

**European Master in Human Rights and Democratisation**

***The Impact of State Policies and Practices in Pakistan  
on Girls' Right to Education.***

***Lessons to Be Learnt For the Reconstruction of Girls' Education in  
Afghanistan?***

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**For Naeema and Milna**

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## ACRONYMS

<b>APPEAL</b>	- Asia Pacific Programme of Education For All
<b>BPEP</b>	- Balochistan Primary Education Programme
<b>CEDAW</b>	- Convention on the Elimination of Discrimination Against Women
<b>CRC</b>	- Convention on the Rights of the Child
<b>ECCE</b>	- Early Childhood Care and Education
<b>EFA</b>	- Education For All
<b>ESR</b>	- Education Sector Reforms
<b>GCE</b>	- Global Campaign for Education
<b>GER</b>	- Gross Enrolment Rates
<b>GNP</b>	- Gross National Product
<b>GOP</b>	- Government of Pakistan
<b>ICCPR</b>	- International Covenant on Civil and Political Rights
<b>ICESCR</b>	- International Covenant on Economic, Social and Cultural Rights
<b>ICG</b>	- International Crisis Group
<b>ILO</b>	- International Labour Organisation
<b>I-PRSP</b>	- Interim –Poverty Reduction Strategy Paper
<b>LFO</b>	- Legal Framework Ordinance
<b>MDG</b>	- Millennium Development Goals
<b>MICS2</b>	- Multiple Indicator Cluster Survey
<b>MMA</b>	- Muttahida Majlis-e-Amal
<b>NCCWD</b>	- National Commission for Child Welfare and Development
<b>NEP</b>	- National Education Policy
<b>NGO</b>	- Non-Governmental Organisation
<b>NPA</b>	- National Plan of Action
<b>NSP</b>	- National Solidarity Programme
<b>NWFP</b>	- North West Frontier Province
<b>NWFP-PEP</b>	- North-West Frontier Province Primary Education Programme
<b>PCCWD</b>	- Provincial Commission for Child Welfare and Development
<b>PDP</b>	- Participatory Development Programme
<b>SAARC</b>	- South Asian Regional Conference
<b>SAP</b>	- Social Action Programme
<b>SMC</b>	- School Management Committee
<b>SPEDP</b>	- Sindh Primary Education Development Programme
<b>UNESCO</b>	- United Nations Educational, Scientific and Cultural Organisation
<b>UNGEI</b>	- United Nations Girls’ Education Initiative
<b>UNHCR</b>	- United Nations High Commissioner for Refugees
<b>UNICEF</b>	- United Nations Children’s Fund
<b>UPE</b>	- Universalization of Primary Education
<b>USAID</b>	- United States Agency for International Development
<b>VDC</b>	- Village Development Committee
<b>WFP</b>	- World Food Programme

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## Introduction

The right to education is an inalienable political, economic and social right leading to empowerment and self-determination, values necessary for human dignity. A violation of this right in the form of denied access, lack of provision, discriminatory entrance requirements or poor quality of education, has thus got far-reaching consequences not only for the people involved but for society as a whole and the well-being of the country. Education is also a life-long process starting in early childhood and continuing to adult education thus including the whole population though not always accessible to half of it, namely the female part.

Since the right to be educated ‘represents the most public of gender struggles’<sup>1</sup> it has been and still is a concern of many Western feminist theories with a variety of focuses and a differing degree of radicalism. This has led to an on-going evaluation of the education-system, the structure within the school environment, the relation between the various actors involved, the link and interrelation between school and family, the effect on and by the labour situation, the life outside and after school.

What the feminist political movement and academic discourse has achieved is to direct “interest back to the ways in which pedagogy within formal and informal instructional contexts contributes to the reproduction of the sexual division of labour at both the socio-economic and cultural levels”.<sup>2</sup>

Anglo-Saxon feminism has during the post-war period increasingly influenced educational policy making. The belief in the determination by biological differences was replaced after the Second World War by the discussion of “different educational needs” of men and women<sup>3</sup>. The assumed differences in approaches to learning, skills and abilities for girls, who were thought to aim at fulfilment in the private sphere, and

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<sup>1</sup> M. Arnot, *Reproducing Gender?*, London, Routledge, 2002, pp. 112.

<sup>2</sup> *ibidem*, pp. 41.

<sup>3</sup> *ibidem*, pp. 150, 151.

for boys, whose contribution to the public sphere was never doubted, were reflected in the curriculum, assessment and teaching styles.<sup>4</sup>

By the 80ies radical, socialist and black feminism had all left their traces on educational policies leading to official anti-sexist policies by schools and local education authorities in the UK.<sup>5</sup>

Equal access to education, however, did not automatically bring with it equality of opportunity. The male dominance in schools was challenged by drawing attention to the failure of equal opportunity policies to cater adequately for black and working-class girls.

Egalitarian feminists joined the discussion by calling for the democratisation of the whole education system and process through “full participation and equal control of education by both sexes”.<sup>6</sup>

Liberal feminism, fighting for equal citizenship for women, were advocating the “degendering” of the state and attacking the male control over the political, military and cultural life of the country.<sup>7</sup> The liberal feminist approach with its belief in equal educational opportunities as a way of achieving gender equality in the public sphere has got its limitations by neglecting the private sphere and in its maybe “naïve belief” in the positive impact of (reformed or new) laws on the existing conditions. It has, however, initiated women’s first wave of liberation in the early 20<sup>th</sup> century by achieving the right to vote. Socialist theories, radical feminist theories, black feminism are all historically and socially embedded but also contain universal features: the twofold exploitation of women as a work-force and as mothers, the challenge of systematic power relationships, and women as a heterogeneous group consisting of different classes and race. Universal to the extent that it reaches beyond our Western identity and addresses affected women of all background and age crossing national borders.

Post-structuralism, though, in its stress on plurality, difference, the local and contextual<sup>8</sup>, however, and in its denying of a category of woman as such, challenges the notion of woman as a symbol for subordination and inequality and thus questions policies directed towards improving “women’s” position.

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<sup>4</sup> Ibidem.

<sup>5</sup> Ibidem, pp.158.

<sup>6</sup> ibidem.

<sup>7</sup> Ibidem,pp.153.



The clash between these two theories, or on a more abstract level, between the universal and differentiated identity of women, however, provides us with the opportunity to examine and improve women's position in a more comprehensive and complex way. The notion of women as a marginalised and disadvantaged group is essential for the forming and demanding of policies (or their reforms) and affirmative action, while the consideration of the particular religious, cultural and social circumstances must not be ignored in order to do the complexity and individuality of each woman justice.

Especially in the case of a developing country, such as Pakistan, where educational reforms are spearheaded and directed by Western donors, UN agencies and NGOs on the one hand and implemented by the Government of Pakistan on the other hand, this dichotomy becomes very apparent and needs to be considered simultaneously.

The ratification and thus commitment to the aims of the Convention on the Elimination of Discrimination Against Women (CEDAW) by the Government of Pakistan (GOP) in 1996, which has already led to the establishment of the Commission for Women on the national level, will hopefully be another incentive for the developing of feminist movements within the country, although existing political, economic, religious and cultural restrictions render it a challenging task ahead.

As a Pakistan (male) writer put it, "The Western campaign has undoubtedly helped to stimulate discussions of the problem in Muslim urban society thereby revealing the gap between the talk of the Islamic ideal and the actual situation of women."<sup>9</sup>

The role of Islam in promoting gender equality seems to many of us in Western countries an oxymoron, yet the Quoran itself "confers numerous rights to women: to be educated, to inherit, to divorce"<sup>10</sup>

The importance of Islam in countries, such as Pakistan and Afghanistan cannot be denied, it seeps through every part of life. Thus sustainable reforms can only be achieved by taking it into account, playing a part in the reform procedures rather than

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<sup>8</sup> J. Kenway, *Feminist Theories of the State: To Be or Not To Be?* In M. Blair, J. Holland (Eds.), *Identity and Diversity*, Clevedon, Multilingual Matters Ltd., 1995, pp.131.

<sup>9</sup> A.S.Ahmed, *Discovering Islam, Making Sense of Muslim History and Society*, London, Routledge, 1988, pp.195.

<sup>10</sup> *ibidem*, pp.184.

ignoring it.“ Women reformers argue for rights within Islam, not a rejection of Islam”.<sup>11</sup>

It’s the interpretations and social attitudes that are a source of discrimination and, as a Muslim girl put it,” Women have to be educated to use religion as a tool and not leave the interpretation up to men.”<sup>12</sup>

Besides religion, culture is a difficult concept to grasp, yet a decisive determinant of our actions and ways of thinking. It involves traditions, habits, and attitudes and is part of our identity.

Being from a Western European background, having attended a girls’ school and studied the ‘feminine’ subject of teaching foreign languages, I am entangled in a net of cultural and social norms reflecting my background. It wasn't until I went to an Islamic developing country, the Maldives, that I realised how influenced I was by this net and that my perception of what was appropriate didn’t necessarily match with what was regarded so in that country.

One good example to illustrate this clash of cultural perceptions is my discussion with a young female Pakistan teacher concerning arranged marriages. After listening to my monologue stressing the importance of freedom of choice and the search for love, she just added,” I find your way of looking for a partner quite tiresome and scary. At least if my parents choose for me I know they will make sure the guy is alright and can look after me.”

Cultural differences have to be respected and accounted for and we have to be sensitive and co-operative in our approach of “fast-tracking developing countries” and be careful not to superimpose the achievements and insights we have gained in our Western world without considering the specific cultural environment we are working in. This is reinforced in Eileen Byrne’s definition of gender which she describes as “the collection of attitudes which society *stitches* together (dress behaviour, attributed personality traits, expected social roles, etc.) to clothe boys and girls.”<sup>13</sup> I will illustrate this point in Chapter 4 when I look at the role of education in determining women’s place in society.

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<sup>11</sup> *ibidem*, pp.194.

<sup>12</sup> S. Khanum, *Education and the Muslim Girl*, In M. Blair, J. Holland (Eds.), *Identity and Diversity*, Clevedon, Multilingual Matters Ltd., 1995, pp.283.

<sup>13</sup> A.S.Ahmed, *Discovering Islam, Making Sense of Muslim History and Society*, 1988, London, Routledge, pp..118.

Pakistan makes a fascinating case study, a country just over 50 years old as an independent state, the home of over 140 million people, marked by a stormy political past and present, affected by the power struggle and coexistence between the military and religious leaders, poverty and insufficient social services. Despite the aid of international donors and UN agencies for years and increased attention especially in terms of education for all since the 1990s, Pakistan still has one of the worst illiteracy rates in the region and extremely low school enrolment rates, especially for girls. This makes an interesting study into the reasons for the low performance of the education system, suggestions for its revision, and the role of the State as the primary duty-holder.

Moreover, the findings of such a study could be useful for other countries in similar situations and with a similar background to see how girls' right to education has been-or has not been-successfully achieved.

Thus it is likely and more pragmatic if countries turn to others of the same religion or culture for guidance in setting up health or education systems, as they share certain characteristics and understandings from the beginning.

It makes more sense in the case of Afghanistan to look at countries nearby, with similar traditions, conditions of life and religion in order to find out how they successfully tackled education for girls or what kind of mistakes they committed while trying to do so.

Therefore I have chosen Pakistan for a case study and as a point of reference for Afghanistan, since the historical, geographical, religious, tribal (as illustrated by the talk of some people of creating a 'Pukhtunistan', Afghan propaganda once claimed, a homeland for the Pukhtun tribes of Pakistan and eastern Afghanistan)<sup>14</sup>, cultural and social links make comparison and adaptation more viable. This reference, however, advocates a critical assessment of the situation in Pakistan and not of an ideal model.

Both countries also share the struggle against similar barriers to make girls' education a reality, the one after years of unsuccessfully striving towards gender equity, the other in the wake of decades of war starting to re-establish a destroyed education system for girls. The findings of a neighbouring country sharing many

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<sup>14</sup> *ibidem*, pp.197.

similarities and obstacles but with the advantage of having implemented and tried out several strategies over the years might not only prove effective, but also timesaving.

As mentioned before cultural, religious and social differences have to be considered and respected but can never justify human right abuses or denials. To use it as an excuse for the low enrolment of girls in schools and the discrimination of women in general would not only be an easy way out but above all negate the efforts of the international community for the last fifty years to come up with an international legal system, which makes states responsible and accountable for ensuring their citizens' human rights.

Especially where children are concerned, as the most vulnerable part of the population, dependent on others for health and knowledge, without any political say, and here especially girls, who face obstacles to enjoying their rights in the name of culture, the ignorance or neglect of their right to education, is not only a violation by the State of this right but also others closely connected to it and mutually dependent on each other.

Thus the honouring and carrying out of the legal obligations Pakistan has committed herself to by ratifying international conventions regarding the right to education, is a necessary first safeguard for children, and girls in particular, in order to be able to become autonomous citizens and take their rightful place in society.

Thus my analysis concentrates on the State's efforts to fulfil the promises made under the Education For All Framework in its strive to make gender equality in education a reality.

The age group of girls I have considered matches with the compulsory schooling age of 5-10 in Pakistan, focusing on the primary level as a first, and the most difficult step, to ensure access to education. An analysis of the situation of middle and secondary schools would deserve its own analysis.

Literature dealing specifically with girls' right to education in these countries as analysed and published by local writers is rare and usually published in the local language. Moreover, due to a disappointing response from local and international NGOs working in the field (two out of the fifteen I had written to replied), my work is mainly based on official documents by UN agencies, international NGOs, one local NGO and the Government of Pakistan. I acknowledge that this remains a desk study, and would greatly benefit from more research in the field.

I start my analysis with a general definition of the right to education and the legal obligations Pakistan committed herself to by signing the relevant international Covenants. It is followed by a detailed analysis of how Pakistan has scored since regarding four goals identified at the EFA conference in Jomtien in 1990.

As the quality of education is an essential component often neglected in the planning and implementation of sustainable education for girls, I have gone more into details regarding its definition, the people involved in the process and the assessment.

A discussion on the barriers to girls' education forms the fourth chapter, starting from a general overview and going deeper into what relevant players in this field and in Pakistan in particular identify as impediments. I present the outcome of some projects, where incentives were used to overcome some of these barriers, the successful approach of a local NGO and conclude the chapter by looking a bit further regarding the aim of girls' education as determining their role in society.

The findings of factors responsible for the ineffective tackling of girls' education in Pakistan make up the fifth part including the GOP's more or less successful attempts at solutions.

A very compressed general background on the situation in Afghanistan with respect to economy, politics and education is followed by linking the two countries and analysing how feasible the findings from Pakistan's education policy of the last decade could be for Afghanistan. A report by UNICEF and Save the Children, called *The Children of Kabul*, published very recently gives invaluable and long overdue insight into the effects of the war on children, parents and communities as expressed by themselves. The voices of those most affected have to be listened to and taken seriously, so that the gap between policies by the government and the reality on the ground is closed.

What works in one country might not work in the other. Yet, if the consideration of even one finding meant the acceleration of the achievement of girls' right to education, it would mean a step in the right direction.

## 1. The Right to Education in Pakistan:

By ratifying the Convention on the Elimination of Racial Discrimination (CERD), the Convention on the Elimination of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC) Pakistan has committed herself under international law to respect, protect and fulfil the right to education (CERD Art.5, e; v; Art.7; CEDAW Art.10; CRC Art.28 and 29).

The last decade has seen an increasing awareness and willingness world-wide to enforce this “civil, cultural, economic, political and social right”<sup>15</sup> (E/CN.4/2003/9) in order to break the vicious circle of poverty and to prevent conflicts and violence<sup>16</sup>, which found its expression in the Declarations of the **World Conference on Education For All** in Jomtien in 1990 and the **World Education Forum** in Dakar in 2000 attended and agreed upon by 184 countries.

Not only was Pakistan participating in both events, but she was also proactive as one of the six initiator countries of the **World Summit for Children** in 1990 and the organiser cum host of the **SAARC Symposium on the “South Asian Girl Child”** in Rawalpindi in 2001. The international donor community and UN-agencies have further supported Pakistan as one of the *E-9* High Population countries, one of the “25 for 25” UNICEF countries in need of accelerating girls’ advance in education and one of the 23 countries invited to the “*Education For All Fast Track Programme*” initiated by the World Bank.

In the following chapter I would like to first of all give a short overview of the organisation of and main policies in the education system in Pakistan, followed by an analysis of the progress- or lack of it- made in this field since 1990 with regard to the 1990 Jomtien targets.

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<sup>15</sup> K. Tomasevski, *The Right to Education, Report of the Special Rapporteur*, submitted to Commission on Human Rights Resolution 2002/23, 2003, pp.5.

<sup>16</sup> *ibidem*, pp.7.

## 2. Developments in the field of education since 1990:

### 2.1 Pakistan's education policies:

The organisation of the education system mirrors Pakistan's overall federal set-up: the government formulates the policies, which are implemented by the provincial governments. For instance primary education and literacy is the responsibility of the Primary, Non-Formal Science and Technical Education (PNSTE) Wing of Ministry of Education, yet since "primary education is a provincial subject" (CRC/C/3/Add.13, para.67)<sup>17</sup> it is being implemented by Provincial Education Departments and the Prime Minister's Literacy Commission. The hierarchy extends from the Provincial Education Minister, Divisions Director, District Education Officer, Sub-district Education Officer to Supervisors and Learning Co-ordinators at the base.

The introduction of Village Education Committees and School Management Committees takes decentralisation a step further. These were the results of a scheme setting up national and provincial education foundations to provide funds to the private sector and NGOs in order to reach universalisation of primary education - especially for girls (CRC/C/3/Add.13, para. 124)- and to render the monitoring and administrative system more efficient.

In 1992/93 the **Social Action Programme (SAP) phase I (1992-1996)** was launched as a component of the national **Eighth Five Year Plan** dealing with primary education, primary health, population welfare and rural water and sanitation to be developed and implemented at provincial level explicitly targeting women and girls especially in remote rural areas. The **National Plan of Action for Children and their Development (NPA)**, which was the outcome of the **World Summit on Children** in 1990, was designed within the **SAP** thus aiming at an integrated and effective approach in planning. Female education was awarded high priority and measures taken include the introduction of mixed schools, the provision of basic facilities and

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<sup>17</sup> *Initial Reports of State Parties due in 1993: Pakistan*, 28/05/93, CRC/C/3/Add.13, <http://www.unhchr.ch/html>.

services in female primary schools, such as boundary walls, lavatories, stipends, free books, uniforms and food, the reservation of 60% female seats in primary schools and of 70% female primary school provisions.<sup>18</sup>

The **SAP Phase II (1997-2001/2)** built on the outcomes of its predecessor and strove to improve quality, efficiency, sustainability and governance; e.g. education was extended to middle schooling level and the beneficial role of NGOs in non-formal education recognised.

The **National Education Policy of 1992**, which among other goals was targeting Universal Primary Education (UPE) and a literacy rate of 70% by the year 2002, was reviewed in 1998 and the current **National Education Policy (1998-2010)**, based on **SAPP-II**, has less ambitious, yet still unrealistic targets, such as 90% enrolment at primary level by the year 2002-3 and retention/ completion of primary education up to 90% by the year 2010.<sup>19</sup>

An Action Plan to implement the most recent National Education Policy was launched in the shape of **Education Sector Reforms (ESR)** in 1999. The first **ESR Action Plan 2001-2004** features Education For All, the reduction of the gender gap at all levels of education, delivery of quality education, the building of Public-Private partnerships, institutional reforms at all levels and devolution and decentralisation<sup>20</sup>- an issue already introduced in the 1992 National Education Policy-, such as through the establishment of a separate primary education directorate in the provinces, as mentioned above. The **National Plan of Action for EFA (2000-2015)** was designed in collaboration with various actors, such as representatives of private sector schools, NGOs, educators, provincial departments of education, and serves as a guideline for the preparation of provincial, district and local EFA plans.

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<sup>18</sup> National Commission for Child Welfare and Development, Ministry of Women Development, Social Welfare and Special Education, *National Report on Follow-up to the World Summit for Children*, pp.17 see [http://www.unicef.org/specialsession/how\\_country/edv\\_pakistan\\_en.PDF](http://www.unicef.org/specialsession/how_country/edv_pakistan_en.PDF).

<sup>19</sup> M.Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment*, 1999, Part III, 11.3 see <http://www2.unesco.org/wef/countryreports/pakiatn/contents.html>.

<sup>20</sup> Government of Pakistan, *Education Sector Reforms: Action Plan (2001-2004)*, Chapter 2, 2.1 see <http://www.moe.gov.pk/moe-reform.html>.



## 2.2 Progress towards the EFA Goals:

As a benchmark for examining and measuring the policies applied by the Government of Pakistan since 1990 and their impact I am going to use *Education For All (EFA)* Goals declared in the above mentioned conference in Jomtien. Their universal and global character, the implied time limit of 10 years, their review and reinforcement in the World Forum in Dakar 10 years later, render them excellent instruments for measuring progress in education. The two **State Reports** I will refer to are the **Initial Report** and the **Second Periodic Report** or **Progress Report** submitted to the Committee on the Convention on the Rights of the Child in 1993 and 2000 respectively. Unfortunately, no State Report has been submitted yet to the Committee on CEDAW, which Pakistan ratified in 1996.

The targets of the **World Declaration on Education For All** in Jomtien in 1990, which I will base my analysis on, are the following:

- I. **Expansion of Early Childhood Education and Development**
- II. **Universalization of Primary Education**
- III. **Improving Learning Achievements**
- IV. **Adult Literacy – Reduction of illiteracy to half of the 1990 level.**

According to Pakistan's **Constitution of 1973, Article 37:**" *The State shall*

*a) Promote with special care the educational and economic interests of backward classes or areas*

*b) Remove illiteracy and provide free and compulsory secondary education within the minimum possible period."*

And **Article 25: (2)** " *There shall be no discrimination on the basis of sex alone.*

*(3)" Nothing in this Article shall prevent the State from making any special provision for the protection of women and children."*

Despite these provisions which correspond to the three EFA goals of Dakar in 2000 and two Millennium Development Goals (MDG), namely

- free and compulsory primary education of good quality for all children by the year 2015;
- 50% improvement in adult literacy by 2015-especially among women;
- the elimination of gender disparities in primary and secondary education by 2005 and the achievement of gender equality by 2015,

Pakistan finds itself among the 28 countries which are “in serious risk of not achieving any of the three EFA goals”<sup>21</sup> altogether representing just over ¼ of the world population.

**Goal I: “Expansion of Early Childhood Education and Development”** (Jomtien 1990)

(Dakar 2000: “**Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable disadvantaged children**”)

The benefits of Early Childhood Care and Education (ECCE), such as its positive effect on successful learning and improved learning outcomes in Primary school, the social inclusion it provides to disadvantaged children and their mothers<sup>22</sup>, not to forget the enhancement of girls’ self-esteem<sup>23</sup> and the equalising of very different starting positions of children from rural and urban areas, makes it the foundation for any sustainable long-term planning in education.

According to the **EFA Global Monitoring Report 2002** no data concerning the Gross Enrolment Ratio (GER) for 1990/1991 in ECCE are available, whereas the data of 1999/2000 show a GER of 9.3% (13.6% male, 4.8% female)<sup>24</sup>. This figure is tiny when considering that Pakistan’s under-5-year-age group makes up 14.2% of the total population percentage<sup>25</sup>. This sector was not included as a target in the National Education Policy of 1992 and the commitment of the government in its Initial Report to the Committee to the CRC in 1993 only stretches to the very general target of

<sup>21</sup> *EFA Global Monitoring Report 2002, Education For All: Is the World on Track?* UNESCO, Table 2.19 + pp.15.

<sup>22</sup> *ibidem*, pp.18.

<sup>23</sup> P.D.Santos Ocampo, *Where are the Girls? The Female Child and the Right to Life, Survival, and Development*, presented at Pre-Congress Workshop on *The Girl Child*, 4<sup>th</sup> International Congress of Tropical Pediatrics, Kuala Lumpur, Malaysia, 7 July, 1996, pp.3.

<sup>24</sup> *EFA Global Monitoring Report 2002*, UNESCO, cit., Annex Table 4, pp.226, 227.

<sup>25</sup> M. Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment*, 1999, Part II, pp.1 see: <http://www2.unesco.org/wef/countryreports/pakiatn/contents.html>.

“Introduction and extension of early learning programmes for children”<sup>26</sup>. In the same report, however, the responsibility and benefit of the extended family in this respect is stressed.<sup>27</sup>

The findings of a synthesis study of national studies on E9 countries entitled *“Women as educators and women’s education”*, commissioned by UNESCO, echo the same attitude towards family and especially mothers in Pakistan, who are considered cultural educators and teachers of Quoran for their children. In fact an estimated 60% are literate in the Quoran<sup>28</sup>-a stark contrast to the abysmal overall female literacy rate of 27.9%.<sup>29</sup> This educational role of mothers might explain the lack of importance attributed to Early Childhood Education as an institutionalised service by above all rural societies.

The Progress Report to the Committee of the CRC in 2000<sup>30</sup> is silent about the whole issue. The private sector, on the other hand, offers organised pre-primary education taking in 35.3% of the total enrolment<sup>31</sup>. The fact that formalised institutions for 3-5 year olds are run in an organised manner by the private sector only and that they are located mostly in urban areas implies discrimination of the most vulnerable and disadvantaged children-here rural and poor children of young age-a direct contradiction to the above-mentioned goal of Dakar.

The current National Policy though (**NEP 1998-2010**) does include formal introduction and recognition of “Kachi” class (=classes for children with low reading readiness)<sup>32</sup> at primary level (age 4+), which in return would mean an extension of Primary education to 6 years. This is, however, not considered of the utmost priority: “once the target of Universalization of Primary Education (UPE) is achieved next priority **may** be Early Childhood Care and Development.”<sup>33</sup> (emphasis added).

The unwillingness to officially recognise and formally structure the schooling of this age-group has got several implications: As students of “zero grade” (= pre-school; a telling name) and “Kachi classes” are not formally enrolled and thus not

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<sup>26</sup> CRC/C/3/Add.13, para 90g.

<sup>27</sup> CRC/C/3/Add.13, para 12.

<sup>28</sup> *Women as Educators, and Women’s Education in E-9 Countries*, UNESCO, 2000, pp.12+13.

<sup>29</sup> *EFA Global Monitoring Report 2002*, UNESCO...cit., Table 13.

<sup>30</sup> *Progress Report on the Implementation of Convention on the Rights of the Child*, Government of Pakistan, CRC/C/65/Add.2, 2000 see: [www.unhchr.ch/html/menu2/6/crc/doc/report/srf-pakistan-2.pdf](http://www.unhchr.ch/html/menu2/6/crc/doc/report/srf-pakistan-2.pdf).

<sup>31</sup> *EFA Global Monitoring Report 2002*, UNESCO...cit., Table 12.

<sup>32</sup> S.M. Aijaz, *Learning Achievement in Primary Schools of Pakistan*, Islamabad, UNESCO, 2002, pp.4.

officially recognised by the Education Department, no resources have to be allocated by the government, which corresponds to a saving of Rs.47.74 billion.<sup>34</sup> As students of this age make up half, if not more, of the total number of students attending a typical rural primary school<sup>35</sup> this leads to overcrowded conditions, overburdened teachers, not to forget to negative implications for the quality of the primary education taking place in the same school or even the same classroom. As there is no limit to the amount of times a student can repeat these two classes before being admitted to Grade 1-at which time he/she is very likely overage - this early frustrating experience can have a lasting impact on his/her emotional and intellectual development and influence future achievements negatively.<sup>36</sup>

The neglect of this important first stage of education is a sign of short-sightedness in policy making and the costs saved initially by not providing necessary facilities and services will become insurmountable in terms of sustaining long term quality education.

***Goal II: "Universalization of Primary Education" (Jomtien 1990)***

***(Dakar 2000: Free and Compulsory Primary Education: Ensuring that by 2015 all children with special emphasis on girls and children in difficult circumstances have access to and complete free and compulsory primary education of good quality. )***

As stated in the Constitution Art.37b) the state has been under an obligation for the last 30 years to provide free and compulsory education up to and including secondary level within "the minimum possible period", which has not been legally enforced up to now. Pakistan reconfirmed this commitment under international law by ratifying the CRC (Art.28). Seen within the geographical context, the Asia/Pacific area has the least extension of compulsory schooling legislation (79.4%) and the mean duration of 7.70 years of compulsory schooling is only less in Sub-Saharan Africa.<sup>37</sup> Thus Pakistan with a compulsory schooling duration of 5 years-soon to be 6 years if Kachi classes are officially recognised, -is far below the regional average.

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<sup>33</sup> M. Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., Part II, 6.1.

<sup>34</sup> Saleem, M., Khan, A.S., *National Plan of Action: Our Roadmap to EFA*, Islamabad, Ministry of Education & UNESCO, 2002.

<sup>35</sup> S.M. Aijaz, *Learning Achievement in Primary Schools of Pakistan ...*, cit., pp.4.

<sup>36</sup> *ibidem*, pp.53.

<sup>37</sup> *EFA Global Monitoring Report 2002*, UNESCO...cit., Annex tables 2.8+2.9.

In terms of girls' enrolment rate and survival rate at 5<sup>th</sup> grade (the end of compulsory schooling) at the end of the nineties Pakistan is lagging behind all the other E9 and SAARC countries with a rate of 66% of both sexes and 50% of girls.<sup>38</sup> Bangladesh, which didn't make primary schooling compulsory until 1992,<sup>39</sup> has already overtaken Pakistan within a short period of time in terms of net enrolment at primary level with a rate of 81.4% for both sexes and 82.9% for girls in the late 90ies<sup>40</sup>

Pakistan alongside with Mali, Rwanda, Burkina Faso, were the only 4 countries out of 30 whose education plans were considered for the **EFA Global Monitoring Report**, which set specific targets concerning the achievement of UPE: participation rate of 5- to 9-year-olds from 66% in 2000 to 79% in 2005 to 90% in 2010 – forecasting an increase of 24% in 10 years! If we refer to tables from 1997-98, when net enrolment at Primary level was 60% (boys 61% and girls 41%)<sup>41</sup> and UNESCO data (last updated on 1 February 2002) of male net enrolment at primary level of 84% and female of 60%- the chances of achieving the goal run quite thin, especially regarding girls.

In the past, as well, Pakistan has had the tendency to aim too high in this respect, as indicated in the **National Plan of Action (NPA)** goals, which target 100% male and 80% female access to primary education by the year 2000(CRC/C/3/Add.13, para 50h) and 80% completion of class 5 of all 10 year olds (CRC/C/3/Add.13, para 66).

The fact that the predicted access to primary education was differentiated according to gender was duly criticised by the Committee of the CRC as “building gender disparity into future goals” when engaged in dialogue with the State Party representative about the submitted Initial Report of 1993 .<sup>42</sup>

The issue of legislation concerning compulsory education has always been characterised by its vagueness and contradictions: in the reply to the List of Issues raised by the Committee about this very topic after examining the Initial Report and

<sup>38</sup> *Women as Educators, and Women's Education in E-9 Countries*, UNESCO, 2000, pp.20, Graph 3.

<sup>39</sup> *Women as Educators, and Women's Education in E-9 Countries...cit.*, pp.23.

<sup>40</sup> CDROM on Support for Education For All, 2000 Assessment, The Asia Pacific Region, UNESCO, PROAP Bangkok, March 2000 in M. Saleem., A.S.Khan, *EFA & Pakistan: Where do we stand?* Islamabad, Ministry of Education & UNESCO, 2002.

<sup>41</sup> M. Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., Part II, Table 20,21,22.

<sup>42</sup> *Summary record of the 132nd meeting*, CRC/C/SR, 132 para 65 see: <http://www.unhchr.ch/html>.

before meeting the State representatives- a standard procedure-the claim was made that “ Provincial laws to make education compulsory exist but they have not been enforced”<sup>43</sup>. In the meeting, however, the representative of the State party of Pakistan stated that”...in Pakistan’s two most populous provinces, Sindh and Punjab, primary education was already compulsory “(CRC/C/SR.132, para 60). Four years later, the Progress Report only mentions the *PUNJAB Compulsory Primary Education Act* from 1994 and refers to NWFP’s efforts towards the same act. (CRC/C/65/Add.20 para 7.1.2,pp.79). The long overdue legislation is justified with lack of resources, adequate facilities and services and high opportunity cost.<sup>44</sup> The National Education Policy favours enforcement in a phased manner, whereas in the EFA Assessment Report the year 2004/5 is stated as a possible date<sup>45</sup>.

In its Concluding Observations for the Initial Report the Committee of the CRC expresses its “serious concern” about the effectiveness of measures intended to attain the goal of primary education for all, especially girls (CRC/C/15/Add. Para 18; 19) and encourages the Government of Pakistan (GOP) to “consider taking active and urgent measures to tackle the problems of the enrolment of girls in school” (CRC/C/15/Add.para 18; 30).

The **Education Sector Reforms (ESR)**- - part of the first three-year-action plan **Perspective Development Plan (PDP)**- while building on the Education Policy of 1998-2010 at the same time provide the basis for the **NPA** for Education (2001-2015) and regard the “enforcement of compulsory primary education, where facilities are available (public and private) as a deterrence and not as a punitive instrument”<sup>46</sup>. Above all it acknowledges its impact on other sectors concerning children’s welfare: ”compulsory education can save the children from falling prey to child labour”<sup>47</sup>.

Not only is the compulsory school duration of 5 years one of the shortest in the world, but it also means that there is a legal limbo between 10-year old school leavers and the legally permitted minimum age of employment of 14 years. The

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<sup>43</sup> Written Answers from the Government of Pakistan to the *List of Issues* (CRC/C.5/WP.1) forwarded by the Committee in connection with the Initial Report of Pakistan (CRC/C/3/Add.13), 1994, Observation 2 see: <http://www.unhchr.ch/html>.

<sup>44</sup> M. Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., Part II, 6.1, pp. 6,7.

<sup>45</sup> *Ibidem*, pp.5.

<sup>46</sup> Government of Pakistan, *Education Sector Reforms: Action Plan (2001-2004)*, Chapter 2, 2.2.6 see <http://www.moe.gov.pk/moe-reform.html>

extension of the school duration and therefore the concurrence of the school leaving age with the minimum employment age were suggested by the Special Rapporteur for Education, Katarina Tomasevski, in her most recent report to the Commission on Human Rights.<sup>48</sup>

She also expresses concern about the extreme focus on primary education as the only cure for poverty, in terms of the means of guaranteeing economic returns to loaners and donors, although there is evidence that secondary education is more effective to this end.<sup>49</sup>

Although Pakistan has obviously put most of her resources into achieving this goal, it hasn't achieved the outcome that was desired. This can to a large extent be attributed to the government's emphasis on quantitative improvement, neglecting the qualitative component without which sustainable education is impossible.

**Goal III: "Improving Learning Achievement"** (Jomtien 1990)

(Dakar 2000: "Improving all aspects of the quality of education and ensuring excellence of all so that recognised and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills")

#### **Definition of quality:**

Both State Reports to the Committee of the CRC, as well as the **National Education Policy of 1992** predominately focus on and target the quantitative aspect of education, such as additional schools, recruitment of more teachers and enhanced enrolment of students. The quality of education is added as an afterthought and it's only in the **National Educational Policy of 1998-2010**<sup>50</sup> that it is given due respect.

The damaging effect of this one-sided approach becomes evident from the low enrolment rates and high drop-out, repeater and non-completion rates at the primary level despite the fact that all state policies and practices since 1990 have concentrated on rendering primary education universally accessible.

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<sup>47</sup> ibidem, pp.7

<sup>48</sup> K. Tomasevski, *The Right to Education, Report of the Special Rapporteur*, submitted to Commission on Human Rights Resolution 2002/23, 2003, pp. 7.

<sup>49</sup> Ibidem pp.7, para.13.

<sup>50</sup> M. Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., Part III, 11.3.



Even if the supply-oriented improvement of education had led to wider access and participation, wouldn't it be the quality of education provided that could actually ensure the retention of the children in school and the completion of their basic education? Good quality education provides children with the necessary tools to face the world, raises and maintains the interest and motivation of girls necessary to complete their education and to achieve results. The successful achievement again will have a positive domino effect on parents' expectations and attitudes towards the usefulness of education for girls.

Both, the quantitative aspect and the qualitative aspect of education, or in the words of the Special Rapporteur on Education, Katarina Tomasevski, availability, access and acceptability and adaptability,<sup>51</sup> have to be targeted simultaneously and with the same efforts to achieve long-term, sustainable results.

The vision of the Minister for Education Zubaida Jalal is that "The quality aspects of education are addressed through modernisation of curricula, upgrading of teacher training, and reforms of examinations. A National Education Assessment system within the school system will be established to carry out assessment of students' achievement to be used as basis for improvement of policy and planning, curricula and teacher training."<sup>52</sup>

The goal is to improve the quality of human capital—a term that stresses the idea of economic investment and return, more at home in the world of economics and business than in human rights.

Is it really enough to review and modernise the curricula, train teachers and evaluate assessment techniques and examinations in order to do the complexity of quality education needed in the 21st century justice?

If we compare this version with the components UNICEF, in its campaign for Accelerating Girl's Participation in Education, attributes to quality education, the complexity of the issue becomes apparent. According to UNICEF the following parts have to be taken into consideration when talking about quality of education:

- the background of the learner (health, support, family care and expectations)

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<sup>51</sup> K. Tomasevski, *Human rights obligations: making education available, accessible, acceptable and adaptable*, Right to Education Primer No.3, Lund, Raoul Wallenberg Institute, 2001, pp.12.

<sup>52</sup> Government of Pakistan, *Foreword* in <<Education Sector Reforms: Action Plan (2001-2004)>>, p.xi.



- the environments (safe, healthy, protective, effective, gender-sensitive, involved with families and communities, non-discriminatory, non-violent, child-friendly and rights-based).
- The content (relevant and gender-sensitive)
- The processes (well-managed classrooms and schools, trained teachers, evaluation and assessment of progress)
- The outcomes (knowledge, life skills and attitudes)<sup>53</sup>

This description also includes *essential life skills*, introduced in the 1990 Jomtien Declaration and echoed in the above Dakar goal, which indicate a broadening of the concept of education that goes far beyond the traditional reading, writing and arithmetic approach. The *General Comment No.1 on The Aims of Education* (Art. 29 (1) CRC) goes even one step further:” Education in this context goes far beyond formal schooling to embrace the broad range of life experiences and learning processes which enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society”.<sup>54</sup>

This kind of education enables children to respond appropriately (i.e. in a balanced and human rights-friendly way) to challenges such as “the tensions between, inter alia, the global and the local; the individual and the collective; tradition and modernity; long-and short-term considerations; competition and equality of opportunity; the expansion of knowledge and the capacity to assimilate it; and the spiritual and the material”.<sup>55</sup>

This aim of education is translated into Pakistan’s National EFA Plan and the National Education Policy as “to make the Quoranic principles and Islamic practices an integral part of curricula so that the message of the Holy Quoran could be disseminated in the process of education and training; to educate and train the future generation of Pakistan as a true practising Muslim who would be able to usher into the next millennium with courage, confidence, wisdom and tolerance”<sup>56</sup>. The Second

<sup>53</sup> see: [www.unicef.org/Girls'Education](http://www.unicef.org/Girls'Education)

<sup>54</sup> *General Comment No.1, The Aims of Education*, Art.29 (1), Committee on the Convention on the Rights of the Child CRC/GC/2001/1, para 2 see: <http://www.unhchr.ch/html>.

<sup>55</sup> *ibidem*, para.3.

<sup>56</sup> M. Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., pp.1.

Periodic Report on the CRC takes this promotion of Islam one step further to “defend the ideology of Pakistan at the interface of international, social, political and economic development”<sup>57</sup>.

The concentration on Islam as the only moral guideline does not do the universal nature of the General Comment No.1 justice, which at no point mentions any particular religion, but universal values instead. A strategy that seems to reflect the following philosophy: “No state or individual can escape this global, even universal, obligation. States have a duty to foster positive values-and these should be the values of the universal human rights, not Christian or Hindu, Humanist or Muslim values only, as some have advocated in Madrid 2001.”<sup>58</sup>

### **Stakeholders:**

Quality of and in education in all its complexity depends on various interrelated actors, such as students, teachers, parents, school management, supervisors, community, curriculum designers and last but not least policy makers. It’s impossible to consider any of these stakeholders in isolation, as any changes in one group will naturally have an effect on the others. For instance, a modernised and relevant curriculum is of no use unless teachers receive adequate training in applying it; gender-sensitised teachers and school management won’t be able to transmit these values effectively if factors such as lack of separate toilets for girls, no female teachers as role-models, long distance from home, lack of transport and economic and cultural barriers keep girls from attending schools.

The situation of teachers is also worth considering. Compared to other countries Pakistan has got one of the shortest teacher training (1 year compared to 3 years)<sup>59</sup>. To advance recruitment of more teachers, especially in rural areas, the **Social Action Programme (1990)** advocated flexible recruitment rules concerning qualifications and age of female teachers. The **National Education Policy (1998-2010)** acknowledges the importance of institutionalising in-service training of

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<sup>57</sup> Progress Report on the Implementation of Convention on the Rights of the Child, Government of Pakistan, CRC/C/65/Add.2, 2000, 7.2.1 2.c. see: <http://www.unhcr.ch/html/menu2/6/crc/doc/report/srf-pakistan-2.pdf>,

<sup>58</sup> Vermeulen, D., *Education-An effective human rights instrument to promote tolerance and prevent discrimination based on religion and belief*, 2002, pp.1, Paper for UN HR Oslo Coalition sent courtesy of Dhyen Vermeulen.

<sup>59</sup> M.A. Sheikh, M.Z.Iqbal, *Status of Teachers in Pakistan*, UNESCO, Islamabad, 2002, Table1, pp.6.

teachers, teacher trainers and educational administrators and offering incentives<sup>60</sup>, which is also reflected in the **Education Sector Reforms (2001-2004)**.

Among the obstacles teachers face are lack of adequate physical infrastructure, lack of academic support, no involvement in the development of textbooks or curriculum, non-transparent appointment and transfer practices, lack of job security due to contractual appointments. Additionally, female teachers are restricted through conservative social attitudes, problems in transportation, accommodation and safety.<sup>61</sup>

### **Assessment of quality education:**

In order to find out where to start improving the quality the current state of affairs has to be established and this usually happens through on the one hand *examinations*, which serve as tools for teachers to “grade students as well as the improvement of the quality of their instruction”; on the other hand through *learning assessment*, which helps policy planners and makers improve the school system.<sup>62</sup>

The World Bank’s Primary Education Project in 1984 conducted the first learning assessment study in Pakistan in the provinces NWFP, Punjab and Sindh assessing 3300 students of grade 4 in Science and the same number of students of grade 5 in Mathematics.<sup>63</sup>

The Joint UNESCO-UNICEF Monitoring Learning Achievement Project, a consequence of the 1990 EFA conference in Jomtien, has also been assisting the Ministry of Education and provincial departments with research in this area.

Five Assessment studies at national level between 1994-1999 pointed out that the “teaching methodology used in primary schools only promoted memorisation at the cost of problem solving.”<sup>64</sup> This same phenomenon can also be seen at the entrance requirements needed to enter Grade 1, which discriminate children from poor, rural backgrounds.<sup>65</sup>

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<sup>60</sup> ibidem pp.9.

<sup>61</sup> ibidem, pp.11; 13-14.

<sup>62</sup> S.M. Aijaz, *Learning Achievement in Primary Schools of Pakistan*, Islamabad, UNESCO, 2002, pp.9.

<sup>63</sup> ibidem, pp.13.

<sup>64</sup> ibidem, pp.15.

<sup>65</sup> ibidem, pp.52.

This particular way of learning is linked to the memorisation of the Quoran, which children grow up with from a very early age. It is also mentioned in the Northern Areas Assessment Study (1999-2000), where children did well in listening, loud reading, in numbers, money and measurements but badly in writing a story, information handling and problem solving.<sup>66</sup>

This also raises the issue of the education system provided by mosques and religious institutes (such as *Madrassahs*, *Makhtabs*, *Jamias* and *Dar-ul-Ulooms*), which is running parallel to the public education system and due to its very nature teaches the Holy Quoran through recitation and memorisation. The fact that this system of religious schools has been running for decades independently without due supervision by the Ministry of Education concerning content and management gives rise to concern, especially as for most children in rural areas this is the only available means of education. The new educational policies do promote a mainstreaming of these schools into the general education system in order to provide quality education for all.

When looking at the quality of education one must not forget the actors mostly affected by and involved in it-the students themselves, as advocated in the Convention on the Rights of The Child, they have to be given the opportunity to express their opinion and voice their concern. Yet, this can be a relatively new and complicated approach in a culture, where education was traditionally designed and carried out mainly *for* the child and not *with* him/her.

Studies into student learning achievement carried out by the Provincial Bureaus of Curriculum during 1999-2000 also involved research into the perceptions of the main stakeholders, including the children. Corporal punishment at school (an issue raised by the Committee on the CRC in its Concluding observations following discussion of the Initial Report), domestic responsibilities and the absence of co-curricular including literary activities in the school were issues children identified. Three factors that make the learning environment at school inadequate if not threatening. In the **National Report on Follow-up to the World Summit for Children** 1500 children from all over Pakistan were asked about their views regarding their health and education. The three most crucial problems in schools as identified by the students were no drinking water (67%), Absence of Teachers (61%)

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<sup>66</sup> ibidem, pp.32.

and Rundown building (54%). And the major responsibility of children in their view is to study!<sup>67</sup>

***Goal IV: “Adult Literacy – Reduction of illiteracy to half of the 1990 level. “***

*(Jomtien 1990)*

***(Dakar 2000: “Adult Literacy: Achieving a 50% improvement in levels of adult literacy by 2015, especially for women and equitable access to basic and continuing education for all adults”)***

At first glance, both, the Jomtien and the Dakar Framework of Action define the same goal, differently phrased, – more positively in the case of Dakar- and entailing a different time span (Jomtien 10, Dakar 15 years). But the emphasis on women and access to basic and continuing education as mentioned in the Dakar goal, reflects the changes that have taken place during the last decade concerning the different approach and focus when tackling the issue of adult literacy or rather the lack of it.

In the global struggle to achieve universal access to basic education for children, i.e. concentrating on the availability and quality of facilities and services at Primary level, the need of illiterate adults and school-drop-outs must not be neglected. Especially when considering that the official definition of Adult literacy/illiteracy rate by the EFA Global Monitoring Report includes “number of literate/illiterate adults expressed as a percentage of the total adult population aged **15** years and above...” (emphasis added)<sup>68</sup>. What about the 10+ population of Pakistan who are at the official school-leaving rate but not yet within the global age range that qualifies them to be counted as adult illiterates? Furthermore, the philosophy that “the quantitative expansion of formal school education” will lead to a rise in the literacy rate<sup>69</sup>, which has characterised the national policies and practices since the Jomtien Conference, has not proven successful when looking at the current rates: 34% literacy rate in 1991/1992 (45.5% male; 21.9% female)(CRC/C/3/Add.13 para 118) compared to 45% in 1998 (56.50% male; 32.60% female)- a disappointingly slight increase of 11%

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<sup>67</sup> National Commission for Child Welfare and Development, Ministry of Women Development, Social Welfare and Special Education, *National Report on Follow-up to the World Summit for Children...cit.*, pp.9,10.

<sup>68</sup> *EFA Global Monitoring Report 2002... cit.*, Glossary, pp.305.

<sup>69</sup> Z. Iqbal, *Literacy Trends in Pakistan*, UNESCO, Islamabad, 2002, p.2.

in 8 years, not corresponding to the efforts in providing facilities and services for formal schooling<sup>70</sup>.

Not only has the Jomtien goal of reducing the illiteracy rate by 50% been completely underachieved, the slow growing rate raises serious questions regarding the efficiency of the current education policies especially targeted towards adolescent or adult learners. Compared to the average literacy rate of 53.9% in South Asia Pakistan is way below with her 45% and definitely out of reach with her female literacy rate of 30% compared with the region's 42%.<sup>71</sup> The differences between urban and rural areas are predictably huge: the urban literacy rate for both sexes in 2001 was nearly double the rural rate (urban 68.43%; rural 38.84%) and the female ratio less than half (urban 59.66%; rural 25.02%)<sup>72</sup>. Thus if sustainable achievements are meant to be achieved the rural female is the most obvious target group.

The definition of literacy used in the latest Census of 1998 is "One who can read newspaper and write a simple letter, in any language"(idem)<sup>73</sup>, which is in stark contrast to the current trend of defining literacy as "one of a number of communication practices which societies adopt to meet their needs"<sup>74</sup>, not a means in itself, but "almost always embedded in other purposes-social, cultural, economic, religious..." and therefore "frequently acquired alongside other life skills"<sup>75</sup>. This widening of the traditional concept of literacy becomes apparent when talking about "literacies" rather than "literacy", thus recognising the variety being used according to different social practises within even one community.<sup>76</sup>

Studies have also revealed that" adult education programmes are more likely to succeed if the acquisition of literacy is an integral part of activities designed to improve livelihoods, rather than the other way round..."<sup>77</sup> Pakistan seems to have made attempts in this direction as can be seen in the Initial Report expressed by the need to strengthen and expand community-based projects together with voluntary organisations for "female literacy and functional education (including health and

<sup>70</sup> Z.Iqbal, *Literacy Trends in Pakistan ...cit.*, Table III.

<sup>71</sup> Mehboob ul Haq, *Human Development Centre, Human Development in South Asia*, 2001, Islamabad, pp.163, in M. Saleem, A.S. Khan, *EFA & Pakistan: Where do we stand?* Islamabad, Ministry of Education & UNESCO, 2002.

<sup>72</sup> ibidem

<sup>73</sup> Z.Iqbal, *Literacy Trends in Pakistan ...cit.* p.7.

<sup>74</sup> *EFA Global Monitoring Report 2002...cit.*, pp. 60.

<sup>75</sup> ibidem

<sup>76</sup> ibidem

<sup>77</sup> ibidem, pp.57

nutrition education and child care) for adolescent girls and women”(CRC/C/3/Add.13 para 69).

One successful example for this endeavour is the Bunyad Literacy Community Council (BLCC)<sup>78</sup>, which has established 2,808 non-formal education centres in 1,886 villages since 1993 focusing on girls engaged in child labour and working on the principle of local village and family committees being in charge of the projects. This role of NGOs in launching and developing community based literacy programs, as targeted in the Eighth Five Year Plan (1993-98)<sup>79</sup> is a welcome and vital measure, the successful outcome of which can be detected in the rise of literacy rate of women in Balochistan, a province with the lowest level of female literacy, by more than 3 times (from 4,30% to 15%).<sup>80</sup>

Yet, this active participation of NGOs and communities should by no means release the state of its responsibility to cater for the most disadvantaged people in its care, such as by failing to provide the financial means and services urgently needed. When comparing the 1998 public expenditure on education as % of GNP, Pakistan can be found in the lower section with 2.16%<sup>81</sup>, comparable with the spending of 2.1% in 1991,<sup>82</sup>-keeping in mind that the percentage recommended by UNESCO for developing countries is 4%- and the Ninth Five Year Plan (1998-2003) has earmarked a meagre 0.74% for Literacy and Mass education compared to 8.6% of the Eighth Five Year Plan.<sup>83</sup>

Adult literacy programmes have to go hand-in-hand with other educational programmes, as they also concern school dropouts below school-leaving age and adolescents from 10+ - 14+.

### **3. Barriers to Girls' Right to Education:**

In this chapter I would like to look at barriers girls face concerning the accessibility, availability, acceptability and adaptability of education in general and in

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<sup>78</sup> *EFA Global Monitoring Report 2002, Education For All: Is the World on Track?* UNESCO, Text box 2.11, pp. 65.

<sup>79</sup> Z.Iqbal, *Literacy Trends in Pakistan...cit.*, table 4, pp.14.

<sup>80</sup> *ibidem*, Table V, pp.29.

<sup>81</sup> *ibidem*, Table 3, pp.12.

<sup>82</sup> EFA and Pakistan, *Educational Budget as % of GNP-Pakistan*

<sup>83</sup> Z.Iqbal, *Literacy Trends in Pakistan ...*, *cit.*, Table 12, pp.28.

particular as defined by all the stakeholders involved. Then I would like to examine some public/private projects (= federal or provincial government in co-operation with international donors) that have been carried out with the explicit aim of improving girls' enrolment and/or retention rates in Pakistan by way of incentives and their actual impact. The work of a local NGO, which managed to approach all the barriers faced by girls through a very holistic and sustainable approach makes the success story. Finally, I would like to go beyond schooling and examine the place of women in society as implicitly and explicitly advocated through government education policies and from a feminist point of view.

### 3.1 Obstacles in general:

The following box is a summary of the main barriers to primary education for girls in Pakistan as identified by UNESCO.<sup>84</sup> They can be categorised in various ways, such as supply- side and demand-side, in-school factors or out-of school factors, but I personally find this categorisation very comprehensive.

<b>Infrastructure Barriers</b>	<b>Education System Barriers</b>	<b>Household Barriers</b>	<b>Cultural Barriers</b>	<b>Financial Barriers</b>
Distance from home to school	Lack of adequate number of schools	Opportunity costs to families of girls' domestic labour (e.g. caring for the young, fetching water and wood)	Gender and cultural stereotypes	Financial cost to families of tuition fees
Inadequate basic services in communities e.g. absence of roads and safe transportation to school	Lack of adequate staff, in particular female teachers	Lack of knowledge and awareness of the social and private benefits of girls' schooling	Girls' security	Financial cost to families of books, school materials, uniform, etc.
Inadequate basic services in schools	Lack of qualified teachers		Early marriages	
	Absenteeism among		Differential treatment of girls	

<sup>84</sup> A.R.Haque, *Incentive Schemes for Promoting Girls' Participation in Primary Education in Pakistan*, 2000, Box 1, pp.64.



	<p>teachers and staff</p> <p>Unattractive service conditions in rural areas for female teachers</p> <p>Inadequate learning materials/ Irrelevant curricula and instructional strategies that do not address girls' learning needs</p> <p>Inappropriate school schedule/calendar</p>			
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All these issues have to be considered simultaneously as they reinforce and affect each other. The building of schools in rural areas, the recruitment and training of teachers and the abolition of fees will be ineffective, if social norms and gender stereotypes of parents negate the relevance of education for their daughter. On the other hand, parents willing to send their daughter to school in order to give her better opportunities in life, find themselves at a loss if there is no school in the near distance and transportation is unsafe. Girls, again, who are supported by their families and eager to learn might be discouraged by a lack of sanitary facilities in school, insensitive teachers and gender-biased curricula.

Although all these factors play their part in determining and disadvantaging girls' educational prospects, the most difficult to change are undoubtedly the cultural barriers and social attitudes. How to tackle traditions and attitudes that have been reinforced for centuries and above all, how to change them in a lasting way?

Recent studies, however, have slightly revised this picture of inflexibility and rigid adhering to the past, as shown in the recent *Global Campaign for Education (GCE)* Report, which assessed progress (not) made in nine countries, including

Pakistan, and came to the conclusion that "...parents' resistance is seldom the most important factor behind low female enrolments. Studies have shown that parents are quick to recognise the importance of education for girls in today's changing world..."<sup>85</sup> This is echoed by the president of *Educate Girls Globally (EGG)* A. Lawrence Chickering who advocates that parental ownership and involvement in schools lead to a transformation of their traditional culture based on the findings of a successful project in India.<sup>86</sup>

Yet, this doesn't mean that the traditional concept of women as wives and mothers confined to the private sphere and restricted to caring for the family and doing the household chores doesn't still hold true. On the contrary, if there has to be a choice made concerning which child will be sent to school, it is still very likely to be the boy, who is considered the future nurturer of the family, and, as traditionally viewed in South Asia, parents' retirement guarantee.

This, however, is not a concept that is alien or medieval to our European culture, suffrages for women were not achieved until the beginning of the 20<sup>th</sup> century, women are still not particularly encouraged to "invade" the public sphere and different salaries for women and men in the same job even in the 21st century leave the goal of real gender equality still to be achieved. Curricula are not as gender-neutral as could be and boys often demand and get more attention from teachers than girls.

In Pakistan, however, the situation is aggravated by the simultaneous concurrence of all the above-mentioned barriers; an approach to change this situation for the better thus has to take all aspects into account. One aspect that doesn't shine up in this summary is the lack of an economic rationale for parents. The lack of (suitable) employment opportunities for girls after completing their education due to economic constraints grows disproportional with parents' willingness to send them to school. In this respect it is interesting to look at a remark of the representative of the GOP, Mr. Hashmi, while discussing the Initial report submitted to the CRC with the respective Committee in 1994," Women were now playing a much larger role in Pakistan society, particularly in the health and educational sector, as employees of

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<sup>85</sup> *A Fair Chance: Attaining Gender Equality in Basic Education by 2005, CGE Report for action Week, April 2003, pp.4* see: <http://www.campaign.foreducation.org/html>.

<sup>86</sup> A. Lawrence Chickering, *Transforming the Muslim World*, 2003, see: [www.nationalreview.com/comment/comment-chickering010703.asp](http://www.nationalreview.com/comment/comment-chickering010703.asp).

airline companies etc, and they were thus helping to improve the national economy.”<sup>87</sup>  
So much to the variety of suitable jobs available to women.

### 3.2 Obstacles as identified by various stakeholders:

The different actors I have selected comprise a wide range of participants involved in the whole process, from policy makers to beneficial, from a global level down to the grass roots: UNGEI, UNICEF, Platform of Action (World Conference on Women Beijing 1995), UN Special Rapporteur on Education, Katarina Tomasevski, Amnesty International, Human Rights Watch, Oxfam, USAID, the Government of Pakistan (Pakistan Integrated Household Survey 1998, EFA 2000 Assessment Report, Initial and Second Periodic Reports to CRC in 1993 and 2000 respectively), parents, teachers, head teachers, learning co-ordinators and last, but by no way least, students (results of surveys conducted among students as part of the UNESCO *Literary Achievement in Primary Schools in Pakistan; National Report on Follow-up to The World Summit for Children*).

Before comparing the various organisations’ understanding of obstacles towards girls’ right to and in education, I would like to say a few words about *The United Nations Girls’ Education Initiative (UNGEI)*.

This ten-year-movement was launched by the UN Secretary General Kofi Annan during the Dakar Conference in April 2000 and comprises of thirteen UN unities.<sup>88</sup> Its mandate is to make possible what the Jomtien conference of 1990 envisaged for 2000, the World Summit for Social Development in 1995 delayed to 2005, and what looked more and more unrealistic at the Dakar Conference, namely to achieve gender equality in primary and secondary education by 2005. The statistics concerning gender parity or rather imparity, qualitative assessments, initiatives such as UNICEF’s *Accelerating Progress in Girls’ Education* all point to the urgency of this task ahead of us and prompted the formation of this special movement.

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<sup>87</sup> *Summary Record of the 134<sup>th</sup> meeting: Pakistan*, 11/04/94, CRC/C/SR.134, para.60 see: <http://www.unhchr.ch/html>.

<sup>88</sup> The partners of the UNGEI Initiative are WHO, ILO, UNAIDS, UNHCR, UNIFEM, The World Bank, WFP, UNDP, UNFPA, UNICEF, UNESCO and UN-DAW/DESA. -

What are the barriers we are fighting against as identified by the different actors/actresses?

Leading the list, head on head, are Cultural, Education System and Infrastructure Barriers (named by 10 out of 14 actors). On the one hand traditional attitudes, practices, social and cultural norms, such as early/ arranged marriages, dowry, the “dogma of patriarchy invented by man”<sup>89</sup> or simply “the non-co-operation of parents” as identified by teachers in a survey.<sup>90</sup> On the other hand, but deemed equally important, a poor quality, gender-biased curriculum, inappropriate teaching methods (such as the traditional blackboard lecturing and learning by memorising) and a lack of physical facilities/infrastructures plus not enough safety for girls (from a shortage of buildings especially in rural areas, furniture, equipment and learning resources to inadequate roads, transportation and the absence of computers<sup>91</sup>). The absence of schools near girls’ homes can reinforce and justify parents’ reluctance of sending them to school due to safety reasons and the lack of sanitary facilities for girls can make girls embarrassed and keep them from going to school. These three most quoted factors can be attributed to both, the accessibility and acceptability criterion concerning girls’ education.

Teachers as “scapegoats of the nation” follow closely at second rank with just over half of the actors (8 out of 14) quoting their attitudes and poor qualifications as an obstacle to girls’ education. Teachers themselves complain of heavy work load and a lack of opportunity for professional growth and improving teaching methodology, infrequent supervision, non-co-operation of parents and students’ lack of motivation due to a dull school environment. Head teachers and Learning Co-ordinators agree with the infrequent supervision criterion, but additionally Heads point out teacher’s irregular attendance and late coming, whereas Learning Co-ordinators refer to the “impolite attitude of teachers towards students”.<sup>92</sup> This last

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<sup>89</sup> *Statement by Nigel Fisher, UNICEF Regional Director for South Asia, at Symposium on the Girl Child in South Asia, Rawalpindi, 25 July 2001 see: <http://www.un.org.pk/gmc/initiatives-msg-open-rem.html>.*

<sup>90</sup> S.M. Aijaz, *Learning Achievement in Primary Schools of Pakistan*, Islamabad, UNESCO, 2002, pp.40, Table III.2.

<sup>91</sup> As identified by a student in *The Private Sector as Service Provider and Its Role in Implementing Child Rights, 2002, Save the Children, South and Central Asia, pp.10 see: <http://www.crin.org/resources/infoDetail.asp?ID=2962>.*

<sup>92</sup> S.M. Aijaz, *Learning Achievement in Primary Schools of Pakistan...., cit., pp.42.*

observation can be considered a euphemism when we look at how students themselves call it-surprisingly and worryingly they are the only ones mentioning it-corporal punishment or in other words a violation of children's rights! This issue was also referred to by the Committee on the Convention on the Rights of the Child in its Concluding Observations after having looked at the Initial State Report submitted by Pakistan in 1993<sup>93</sup> and is also mentioned in the GCE Report of 2003 I referred to earlier.

Amnesty International in its report *Children in South Asia* takes up this issue by uncovering abuses in some private institutions<sup>94</sup>, here religious institutions, some Islamic seminaries or *Madrassahs*, where poor students can get free education, food and shelter. Religious leaders lead these institutions, offer religious education but – according to the Human Rights Commission of Pakistan- some children were found chained or locked in iron to prevent them from escaping. Many students are also believed to have been trained politically and militarily to join militant religious groups, such as the Taliban in Afghanistan. Sexual abuse, especially of boys, is also reported to happen there.<sup>95</sup>

These human rights violations demand the mainstreaming of religious institutions into the general education system as pointed out in the previous chapter, for the government to conduct some form of monitoring and supervision regarding the content and aim of the education provided there. Yet, the government's stance in this respect is quite weak and hesitant. The National Educational Policy foresees the establishment of a *Deeni Madaris Board* responsible for the registration, standardisation of curricula and examination system and financial assistance by the government in order to achieve uniform standards of Deeni Madrassah education, yet the affiliation with this Board depends on the “willing” institutions.<sup>96</sup> Moreover,

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<sup>93</sup> “The committee also recommends that the State party should develop awareness-raising and training programmes to combat violence against children and prevent their abuse, neglect, abandonment and ill-treatment. Such programmes should be addressed to, inter alia, parents, teachers and law enforcement officials. Consideration should also be given to the establishment of effective complaint procedures in such cases. (emphasis added). CRC/C/15/Add.18, para 28.

<sup>94</sup> Amnesty International, ASA 04/02/98, Chapter 2 see: <http://www.amnesty.org/library/Index/ENGASA040121998>

<sup>95</sup> US Bureau of Democracy, Human Rights and Labour, *US Country Report on Human Rights Practices, Children*, 2002, <http://www.state.gov/g/drl/rls/hrrpt/2002/18314.html>.

<sup>96</sup> M.Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., Part I, pp.13.

although a law was passed regulating Madrassahs, it was done under a voluntary registration program.<sup>97</sup>

Corporal punishment or any kind of abuse by teachers is utterly unacceptable, yet other issues concerning teachers, work two ways, i.e. frequent supervision will not solve the problem if the teacher's pay is low and academic support non-existent, on the contrary teachers might feel threatened and opt out of the system. The lack of teachers, especially female teachers as role models for girls, was named by half of the stakeholders as a major problem. The Government of Pakistan's attitude towards this issue remains controversial, as on the one hand the teacher's role is supposed to be reasserted in the teaching-learning process to improve the quality of education and to render the system more effective by focussing on pre-service and in-service teacher training<sup>98</sup>. On the other hand, however, the observation made by the Committee of the CRC after reading the submitted Progress Report on CRC in 2000 concerning measures taken by the government towards the raising of the social status of teachers and the attractiveness of the job remains unanswered. Though a quota for female teachers has been established, the lack of incentives for and the conservative attitudes faced by female teachers particularly in rural areas leaves a lot to be done.

Besides the lack of teachers half of the actors identified inadequate funds and allocation in the national budget for education as a major obstacle. This does not necessarily count as an excuse due to "lack of resources" as repeatedly used by the Government of Pakistan (GOP) in its reports to the CRC, as developing countries can draw upon the promise by the developed countries and donors in the Dakar Declaration of 2000 that efforts should not be thwarted by lack of money. We are talking more about the distribution of national funds, the priorities the government assigns to different areas. As stated in an Oxfam Policy Paper of 2000 the GOP spent 27% of its budget on defence and only 4% on primary education<sup>99</sup> thus betraying a lack of commitment towards achieving the EFA goals.

Last but not least Household barriers are quoted as a major hindrance to gaining education. Excessive household chores and care for younger sisters and brothers in their families prevent girls' physical attendance at school and- should they

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<sup>97</sup> US Country Report, Children.

<sup>98</sup> *ibidem*, pp.2.

<sup>99</sup> *Education: The Global Gender Gap*, Oxfam GB Parliamentary briefing Number 9-4/4/00, pp.3 see: <http://www.oxfam.org.uk/policy/papers/gendgap/gendgap.html>.

make it to school- their ability to concentrate and do their homework is strongly impeded. These factors topped with an insensitive school environment can quickly result in a severe loss of self- esteem and the girl's dropping out. This domestic burden is also doubled when teachers let girls pay for their lessons through doing their household chores.

The lack of rights and legal framework, or the missing enforcement of it, especially concerning compulsory education and child labour is only mentioned by UNGEI, USAID, UNICEF and the UN Special Rapporteur on Education. Here attention should be drawn again to the legal limbo of children between 10 and 14 years who have officially completed compulsory education but are not yet officially allowed to work

Other barriers mentioned are discrimination of girls from birth onwards, i.e. impeded access and completion as just another expression of the ongoing discrimination; apathy of the community as claimed by the GOP, lack of co-operation and liaison between community and school as identified by Learning co-ordinators, poor impact of non-governmental organisations on the motivation of parents and girls as suggested by the GOP; non-availability of remedial help at home and “the low base of female education at the time of the independence” and “ the persistent obsession of parents, planners and community leaders that first available educational facility must be reserved for boys”<sup>100</sup> as a finding of the 1998 Pakistan Integrated Household Survey.

The first and easier step is to enumerate the various obstacles girls' face regarding their education. The second one, and that's when we are entering difficult terrain, is to successfully approach and tackle them.

### **3.3 Overcoming the obstacles:**

Measures have been taken to decrease the gender gap but more from a supply-oriented point-of-view reflecting the strategy of GOP in the EFA endeavour all along: more schools are being built (more than half for girls), there is a quota

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<sup>100</sup> M.Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., Part II, 6.1.

reserved for women teachers, seats for girls in schools, free textbooks are provided and supervision in the shape of Learning Co-ordinators introduced.

The social and cultural barriers underpinning the still shockingly low enrolment rates of girls and female literacy, have to be addressed and changed at grass root level: e.g. a quota for female teachers and students is not efficient if teachers shy away from working in remote areas and parents don't want to send their girls to school due to their conservative social attitudes.

It can be very convenient for people to point the finger at the role of Islam in reinforcing conservative beliefs, yet according to the GOP, "Islam proscribes discrimination against women and fully protects their fundamental human rights. It gives full recognition to the role of women in the economic and social progress of nations. Based on Islamic precepts the Constitution of Pakistan guarantees the status and dignity of women and forbids discrimination on the basis of race, religion, caste or sex"<sup>101</sup>. Therefore we have to go deeper than religious prejudices and consider other factors as well.

Financial allocation to the education sector by the government has hardly been increased but the new magic formula of "public-private partnership" which is supposed to alleviate the State's financial burden also entails handing over some of the State's responsibility to the private sector and NGOs, which endangers its role as duty holder and poses the question of accountability.

I would like to look at some projects carried out in Pakistan under this partnership with the purpose to improve the situation for girls and look at the impact they had or still have.

### **3.4 Projects based on incentives:**

Acting upon a recommendation following country studies on the situation of basic education for girls and women in Bangladesh, India, Nepal and Pakistan undertaken by UNESCO's Asia Pacific Programme of Education for All (APPEAL), a study of incentive schemes for the promotion of girls' participation in primary

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<sup>101</sup> The Academy of Educational Planning and Management, *The Development of Education, National Report of Pakistan*, Islamabad, 2000, pp.16.



education in Pakistan was carried out.<sup>102</sup> Six projects located in the provinces Balochistan, NWFP, Sindh, Northern Areas and a nation-wide programme were considered. While all six projects aim at primary school enrolment and attendance, only two of them, the *Promotion of Primary Education for Girls in Balochistan and NWFP* and the *Sindh Primary Education Development Programme* also target the retention and completion issue in education. Three others focus on a particular component, such as two on early marriage and two on economic loss. All in all, the *Sindh Primary Education Development Programme*, appears to be the most comprehensive and ambitious project in terms of variety of schemes aimed at tackling poverty, cost of school, economic loss, parental attitudes and early marriages.

The list of donors is long and impressive from the ever-present World Bank, to governments of various European countries always in partnership with the government of the respective province, except for the Northern Areas which are under the direct control of the Government of Pakistan, and the national study.

If success is measured according to sustained and sustainable development reflected by its expansion and/or replication in other provinces, the *Promotion of Primary Education for Girls in Balochistan and North West Frontier Province (NWFP)*, and the *Balochistan Primary Education Programme (BPEP)* seem to be on top of the list. Both, the *Northern Education Project* and the *North –West Frontier Province Primary Education Programme (NWFP-PEP)* were delayed and evaluations not available yet at date of publication of this book.

The *Sindh Primary Education Development Programme (SPEDP)* seemed to have all the ingredients to make it a successful, ongoing project: the participation of donors, the motivation of the government of Sindh and a wide range of schemes that not only complemented each other but also addressed all the important stakeholders in the education process (girls, parents, community, teachers) in a variety of areas (nutrition, working children, community participation, teacher training, learning material). Yet, a delay in release of funds (it was due to start in 1991 but in March 1995 only 51% of the total programme had been disbursed)<sup>103</sup>, - which even led to the

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<sup>102</sup> A.R.Haque, *Incentive Schemes for Promoting Girls' Participation in Primary Education in Pakistan*, 2000, pp.11.

<sup>103</sup> *ibidem*, pp.31.

temporary stop of the distribution of free textbooks -, weak co-ordination and co-operation amongst the various schemes, a lack of community and NGO involvement, rendered the outcome in terms of enrolment moderate (5-10%) and in terms of development objectives inadequate.<sup>104</sup>

So what made the two projects in Balochistan, an area with the geographically and economically most challenging conditions, a lack of the most basic services, a scattered population in rural areas, a strong tribal system with the lowest female literacy rate in the country, so successful? One of them, the *Balochistan Primary Education Programme (BPEP)* provides monetary incentives to private schools, in the form of gradually decreasing subsidies with the long-term aim of involving the community and parents in financing, running and finally maintaining the school. This will lead to more community participation, a sense of ownership, responsibility and change of conservative attitudes towards girls' education and ideally to self-sustainability of the schools. Yet, one should not forget that parents are required to pay a fee (even if it is set by the Parents Education Committee), which will increase with the decreasing subsidy and though it is a financial relief for the government, parents have to finance their children's education due to lack of provision which is the government's responsibility and duty. This is another reminder of the public-private or only private magic formula, which raises concerns regarding the establishment of a new or the reinforcement of existing discriminatory class and gender system. Furthermore, the lack of governmental regulations and supervision for private institutions creates serious doubts about their quality of education and accountability.

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<sup>104</sup> Ibidem.

One good thing this project has shown is “breaking myths like parents’ unwillingness to send girls to school, availability of female teachers, and traditional leaders objection to open local schools...”<sup>105</sup> Although I wouldn’t call it a myth, as these attitudes actually have been and still are existent, it is good to know that they are not as rigid and inflexible as we tend to believe.

The most successful project out of the six is the one in Balochistan and NWFP, where the World Food Programme as the main donor is providing vegetable oil as an incentive (one tin of 5 kilograms for students who attend school at least 20 days a month; two tins for teachers who attend regularly a minimum of 22 days a month). It is also interesting to note that a female education officer in each district is responsible for the operation, supervision and monitoring, thus making the involvement and empowerment of women at the managerial level in this project a reality rather than lip service.

The project was meant to last from 1994-1999; at the time of the book’s publication its extension to 2003 was being considered. It all started when in 1991 the Government of Balochistan took the initiative to approach the World Food Programme (WFP) asking for assistance in their primary education programme. After an exploratory mission of the WFP and two successful pilot programmes in two districts in Balochistan and one in NWFP in 1994 the project was extended to districts which included nomadic populations and thus very low school enrolment rates.

The scheme has since been expanded to Sindh and Punjab. Increase in enrolment has been quite impressive from 5004 in Balochistan in December 1993 to 8806 after only one year of running. Enrolment in the entry level Kachi class has seen the most significant rise, a very relevant fact when considering the important role pre-school education plays not just for the children of pre-school age but also for their older sisters who will consequently be released from looking after them and thus be free to go to school.

An average increase of 60% in enrolment and a 95% increase in the attendance level of girls and teachers have been recorded. “Oil-distribution day” was also regarded as the opportunity for parents, especially mothers, to communicate with the teacher and to raise awareness of education issues. The improved status of the teachers is another positive side effect.

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<sup>105</sup> Ibidem, pp.43.

The only point of concern, and in my opinion quite an essential one, is the dependency factor. Although the report states that the eventual withdrawal of the “introductory offer” would not have a negative effect on the achieved enrolment and attendance rates due to the increased community awareness and improved quality of education and classrooms, I wonder how realistic this observation is. And I don’t seem to be alone in my hesitations, as in the surveys distributed among parents/community members; teachers and field managers involved in this project, almost 45.6% express the belief that it will lead to dependency.<sup>106</sup>

Unless the project was to be extended to such a time when the completed primary cycle of some girls could build parents’ confidence in the relevance and benefit of education without relying on the oil incentive, motivation for sending girls to school will be directly linked to the materialistic gain. Hopefully though, by then the momentum created through regular attendance will have become part of a routine and thus helps maintaining participation rates in schools.

The nation-wide project *Prime Minister’s Literacy Commission for Non-formal Education* targets school children of age 5-9 and drop-outs between 6-14 years in areas where Government Primary Schools are missing or where there are no separate schools for girls, where girls’ participation rate at primary level is low, where female illiteracy is pronounced or drop-out rates are high.<sup>107</sup> The community provides the building free of charge (mosques, teacher’s residence, community buildings etc), learning material and salary of the teacher is provided by the government. Graduates of the non-formal education schools after successfully completing grade 5 can join grade 6 of the formal schools. The disadvantages are that the curriculum of five years is compressed into 3 and a half and that the children are taught in multigrade classes. The allocated amount for this project for 1996/97 was later reduced to less than half (from Rs. 241.352 to Rs.100 mill)<sup>108</sup> resulting in delays in teachers’ salaries and lack of books and learning materials thus defeating the objective. Hopefully this will not happen again as the Education Policy (1998-2010) foresees the opening of 75000 more of such schools!

To sum up I would like to mention one more project, which in my opinion best reflects the spirit of the Convention on the Rights of the Child, as it involves children

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<sup>106</sup> ibidem, pp.79, Table 9a.

<sup>107</sup> M.Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., Part II, pp.13.

as active right holders and not passive recipients. It's called "The Girl Child Shield Project",<sup>109</sup> launched in 1997 by the Pakistan Girl Guides association and UNICEF, and uses the concept of peer learning: girl guides between 11-16 years old are assigned to various schools after receiving training in issues concerning health education and education as such. The results, tangible such as improved hygiene; raise in immunisation of infants and intangible, such as raised awareness, increased confidence of girl guides have been noticed in the community. But most of all the methodology of children becoming aware of and sharing with other children their rights is incredibly effective and a true reflection of the philosophy of involving the child as an active participant.

All of these projects seem to have one or two ingredients necessary for achieving their goal but not the overall components.

I would like to describe the work of an NGO in Pakistan, which in my view has not only got all the right ingredients but also the recipe to approach and deal with barriers facing girls' right to, in and through education.

### 3.5 A success story...

**Aasthan Lathif Welfare Society** has been working since 1989 on the improvement of Girls' education in rural Sindh focussing on Non-Formal Primary Education for girls in the district of Thatta.

What makes this NGO so unique is the variety of activities it carries out and their interconnectedness. Not only in the field of education, but also social mobilisation, formation of Village Committees, training of staff, primary health facilities, rural water supply and sanitation, income generation training to females, establishment of women development centres, tree plantations and environmental awareness or polio awareness campaign mostly in co-operation with UNICEF or UNDP.

It started its engagement in education with the provision of free textbooks and scholarships to poor students in Sindh and its first "Non-formal Primary Education for girls" project started in 1991 in the District Thatta supported by

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<sup>108</sup> ibidem, pp.12.

<sup>109</sup> see: <http://www.unicef.org/reseval/evaldb/b5a.html>.

UNICEF. After a successful probation with 10 such centres, 330 more were established between 1992-1995 thus catering for about 10000 girls in rural Thatta.

The objectives of this project reveal a long-sighted and holistic approach. Unlike the government's emphasis on enrolment and access, this NGO targeted from the beginning the improvement of girls' participation **and** retention at primary level, not only by providing the supply, but also by aiming to change attitudes through Village Development Committees (VDC). After a need assessment in the district Thatta, where one of the findings was a female literacy rate of only 5%, the emphasis was put on a mobilisation and motivation campaign realising that without the long-term support of parents and the community as such no durable and sustainable changes could be achieved. Two VDCs were formed (one for men and the other one for women), trained and only then the Non-formal primary education centres established, huts and school buildings constructed by the community, 50% of the cost contributed by the NGO, the rest by the community-on an equal share basis. Monitoring and evaluating was done on a regular basis-every six months.

Under the Participatory Development Programme (PDP) under SAP1 launched by the GOP the NGO's project "Community Girls Primary Schools in Thatta District" was approved and carried out between 1996 and 1998.

Aasthan Lathif Welfare Society's systematic, sensible and thus sustainable approach is mostly illustrated by the following project: in 1998 300 NFPE centres were already up and running and half of them were converted into formal schools as there were no Government schools in this area plus an additional 50 new formal schools were established. A wonderful example of how a systematic approach can close the circle from formal-informal-formal education again and thus return to the original duty holder. Isn't this what a public-private partnership is all about?

As stated in the NGO's Development Activities Report "While working with the communities of Thatta District for the last seven years, Aasthan Lathif Welfare Society's most valuable asset is the confidence building of the communities on NGO".<sup>110</sup>

The participation and responsibility of the community was achieved by signed agreements between the NGO and the community for the monitoring, management and sustainability of the project; the community/VDC's contributed a

minimum of 10% to the teacher's salary, 30% to textbooks and learning material, the rest was paid by the NGO but only for two years-then the community was supposed to bear all the costs.

The establishment of middle schools for girls who have passed grade 5 of the NFPE shows the endeavours to render this project sustainable as well as the establishment of Women Development Centres where girls and women can receive training for tailoring and thus increase their income generating skills and economic situation.

A survey in 1999 conducted by the Bureau of Curriculum & Extension Wing Jamshoro & Directorate of Primary Education Hyderabad Division, Government of Sindh and UNICEF found that only 30% of school age children attend schools. Thus a Social Mobilisation campaign was launched by Aasthan Lathif Welfare Society and resulted in 1/3 more children being enrolled.<sup>111</sup> The success of this NGO is based upon the use of volunteers and staff from the area and the variety of different approaches used.

In order to keep the children in school this NGO also focuses on the quality component in their "Child friendly school" project. 272 schools were selected by UNICEF in 2002 and targeted by the NGO. Again community mobilisation was a major if not the main component and dialogues with parents, teachers and School Management Committees (SMC) a vital part of the methodology. The majority of barriers identified in the introductory chapter were targeted, such as improving sanitation conditions in school, access to drinking water, avoidance of verbal and physical abuse by teachers, emphasis on punctuality of both teachers and pupils, making the environment more friendly (planting of trees, playing areas), better relationship between community and teacher, teacher and student, the involvement of teachers in the making of the timetable. The result is an enhanced awareness and even monitoring of the community regarding the school environment, teachers and the feeling of being part of it.

A holistic praiseworthy approach addressing the right to education as a basic human right.

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<sup>110</sup> Aasthan Lathif Welfare Society, *Development Activities Report (1989-2002)*, sent courtesy of Ahmed Riaz.

<sup>111</sup> *Ibidem*, chapter 12.

### 3.6 The Role of education in determining women's place in society:

What is the aim of promoting affirmative action towards girls' access and completion of education, as advocated by the government, NGOs and all the other actors concerned? How does it affect women's role in society?

A question that has occupied feminist political theorists for a while now is if women have historically determined 'apolitical' roles in a democracy?" or are they political actors who possess agency in their own right? <sup>112</sup>

Their participation has traditionally been assigned to the private sphere, sharply distinguished from the public sphere, where the political action was. Their contribution to society was implicitly given through their role as providers and nurturers of "Human resources"<sup>113</sup>, thus providing the ground decision-makers but not being able to actively participate in the decision making process.

Especially concerning the value of education women's role is often promoted and at the same time restricted to that of mothers, as an educated mother is said to be more aware of family planning, health and nutrition, will thus raise and care for the country's future workers more effectively and thus contribute to the country's economic growth.

Education as the magic formula to improve a country's economy, an important consideration but at the same time limiting the role of women to that of actors in the economical and social sphere, but not in the political forum.

Elaine Unterhalter has dealt with this in her interesting analysis of four international documents concerning the position of women, namely the *World Declaration on Education For All (Jomtien 1990)*, *Priorities and Strategies for Education (World Bank 1995)*, *UNESCO International Commission on Education for the 21 century* chaired by Jacques Delors (1996) and the *Beijing Declaration-World Conference on Women (1995)*.

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<sup>112</sup> J. -A. Dillabough and M. Arnot, *Feminist political frameworks, New Approaches to the study of gender, citizenship and education*, in M. Arnot, J. -A. Dillabough (Eds.), *Challenging Democracy*, London, Routledge, 2000, pp.32.

<sup>113</sup> E. Unterhalter, *Transnational visions of the 1990s, Contrasting views of women, education and citizenship*, in M. Arnot, J. -A. Dillabough (Eds.), *Challenging Democracy*, London, Routledge, 2000, pp. 97.



Her findings include the essentialisation of women in the developing countries, the passive role they are assigned to in terms of political decision-making and their restricted contribution to motherhood.

Their education is thus mainly regarded as the means to improve the health and nutrition of their children and to decrease fertility rates. They represent an indicator on the scale of economic progress thus ensuring economic return, i.e. paying debts back to donors. This becomes evident in the documents, as, whenever the right to education for girls/women and affirmative action towards this goal is stressed, it is immediately accompanied by the benefits, such as decreased fertility rates, better nutrition and health care, thus justifying the need for the positive measures.

The notion of citizenship as women's participation in political decision-making is often not even mentioned. This means denying women a right they inherently possess and that cannot be divided from all the other rights.

Yet, the importance of differentiated approaches towards the empowerment of women in various cultural settings cannot be overemphasised, as I have already touched upon in the Introduction. Thus feminist theories have to accommodate not only “differentiated identities”<sup>114</sup> within each society, but also cultural and social differences and strive to meet them in a variety of ways at different stages all leading to the same goal, the equality of women.

What is desirable for a woman from a liberal democratic western country cannot be automatically assumed to be perfect for a woman from a developing Islamic country. For example the discussion around the benefits of single-sex vs. co-educational schools can be led in very different ways according to the respective cultural background. Western liberal feminists argue for single-sex schools in order to give girls more confidence and opportunities in the choice of subjects as well as during the classes. Single-sex education as advocated through religious tradition in Pakistan, however, has disadvantaged girls so far, in terms of lack of girls' schools and facilities and reinforcing traditional gender stereotypes. What is regarded by some as a step forward for girls in the West could be considered a step backward for girls in the developing world. Apart from enforcing the segregation of boys and girls the continuation of gender-specific schools would also involve financial resources to be

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<sup>114</sup> J. -A. Dillabough and M. Arnot, *Feminist political frameworks, New Approaches to the study of gender, citizenship and education*, in M. Arnot, J. -A. Dillabough (Eds.), *Challenging Democracy*, London, Routledge, 2000, pp.37.

put into single-sex schools, which otherwise could be invested to improve the quality of education.

There is raised awareness concerning the expansion of women's role in Pakistan, as reflected in official policies and by the endeavours of NGOs.

The Human Rights Commission of Pakistan published an Interim Report on the State of Human Rights in Pakistan in 1993, the first three sections of which were used as a Shadow Report to the Initial Report to the CRC submitted by the GOP to the Committee in the same year. Under the heading of *women* it states that, "The scope for women's participation in national life was kept minimal and their absence from senior and policy-making levels almost total. After a year's deliberation, Council of Islamic Ideology postponed its ruling on whether it was Islamic to give them those positions"<sup>115</sup>

The Committee of the CRC in its 133rd meeting when discussing Pakistan's Initial Report to the CRC mentioned the need to "give women a larger role in society"<sup>116</sup>. Pakistan's representative responded to this observation by drawing attention to the much larger role women were playing in the field of health and education and as employees of airline companies and thus were helping to improve the national economy.<sup>117</sup>

The National Report of Pakistan from June 2000 lists under *Current educational priorities and concerns* the "tackling of women's education, and education of urban and rural poor through special programmes for equal access to education and for bringing them within the realm of literate and **productive** citizens (emphasis added)."<sup>118</sup>

Again it can be assumed that productivity here is understood in its economical significance as labour force contributing to the country's industry.

The choice of the former headmistress Zubaida Jalal as the Minister of education was a sign of the political will to the empowerment of women in the decision-making levels, as well as the increased rate of women participating in

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<sup>115</sup>Human Rights Commission Pakistan, *First three sections of the Interim Report on the State of Human Rights in Pakistan in 1993* see: <http://www.crin.org/docs/resources/treaties/crc.6/Pakistan> HRC NGO Report.pdf.

<sup>116</sup> CRC/C/SR.133, para 59.

<sup>117</sup> Ibidem, para.60.

<sup>118</sup> M.Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit.,pp.2.

parliament as foreseen in the Legal Framework Ordinance (LFO) introduced by Pakistan's president in 2002.

The reservation of 60% female seats in primary schools under SAP and 70% positions of primary school teachers reserved for female applicants, as well as the introduction of all new schools as mixed schools, female teachers in mixed schools have been other measures taken by the government signalling affirmative action towards the equality of girls.<sup>119</sup>

The Second Periodic Report to the CRC in its response to observations made by the Committee regarding practical measures taken towards changing discrimination against girls and women enumerates a list of measures; ranging from the establishment of a Ministry of Woman Development, the Commission for Women, organised workshops, seminars on women in development, awareness-raising campaigns, the First Women Bank and several Women Development centres.

Among the recommendations of the Women's Commission were the representation of women in the legislature up to 33% and the repeal of discriminatory laws, such as the Hudood laws<sup>120</sup>

Additionally, for the first time women were appointed judges of the High Courts, women were working in the family courts and women police stations, providing for girls and women. According to the Country Report on Human Rights practices released by the US Bureau of Democracy, Human Rights and Labour in March 2002<sup>121</sup>, however, these women's police stations are not only underresourced and understaffed but also are not always used and thus don't fulfil their purpose.

Discrimination and sexual harassment at work are two other important factors mentioned in the same report, as well as unequal pay, promotion and benefits<sup>122</sup>.

According to the policy Matrix below as part of the **ESR & the Interim – Poverty Reduction Strategy Paper (I-PRSP)** empowerment of women is foreseen, not only restricted to the “economic “ realm but also extended to participation in

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<sup>119</sup> M.Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., pp.6.

<sup>120</sup> *Progress Report on the Implementation of Convention on the Rights of the Child*, Government of Pakistan, CRC/C/65/Add.2, 2000, pp. 130,131 see: <http://www.unhcr.ch/html/menu2/6/crc/doc/report/srf-pakistan-2.pdf>.

<sup>121</sup> *US Bureau of Democracy, Human Rights and Labour, Pakistan Country Report on Human Rights Practices, 2002*, pp.7 see: <http://www.state.gov/g/drl/rls/hrrpt/2002/18314.html>.

<sup>122</sup> *ibidem*, pp.14.

decision-making<sup>123</sup>, though kept in very general terms and it needs to be seen how it will be translated into practice. The same issues are mentioned in the *Poverty Reduction Strategies in the Education Sector*, where “socially excluded groups” are targeted- explicitly referring to women’s low status due to discriminatory norms of society –through the linkage of women’s literacy programmes and technical high schools to micro-credit and poverty alleviation programs.<sup>124</sup>

This thread is spun on in the goals of the Pakistan 2010 Programme where ending the discrimination against women is mentioned in one breath with poverty eradication market policies.<sup>125</sup>

### Policy matrix:

#### ESR & the Interim-Poverty Reduction Strategy Paper (I-PRSP)

#### Gender Related Reforms:

1999-2000 (July-June)	2000-2001 (July-June)	2001/02 to 2003/04 (July-June)	Outcomes
<ul style="list-style-type: none"> <li>Reform discriminating laws identified by the Commission of Inquiry of Women Report, 1997</li> </ul>	<ul style="list-style-type: none"> <li>Establish a permanent commission on the status of women to oversee and co-ordinate policy measures regarding empowerment of women.</li> <li>Economic empowerment of women through targeted micro-credit loans for women</li> <li>Reserving 33% women seats in local bodies under the Devolution Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Introduce policy measures in education to reduce the gender gap</li> <li>Evaluate the existing employment sector with an aim of maintaining a gender balance in employment.</li> </ul>	<ul style="list-style-type: none"> <li>Improved status of women through sustainable socio-economic empowerment. Active role of women in decision making at all levels as an outcome of the Devolution Plan.</li> </ul>

An interesting comment regarding factors to be considered while developing the National Curriculum is, inter alia, “Behavioural development e.g. Ideology of

<sup>123</sup> Government of Pakistan, *Education Sector Reforms: Action Plan (2001-2004)*, Chapter 7, Annex IV see: <http://www.moe.gov.pk/moe-reform.html>.

<sup>124</sup> Ibidem, Chapter 2, 2.25, pp.26.

<sup>125</sup> M.Saleem, *Pakistan Country Report, Education For All: The Year 2000 Assessment ...*, cit., pp.7.

Pakistan, Social values, political independence, **women/human rights** (emphasis added)”.<sup>126</sup>

The juxtaposition of women’s rights next to human rights rather than included in the human rights is striking and it would be interesting to see how this distinction is reflected in the curriculum’s provisions.

## 4. Findings:

### 4.1 Legal framework directly or indirectly affecting girls’ right to education:

Although the constitution guarantees compulsory and free education including secondary education (Art.37b), it has not been legally enforced yet, except in the province of Punjab. A vital goal of the EFA Framework, it provides children, especially girls, with three safeguards: parents are legally obliged to send them to school, the State has to provide a functioning education system for them and assist parents in fulfilling their obligation, if needed and last but not least it regulates the minimum age for employment.<sup>127</sup> Or as the Government of Pakistan put it itself “Compulsory Primary Education can save the children from falling prey to child labour”.<sup>128</sup>

Other laws directly or indirectly affecting girls’ right to education concern non-discrimination, marriage, dowry, child labour, special needs, juvenile justice. The Constitution does not only guarantee equality of all citizens before law, but also declares that there should be no discrimination based on sex and the State is called upon to make special provisions for women and children (Art.25) and to take steps to ensure full participation of women in all spheres of life (Art.34).<sup>129</sup>

The National Commission for Child Welfare and Development (NCCWD) in co-operation with its provincial commissions (PCCWDs) and National Expert Committees is responsible for the implementation and monitoring of the CRC, also

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<sup>126</sup> The Academy of Educational Planning and Management, *The Development of Education, National Report of Pakistan*, Islamabad, 2000, pp.36.

<sup>127</sup> *A Fair Chance: Attaining Gender Equality in Basic Education by 2005, CGE Report for action Week, April 2003*, pp.23. see: <http://www.campaignforeducation.org/html>.

<sup>128</sup> Government of Pakistan, *Education Sector Reforms: Action Plan (2001-2004)*..., cit., Chapter 6, 6.2, pp. 77.

<sup>129</sup> Constitution of Pakistan, Art.25, 34 see: <http://www.pakistani.org/pakistan/constitution/part2.ch1.html>.

for reviewing existing policies and regulations, proposing new legislation and indicating gaps between legislation and policies.<sup>130</sup>

In its Concluding Observations the Committee on the Rights of the Child felt that the then existing legislative measures were insufficient in order to guarantee the implementation of the CRC and thus required a progress report after two years.<sup>131</sup>”The lack of consistency and clarity between some of the laws and their application within and between provinces”<sup>132</sup> was emphasised.

I would like to look at if and/or how the laws affecting girls’ right to education have been reviewed. The biggest change is obviously the *Juvenile Justice System Ordinance*, promulgated in 2000 prohibiting the death penalty and flogging for children under 18 years of age, but still keeping the age of criminal responsibility at 7 years of age.

Other positive steps have been taken towards the eradication of child labour. 3.3 million children are estimated to be involved in child labour.<sup>133</sup> The constitutional law<sup>134</sup> was supplemented by the Employment of Children Act (ECA) in 1991 and the Bonded Labour System (Abolition) Act the year after, prohibiting child labour and child-bonded labour in the non-formal sector.<sup>135</sup> Other actions include the ratification of ILO convention 182 (against hazardous and exploitative child labour), the signing of a memorandum of understanding with the International Labour Organisation (ILO) under its International Program for the Elimination of Child Labour (IPEC) in 1997<sup>136</sup> and the subsequent designing and approval of the National Plan of Action of Child Labour in 2000, as well as successful projects, such as the removal of child labour from the Soccer Ball industry of Sialkot in collaboration with ILO, Save the Children (UK) and UNICEF.

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<sup>130</sup> *Progress Report on the Implementation of Convention on the Rights of the Child...*, cit., CRC/C/65/Add.2, 2000, Executive Summary, viii.

<sup>131</sup> *Concluding Observations*, CRC/C/15/Add.18, para 4, see: <http://www.unhchr.ch/html>.

<sup>132</sup> *ibidem*, para.11.

<sup>133</sup> Government of Pakistan, *Education Sector Reforms: Action Plan (2001-2004)*..., cit., Chapter 6, pp. 75.

<sup>134</sup> Art.11(3); *No child below the age of fourteen years shall be engaged in any factory or mine or any other hazardous employment*”

<sup>135</sup> Government of Pakistan, *Education Sector Reforms: Action Plan (2001-2004)*..., cit., Chapter 6, pp. 76.

<sup>136</sup> ASA 04/02/98, Introduction see: <http://www.amnesty.org/library/Index/ENGASA040121998>.

In order to guarantee children the right to an identity and thus to enable them to access their right to education (school enrolment is dependant on birth certificate) a National Committee on the Registration of Child at Birth was established to review the laws and make them more effective.<sup>137</sup>

Progress is much slower concerning children with special needs. Amendments to the Disabled Persons Ordinance 1981 have been proposed, a Directorate of Special Education established in 1985 and a National Policy on disability is under process for approval.<sup>138</sup>

Unfortunately, regulations regarding guardianship, marriage and dowry, although in urgent need of review are still in place in their original form (the oldest of which dates from the 19<sup>th</sup> century). *The Guardians and Wards Act of 1890*, which when appointing the guardian for a minor (=child under 18 years of age) states that “If the minor is old enough to form an intelligent preference, the court **may** consider that preference.”(Emphasis added).<sup>139</sup> - An ambiguous statement in desperate need of clarification and revision according to the spirit of the CRC.

*The Child Marriage Restraint Act of 1929*, which bans marriages between girls under 16 and boys under 18, does give girls the option of repudiating a marriage arranged by her guardian on attaining puberty<sup>140</sup>. Closely connected to this issue are the Hudood ordinances, introduced in 1979 aiming at Islamising the Penal code and interpreting it according to Shari’a law. “Marital rape is not a crime.. Marriage registration (nikah) sometimes occurs years before a marriage is consummated (rukhsati). The nikah (unconsummated) marriage is regarded as a formal marital relationship, and thus a woman or girl cannot be raped by a man to whom her marriage is registered, even if the marriage has not yet been entered into formally.”<sup>141</sup>

Unfortunately, a report submitted by the Parliamentary Commission of Inquiry for Women soon after Pakistan ratified CEDAW, in which the repeal of inter alia these Hudood ordinances was recommended, has still not been acted upon.

<sup>137</sup> Government of Pakistan, *Education Sector Reforms: Action Plan (2001-2004)*..., cit., Chapter 6, pp. 80.

<sup>138</sup> Progress Report on the Implementation of Convention on the Rights of the Child ...cit., Executive Summary, ix see: <http://www.unhcr.ch/html/menu2/6/crc/doc/report/srf-pakistan-2.pdf>.

<sup>139</sup> ibidem, pp.23.

<sup>140</sup> ibidem, pp.26.

<sup>141</sup> *US Bureau of Democracy, Human Rights and Labour, Pakistan Country Report on Human Rights Practices, Women*, 2002 see: <http://www.state.gov/g/drl/rls/hrrpt/2002/18314.html>.



*The Dowry and Bridal Gift (Restriction) Act of 1976*, which puts a limit on dowry, is still in force and frequently abused, as the State Representative of Government of Pakistan admitted in his dialogue with the Committee on the CRC<sup>142</sup>, the worst form of it are cases of ‘bride-burning’, when young women are punished by the husband or in-laws “for failure to obey, to bear sons or to bring a larger dowry”.<sup>143</sup>

All these factors play a vital role, are interrelated and mutually enforce the guarantee of girls’ right to education and in order to safeguard it, a revised, non-discriminatory legal apparatus has to be in place.

#### **4.2 Insufficient budgetary allocation for education:**

The ongoing latent conflict about Kashmir and the nuclear weapon test race in the late 90ies with India, the fight against terrorism including persecution of Pakistan based militant Islamists, the maintenance and demands of a strong military apparatus that helped General Musharraf oust former President Nawaz Sharif in 1999 all cost money and thus determine the Government of Pakistan’s priorities in budget allocations. As Katarina Tomasevski put it, “The budget exemplified the translation of political choices into financial commitments.”<sup>144</sup> The budgetary allowances especially towards Education have been consistently low during the last decade: from 1990/91-1997/98 it covers a range of 2.13% (minimum) to 2.70% maximum) GNP.<sup>145</sup>

When analysing the last five-year-plans from 1955 to 1998 “the utilisation of funds in primary education has been dismally low compared to other sub-sectors”<sup>146</sup> (e.g. the Eighth 5-year-plan of 1993-98 allocated Rs.69031.7 million, out of which only Rs. 38367.47 were spent (55.6%).

It is interesting how in different reports the government manages to present the same figures differently:

The *National Report on Follow-up to The World Summit for Children* for

<sup>142</sup> *Summary Record of the 133<sup>rd</sup> meeting*, CRC/C/SR.133, 1995, para.40 see: <http://www.unhchr.ch/html>.

<sup>143</sup> Lawyers for Human Rights and Legal Aid (LHRLA), 2003, *Five Cases of ‘Bride-Burning’ per Week* see: <http://www.aviva.org/asia/html>.

<sup>144</sup> K. Tomasevski, *Right to Education Primers No.2...*, cit., pp.23.

<sup>145</sup> M.Saleem, *Pakistan Country Report...*, cit., p.11.

<sup>146</sup> *ibidem*.



instance praises the raise of investment in primary education from Rs.9563mill. (1990/91) to Rs.38674 (1998/99) as a “record increase of 304% in 9 years”.<sup>147</sup>

The *Progress Report to the Committee of the CRC* talks of enhanced financial allocations in its selective choice of figures, mentioning an increase of GNP spending from 2.01%-2.62% during 1996/97 and referring to an “all time high” of 32% in 1994.<sup>148</sup>

The *ESR*, however, depict a more realistic and sober picture:

“The trends of allocations to education illustrate a downward curve. The current net allocations, hovering around 1.9 to 2.3 percent of GNP, cannot meet the requirements of the VISION and the NEW EDUCATION CONSENSUS that has been mobilised over the past 10 months.”<sup>149</sup> It also foresees a rise to 3% of GNP in the Action Plan of 2001-2004<sup>150</sup>, still dismally low when comparing it to the recommended 5-7%.<sup>151</sup>

Funding for education is usually derived by the State from general taxation, yet in Pakistan’s case this poses a problem, as only 1% of a population of 140 million pay revenue.<sup>152</sup> This, however, has not deterred the government from continuing to spend nearly 7 times as much on defence<sup>153</sup> In its search for solutions the government is in line with the current trend in the “education market” by introducing “cost shared education” in the form of scholarships, self-finance schemes, student loans and vouchers.<sup>154</sup> Also referred to as “public-private partnership”, where the private sector and NGOs “are not only encouraged to mobilise financial resources but also to join in designing, executing and monitoring educational activities.”<sup>155</sup> This encouragement takes the form of “institutional incentives and safeguards”<sup>156</sup> or more specific, exemption of 50% income tax, provision of land free of cost, exemption of custom duties etc.<sup>157</sup>

<sup>147</sup> National Commission for Child Welfare and Development, Ministry of Women Development, Social Welfare and Special Education, *National Report on Follow-up to the World Summit for Children*, pp.17 see [http://www.unicef.org/specialsession/how\\_country/edv\\_pakistan\\_en.PDF](http://www.unicef.org/specialsession/how_country/edv_pakistan_en.PDF).

<sup>148</sup> Progress Report on the Implementation of Convention on the Rights of the Child..., CRC/C/65/Add.2, 2000, pp.81.

<sup>149</sup> Government of Pakistan, *Education Sector Reforms...*, cit., Chapter 2, pp.27,28.

<sup>150</sup> Ibidem, Chapter 1, pp.4.

<sup>151</sup> K. Tomasevski, *Right to Education Primers No.2...*, cit., pp.23.

<sup>152</sup> K. Tomasevski, *Right to Education Primers No.1...*, cit., pp.18, Box 4.

<sup>153</sup> Oxfam, *Education: The Global Gender Gap*, Oxfam GB Parliamentary briefing Number 9-4/4/00, pp.3 see: <http://www.oxfam.org.uk/policy/papers/gendgap/gendgap.html>.

<sup>154</sup> Government of Pakistan, *Education Sector Reforms...*, cit., Chapter 1, pp.4.

<sup>155</sup> ibidem, Foreword, pp.ix.

<sup>156</sup> ibidem, Chapter 2, pp.12.

<sup>157</sup> ibidem, Chapter 2, 2.2.3; pp. 23.

The related issue of accountability and quality regulation, however, gives reason for serious concern especially when taking into account findings of a Private Sector Survey in education in 2001, where out of a total of 36096 private institutions, most of which are providing general education, 10503 are neither registered, recognised nor affiliated. A worrying situation especially due to the fact that the private sector caters for nearly 20% of the primary students!<sup>158</sup>

The decade-long under-investment and under-utilisation of funds for education come at a price as reflected in today's low enrolment numbers; the best policies and actors alone cannot function without the necessary financial resources. To look to the private sector for a solution does not only raise the questions of accountability and quality-unless properly supervised-, but above all means the State's failure to fulfil its obligation to provide free primary education for all, to which it committed itself through ratification of the CRC.

Even if adequate funds were available, an effective and transparent infrastructure has to be in place to ensure that they get to where they are needed.

#### **4.3 Corruption and inefficient administration:**

Decentralisation is the magic word here, devolution from the federal to the provincial, down to the district level with the aim of localising educational planning, implementation and decision-making in order to make it more efficient and direct. Federal resources in the form of aid were transferred to the provinces and managers trained in workshops specifically held for this purpose in collaboration with the Multi-Donor Support Unit and the Department for International Development.<sup>159</sup> This is, however, a complex and time-consuming process and presupposes the already smooth running of all the individual components.

The inefficiency of the administration system can have dire consequences, not only the halt of much-needed financial assistance but also the loss of credibility, and can lead to retrogression instead of progress. A good example for these devastating effects is the *Sindh Primary Education Development Programme (SPEDP)* I have

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<sup>158</sup> Government of Pakistan, *Education Sector Reforms...*, cit., Annex 1.

mentioned in the previous chapter, where a delay in the release of funds and weak coordination led to a temporary stop of the distribution of free textbooks, and finally dissatisfactory outcome in terms of achievement, in this case enrolment of girls.

Worse than that, the loss of credibility suffered after building it up painstakingly has far-reaching effects. For example parents, who were hesitant in sending their daughters to school in the first place, might feel confirmed and justified in their conservative beliefs due to the failure of the project.

The ultimate illustration of the inefficiency and corruption of the administrative system is the existence of “ghost schools” and “ghost students”. The financing of non-existent schools (4000 in NWFP and an unknown number in Balochistan<sup>160</sup>) and the forging of test protocols is not only a criminal waste of scarce and much-needed resources but also an impediment to raising the learning achievement of children and thus providing them with better chances in life.<sup>161</sup>

#### **4.4 Neglect of the quality aspect:**

As elaborated in the previous chapter it is not enough to get girls into schools but we have to keep them in there in order for them to benefit and to serve as positive role models for the next generation. Instrumental to this end are the school environment, relevant, modern and gender-sensitive curricula, learning material, and last but by no means least trained and committed (female) teachers.

“It is a truism that teachers whose rights are denied cannot be expected to effectively teach human rights.”<sup>162</sup>

Whenever there is concern about the quality of education, it’s usually the teachers first who are blamed. Yet, the conditions under which they work have to be considered: teaching up to 60 children of different ages and levels (about half of them below 5 years of age) in one room without adequate or any learning material for 5

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<sup>159</sup> *ibidem*, Chapter 2, pp.12.

<sup>160</sup> UNICEF and Ministry of Foreign Affairs, the Netherlands, *Gender Equity in Education in Pakistan: Evaluation of the Education Component of Social Action Program Project I (SAPP I)* see: <http://www.unicef.org/reseval/evaldb/abe.html>.

<sup>161</sup> Aijaz, S.M., *Learning Achievement in Primary Schools of Pakistan*, Islamabad, UNESCO, 2002, pp.50.

<sup>162</sup> K. Tomasevski, *The Right to Education, Report of the Special Rapporteur*, submitted to Commission on Human Rights resolution 2002/23, 2003, pp.16, para 40.

hours, badly and irregularly paid and without any professional support. This sounds like an extreme scenario, but when looking at the profile of a typical rural Primary School in Pakistan<sup>163</sup>, and considering the low material and social status of teachers<sup>164</sup> in the Pakistani society this becomes a more realistic scene.

As of recent the Government of Pakistan seems to have realised the important role of teachers in the quality of education as acknowledged in the National Education Policy of 1998-2010<sup>165</sup> and the need to involve them more as active partners than passive recipients.

Female teachers do not only have a positive impact on enrolment rates of girls (parents are less hesitant to send their daughters to school), but also “a positive influence on the academic performance of all students, both boys and girls.”<sup>166</sup> In order to meet the lack of female teachers the **Social Action Programme (1990)** advocated flexible recruitment rules concerning age and qualifications of female teachers. This, however, means entering dangerous terrain, as, if not trained, supported and monitored properly and regularly, teachers can contribute to the lowering of quality in education, as found in a UNICEF study on the Education Component of SAPPI<sup>167</sup> Yet, their role as confidence-booster for parents and role model for girls cannot be underestimated and if combined with the necessary in service training and support promises success.

It's the community-based schools or centres usually established by NGOs, where teachers are recognised as active participant and decision-makers. Due to active involvement in Parent-Teacher Committees, the designing of the school day and timetable teachers have a say in the daily running of the school and thus gain a feeling of responsibility. According to the findings of the survey about Learning Achievements in the previous chapter, teachers mention among others the lack of opportunity for professional growth and improving teaching methodology, infrequent supervision, non-co-operation of parents and students' lack of motivation due to a dull

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<sup>163</sup> S.M. Aijaz, *Learning Achievement in Primary Schools of Pakistan...*, cit., pp.3.

<sup>164</sup> M.A. Sheikh, M.Z.Iqbal, *Status of Teachers in Pakistan*, UNESCO, Islamabad, 2002, pp. 6,7.

<sup>165</sup> “The teacher is considered the most crucial factor in implementing all educational reforms at the grassroots level.” P.7

<sup>166</sup> H.S.Khalid, E. Mujahid-Mukhtar, *The Future of Girls' Education in Pakistan*, UNESCO, Islamabad, 2002, pp.28, Table 10.

<sup>167</sup> “The strong influx of unqualified teachers has worsened the prevailing situation of poor quality education in both provinces (i.e. Balochistan and NWFP)”. *UNICEF and Ministry of Foreign Affairs, the Netherlands, Gender Equity in Education in Pakistan: Evaluation of the Education Component of Social Action Program Project I (SAPP I)* see: <http://www.unicef.org/reseval/evaldb/abe.html>.

school environment – all issues that imply interest in improving the environment and themselves.

Obviously, we have to look at the other side of the coin as well: the lack of regular income, no supervision and guidance can lead to or reinforce a lack of commitment, the worst form of which results in the abuse of their power. Absenteeism, lack of interest, focus on rote learning and pure memorisation up to emotional and physical abuse are the consequences. It is vital for the Government to break this vicious circle, provide more support and supervision to prevent such abuses. Especially when hearing about children committing suicides due to corporal punishment in school.<sup>168</sup>

Further steps towards the improved situation for teachers could be the establishment of a National Teachers' Council to give teachers a voice and regulation of code of conduct, employment matters and the introduction of distance education as another means for especially rural teachers of recruitment and incentive.<sup>169</sup>

#### **4.5 Mainstreaming and supervision of religious institutions:**

In order to fulfil its obligations of quality education for all, the Government of Pakistan must make the mainstreaming and supervision of religious institutions a must, particularly as Madrassahs can present the only access to education some rural and poor children have.

Although mentioned as a target in several education policies, action is lagging behind the signalled political will. An International Crisis Group report of March 2003 stresses the usage of Madrassahs as breeding ground for religious activism and politics<sup>170</sup> as seen during the Mujahiddeen fights in Afghanistan.

This phenomenon gains more momentum after the general elections in October 2002, where an alliance of six religious parties, the Muttahida Majlis-e-Amal (MMA), has gained control in NWFP, a strong presence in Balochistan and passed a law in June introducing conservative Shari'a. Islamisation of all aspects of

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<sup>168</sup> Pakistan's Society for the Protection of the Rights of the Child, *The State of Pakistan's Children 2002* see: [http:// www.irinnews.org](http://www.irinnews.org).

<sup>169</sup>M.A. Sheikh, M.Z.Iqbal, *Status of Teachers in Pakistan...*, cit., pp.17.

<sup>170</sup> International Crisis Group, *The Mullahs and the Military*, 2003, pp.17. see: [http://www.intl-crisis-group.org/projects/asia/afghanistan-southasia/reports/A400925\\_20032003.pdf](http://www.intl-crisis-group.org/projects/asia/afghanistan-southasia/reports/A400925_20032003.pdf).

life, and opposition to the pro-American stance of Musharraf mark its political position. Segregation of women in social life, the end of co-education, the withdrawal of women from the public sphere back into the private one are also on the agenda.

The remarks of the MMA Minister for Women Development, Hafiz Hashmat, in an interview with ICG in November 2002 and March 2003 make scary reading, not only regarding the attributed role of women but also the purpose of education as a means of achieving this end.<sup>171</sup> In the same interview the Minister announced plans to check and monitor NGOs “because of grassroots concerns about a hidden agenda that could undermine Islamic values and cultural traditions” and due to their role in educating women.<sup>172</sup> Plans to morally supervise educational institutions in Balochistan and NWFP by the student wings of the parties<sup>173</sup> and the NWFP provincial government’s plan to set up a ministry for the promotion of virtue and prevention of vice sound like bad memories from a Taliban past.

65% of Madrassahs in the country are in the hands of the Jamiat Ulema-e-Islam parties, a member of the MMA<sup>174</sup>. Therefore, there is a need for action to ensure that every child can gain an education in the spirit of Article 29 of the CRC.<sup>175</sup>

#### 4.6 Community involvement:

The success of projects involving the community as active participants, for instance in the shape of Village Development Committees (VDC) as set up by the Aasthan Lathif Welfare Society, or in Balochistan’s NGO-supported girls’ education project should makes us rethink our approach towards education. Awareness raising, mobilising, involving, empowering instead of preaching and serving.

The changing of conservative attitudes, one of the most difficult and time consuming obstacles to tackle can thus be achieved indirectly through a sense of ownership and responsibility. Communication between all actors involved, students,

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<sup>171</sup> “We want women to have the status given to them by Islam, as mother, wives and sisters; we will not force them to follow the Islamic code of behaviour. We will not use force but persuasion and **education**.... Women must take upon themselves as much of a burden as they can deal with. They must acknowledge their limitations, physically and intellectually.”(Emphasis added), Ibidem, pp 16.

<sup>172</sup> Ibidem.

<sup>173</sup> Ibidem, pp.4.

<sup>174</sup> Ibidem, pp.17.

<sup>175</sup> Art.29 (d) State Parties agree that the education of the child shall be directed to: The Preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality

parents, teachers, the management cannot be stressed enough. The Balochistan Primary Education programme, which succeeded in raising girls' enrolment rates to 80-100% in villages with new schools<sup>176</sup> took advantage of the above mentioned relaxation in regulations concerning the recruitment of female teachers enabling women being chosen by the community and recruited through mobile teacher training to teach in their villages. The Village Education Committees plays a vital role not only in the recruitment, but also in the managing of teachers and monitoring of students' attendance.<sup>177</sup> The government is now funding the project and the community has established 200 more schools since then.

As an USAID report puts it “ To be sustainable girls' education programmes should be “owned” by the citizens of the country, not by the donor community.” Among the lessons learnt is devolution of authority to local communities though with quality control of ministry of education, co-operation between teachers and parents, female participation at all levels of the education system.<sup>178</sup>

Cultural sensitivity and adherence are an additional indispensable part of implementing lasting solutions, e.g. USAID made use of older women as chaperones in schools.<sup>179</sup>

## 5. Applicability to Afghanistan?

### 5.1 General background situation in Afghanistan

#### 5.1.1 Political, economic situation

“It is generally in the interest of those with economic and political power, to retain a large illiterate population, particularly the women population.”<sup>180</sup>

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of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.

<sup>176</sup> *The World Bank Participation Sourcebook, Facilitating Women's Participation* see: <http://www.worldbank.org/wbi/sourcebook/sb0402t.html>.

<sup>177</sup> *ibidem*.

<sup>178</sup> USAID, *A New Focus on Girls' and Women's Education: Successful UAID Education Investment Strategies*, 1998 see: <http://www.globalmarch.org/virtuallibrary/usaaid/girl-educfocus98.html>.

<sup>179</sup> USAID, *A New Focus on Girls' and Women's Education: Successful UAID Education Investment Strategies*, 1998 see: <http://www.globalmarch.org/virtuallibrary/usaaid/girl-educfocus98.html>.

<sup>180</sup> A.S.Khan, *EFA 2000 Afghanistan*, UNESCO, Islamabad, 1999, pp.71.



This statement sums up the strategy of the Taliban regime, which from 1994 gained control over most of the provinces in Afghanistan. It perfected women's discrimination per se, negating them the most basic human rights, such as freedom of movement, expression, right to education and work - all in the name of religion. The direct and indirect human rights violations against women were more or less emphatically watched by the rest of the world, with mixed feelings by those states who had provided the very groups who they were now meant to condemn, with arms and support in the fight against the Russians. Thus it took the 11 September event in 2001 to form an alliance led by the United States to fight terrorism and – as a side effect- the human right abuses against women. “Operation Enduring Freedom” has led to the dismantling of the Taliban regime and the setting up of an Interim Government made up of several factions under the presidency of Hamid Karzai. Yet, some of the very warlords whose armies committed atrocities while fighting the Taliban and each other, are now still in power, such as Ismail Khan, the Governor of Herat, who seems to continue where the Taliban was stopped, namely the discrimination of girls and women.<sup>181</sup>

Afghanistan has experienced over two decades of internal strife and war, which destroyed most of the infrastructure and social services and led to a lack of man- and womanpower desperately needed in order to reconstruct the whole country. Additionally, donor fatigue has set in and the attention and money have been diverted by new conflicts and “more urgent” need for humanitarian help, such as in Iraq after the war.

The making of the new constitution is in process, to be introduced in October of this year; two women are part of the Constitutional Drafting Committee, an essential step to ensuring women's political participation and input from the beginning. Unfortunately, this initiative is not welcome to everybody yet as demonstrated by the threats and intimidation these women suffer during and rather due to their task from various local leaders or parties.

The rebuilding process, however, also offers the unique chance of forming a new constitution, formulating new policies and establishing new institutions that, right

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<sup>181</sup> Human Rights Watch, “*We Want to Live as Humans*”, *Repression of Women and Girls in Western Afghanistan, 2002* see: <http://www.hrw.org/reports/2002/afghnwmmn1202>.



from the start, incorporate human rights and are based on the principle of equity. The mainstreaming of gender issues, the participation of women in formulating policies and in decision-making is an opportunity not to be missed to make their voices heard and their equity assured.

Although schools are being built and the ban on girls' education has been lifted, the attacks on schools and schoolgirls show that more needs to be done to change attitudes.<sup>182</sup>

The new government's task, therefore, is manifold: the physical reconstruction of the country's infrastructure, the establishment of a strong governing body, i.e. striking a delicate balance between appeasing and controlling the warlords, and above all confidence building among a traumatised and scared population, which needs to be reassured and healed.

### **5.1.2 Education for girls:**

The history of girls' education in Afghanistan is strongly intertwined with the reform endeavours and failures attempted by several kings, such as Amir Amanullah (1919-1929) under whose reign the first girls' school was opened in Kabul, education made compulsory for all Afghans in the 1923 constitution, and a family code introduced in 1921 that inter alia banned child marriage and secularised some family laws.<sup>183</sup>

This was, however, revolted against by the religious leaders who overthrew the king.

Under Zahir Shah's rule (1933-73) free and compulsory education was introduced in 1935, reiterated in the 1964 Constitution as free and compulsory primary education for all. In 1959 Kabul University introduced co-educational classes, which, however, caused repercussions for some girl students such as acid attacks.<sup>184</sup>

The inability of the monarchy to carry through lasting reforms, especially concerning women, could be explained by their military and ideological ties with the

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<sup>182</sup> Ibidem, pp.7.

<sup>183</sup> International Crisis Group, *Afghanistan: Women and Reconstruction*, 2003, pp.4 see:

<http://www.intl-crisis-group.org/projects/asia/afghanistan-southasia>.

<sup>184</sup> ibidem, pp. 4,5.

Pashtun tribes<sup>185</sup> and the rushed modernisation attempts which “were opposed by powerful conservative, Islamic elements at tribal level, who held greater sway over the lives of common Afghans, than the Royal family.”<sup>186</sup>

During the seventies, after a bloodless coup by the former Prime Minister Mohammad Daoud Khan led to the declaration of Afghanistan as a Republic, women were part of his Constitution Advisory committee and made up 15% of his constitutional Loya Jirga. After his assassination in 1978 the People’s Democratic Party of Afghanistan (PDPA) introduced reforms concerning women’s social rights: the ban of arranged/forced marriages and of bride price, a minimum marriage age (16 for women, 18 for men), and last, but by no way least, compulsory female education<sup>187</sup>. Although the government succeeded in engaging (mostly middle-class urban) women more actively in work and in organisations, it faced a lot of resistance in rural areas due to disastrous land reforms and through the –often forced - introduction of coeducational literacy classes. The resistance became organised; Mujahideen and tribal parties were fighting the Soviet troops, which invaded Afghanistan in 1979, and each other after the withdrawal of the Soviet troops in 1988.

The next years were characterised by short-lived governments, formation and reformation of alliances between different fractions, the destruction of social services and infrastructure, indiscriminate and targeted attacks against the civil population and human rights violations.

The Taliban regime (1994-2001) with its promises of peace, (Shari’a) law and order was therefore initially welcomed by a population desperately in need of stability and security. Soon, however, the regime’s systematic discrimination against women and the restriction and denial of their basic human rights -all justified through their narrow interpretation of Islamic law-, disillusioned people. Women were not only forbidden to work but severe restrictions even applied at home as “the Taliban totally eradicated women from the public sphere and stripped them of power in the private sphere.”<sup>188</sup>

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<sup>185</sup> A combination of ideological and military reliance on the tribes thus limited Afghan monarchs’ fiscal base, narrowed their ideological room, and inevitably stymied many reform efforts.” *ibidem* pp.3.

<sup>186</sup> A.S.Khan, *EFA 2000 Afghanistan ...*, cit., pp.7.

<sup>187</sup> International Crisis Group, *Afghanistan: Women and Reconstruction ...*, cit., pp.6.

<sup>188</sup> Human Rights Watch, *We Want to Live as Humans ...*, cit., pp.12.

The situation of the education system was dire, girls' schools were closed, if not already destroyed or used for other purposes during the fighting, all female teachers officially sacked in April 2000 as part of expenditure reduction<sup>189</sup> and the control of children's education handed over to the Ministry of Religious Affairs.<sup>190</sup> The effect on the infrastructure, educational development, literacy levels and mental and emotional well being of people can only be estimated. Statistics and data can give us some insight, although they too are often not available, inaccurate or incomplete.

UNICEF data from 1999 show a participation rate of girls in primary school of only 8% and boys of 32% and estimate<sup>191</sup>, an Oxfam report of 2001 mentions an overall illiteracy rate of 70%, nearly 90% among women<sup>192</sup>. Yet, the damaging effect on girls' and women's emotional health, self-esteem and confidence can't be measured with numbers.

According to the 2000 Afghanistan Multiple Indicator Cluster Survey (MICS2) carried out in 8 provinces in the East, South East and part of the Central region of Afghanistan<sup>193</sup> found that 85% of children (5-17 years) in these areas were not attending school in 2000, due to lack of adequate schooling in the area where they live (34% in Eastern region), lack of separate schools for girls and boys (29% in south-eastern region; 33% girls; 3% boys), household chores (11%), support of household (4%) and distance from home (11%).<sup>194</sup>

## 5.2 Links to Pakistan:

It's not only the geographical proximity that links those two countries, but they are also historically, linguistically and culturally connected. Furthermore, they share the same religion, Islam, which has led to affinities as well as tensions especially due to Pakistan's support of the Taliban.

As from 11 September, however, Pakistan has decidedly taken the side of the US and thus officially declared anti-terrorism war on al- Qaeda and militant Islamic

<sup>189</sup> A.S.Khan, *EFA 2000 Afghanistan ...*, cit., pp.12.

<sup>190</sup> *ibidem*, pp.20.

<sup>191</sup> see: <http://www.unicef.org/newsline/newsold2002a.html>.

<sup>192</sup> Oxfam at work in Afghanistan see: <http://www.oxfam.org.uk/atwork/where/asia/afghanistan.html>.

<sup>193</sup> Afghanistan MICS2 Steering Committee, *2000 Afghanistan Multiple Indicator Cluster Survey (MICS2)*, Vol.1, Situation Analysis of Children and Women in the East of Afghanistan, 2001,pp.28.

<sup>194</sup> *ibidem*, pp.10.

groups. On his current world tour to meet leaders of the UK, Germany, France and the US in order to gain economic help in return, President Musharraf said that his government was against any form of religious extremism.<sup>195</sup>

Moreover, these two countries have been forced to closer interaction due to the constant stream of Afghan refugees finding a temporary home in Pakistan for over twenty years now.

The EFA Assessment Report 2000 estimates that 2.6 million Afghan have found refuge in Pakistan, nearly half of them in NWFP, just across the border, with its capital Peshawar housing about 0.56 million, others in the provinces Balochistan and Punjab<sup>196</sup>. Three years later an estimated 1.2 million Afghan refugees are still there hesitant to return home due to the lack of economic opportunity and security in Afghanistan<sup>197</sup>. It is therefore in Pakistan's interest to support Afghanistan's efforts to create a stable and economically sound environment, especially as there are frictions between the local populations and refugees.<sup>198</sup>

Schools were and still are functioning in the refugee camps, some run by international and local NGOs, seats in schools of NWFP and Balochistan reserved for refugee children,<sup>199</sup> but case studies on Basic Education of Afghan Refugees and Returnees in Pakistan and Iran, conducted by UNHCR Pakistan, UNESCO and UNHCR Iran found that girls' participation was low (32%).<sup>200</sup>

Apart from the institutionalised discrimination against girls, which ended with the fall of the Taliban, the obstacles girls' have faced and are still facing make familiar reading, thus providing an important link between Pakistan and Afghanistan in their fight for gender inclusion.

Using the UNESCO's table of general barriers to girls' education<sup>201</sup> as a benchmark, which enumerates infrastructure, education system, household, cultural and financial barriers, Afghanistan doesn't rate very well in any of them.

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<sup>195</sup> BBC News, "Musharraf hails relations with UK", 17 June 2003 see: <http://news.bbc.co.uk>.

<sup>196</sup> A.S.Khan, *EFA 2000 Afghanistan ...*, cit, pp.55.

<sup>197</sup> IRIN interview with Larry Thompson, 20 June 2003 see:

[http://www.irinnews.org/report.asp?ReportID=34875&SelectRegion=Central\\_Asia&SelectCountry=AFGHANISTAN](http://www.irinnews.org/report.asp?ReportID=34875&SelectRegion=Central_Asia&SelectCountry=AFGHANISTAN).

<sup>198</sup> "This has created a degree of understandable resentment among the local people whose limited number of jobs they appear to be taking away". Progress Report on the Implementation of Convention on the Rights of the Child, Government of Pakistan, CRC/C/65/Add.2, 2000, pp.99.

<sup>199</sup> *ibidem*, pp.100.

<sup>200</sup> *ibidem*, pp.56

<sup>201</sup> see Chapter 4

Infrastructure barriers in a post-conflict country are obvious the most urgent and fundamental problem to overcome, especially regarding access of population to basic services, such as schooling, in isolated rural areas. The issue of Internally Displaced Persons (at the moment estimated at about 600.000 across the country living in camps)<sup>202</sup> makes it an even more complex issue to deal with and to improve. This obviously goes hand-in-hand with education system barriers, such as lack of schools, especially for girls, and absence of (female) teachers.

Household barriers, as mentioned above, will become reinforced in a post-war situation where the need to help in the household might be increased due to the death or injuries of family members or the fact that chores that were easy and quick to do before the war, such as fetching water now involve more effort due to the destroyed infrastructure and security problems, such as mine fields.<sup>203</sup>

Cultural barriers of course haven't disappeared over night with the fall of the Taliban regime, the biggest barriers come from within the families and communities; traditional conceptions of how girls should behave and what they should aim for in life, often is at odds with education. For example the Report about Children in Kabul renders very well the traditional confinement of girls regarding their behaviour. Girls who reach adolescence are pressured to stay in the house, protected and ensuring the blameless reputation needed to get married. Although girls seemed to appreciate the protective intention of the parents they expressed frustration regarding their restricted movement and educational opportunities.<sup>204</sup> The short period of schooling deemed satisfactory by parents for their daughters should be considered by policy makers and practitioners alike when planning primary, middle and secondary education and its contents seen with the case study of Pakistan the involvement of parents and communities right from the start is vital in order to have any chance of changing attitudes.

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<sup>202</sup> IRIN interview with Larry Thompson, 20 June 2003 see: [http://www.irinnews.org/report.asp?ReportID=34875&SelectRegion=Central\\_Asia&SelectCountry=AFGHANISTAN](http://www.irinnews.org/report.asp?ReportID=34875&SelectRegion=Central_Asia&SelectCountry=AFGHANISTAN).

<sup>203</sup> De Berry, J., Fazili, A., Farhad, S., et al., *The Children of Kabul, Discussions With Afghan Families, Save the Children USA, UNICEF, 2003, pp.45* see: <http://www.savethechildren.org/pdf-publications/ChildrenofKabul.pdf>.

<sup>204</sup> "The girls also mentioned special disappointment if they had been in school for some time but were then stopped from going because their parents felt they were getting too old to be out in public. Girls regretted the loss of opportunities for education and the hope for their futures that education gave them" De Berry, J., Fazili, A., Farhad, S., et al., *The Children of Kabul, cit.*, pp.42.

Yet, there are positive issues to build upon. The existence of home schools under often dangerous and difficult conditions during the Taliban period, however, the return of refugees who have enjoyed education in Pakistan and Iran and thus are eager to continue and the fact that about a third of the currently enrolled school children are girls<sup>205</sup> give cause for hope.

The financial barriers go without saying, the collecting of revenue in a country characterised by a widely scattered population, destroyed agricultural fundaments, land ownership disputes between returned refugees and internally displaced persons and feudal hierarchical systems not rarely topped by former warlords is definitely a major challenge ahead. A vital component, however, of the government's reconstruction efforts as it will be the key to financial sustainability, once aid ceases and consequently also influence the budgetary allocations to the education sector, a vital precondition to achieve or carry out sustainable development.

### **5.3 Lessons to be learnt from girls' education in Pakistan?**

As identified in the chapter before there are six main issues to consider if the Millennium goals for girls' education in Pakistan were to be more than wishful thinking:

- ◆ The need for an active legal framework directly or indirectly affecting girls' right to education
- ◆ Sufficient and consistent budgetary allocation for education
- ◆ An efficient and transparent administration
- ◆ Emphasis on the quality of education
- ◆ Mainstreaming and monitoring of religious institutions by the Ministry of Education
- ◆ The involvement of the community

How viable are these issues for Afghanistan?

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<sup>205</sup> UNICEF, Girls' Education in Afghanistan see: <http://www.unicef.org>.

### **5.3.1 The existence of an enforced legal framework directly or indirectly affecting girls' right to education**

As mentioned before, the new constitution and the rebuilding from the bottom up offer the chance to make equality and social justice a reality right from the start.

Unlike Pakistan Afghanistan is not just a signatory to the CRC and CEDAW, but also to the ICCPR and the ICESCR. And although article 14 of the ICESCR allows for the “progressive implementation, within a reasonable number of years” of compulsory and free education for all, the prohibition against discrimination on the grounds of, inter alia, sex (ICESCR, Article 2(2))”is subject to neither progressive realisation nor the availability of resources” but “applies fully and immediately to all aspects of education.”<sup>206</sup>

Thus Afghanistan is bound through its ratification of the above international covenants to respect, protect and fulfil girls' right to education and incorporate it in its constitution and national policies. The constitution from 1964, which is currently under effect as decided at the Bonn agreement in 2001, also includes a non-discrimination clause in article 25.<sup>207</sup> As a consequence the non-discrimination laws and compulsory education provision will provide a stable basis and precondition to make girls' right to, in and through education a reality. A balancing act especially when considering how much influence Shari'a law can have on girls'/women's personal life, such as the Hudood Ordinances in Pakistan. The final new constitution and the years to come will show the new government's commitment to non-discrimination of women.

### **5.3.2 Sufficient and consistent budgetary allocation for education**

The Afghan Interim Authority under President Karzai has got a Hercules task ahead of it: war and natural disaster have resulted in an economy unable to

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<sup>206</sup> *General Comment 13*, The Right to Education, Committee on Economic, Social and Cultural Rights, para 31 see: <http://www.unhcr.ch>.

<sup>207</sup> “The people of Afghanistan, without any discrimination or preference, have equal rights and obligations before the law.”

support the country in its daily running, let alone in its reconstruction and development endeavours. Heavy reliance on donor money, which often is slow-if at all –forthcoming, is the only alternative for now.

The educational strategy of the Taliban has meant the need not only for the construction of buildings and development of facilities, but also the training of teachers, development of curricula and learning materials- the reconstruction of which means a very time-consuming and costly process in a field where any delay is unacceptable. The “Back to School” campaign of UNICEF for instance, launched in March 2002, has successfully responded to the educational needs by delivering textbooks, stationery, teacher kits and blackboards to 1.5 million children all over Afghanistan.<sup>208</sup>

The international support for the reconstruction of the education system, however, has to be matched by the government’s serious commitment to allocate adequate funds to education in its budgets in the future in order to ensure its (self-) sustainability and in the words of UNICEF Representative for Afghanistan, Eric Laroche, “ provide a firm foundation for stability in Afghanistan”.<sup>209</sup> Again something that is difficult to estimate and will crystallise in the next few years.

### **5.3.3 An efficient and transparent administration**

As has become apparent in Pakistan, the negative impact of corruption and inefficient administration on the realisation of the right to education is far reaching. Pakistan’s initiative to decentralise by giving more authority to the provincial and district level is a way of attacking inflexible centralised structure.

The National Solidarity Programme (NSP), a three year-programme enabling communities to participate in the planning and managing of their own reconstruction and development<sup>210</sup> has been launched in five provinces and will according to Habitat “cultivate a culture of community governance” and thus

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<sup>208</sup> see: <http://www.unicef.org/newsline/newsold2002a.html>.

<sup>209</sup> Ibidem.

<sup>210</sup> See: [http://www.irinnews.org/report.asp?ReportID=34942&SelectRegion=Central\\_Asia&SelectCountry=AFGHANISTAN](http://www.irinnews.org/report.asp?ReportID=34942&SelectRegion=Central_Asia&SelectCountry=AFGHANISTAN).



create “a sense of possession in the rehabilitation of the country”<sup>211</sup> as a resident put it. The programme is also meant to establish transparency in the election procedures.

Furthermore, the co-ordination between different departments catering for the needs of children and flexible bodies for implementation are needed to guarantee the improvement in basic services as soon as possible. As found out in the Pakistan study, avoidable weaknesses, such as delays and lack of co-ordination can lead to a loss of credibility. The new government can’t really afford this, as it needs to rebuild the trust of people in its capacity in order to achieve reconstruction.

### 5.3.4 Emphasis on the quality of education

As illustrated before, the quality of education is not a category that can be introduced at a later stage, as an afterthought, - we have seen from the example of Pakistan that improving the accessibility to schools doesn’t necessarily mean the rise in enrolment numbers or retention rate. On the contrary the neglect of the content of education could in the long-term lead to a limbo or even decrease of these numbers. How? It is important to positively reaffirm the decision of hesitant parents to send their daughters to school. If inadequate curricula, learning materials and insufficiently qualified or trained teachers mean girls being reluctant to go to school and/or lagging behind boys in their learning achievements, parents might feel justified in their initial hesitation and doubts concerning the value of education for girls.

UNICEF, for example, in collaboration with the Ministry of Education, has taken full account of this in their above mentioned “Back-to-School” initiative. Not only do they engage in an awareness campaign concerning girls’ right to education,<sup>212</sup> but they also supply school tents, and learning material which is “gender-balanced and competency-based”<sup>213</sup>, have trained 30.000 teachers in the usage of these materials and developed and implemented accelerated learning programmes for over-age girls and women’s literacy programmes, as well as early childhood development. Thus, true to their policies, UNICEF is approaching the reconstruction of education

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<sup>211</sup> ibidem.

<sup>212</sup> De Berry, J., Fazili, A., Farhad, S., et al., *The Children of Kabul*....cit., pp.18.

<sup>213</sup> ibidem.

holistically, taking into account all stages-early childhood, primary school, drop-outs, adults- and all actors – policy makers, administration, teachers, parents and students.

Yet, the importance of quality, as I elaborated in the fourth chapter, cannot be undervalued. The Report agrees, “ Improving education for children in Afghanistan, for example, is not just about building schools and having enough teachers and books- although these are vitally important. It is about the quality of what happens to schools, whether the atmosphere is good for children’s learning, with supportive teachers and equal access for all children-girls and boys, rich and poor, able-bodied and those with disabilities alike.”<sup>214</sup>

In order to support war-affected children emotionally and socially, the role of the teacher becomes more complex and important and goes beyond the mere delivery of knowledge. The high respect for teachers as advisors and corporal punishment as the accepted form of discipline by parents and teachers alike makes the removal of violence at school and the training of teachers an even more urgent but at the same time complicated issue. The findings of the report advocate holistic approaches, which also help the teacher to understand and address underlying problems not immediately obvious; e.g. here the example of a rude and anti-social child is used, the causes of whose behaviour could lie in circumstances related to the post-conflict situation, such as displaced family, lack of attention, tensions in the family but need to be identified by the teacher first in order to understand or help the child.

### **5.3.5 Mainstreaming and monitoring of religious institutions by the Ministry of Education**

In a country ruled for five years by an extremist religious group that explicitly excluded girls from the education system; where the Ministry of Religious Affairs was in charge of the education in schools and where Madrassahs were overtly used to indoctrinate children with the official policy lines, the mainstreaming and monitoring of religious institutions by the Ministry of Education is of paramount importance. Any hesitation or passivity on the government’s part, as became apparent with the GOP, will lead to disastrous effects, a déjà vu of the last six years.

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<sup>214</sup> De Berry, J., Fazili, A., Farhad, S., et al., *The Children of Kabul... cit.*, pp.69/70.

The right balance between secularisation and Islamisation is one of the biggest challenges of the new government and will have a lasting effect from the constitution down to the grass root levels. Gender and religious mainstreaming should be looked at and implemented together due to their connection in the past. “Constitutional consultations should, therefore, engage diverse society leaders in discussions that approach gender equity in terms that build upon the rights guaranteed women in Islam.”<sup>215</sup>

The involvement of religious teachers in the education reconstruction process is vital in order to achieve a broad understanding of common aims; this is also recommended by the report on Kabul’s Children promoting the inclusion of *mullahs* and mosque congregations in community mobilisation and support activities.<sup>216</sup>

Especially in a society where religious leaders hold a very respected position as becomes apparent by a quotation from a grandfathers’ group discussion:” It is our culture that when a child is sick or naughty his parents take him to the *mullah* and he becomes fine”.<sup>217</sup> Inclusion also precludes the isolation of a religious school system and intransparency as seen in Pakistan’s case.

### **5.3.6 The involvement of the community:**

As we have seen from the successful projects in Balochistan and by the Aasthan Lathif Welfare Society, the active participation of the community right from the beginning is the best recipe to make girls’ education a sustainable reality.

In Afghanistan even more so, as the usual cultural barrier to girls’ education expressed in parents’ and the community’s conservative attitudes has been taken to extremes by the Taliban’s official policy of girls’ exclusion from the governmental education system.

The “Sabakh” campaign launched by the Afghan Interim Administration and supported by UNICEF in March 2002<sup>218</sup> just before the return to school means community mobilisation en gross. Addressed through various channels, such as health (medical staff carrying out vaccination programmes), security (landmine awareness

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<sup>215</sup> Ibidem

<sup>216</sup> Ibidem, pp.63.

<sup>217</sup> Ibidem, pp.51.

<sup>218</sup> see: <http://www.unicef.org/newsline/newsold2002a.html>.

workers), education (provincial education directors and NGOs), religion (imams) community leaders, local officials, health workers and parents are targeted with the help of different media such as radio programmes, street theatre and community gatherings, to spread the message.

The above mentioned NSP programme also realises the importance of community mobilisation and involvement right from the start, based on existing Afghan communities and their traditions.

The findings of the “Children of Kabul” report undermine the importance of the local community they are embedded in for their well being also in terms of self-sustainability and common healing.

Parents as well as children in Afghanistan, see education “ as creating a path to a job, and therefore, going to school as a source of hope and security for the future.”<sup>219</sup>

Afghanistan ‘s task in providing quality education to her children is made even harder through the physical, psycho-social and emotional impact the wars had on them A holistic approach is vital in order to heal their wounds and give them equal opportunities. Education as a means of “ re-establishing a sense of normality”<sup>220</sup> also as part of a psychosocial approach is invaluable.

Together with the usual barriers to girls’ education, however, it makes hard walking.

The importance of education for children cannot be underestimated, especially in their own view. In the report out of 15 Happy Day Activities ‘going to school ‘ranks on the third place before playing, Teacher’s words as something’ good for their hearts and for healing bad feelings’ is already at second place, just after parents’ words.

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<sup>219</sup> De Berry, J., Fazili, A., Farhad, S., et al., *The Children of Kabul...cit.*, pp.16.

<sup>220</sup> *ibidem, cit.*, pp.v.

## CONCLUSION

It is not only a State's duty under international and national legal obligations, but also in her own interest to respect, fulfil and protect the right to education for all her citizens, in particular for the often disadvantaged half of her population, namely girls and women.

As becomes apparent from the case study on Pakistan's the lack of enforced legislation and inadequate financial allocation to this sector is not only costly in terms of insufficient economic return but above all in terms of the lack of human development and prosperity within the whole country.

The provision and enactment of compulsory and free education is without doubt the first and major safeguard, which will result in a domino effect on other laws, such as minimum age for employment or marriage.

Replacing consistent adequate budgetary allowance for education by the State with the investment and involvement of the private sector is no long-term solution and does most of the time not cater for the very section of the population the State is not (adequately) providing for, namely the poor, predominantly female population. On the contrary, it raises concerns, as it might lead to the reinforcement of the existing class system, since only parents who can afford it, will select it. The claimed savings on the part of the government, which should then theoretically be used for the public education sector, seem doubtful, as the incentives for the private sector introduced by the GOP in its Education Sector Reforms, such as tax releases/reductions or the provision of land need to be financed as well. Furthermore, teachers might be more motivated to join private schools due to better remuneration, which will lead to a further decrease in the already low quality of education offered in government schools.

The neglect of the quality aspect of education due to the emphasis on supply of facilities has contributed significantly to the lack of or slow improvement regarding girls' access and completion of primary education since the Education For All Initiative started in 1990. Changes in curriculum and learning material only are insufficient to keep girls in school. There is an urgent need for a more expanded and holistic notion of quality education, such as UNICEF promotes, which takes into

account the background of the learner, the environments, the content, the processes as well as the outcomes. This concept includes all the actors involved – girls, teachers, parents, school management teams, examiners, curriculum designers and the Ministry of Education -, and clearly goes beyond the mere learning of numeracy and literacy skills by advocating an education in the spirit of the Convention on the Rights of the Child (article 29).

A girl child in Pakistan and Afghanistan is embedded in a strong cultural and social net and her life determined or directed by various people, such as parents, relatives, religious leaders and other community members. This network cannot be ignored, in fact it is one of the crucial components in the endeavour to make equal access and retention of girls a reality. The successful community-school-projects in Balochistan, the work by the NGO Aasthan Lathif Welfare Society in Sindh and the findings of the *Children in Kabul* Report, which is based upon discussions with children, parents and other community members, stress the important role the community plays in making sustainable positive changes for girls in education possible. Planning, monitoring and evaluating *with* rather than *for* the community lead to its empowerment, a sense of ownership and participatory decision-making, which in turn has positive impacts on the quality teaching, learning and environment provided at school and on the conservative attitudes of people towards girls' education.

The traditional view of children as passive recipients rather than active participants has to be reversed. Their opinions have to be taken into account, in fact they should be consulted and involved in the planning and implementation process as advocated by the Convention on the Rights of the Child. This approach, as demonstrated in the methodology of the *Children of Kabul* Report and the UNICEF/girl guides peer scheme *Girls' Shield* is definitely essential for future strategies.

Due to geographical, religious and cultural links with Pakistan Afghanistan might be more inclined to look at her than at a Western European country in order to see how Pakistan's government is dealing with and rising to the challenge. Afghanistan's new government has an enormous task ahead of it: reconstructing the

infrastructure and facilities and regaining the trust of its population. Yet, the insights gained from a neighbouring country's struggle to make girls' equality in education a reality, might make policies and programmes more focused, faster and thus more sustainable. The education of all her citizens is vital for the reconstruction and stability of the country ensuring that present and future generations can contribute to and benefit from her well-being, as expressed in the quotation below.

“Demands for the right to education for all women are not only an essential part of their human rights, but are essential for the achievement of the rights of all humanity for a decent life”<sup>221</sup>

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<sup>221</sup> K. Weiler, *Women's Rights are Human Rights: What are the implications for Education?* in V. Deliyanni, S. Zeogou, *Gender and School Practice*, Thessaloniki, Varias, 1997, pp.53.

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## Abstract

The right to education is an inalienable political, economic, social and cultural right, a precondition and safeguard for the enjoyment of other human rights.

Despite increased efforts on the side of international donors, UN agencies, international, as well as national NGOs and the Government of Pakistan as part of the Education For All Initiative to make education accessible, acceptable and achievable for girls, the current situation in Pakistan is characterised by a high illiteracy rate, low enrolment rates and abysmal retention rates for girls.

Obstacles girls face against achieving equal access to and quality in education range from physical barriers to social attitudes and the following findings from the case study on Pakistan need to be addressed and reversed by the State in co-operation with other actors to tackle them:

*A weak legal framework, inadequate financial allocations for the education sector, corrupt and inefficient administration, neglect and narrow definition of the quality aspect, lack of mainstreaming and monitoring of religious educational institutions and policy making and implementation for rather than with the community.*

The consideration of these findings as guidelines or at least learning experiences for countries with a similar geographical, religious and cultural background, such as Afghanistan, could be an effective and time-saving way of reconstructing girls' education in a sustainable way right from the beginning.

### **Declaration Against Plagiarism**

“I certify that the attached is all my own work. I understand that I may be penalised if I use the words of others without acknowledgement.”

Rosemarie Hammerer