were scared. They needed Dastak but they were scared at the same time. That's one, that we have built a very good reputation.

This perception is validated by recognition garnered from a number of external bodies and government officials. Dastak has involved other NGOs and the government at the provincial and federal levels to analyze the role of shelters and to formulate reform in existing policies and to create better

systems for strengthening and monitoring shelters. Funding has been allocated by Oxfam Novib to develop legal standards for women's shelters and institutionalize its interventions. Government officials attended meetings and training sessions with Dastak and have acknowledged the dire need to improve and expand women's shelters, but unfortunately, much of the promised changes have not materialized. However, Amnesty International endorsed Dastak's model through a replication of the shelter in Karachi (PANAHA) in 2002. Two comprehensive studies of shelter services in Pakistan explicitly cite Dastak as unique for its humane treatment of women and the range of services provided (Bari, 1998; Zaidi, 2002).

The founders and their organization have gained recognition as advocates for women's rights and human rights in the country and internationally (Amnesty International, 1999, 2002; Carrick, 2008; Human Rights Watch 1999; Stephenson, 2000). Successful advocacy and mass action in concert with other groups have resulted in legal advances, an important foundation for social change. They helped make public the issue of honor killing and pressured officials to take an explicit stance in order to diminish justification of this practice. Jilani states:

The success is that women's rights are now a priority on everybody's agenda, on the agenda for political parties. For instance, just to give you an example, in 1999 when the young woman died in my office, and this whole question of honor killings exploded, a resolution against honor killings was tabled in the Senate.... There was that kind of an attitude. The few people that were propagating this as a traditional cultural value were able to pressure the others. The fact is that they sort of intimidated them to the extent that the Senate refused to act. Today, the advocacy that was launched by the women's movement resulted in at least this much: that nobody, *nobody*, can publicly defend honor killings. Nobody does. And I think that is a huge achievement.

As a result of sustained pressure, President Musharraf announced in 2000: "The Government of Pakistan vigorously condemns the practice of so-called 'honour killing.' Such

actions do not find any place in our religion or law" (Amnesty International, 2002). Pakistan's Penal Code began to recognize honor killings as premeditated murder in 2004. Such killings do continue, but a framework exists to address the issue.

Dastak was also part of a national lobby with the government and parliamentarians that resulted in the amendment of the repressive Hudood Ordinances with the passage of the of the Women's Protection Act in 2006. This Act moves the crime of rape to the Pakistan Penal Code, distinguishes rape from sex outside of marriage and removes the required testimony of four witnesses. To further empower women with legal literacy, a Paralegal Program initiated in 1990 trains 60 women annually so that they may educate other women in their communities about women's rights under Pakistani law. Jilani finds that pressure for institutional and cultural change continues:

We are not only advocating when we go to court, one of our primary purposes is to make change in institutions..... I believe that the judiciary has to also change its mind. We are talking about independence of the judiciary from social attitudes and prejudices... It has taken us a long time. I do not think that we are there yet, but it's a work in progress and I can see the change.

Discussion and Conclusions

Women's organizations such as Dastak have played a critical role in the global effort to counter gender violence (Johnson, Ollus, & Nevala, 2008; WHO, 2002). In Pakistan, their work is crucial given the absence of concerted governmental effort to document the prevalence of violence against women and lack of political will and appropriation of resources to address the issue (Shirkat Gah, 2007; WHO, 2002). In nearly 20 years of existence, Dastak has successfully projected women's issues to the forefront of politics, have raised awareness about gender violence, advocated for legal reform, and developed beneficial programs that otherwise would be unavailable to women in Pakistan. Shelter programs, often non-existent in resource-poor countries, play a key role in enabling women to resist violence

because of their lack of control over space and unequal power in the family and society in Pakistan (WHO, 2002).

It has been noted that throughout the world, gender violence programs have not been rigorously evaluated. Research about interventions in developing countries is even more limited (Spindel, Levy, & Connor, 2000; WHO, 2002). There has been a call for documentation of the various strategies and interventions around the world for combating intimate partner violence (WHO, 2002, p. 112). Consequently, this study addresses the gap in knowledge about programs that have been initiated in Pakistan, a country generally not considered an active participant in the global effort to eliminate violence against women. Given the prominence of Pakistan in world news and its strategic relationship with the U.S., social workers can also benefit from a more informed view of Pakistan and its civil society.

The experiences reported by Dastak's leaders provide further evidence that universal human rights standards can function in a multicultural world in which values and practices vary. Universal rights norms have gained support in many societies as effective tools for improving the lives of women (Afkami, 1999; An-Na'im, 1994; Bunch, 1995; Coomaraswamy, 1999; Hossain, 1994; Rao, 1995). A rights-based approach need not signify the remaking of the world in a "Western image" or function as a form of cultural imperialism in the global south by those in the global north, as has been debated by some scholars (Merry, 2006; Morgaine, 2006; Rao, 1995). Dastak serves as an example of a program based on a human rights foundation that is thriving in a non-Western developing country.

Undoubtedly, to be effective, human rights principles must be translated into practice in a manner that is consistent with the Pakistani cultural context. At Dastak this begins with respect for fundamental human rights such as the right to life, liberty and dignity, including the right to live without violence and degradation. Women are supported to exercise their right to move about freely, to make important decisions regarding their lives and for opportunities to develop their capacities, all of which challenges the patriarchal ideology that permeates society. Patriarchal views extend into the policies of the other shelters where women are

viewed as being in need of “custodial restraint” and unworthy of care and support (Bari, 1998). These shelters are also characterized by substandard quality of the physical facilities, lack of professional and humane treatment, as well as practices that deny of fundamental rights of social, legal, economic and emotional support which are absolutely essential for women to be able to resolve oppressive situations and reconstruct their lives (Bari, 1998; Shirkat Gah, 2007; Zaidi 2003). Furthermore, the prevailing measure of successful “rehabilitation” is reconciliation with a husband and family or arranging another marriage. Marriage is viewed as the only way for women to sustain themselves (Bari, 1998).

Dastak operates with the premise that human rights work must focus beyond the legal system. Multiple strategies are used to expand rights. While pursuing legal solutions and reform, Dastak challenges deeply entrenched community norms that accept violence against women as normal by “stimulating internal discourse” on women’s legal status and rights in order to deepen and broaden universal cultural consensus on women’s right to be free from violence (An-Na’im, 1994; Coomaraswamy, 1994). For rights to be realized, it is essential that human rights concepts become a respected part of the culture and traditions of society (Coomaraswamy, 1999; Jahangir, 2000; Merry, 2006). Political strategies such as advocacy, mobilization of various sectors of the society and campaigns to put popular pressure on the State to formulate and implement gender-equitable policies have been critical in the change process. In Pakistan, a collectively oriented society, the human rights approach is still fraught with tensions, due to the focus on individual autonomy and rights over what has been perceived as community interests (Ife, 2001; Merry, 2006).

The most serious limitation of the human rights approach is the continued gap between the definition of rights and realities on the ground. Gender issues in Pakistan continue to represent a complex challenge. Pakistan (as well as the rest of South Asia) continues to have some of the worst indicators in the world with regard to violence (Coomaraswamy, 2005). Progress has been made in bringing the issue of violence against women into the open, developing programs and expanding legal remedies, but much remains to be done. Weak

institutions and the lack of strong enforcement mechanisms continue, and rights and norms continue to be violated due to the limited power of treaty bodies established to monitor compliance with CEDAW and other instruments (Merry, 2006; Shirkat Gah, 2007). Growing religious fundamentalism poses grave threats to human rights in general, but women usually suffer disproportionately as the focus of their actions (Shirkat Gah, 2007). At the community level, continued educational approaches and dialogues are essential to eliminate harmful practices to women (Coomaraswamy, 2005).

Critical for the advancement of women's human rights is the redistribution of socioeconomic resources within the society with a focus on economic and social rights of women (UNIFEM, 2007). There are many barriers to leaving abusive relationships. Women's responses to abuse is often limited by the options available, as evidenced by the high rate of return of women to their families and the grave dangers they face when they do leave abuse. Similar issues do exist in the developed nations as well (WHO, 2002). However, these barriers are exacerbated by great gender disparities in basic human development in Pakistan that limit opportunities for women's full societal participation, such as low female literacy rates, low labor participation and lack of access to economic resources (UNDP, 2006; UNIFEM, 2007). Dastak is one of the few organizations in Pakistan that provides vocational training and employment referrals to enable women to live independently, but their program can be strengthened with more efforts in this direction. However, in order for women's rights to freedom from violence to truly flourish, the state must guarantee women the means to assert their legal rights. This includes education, health care, employment and greater roles in public institutions.

In summary, Dastak's model offers a practical example of a human rights-based program that is successfully functioning in a Muslim, non-Western developing country. It provides further evidence that the rights principles have global application and women's claims for dignity and the human right to live free from violence and abuse transcend borders and cultures.

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