



The Case of Institutionalizing Women Political Participation in Pakistan's Legislature: Prospects and Challenges

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ABSTRACT

The universalization of political participation is at the heart of effective federal prospects. The history of political participation in Pakistan has a mixed history, as the entrenchment of electoral process has not been promising. The focus of this research will remain on the institutional inspection of legislative tiers within Pakistan with particular emphasis on the post-Musharraf Era's (2008-2018) arrangement of 33% quota allocation to the women. It was speculated that this step will be a step in the right direction. Furthermore, this research will look into the comparative performance indicators of women in both houses, as they have women participation through nominations and elections respectively. Through discursive analysis an attempt will be made to discuss the key legislative debates tabled and deliberated by women. The indicators of effective participation will be drawn from liberal feminist perspective. Likewise, the candidature criteria for women will be checked from three leading political parties in Pakistan, i.e., PML(N), PTI, and PPP. The successful culmination of this study will enable us to verify proposition in either way that, 'competitive political participation through elections make the case of participative political prospects better for women than that of nomination.' This case study will not only be significant for studying the role women legislatures but it will have direct bearing on developing democracies as well.

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1. Introduction

Supreme Court Justice Ruth Bader Ginsburg said "Women belong in all places where decisions are being made. It shouldn't be that women are the exceptions". These words are still valid 16 years later. Women are underrepresented all over the world Pakistan is no exception. According to UN Women "only 25percent of all national parliamentarians are women and 119 states in the world were never led by a female leader. At this pace it will take 130 years to achieve gender equality (Women, 2021)". This gender inequality isn't a new phenomenon in fact women are doing better compared to even 1995 when there were only 11 percent female parliamentarians. Two major approaches are used while analyzing the imbalance the descriptive and the subjective approach. The descriptive approach is self-explanatory it deals with the statistics, the number of elected females in parliaments. The subjective approach deals with the social experiences of women in politics. It is a gendered approach which states that both genders have different social experiences. Iwanga states that both approaches are interlinked. "Increased elected representation of women will lead to more focus on female issues (Iwanaga, 2008)". The kaleidoscopic history of Pakistan shows that women were a significant part of the pre partition struggle. Although the religious faction didn't conceal their objections to women participation in politics back then. After partition, women participation in politics has been negligible in Pakistan until the Pervaiz Mushraf regime. The dawn of the new millennium brought a series of constitutional reforms from 200-2002 that inflated the female quotas for all tiers. 33 percent quota was allotted in local government and 17 percent in elected assemblies these reforms results

in a dramatic surge in female political participation. This was still roughly half of the famous “30 percent” critical mass women have been demanding since the 1980s (Goetz & Nyamu-Musembi, 2008). The quota system has increased the number of female parliamentarians and as the descriptive and subjective approach is linked this increase in number was supposed to bring a subjective change as well. It has been more than a decade since this quota system was introduced and it is clear as day that it is not enough. Serious measures need to be taken to strengthen and empower women in politics.

2. Women legislators in Pakistan

Female legislators play a significant role in the parliament. There are three effective contributions which may be used to measure the efficiency of a legislature firstly representation, secondly legislation and lastly oversight. Irrespective of the mode of election of the legislator the responsibilities are the same. Two broad categories of elected membership exist in Pakistan namely direct and indirect election. The latter include Senators and quota members (women and minority legislators), they are picked from party lists whereas the former are directly elected from different constituencies. The indirectly elected legislators face more social pressure as their expectations are not limited to a confined geographical territory. In Pakistan since the 2002 reforms not only a rise in the number of female parliamentarians is noticed but it is also noticed that these women have been effective when it comes to women empowerment through legislation. The following table shows the increased female representation in Pakistan’s Parliament.

Table 1: Representation

Legislatures	Total	Women through direct election	Women Seats	Percentage
1947 - 54	30	2		6.7
1955-1958	80			
1962-65	156	6		3.8
1965-1969	156	6		3.8
1972-1977	144	6		4.2
May 1977-July 1977	210	1	10	5.2
1985-88	217	1	21	10.1
1988-90	217	4	20	11.1
1990-93	217	2		0.9
1993-1996	217	4		1.8
1997-99	217	6		2.8
2002-2008	342	13	61	21.64
2008-2013	342	16	60	22.5
2013-2018	342	09	61	20.46
2018 to date	342	08	61	20.17

Source:<http://www.pildat.org/publications/bgpaperwomen.rep.pdf> accessed on 04-03-2021

It is interesting to note that the highest number of female representation was in the 13th legislature 2008-2013. Whereas it decreases in the following legislatures the reason for more females in parliament in 2008-13 is that Pervaiz Musharaf made graduation a mandatory requirement for contesting elections. Hence women who were more educated than their male relatives were brought forward. Nonetheless 20 percent wasn’t a significant number but women have raised important issues and passed important gender related bills. 2008-2013 was also an important legislature assembly as Fehmida Mirza a female was the Speaker of the National Assembly. Dr. Fehmida Mirza was not only the first female speaker of Pakistan National Assembly but she was the first woman to do so in the Muslim world as well. Her most significant contribution to women empowerment in parliament was establishing the Women Parliamentary Caucus in 2008. The aims of the WPC are stated by the then Secretary of the Caucus Ms. Nafisa Shah as. Their main Objectives was to attain a broad-based consensus among women parliamentarians on an agreed agenda for women’s development, empowerment and emancipation, enabling them to work beyond party lines for the uplift of the women of Pakistan. They committed themselves to work for the enhancement of the role of women parliamentarians in proposing gender sensitive legislation, reviewing and amending discriminatory laws and policies, and ensuring effective parliamentary oversight of international and regional commitments, national policies and programs (Mushtaq, 2019)”. Till 2008 women were working in isolation but after the establishment of WPS significant gender based legislation was carried out.

3. Legislation and Oversight

Since the highest number of female parliamentarians was during 2008-13 most gender related legislation was done in that time. The following table depicts the legislation regarding gender related bills by female politicians.

Table 2

Years	Gender Equality Legislation
2000-2002	1) Ordinances to restore and increase reserved seats quotas 2) Citizenship Act amended, Family Courts Act 2002 3) Local government elections held with 33% women quota
2002-2007	1) Honour Killing Act 2004 2) Protection of Women Act 2006 3) Laws passed to simplify bail for women prisoners 4) Criminalization of customary laws 5) Human Trafficking Ordinance 2002
2008-2013	1) Domestic violence laws begin 2) Sexual harassment laws 2010 3) Prevention of Anti-Women Practices 2011 3) Acid Crimes Laws 2010 4) Women in Distress Fund and Detention Act 2011
2013-2018	1) Anti-rape law 2) Anti-honour killings law 3) Provinces review marriage laws 4) Provincial domestic violence laws 5) Electoral law reforms mandate 10% voters per constituency

Source: Khan and Naqvi (2020)

The data shows when there were most female parliamentarians in the 13th legislature (2008-2013) they initiated debates on women related issues for instance domestic violence. Gender Based violence is a big issue in Pakistan most cases of GBV are physical violence, blazing, child marriages, acid attacks and sex related crimes. According to UN Women 24.5 percent of these cases are lifetime physical and sexual abuse by intimate sexual partners (Women, 2016). It is noteworthy that in Pakistan unmarried sexual partners are not recorded hence the partners are husbands which gives way to convoluted facts induced by societal barriers and religious restrictions and is one the reasons the Bill is not yet passed. Female legislators have highlighted the issue and debated on it with strong contempt. Bushra Gohar a member of National Assembly while debating on domestic violence argued that "Violence directed towards women must be reduced. Discriminatory laws that impede women's fundamental rights should be abolished. The government should implement effective measures to protect women and girls from various forms of exploitation, including rape, honor killings, acid attacks, domestic violence, and forced marriages (Mushtaq, 2019)". Other female parliamentarians such as Fouzia Ejaz, Nafeesa Shah, Khalida Mansoor, Shagufta Sadiq, Shagufta Jamani and Kahsmala also critiqued government policies, stressed on implementation of the Bills, suggested to establish women police stations and even shared doubts regarding the statistics which they believed were misleading due to under reporting. While women were deliberating on this issue it is of particular interest that male parliamentarians had little to say about it. This behavior as called out by Shagufta Sadiq (Mushtaq, 2019).

Pakistan is a patriarchal society and there are certain misogynist and sexist practices that persist in Pakistan since time immemorial. Bearing in mind these facts the implementation of the Anti honor killing Law proved to be nerve wrecking for the women Parliamentarians. Marwi Memon while deliberating on Honor Killings said "Jirgas bear the responsibility of shielding criminals from prosecution by securing amnesty for culprits through pressure exerted on victims' families (*Pakistan National Assembly Debate*, 2010)". Ms Nafisa Shah pointed out an important loophole "In reality, numerous political leaders bolster Jirgas to maintain their social and political dominance over their constituencies, which is a harmful practice. Politically powerful individuals manipulate Jirgas, mistreat women, and egregiously misuse government resources to enforce their biased judgments against women (*Pakistan National Assembly Debate*, 2010)." A retired justice and MNA stated "While the government has outlawed the endorsement of Jirgas and the exchange of girls and women as commodities to resolve local disputes, this practice continues to

persist across Pakistan (*Pakistan National Assembly Debate, 2010*). Women Parliamentarians united by the caucus joined hands for the cause and deliberated extensively on the issue. They unanimously agreed on eliminating the Jirgas and abolition of Anti-Women practices. This took a dramatic turn when certain Male Parliamentarians stood up against a female MNA Ms Yasmeen Shah and supported Jirgas one of the male MNA's exclaimed "I will persist in defending honor killings, citing their longstanding tradition, and advocate for their continuation. Those involved in such acts should face severe consequences". Dismally enough only 3 male parliamentarians spoke in favor of Miss Yasmeen. Consequently, a series of debates followed on the issue Women parliamentarians stayed persistent and kept on adding recommendations and tabling the Bill.

Subsequently, The Anti-women practices Bill was passed in 2011 which encompasses laws against three important social evils 1) Depriving women of their inheritance 2) Exchanging women and girls for reconciliation and 3) Marrying women to the Quran. This bill was penned and endorsed in assembly by Dr.Doniya Aziz (Mushtaq, 2019). Anti-Honor killing Bill had to wait for another 5 years and was finally passed in 2016 owing to the honor killing of a social media sensation " Qandeel Baluch". Though there is still a loophole in the Bill that the relatives' victims can forgive the murderer. Similar, reactions were faced by female parliamentarians while debating on Acid attacks and anti rape law. Although this shows a pretty picture and a hopeful future for women parliamentarians but the comparison of women parliamentarians in table (a) tells a different story.

4. The political trajectory of Female Parliamentarians

4.1. Direct Election Mode

A massive surge was noticed in 2013 general elections in the female candidates for not only the National Assembly but also the Provincial assemblies as well. Compared to 2008 it was assumed that the 14th legislative assembly would represent more women.

Table 3

General Elections	Women contesting on Party tickets(National Assemblies)	Independent candidates (National Assemblies)	Total	Women contesting on party tickets (provincial assemblies)	Independent Candidates (provincial assemblies)	Total
2008	41	31	72	37	83	120
2013	61	74	135	99	185	284

Source: Aurat Foundation (Zia & Agha, 2017)

The following table shows the number of Women in National and Provincial legislative assemblies in the same time

Table 4

Elections	Senate	National Assembly	Provincial Assemblies
2008	17	76	140
2013	19	70	141

Source: <https://www.dawn.com/news/1529724>

The tables reflect that in 2013 women candidates for both National and Provincial candidates increased in number. In 2008, 41 women were given party tickets whereas in 2013 the number increased to 61. During the 2008 general elections PPP (Pakistan's People Party) gave the highest number of party tickets to women whereas in 2013 MQM gave the highest number of party tickets which was 25 for both National and Provincial Assemblies. PPP was the runner up with 24 tickets. In 2008 out of 72 female candidates 16 women were elected. Whereas in 2013 out of 135 merely 09 women were elected which is almost half the number elected previously.

The reasons for the rise in female candidates is subjected to intense research but the decrease in elected female candidates was the abolition of the condition of graduation for Member Parliaments. The Aurat Foundation also noticed that there were runners up female candidates who bagged significant numbers of votes and lost with a very close margin (Zia & Agha, 2017). The second table reflects that unlike the lower house the number of women increased in Senate from 17 in 2013 to 19 in 2018. It is also noteworthy that out of the 135 candidates contesting for National Assembly 82 women belonged to Punjab and 18 belonged to KPK.

Table 5

General Elections	Women contesting on Party tickets(Punjab Assembly)	Independent candidates (Punjab Assembly)	Total	Women contesting on party tickets (KPK Assembly)	Independent Candidates (KPK Assembly)	Total
2008	41	32	73	07	04	11
2013	50	112	162	10	16	26

This table reflects that the number of female candidates rose both in KPK and Punjab. In Punjab the number of independent candidates is double the number of women contesting on party tickets.

4.2. Indirect Election Mode

As mentioned above there are two modes of election of female to parliaments. Gender quota or reserved seats are the indirect mode of election in Pakistan. Since 2008 the Gender quota in National Assemblies is 17 percent which rounds up to 60 women parliamentarians. The women movement in Pakistan demanded 33 percent quota as they rightfully believe that 33 percent will be a considerable number to have a voice in Parliament. There are many pros and cons to having gender quota or reserved seats for women. Especially the criteria of reserved seats have been under a lot of criticism. There is no denying the fact that women constitute of 49 percent of the total population of Pakistan and they deserve proportionate representation. Besides since the time of Aristotle women participation in politics has been questioned and women have been systematically excluded from politics. These socio-cultural practices would take time to end. In the meanwhile, quota seems a fair enough shortcut to women participation. In Pakistan Article 51 sub-article 6 (d) states the criteria to select candidates for reserved seats "The allocation of women's reserved seats should be determined through a representation system based on political parties' candidate lists, proportionate to the total number of general seats held by each party in the National Assembly ("The Constitution of Pakistan. (n.d.) ")".

Feminist theorists observe that "The current method of electing women for reserved seats risks relegating them to secondary status within parliament, where they may become reliant on male party leadership, potentially limiting their ability to advocate for policies beneficial to women (Reyes & Azizah, 2002)". This statement has been validated in Pakistan so far. Women Parliamentary Caucus held a meeting in 2012. Where they demanded the selection procedure for gender quota to be altered and female quote be enhanced to 33 percent. They suggested female only constituencies. Such an arrangement will give female candidates an experience to contest and rally support of voters during election and cultivate confidence in voters towards female politicians (Zia & Agha, 2017). While keeping in view the reverse trajectory of women participation in 2013 and in the current assembly it is obvious that in a country like Pakistan gender quota is important but the selection criteria needs to be revised for better results.

4.3. Challenges to Institutionalization of Women in Politics

One of the main factors to have gender quotas is to give women a voice in politics. Accordingly, it is expected that female parliaments will highlight and focus on gender sensitive issues. It does not imply that female parliamentarians must abstain from other topics. However, gender based issues must be holistically pursued by them. For this reason, they must have acquainted with such issues and push the agenda within their own political parties, the Women Parliamentary caucus and the assemblies. While we do expect our women parliaments to have a voice we shouldn't overlook the challenges they face. Regardless of the fact that there is multitude of challenges women generally face in our society. The challenges to institutionalization can be broadly categorized into political and socio-religious.

4.4. Political Challenges

The first obstacle is the nature of political parties in Pakistan. Women inclusion in political parties has been dismal. As the political parties aren't democratic in nature elections within parties are nonexistent. Leaders select members for important party positions. Even People's party which asserts to be left leaning and liberal have only female member Faryal Talpur in their Centre Executive Committee who happens to be the paternal aunt of the party Chairman Bilawal Bhutto. In the seven decades' history of the country there have been 5 female party leaders three of whom belonged to the Bhutto family namely Nusrat Bhutto, Benair Bhutto and Ghinwa Bhutto. The remaining two are Fatima Jinnah and Begum Nasim Wali Khan. All these women belonged to political families and were related to the founding fathers of the parties. Similar

trends are noticed while selecting candidates for reserved seats. Nepotism is rampant and there is no check and balance within the party.

Furthermore, Bano observes "In Pakistan, all political parties have established women's wings, yet these wings typically have significantly fewer members compared to the male membership of the party. Unfortunately, they lack visible influence on decision-making processes and the development of political agendas within their parties. Generally, parties mobilize women during elections to serve as polling agents in women's booths and to participate in demonstrations as directed by the party leadership. Reserved seats are often allocated to family members within political parties, highlighting the insufficiency of parties' commitments and the failure of efforts to integrate women into mainstream politics (Bano, 2009)". Due to the above mentioned scenarios women parliaments on reserved seats are considered as male proxies, charity seats or ceremonial seats. Without ample majority women are compelled to depend upon the male members. Familial ties and desires to get reelected also complicate the situation. Another factor is as most females on reserved seats are nominated without any merit they lack political training and are unaware of their roles. These women are mostly non-participatory. Political Parties have displayed a non-serious attitude when it comes to female inclusion in politics. Even the recent 2018 general elections mainstream political parties like PTI and PMLN have failed to give the mandatory 5 percent tickets to the women in their parties.

4.5. Socio-Religious Challenges

It has already been noted that just as the rest of the world Pakistani society is patriarchal. Patriarchy though has many definitions yet Lerner defines patriarchy as "Patriarchy refers to the expression and establishment of male authority over women and children within the family, as well as the expansion of male control over women in society at large. It suggests that men wield power in crucial societal institutions while women lack access to such authority. However, it does not mean that women are completely powerless or entirely devoid of rights, influence, and resources (Lerner, 1987)". In Pakistan's context patriarchy have drawn an imaginary line between public and private life for women. Honor is associated to women and her sexuality and she is confined to the four walls. This social construct didn't spare the Mother of Nation Miss Fatima Jinnah in 1962 who was called out on the basis of her gender.

Benazir Bhutto had to tackle with a fatwah that rendered female supremacy moot. These social attitudes are the greatest hurdles to women empowerment in general and their political participation in particular. Due restricted mobility most women in Pakistan are economically dependent on their male counter parts. Which in turn restricts their decision making position. Literacy rate is another factor of women exclusion from politics. The bar of literacy in Pakistan is as low as any person who could read and write his/her name is considered literate still female literacy rate is less than 47 percent (Word Bank Indicator). Illiterate women have to rely on men for everything especially economics. Religious clerics and religious parties continuously discourage female participation in politics. The verbal and psychological abuse women have to face due to these issues is another story five women have been murdered such is the cost of politics for women in Pakistan. Two of the Benazir Bhutto and Zille Huma were murdered in broad daylight publically.

5. Conclusion

It is grievously noted in the aforementioned discussion that the social and political factors stand against women inclusion in politics. The reduction of women in legislative assemblies, the decrease in the percentage of women quotas in local bodies and the negligible presence of women in decision making position reveals that the trajectory of female institutionalization is on the rear. An Asian Development Bank report notices "Pakistani women find themselves ensnared in a cycle of dependency and subordination, stemming from their marginalized social, economic, and political status within society. The vast majority of women experience various forms of poverty. To alter the position of women and challenge societal perceptions of their inferiority, fundamental changes must be made to the social and economic framework that shapes our society. However, women are largely absent from state structures and decision-making bodies that have the potential to enact such structural changes.

It is imperative to include women in governance structures to instigate meaningful transformations in development policies and programs, ultimately leading to a shift in gender

dynamics within society". Men support women in politics when it serves their own interest. Society, religion and politics women are marginalized in all these aspects. This is all the more reason to have Female Parliamentarians. If their selection process is changed and capable women are brought into assemblies, this will have a trickledown effect as women would be more vocal about gender issues. Political parties must play their due role to uplift women. If current practices persist equal representation of women in Pakistan doesn't seem possible even in the distant future.

References

- Bano, S. (2009). Women in parliament in Pakistan: Problems and potential solutions. *Women's Studies Journal, 23*(1), 19.
- The Constitution of Pakistan. (n.d.)
- Goetz, A.-M., & Nyamu-Musembi, C. (2008). Voice and women's empowerment: Mapping a research agenda. *Pathways working paper, 2*, 1-25.
- Iwanaga, K. (2008). *Women's political participation and representation in Asia: Obstacles and challenges*: NIAS press.
- Khan, A., & Naqvi, S. (2020). Dilemmas of representation: Women in Pakistan's assemblies. *Asian Affairs, 51*(2), 286-306.
- Lerner, G. (1987). *The creation of patriarchy* (Vol. 1): Oxford University Press, USA.
- Mushtaq, M. (2019). Women in parliament: Investigating the role of women parliamentarians in Pakistan. *Government: Research Journal of Political Science, 8*.
- Pakistan National Assembly Debate*. (2010).
- Reyes, S. L., & Azizah, W. (2002). Quotas for women for legislative seats at the local level in Pakistan. *Perempuan di Parlemen: Bukan Sekedar Jumlah*.
- Women, U. (2016). Global database on violence against women. *New York: UN women. nd*.
- Women, U. (2021). Facts and figures: Women's leadership and political participation. Retrieved March, 2024, 27.
- World Bank Indicator. *Literacy rate, adult female (% of females ages 15 and above)—Pakistan | Data*. (n.d.). Retrieved from: <https://data.worldbank.org/indicator/SE.ADT.LITR.FE.ZS?locations=PK>
- Zia, M., & Agha. (2017). Elections-women's representation in legislatures. *Aurat Foundation and Legislative Watch Publication, Pakistan*.