OUR CHILDREN ARE OUR CHILDREN: NON-GOVERNMENT ORGANISATIONS WORKING ON CHILDREN'S ISSUES IN PAKISTAN,

AND THEIR RELATIONSHIP WITH THE STATE

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Abstract: Non-government organisations have generated a considerable academic interest in past three decades. However, considering the wide array of activities they are involved in, there are areas still requiring scholarly attention. Organisations working on children's issues in Pakistan are one such project. Based on data from both primary and secondary sources, this article provides an overview of the nature and functions of non-government organisations working on children's issues including international and national organisations involved in delivery of basic social services and/or advocacy for the human rights of children. The nature and functions of these organisations largely determine their relationship with the state. While needs-based service delivery organisations collaborate with the government agencies in fields such as health and education, rights-based organisations focused on advocacy for children's rights have an adversarial relationship with the state. However, considering the decisive power of a government in state policy and practice relating children, these organisations need to engage with the state representatives in the larger interest of children.

Keywords: child welfare and rights; needs-based approach, non-government organisations; NGO-state relationship

INTRODUCTION

In state politics, children are considered a constituency that, due to their non-voter status, always requires advocates and/or representatives to bring their issues into the decision making arenas and to ensure effective delivery of public services meant especially for them. Civil society, which, Stewart[i]defined as the public space between individual citizen and the state,has long been performing this advocacy and/or representative role for poorly or non represented constituencies such as children. Civil society include a wide array of institutions, of which, non government organisations (NGOs) are known most widely.

There is no generally accepted definition of an NGO, nevertheless, there are certain fundamental characteristic to all NGOs. According to the UNESCO Encyclopedia of life support systems[ii], an NGO must be independent from the direct control of any government and it will be non-political, non-profit and non-violent organization.NGOs have mushroomed across the world in the last two decades of the twentieth century. They have been involved in a wide range of activities, as identified by Pasha and colleagues[iii], including material assistance to the needy, provision of social services such as education and health, lobbying for civic amenities and advocacy for protection of human rights, especially, those of

vulnerable groups such as ethnic minorities, women and children.

With regard to children, the recognition of the role of non-governmental organisations comes from the very expression of children's rights as an entitlement to be respected by all[iv,v].But, it also comes from practical necessity in that it emerges from increased state reliance on non-state actors for the delivery of social services such as health, education, water and sanitation in the era of globalization and economic liberalization[vi,vii]. The history of involvement of NGOs in children's issues is a long one, for example, the very foundation of the Save the Children, first ever children focused NGO, as early as in 1919[viii]. More recently, the role of non-governmental drafting organisations in the Nations' Convention on the Rights of the Child (CRC)is well documented[ix]. In Pakistan too, NGOs have been involved in children's issues, however, little systematic data are available relating their nature, functions and role in children-related state policy and practice. This article is an attempt to contribute to fill this gap.

This article provides an analysis of the nature and the functions of children-related NGOs in Pakistan. It also examines their relationship with the state, which is considered the primary focus of provision of services and protection of rights of all its citizens. The article is organised in such a way that it provides an overview of the civil society organisations in Pakistan. It then focuses on NGOs working specifically on children's issues. These organisations are further divided into subgroups, based on their approach, that is, need-basedor rights-based approach to children's issues, and the nature and types of functions they perform, that is, advocacy and service delivery for children.

As these NGOs work within the existing national legislative, policy and practice frameworks, their relationship with the state becomes a crucial factor in effectively performing their role. Therefore, this relationship is also examined. The analysis reveal that the NGOs are making an effort to represent children's issues in the policy arenas, however, in doing so, their relationship with the state is not very conducive at all time. It is characterized both by cooperation and hostility on both sides. It is noted that while service delivery organisations try to work closely with the government agencies, NGOs doing advocacy have been very critical of the state, to the point of a deadlock, where none is willing to make a compromise. Such relationship between the NGOs and the state does not serve well the children that these NGOs intend to benefit.

MATERIALS AND METHODS

The article is based on primary and secondary data gathered in 2010 as part of my doctoral research on child protection policy in Pakistan. Primary data were gathered through in-depth interviews with the representatives of various government and nongovernment organisations working on children's issues. The official documents, annual reports, research reports and materials provided on official websites formed the secondary data. To maintain the confidentiality and privacy of the research participants, they were allocated code names comprising a combination of a numeral and alphabetical code referring to the category (of government, non government) they belonged and date when the interview was conducted. Both primary and secondary data were organized along the themes informed by the broader study objectives and questions. Then, a thematic analysis of the data was conducted for the purpose of the dissertation writing and again for the purpose of this article. Therefore, it should be noted that parts of this article are reproduced from my PhD thesis.

ANALYSIS

Nature and Functions of Children-related NGOs in Pakistan

In Pakistan, a variety of civil society organisations including non-government, non-profi, secular, religious and professional organisations have been working for the welfare, development and rights of vulnerable populations such as children. Such organisations have existed in the country since Independence, however, as Pasha and Iqbal noted [x], it remains a small and relatively underdeveloped sector. Little systematic data are available on their numbers and areas of activity. By far, the most comprehensive attempt to document the size, scope, internal structure, financial and legal position of these organisations in Pakistan, was made in year 2002 by the Social Policy and Development Centre (Pakistan) in collaboration with Aga Khan Foundation (Pakistan) andCenter for Civil Society, Johns Hopkins University, USA.

This study documented 45,000 organisations working in the broader areas of education and research, civil rights and advocacy, social services, development and housing, health, culture and recreation, religion, and business and professional associations. These organisations included thenon-governmental, voluntary, community based. charitable. welfaresocieties, trusts as well as many more registered and nonregistered organisations [3], leaving no distinction between NGOs, non-profit organisations and the civil society. However, the study does not specify children-related organisations.

A general profile of children-related organisations working in Pakistan include international non government organisations (INGOs), local advocacy groups on child rights, service delivery organisations providing health care to mother and child, shelter to homeless children and legal services to juveniles, a variety of organisations providing religious, secular, formal and non-formal education, and professional associations such as the Pakistan Pediatric Association or Chambers of Commerce (working on child labour issue).

Most children-related INGOs became active in Pakistan in 1980s, in follow up of the 1979 International Year of the Child. For example, Save the Children (Sweden) started its operations in Pakistan in 1983. Save the Children work on almost all children's issues with a rights-based programming approach[xi]. Others are more focused, such as the Plan International, aims to end child poverty[xii]. Still others, such as the World Vision, do not work exclusively on children's issues, but, children-related initiatives make a major part of their programs in Pakistan[xiii].

Local NGOs working specifically on child rights and child protection issues were a post-CRC ratification phenomenon as almost all were established in the 1990s. For example, Society for the Protection of the Rights of the Child (SPARC) was established in 1992 and Sahil in 1996. This phenomenon is not unique to Pakistan as a similar trend is noted elsewhere, for example in neighbouring Bangladesh[xiv,xv]. In Pakistan context, the exact number of NGOs working on children's issues is not known. The website of the Pakistan NGOs Directory & Guide claims to provide a comprehensive directory of all major NGOs and NPOs in Pakistan. It enlists 14 NGOs working on child rights, 15 on orphan care and 40 on education, however, listing some organisations in more than one category. For example, Sahil is enlisted both in child rights and education categories and Aagosh in child rights and orphan care categories[xvi].

Most of these organisations working on children's issues have one thing in common. Almost all of them use the CRC as their reference point as a director of one such NGO declared 'the CRC is the yardstick for us' (Participant D2: interview 4 June 2010). It is worth mention here that with the exception of two. none of the major non-governmental organisations working in the related areas of human rights, women development or family welfare have any children specific programs or include children as beneficiaries of their serviceseither before or after the CRC. This is revealed in an analysis of the missions, aims and objectives, programs and activities provided on the websites of such organisations including the All Association[xvii] Pakistan Welfare Women

(APWA),Family Planning Association of Pakistan[xviii] (FPAP) and Human Rights Commission of Pakistan[xix] (HRCP). These three are amongst largest, oldest and most widely known NGOs in the respective fields of human rights, women welfare & development and family welfare & planning.

The two exceptions are Ansar Burney Trust and Edhi Foundation. The former, established as a nonpolitical, non-governmental and non-profitable organisation in 1980 by Ansar Burney advocate, was the first organisation to introduce human rights advocacy in Pakistan[xx]. Ansar Burney Trust was also the first to introduce the term 'child protection' in Pakistan and to provide services to children in conflict with law, juveniles, lost, kidnapped and trafficked to gulf states as camel jockeys. Edhi Foundation is a non- profit organisation that has been providing social services like medical care, emergency services, air ambulances, burial services, mental habitats, old homes, child welfare services, abused women safe houses and training facilities for the disadvantaged since 1951. However, baby-cradles for unwanted abandoned newly born is the landmark child protection service, for which Edhi was subjected to a lot of criticism from several quarters initially[xxi]. In the conservative Islamic context of Pakistan, children born out of wedlock are considered 'illegitimate' and carry a lot of stigma for parents, especially mothers and for children themselves. Therefore, such children are abandoned at birth. Before Edhi started the cradle service, there was no mechanism for care and protection of such children. In fact, most of the time, they were left on garbage heaps in the dark of the night as the newspapers review reveal. With the introduction of the babycradles, mothers/others were able to leave babies in those cradles from where they were taken to orphanages run by Edhi Foundation. These services from both Ansar Burney Trust and Edhi Foundation seem to be quite progressive rather ahead of their time in the context of pre-CRC child protection and child rights scenario in Pakistan.

In the pre-CRC era Pakistan, other than these two unique initiatives, only known children-specific organisations were orphanages and residential care institutions run by local philanthropists and religious organisations. An analysis of these religious organisations relating children's issues reveal three trends. First, mostly religious organisations such as Anjuman e Himayat e Islam, providing need-based services for children, have not been involved in political and policy processes because of the fact that they were not well organised politically. Some religious leaders including those of the Anjuman had been elected to the national or provincial parliament once in a while in their own individual capacity but

Anjumanlike many other smaller religious parties did not have a political constituency across the country[xxii,xxiii]. Secondly, the largest active religious political party in Pakistan, Jamaat e Islami has inherently been divided within itself in terms of its religious versus socio-political role in the first place[xxiv]. Further, children unlike women, students, labourers and professionals, are not an entity in their own right in Jamaat's political and social agenda[xxv,xxvi]. Thirdly, religious political parties including the Jamaat do not have an impressive record of taking a position and thus affecting policy on issues relating to women and family which also affect children. For example, religious political parties including the Jamaat were openly alleged for 'trading' their votes in the parliament on women and family related legislation such as the Muslim family laws on more than one occasions (Participant B3: interview 10 June 2010; Participant C1: interview 21 April 2010).

Therefore, while the religious organisations worked with the need-based approach and have not been very active on the policy front, most of the post-CRC children related NGOs adopted the rights-based approach. By adopting such approach, they make advocacy an integral part of their work and seem fairly active in the children related policy-making process[xxvii,14] . Based on the information provided on their respective websites, a typical profile of a Pakistani NGO emerges as follow. Most were founded as one person initiative and mostly these individuals are highly qualified professionals including lawyers, doctors and human rights experts and so is the other staff. Most NGOs have their head/offices in the federal capital, Islamabad with some regional offices in provinces. This is especially so if the said NGO is involved in service delivery, the advocacy work remains the prerogative of the head office mainly. Most get their funding from international donors¹ and they fully subscribe to the international child rights agenda. Most have participated with the government of Pakistan in some children-related legislation and policy enactment. This participation may range from bringing issues on the policy agenda through research and campaigning, holding consultations with various stakeholders. especially making child participation possible in those consultations to actual drafting of the laws and implementation of policies and plans.

Relationship between the State and the NGOs $\,$

To start with, participation of the non government organisations in the state's children-related policy

¹In fact, only one of all the Pakistani NGOs involved in this study, raise its funds from local philanthropists.

and practice is largely determined by bureaucrats and politicians in power. Bureaucrats and ministers decide whom, from amongst representatives of various civil society organizations, to invite for consultation and/or participation in policy formulation on what issues. Government policy in this regard has lacked consistency. There have been periods when the policy can be considered to have been broadly supportive of NGOs. This can be seen by increasing references in the seventh (1988-93) and the eighth (1993-98) five year plan documents to the role of non-government, non-profit organisations and recognition given to the role of these organisations in major programs of social development like the Social Action Program (SAP 1992-2001) and the Pakistan Poverty Reduction Strategy Papers (PRSP).

On children issues in particular, the Executive Committee of the National Commission for Child Welfare and Development (NCCWD), the body responsible for children's issues, includes a representative of national level NGOs[xxviii]. The second National Plan of Action (NPA) for children elicits participation of NGOs not only in the formulation but also in implementation of the plan [28]. NGOs took an active part in drafting the NPA section on 'protection issues' and in the drafting and negotiations related to other child protection documents[xxix]. Most recently, the NCCWD and the civil society actors joined forces in pushing the bill to establish an independent and autonomous National Child Rights Commission (Participant A2: interview 2 February 2010; Participant C1: interview 21 April 2010; Participant D2: interview 4 June 2010).

As opposed to this supportive mutual relationship, a number of actions have indicated a hostile attitude on the part of the Pakistani government towards nongovernment organisations and in return, the NGOs being openly critical of the state policies and practices. The prime example is the 1996 NGO Bill which many considered as an attempt by the government to bring the non-profit sector, thus, NGOs, under its control and regulation [10]. On children issues in particular, the roots of this hostility can be traced back to early 1990s issue of child labour in Pakistan's carpet industry in particular, and child labour in general. Evidence shows that the issue of child labour in carpet industry was debated fiercely among the state and non-state actors. On one side were the representatives of international community such as ILO & USAID officials and members of the US congress, representatives of international and local NGOs who would claim high existence of child labour in carpet industry and demand government action to address the problem. On the other side were the representatives of concerned government departments, carpet industry and various chambers of

commerce in Pakistan who would dispute the claim and insist that it is a scham to damage Pakistan's carpet export[xxx].

Although, this dichotomous relationship between the state and the NGOs has never been systematically studied with special reference to children issues, nevertheless, existing literature provide some explanation. The research on the relationship between state and civil society reveals that the governments are generally supportive of the welfare and service providing role of the NGOs, but hostile with regard to their role in social and political advocacy [10]. On children's issues, provision of education services in remote rural areas and legal services to juveniles in prisons are good examples of the former where resource constrained governments welcome any intervention. The enabling legislation to incorporate the CRC in the domestic law, minimum age for criminal responsibility and minimum marriageable age for girls could be examples of the latter. These and similar issues taken up by NGOs are considered politically sensitive as they highlight the commitment and will (or lack of it) of the government to take initiatives which seemingly have serious social, cultural and political implications for the government and the society at large. NGOs advocating children's right to participate in decisions affecting them, for example, are alleged by the state representatives to be working against the societal values of respect for family and elders, motivated by the 'Western agenda' aimed at destroying the social fabric weaved around the family unit (Participant A5: interview 30 April 2010; Participant C2: interview 26 April 2010).

Further, a senior bureaucrat pointed to the "vested interests" of non-state actors and challenged the very intentions of the non-governmental organisations:

[T]he donors want 50 per cent of their money back in the form of pay to the consultants. ...If the US\$52 billion debt that Pakistan owes was spent on development of this country, would it look like this, with manholes having no covers (in sad and angry tone)...The civil society is only interested in money and they are very afraid of getting through the audit stage...Very very fake NGOs. (Interview 30 April 2010)

And yet another state representative accused NGOs of 'misrepresenting' issues for their 'small interests' thus 'tarnishing' Pakistan's image and 'demoralising' government (Participant A1: interview 29 January 2010). In responding to these allegations, some participants in this research from the I/NGOs were well aware of and sensitive to the challenge that such allegation pose(Participant D1: interview 31 May 2010; Participant D4: interview 7 July 2010; Participant E2: interview 23 July 2010). For example, one participant contended:

[I] am not saying that you become someone else. They (the West) have gone through this cycle of change. They did not sit around...they are thinking all the time in terms of cause and effect. So, they learn and move forward. Here, we just go with the swing. Either we reject everything new or we borrow blindly without any examination of implications and consequences. (Interview 31 May 2010)

Others see it as a way of 'getting things done', that is, 'there is no system by which they (in government) understand what is important. This is where that "donor-driven" thing comes in. You know that international pressure on governments to show something being done!' (Participant D1: interview 31 May 2010).

At the same time, there were those who were either dismissive of these concerns or who believed that they were unfounded. One participant noted (with an ironic smile), 'They declare everything Western agenda, they term even polio drops a Western agenda. Our children are our children. Of course, from the rights perspective, Westerners are ahead of us, so, there is no harm in looking for learning from their experience. If that is called Western agenda, I don't mind' (Participant D4: interview 7 July 2010). Some not only denied these allegations, but, rather, accused their challengers of not doing anything.

In fact, a general dissatisfaction exists among almost all non-governmental actors, but, especially among advocacy-focused I/NGOS, with regard to children-related state institutions. As one participant noted, 'it all comes to the political will and commitment of the government. Government does not seem serious' and added further in a sad tone, 'what concerns me is the thinking in the government. The minister of Social Welfare yesterday² said things which clearly showed that she has no idea about the situation. Is it not sad that policy makers, who should be in the driving seat, do not know?' (Participant D2: interview 4 June 2010). Another went on proving the same with examples:

[T]he government officials and bureaucracy, they sit there and close their eyes and refuse to acknowledge the issues. I give you a simple example. We started work on child sexual abuse in 1996, and at that particular time, we were told by the government officials that this is an Islamic society, and child sexual abuse is something that we are totally alien to, this is not happening in our society. We conducted

²The minister was addressing the participants and the media at the launching ceremony of Society for Protection of All Rights of the Child's annual The State of Pakistan's Children 2009 report and both the interviewer and the interviewee were present.

researches, started getting data and putting it together every year. Only then government realized that this is something very wrong happening in our society and then child sexual abuse became one of the priority issues for the government. (Participant E1: interview 8 June 2010)

And yet another was almost contemptuous: 'It is easy for them to say 'children our future' in speeches, but what steps have they taken? and argued,

[W]e are talking about around 52 per cent of population of Pakistan under 18 years of age. We have a women ministry, a youth ministry and all other ministries, but, we do not have one for children, can't we have a ministry of children affairs? (Participant E1: interview 8 June 2010).

Compared with advocacy-focused I/NGOs,NGOs involved in service delivery demonstrated a more working relationship with the government. For example, NGOs providing education services in remote rural areas generally follow the standard provincial Textbook Board syllabus. Similarly, all residential care institutions for children are registered with respective provincial government departments of social welfare or child protection and they adhere to the national/provincial standards of child care. One participant from an organization ,involved in service delivery and advocacy on child protection against abuse and neglect, was very pragmatic:

[W]e feel no matter how much we do, we can do only a percentage of work. So, we have to create models, and to give it to the government for them to implement on a larger scale. For that, we always need government support...we feel that an NGO should be a supporting wheel to the government and not a break away...we want to share (our experience) and want them to implement it in the larger interest of the child. (Participant D3; interview 24 June 2010)

This 'working relationship' between service delivery organisations and the state is in line with the evidence established in the earlier scholarship on the non-profit sector in Pakistan. For example, Pasha and colleagues note that governments in Pakistan are 'generally supportive of the welfare and service providing roleof the non-profit sector'[xxxi].

The difference inthe type of relationshipthat various non-governmental actors have with the state comes mainly from the nature of these organisations and the target of their activities. In nature, the NGOs focusing on service delivery have a mutually interdependent relationship with government departments in fields such as health and education. Further, service delivery organisations mostly work with poor people in the majority population rural areas. These populations are not only much less familiar with the concept of child rights as used in the policy rhetoric,

but also lack access to and representation among sympathetic audience within national policy circles as well as on the international human/child rights fora.

In contrast, the I/NGOs that focus on advocacy for children rights are independent of the government especially with regard to finances as almost all their funding comes from international sources. In addition, advocacy for child rights is more an 'elite' affair in Pakistan with such organisations having access to an international audience. Because of this, they hold governments accountable for their human rights practices at the international level, for example, by submitting 'alternative reports' to the United Nations Child Rights Committee and thus pressuring the state to do something to improve the situation of childrenin the country[xxxii]. However, in doing so, they challenge the well-established role of the nonstate actors in the implementation of human rights.In this role, Merry[xxxiii] observes that these actors move 'between local and global sets of cultural understandings, interpreting each to the other'. This intermediary role is crucial because 'human rights ideas, embedded in cultural assumptions about the nature of person, the community and the state, do not translate simply from one setting to another', and, to be effective, 'they need to become part of the consciousness of ordinary people' in the local context [33]. The intermediaries – mostlyrepresentatives of the non-governmental organisations - translate international human rights discourses into the vernacular.

However, the majority of the NGOs, working on children's issues in Pakistan, opted to align themselves with one position, that is, the international concept and standards of child rights as envisaged in the CRC, rather than mediating between the international standards and the local context. With this uncompromising stance, they lose opportunities to engage with the state on many issues, for example, minimum age for marriage or for criminal responsibility. However, these I/NGOS need to recognise and be aware of the decisive power of the state in policy decisions. This recognition and awareness shall keep them from entering into a tooadversarial relationship with the state, which, actually means negative consequences, such as delayed legislative and policy response on pressing issues, for children who these organisations advocate for.

CONCLUSION

As the above analysis reveals, Pakistan's NGO landscape for children is rich and diverse. It comprises of local as well as international non governmentl organisations. It is diverse in both its nature of services and the approach as some provide basic services in the traditional needs-based approach , and others adopt rights-based approach in

advocating for the rights of children. In sum, a dichotomous relationship exists between the childrenrelated NGO and the state in Pakistan. Mostly, NGOs and the state agencies collaborate in delivery of social services. However, each is critical of the other when it comes to advocacy for human rights of children and a degree of mistrust and hostility is obvious, which, hampers a meaningful engagement between the two. It is argued that to ensure a standard of child welfare and to protect the rights of the children, Pakistani NGOs need to recognize the decisive powers of the state in legislative and policy matters. Therefore, NGOs should engage with the state institutions rather than entering into an adversarial relationship. Only a positive engagement on the part of NGOs will help state actors understand their standpoint, thus, avoiding sweeping criticisms, lessen the degree of distrust between the two, and keep the negotiations on controversial issues going to ultimately reach a consensus in the larger interest of children.

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