



**RESEARCH PAPER**

**Gender vs Party Ideology: A Study of the Legislative Priorities of Female Legislators of Religious Political Parties in the 12<sup>th</sup> National Assembly of Pakistan**

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PAPER INFO	ABSTRACT
<b>Received:</b> August 16, 2018	This article examines the effects of party ideology on female legislators' law making preferences. Scholars have pointed out that party ideologies deeply influence the legislators' parliamentary work. The main objective of this paper is to explore the legislative priorities of women members of the religious political parties in the 12 <sup>th</sup> National Assembly of Pakistan. The analysis is based on an in-depth analysis of legislative Bills moved by female members of Mutahida Majlis e-Amal (MMA) during the period from 2002-07. It is important to explore the main focus of Private Member Bills (PMBs) submitted by female legislators to understand their policy interests. It will also help to identify if they showed any commitment to raise issues that mainly affect women. The findings of the paper indicate that women legislators always adopt and support party ideology even on gender issues. It is evident that party affiliation has a dominant influence on the legislative priorities of women members of the parliament of Pakistan
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**Introduction**

Women have been granted equal political rights, since the independence of Pakistan in 1947, however, their representation in the legislative and party level remained very low and no substantive change occurred in the early period of independence. Therefore these women remained invisible in the formal politics of Pakistan. The Government of India Act 1935 introduced the reserved seat type of gender quotas in the sub-continent and this colonial legacy was followed by Pakistan after independence. There have been provisions of women reserved seats

in the three constitutions (1956, 1962, and 1973) of Pakistan. In 1985, General Zia-ul-Haq increased the women reserved seats to twenty but this provision of the reserved seats lapsed in 1988. It is evident from Figure 1 that this significantly decreased women's representation in the parliament. In 1990, women's representation was just 0.8 percent and in the coming elections of 1993 and 1997, it remained 1.8 percent and 2.8 percent respectively (UNDP, 2005). This indicates that without the provision of gender quotas, women could not reach in the parliament in a significant number. It is evident from the data that only 113 women have been members of the Pakistani parliaments for fifty years since 1947-97 (Mumtaz, 1998).

On 21<sup>st</sup> August 2002, another Legal Framework Order (LFO) was introduced by General Pervez Musharraf. It brought back the provision of women reserved seats. This time a significant number of seats were reserved for women and subsequently an increase was seen in the number of women candidates in the 2002 elections. The first time, the GEM (Gender Empowerment Measure) ranking of Pakistan was significantly improved. This development brought Pakistan to the 58<sup>th</sup> on the list of 102 countries, while it was on 100<sup>th</sup> in 1999 on the GEM index. After getting this standing, Pakistan came higher in the ranking than the United Kingdom (UK) and the United States (USA), (UNDP, 2005). In South Asia, Pakistan has a higher percentage of women's representation than India (IPU, 2011).

The 12<sup>th</sup> National Assembly of Pakistan from 2002-07 is an appropriate case study to explore the legislative priorities of female MNAs. First time in the history of Pakistan, women have 22 percent representation in the 12<sup>th</sup> National Assembly of Pakistan. In the 2002 elections, religious parties made a six-party Islamic coalition with the name of Muttahida Majlis-e-Amal (MMA) and 13 women of MMA became the members of the National Assembly. All these women were elected on reserved seats. Gender quota is considered as an important instrument for women empowerment but also a useful for addressing women's grievances. Several scholars (Franceschet and Piscopo, 2008) have looked at different effects of gender quotas in policy-making. They claim that women have distinctive policy priorities and due to the 'mandate effect', quota women will promote and safeguard women's concerns. It acknowledged that quota women feel an obligation to pursue a women-friendly agenda to transform the policy-making and. Franceschet, Krook, and Piscopo (2012) pointed out another aspect of the issue.

Women elected through quotas report feeling obliged to act for women, as a group (...) and are inspired to bring new issues to the table (...). However, others have sought to disassociate themselves from the quota and women's issues to demonstrate that they are 'serious' politicians (...). Quota women may support women's rights legislation but tread carefully in response to harassment, intimidation, or security concerns (p. 11).

This paper evaluates the legislative priorities of female legislators but major focus is on the analysis of legislative bills submitted by female legislators of MMA, a religious parties' alliance. This analysis is to explore the major focus of PMBs submitted by women legislators to understand the policy interest of them and identify if they showed any commitment to concentrate on issues that mainly affect women. Here the purpose is not to know how many bills were submitted by the women MNAs in the 12<sup>th</sup> National Assembly but the motive is to analyze the legislative interests of the women MNAs. Here Government Bills introduced in the five years (2002–07) have been deliberately excluded because they were mostly moved for the benefit of the government rather than the interest of a particular male or female member

### **Party Affiliation and Lawmaking Priorities of Female Legislators**

It is argued that gender quota policies are mostly adopted to ensure that a certain number of women are elected as members of the parliaments because it is believed that women have greater concerns for childcare, health and education (Lovenduski and Norris, 2003, p. 3). Furthermore, another scholar has suggested that female legislators would carry somewhat constructive to politics (Bacchi, 2006). Another study found out that due to having had particular needs and concerns of women and male-dominated political institutions could not address these adequately (Phillips 1995, p. 66). There are shreds of evidence that women's presence can change the formal political norms and values, and such legislatures would, in fact, adopt more women-friendly policies and legislation (Wängnerud, 2009). There is another claim that political parties demonstrate their concerns for women empowerment just to gain the support of female voters (Yoon 2001, p. 173). Political parties considered such policies as gender quota to send a symbolic message to people that they support gender equality policies. Dahlerup (2006) also criticized the intentions of political parties on the pretext that the political support for gender quota is merely to get more women voters and increase their numbers in the parliament but no intention to transform the political agenda.

The control of political parties over the selection of candidates creates the image of these women as 'quota women' having an adverse influence on their determinations to achieve the changes that were anticipated (Zetterberg, 2008). Sometimes women dissociate themselves with the quota just to demonstrate that they are not just 'token' but serious politicians (Childs, 2004). It is argued that women legislators feel more comfortable in a non-quota environment (Walsh, 2008).

Studies exploring the legislative priorities of men and women conclude that female legislators, mostly propose legislation on family-related issues and the social sector than men (Thomas, 1994; Phillips, 1995). Many prominent feminist scholars advocate for the better political presence of women because they have a common outlook among women as a group (Mansbridge, 2000). Another study

using surveys has shown females held different policy preferences than male legislators (Lovenduski & Norris, 2003) but a few other scholars have pointed out another aspect. It is claimed that women are not a harmonious group rather divided by race, class, age and party affiliation, and these identities necessarily influence the group legislative agenda of women (Dodson & Carroll, 1991). Other scholars suggest that 'gender' is not a static identity, but in a particular legislature, having specific political culture these identities are produced and reproduced (Squires, 2008). Various studies have confirmed that women legislators have unique legislative interests. They are more interested in legislation on women and social issues. This tendency is reflected in the analysis of the number of PMBs introduced by women parliamentarians in the 12<sup>th</sup> National Assembly of Pakistan.

### **Material and Methods**

The study is based on a content analysis of 101 Private Member Bills submitted by female legislators. For an understanding of legislative priorities, it is necessary to explain the procedure of how the legislative priorities of woman members were conducted with the help of this Private Members Bills (PMB). All Private Members Bills (PMB) submitted by women legislators' of MMA are broadly divided into six categories and this division is not exclusive because sometimes categories were overlapping. Some of the bills fell between two categories so it was difficult to place them in a specific category. The paper has first discussed the total number of Private Members Bills (PMB) submitted by women legislators and then the total number of Private Members Bills (PMB) submitted by each political parties including Mutahida Majlis e-Amal (MMA). In Table 1, Framework for Analysis of Private Members Bills has been explained. The last part has discussed the legislative priorities of female legislators of Mutahida Majlis e-Amal (MMA). This religious parties' alliance did not award tickets to a woman on the general seat but 13 women were elected on reserved seats.

### **Unprecedented Success of Religious Political Parties in 2002 Elections**

In the 2002 elections, religious parties made a six religious parties coalition with the name of Muttahida Majlis-e-Amal (MMA). These parties have strong support in Northwest Frontier Province and Balochistan. It is argued that Pakistan has become a conventional society over the last thirty years (*Dawn*, 15 October 2002). There has been an allegation that these religious parties were put together by General Pervez Musharraf, to defeat two major political parties, the Pakistan People's Party (PPP) and Pakistan Muslim League-Nawaz (PML-N) (International Crises Group, 2016). One of the surprising features of the 2002 elections was the unprecedented success of Islamic parties (Waseem, 2006, p.222).

**Table 1**  
**2002 Elections; Vote Effectiveness**

Party Name	Contesting Candidates	Returned Candidates	Votes Secured	% of Polled Votes	% of Registered Voters
Pakistan People's Party-Parliamentarians	232	63	27.15	7,361,423	10.24
Pakistan Muslim League-Q	197	78	39.6	6,898,587	9.59
Pakistan Muslim League-N	171	15	8.77	3,292,659	4.6
Mutahida Majlis -e-Amal	183	45	24.6	3,181,483	4.42
National Alliance	75	13	17.33	1,269,268	1.76
Mutahida Quami Movement	60	13	21.66	920,381	1.3

Source: Waseem, 2006, p. 165.

Table 1 show that MMA's have a share of 4.4 percent in the total registered electorate. In the Province of NWFP, MMA took almost 82 percent of the National Assembly seats but its share of registered voters of the province was only 46.6 percent of the total votes polled. In the 12<sup>th</sup> National Assembly, There were a total of 232 women legislators, including 73 women in the NA and 18 in the Senate. Women have 21.3% (73) representation in the National Assembly. Of these 73 women, 12 were elected on general seats, one woman was elected a non-Muslim seat and 60 were elected on reserved seats for women.

**Table 2**  
**Party Position in the 12<sup>th</sup> National Assembly: Women Seats**

Name of Political Parties	Women on General Seats	Women on Reserved Seats	Total
Pakistan Muslim League-Q	06	22	28
Pakistan People's Party-Parliamentarians	05	15	20
Mutahida Majlis -e-Amal		12	13*
Mutahida Quami Movement		3	3
Pakistan Muslim League-N		3	3
National Alliance		3	3
Pakistan Muslim League-F		1	1
Pakistan Muslim League-J		1	1
Independent	1		1
<b>Total</b>	<b>12</b>	<b>60</b>	<b>73</b>

\*One woman elected on seats reserved for minorities

Source: UNDP, 2005, p. 48.

If one looks at the party position of women seats, 26 women belonged to PML-Q, 20 women to PPP-P, 13 women to MMA, four women to National Alliance, three women to PML-N, three women to MQM, one woman each to Pakistan Muslim League Functional (PML-F), Pakistan Muslim League Junejo (PML-J), PML-Jinnah, and one independent. This compares very favorably to Nawaz Sharif's period of leadership (1997-1999), when there were seven women members out of a total of 217 (3.2%). Eman Wasim (PML-Q) vacated her seat for Prime Minister Shaukat Aziz's bye-election. In the 11<sup>th</sup> National assembly (1997-1999), there were only 7 women members out of 217 (3.2%). In the 13<sup>th</sup> National Assembly, women's share was further increased to 76 (23%) (UNDP, 2005).

**Table 3**  
**Framework for Analysis of Private Members Bills**

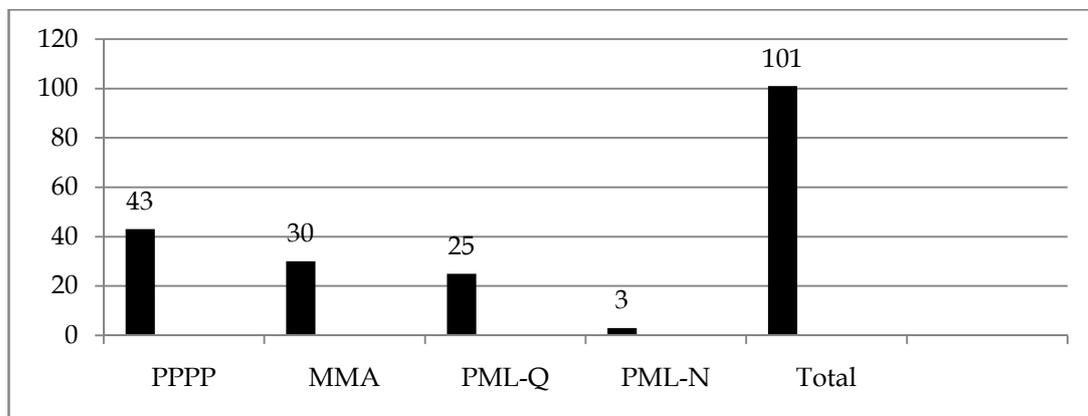
Nature of Bill	Themes of Bills
Women-Specific	Repeal of the Hudood Laws; Protection of serving women; Welfare and empowerment; Domestic violence; Equality of opportunity; inheritance; Economic stability; Family matters; Honour killing; Establishment of the; Office of Wafaqi Mohtasib; Marriage with the Holy Quran
Social Sector	Education; Health; Family Matters; Child labor; Dowry and bridal gifts; Kite flying;
Constitutional and Legal	Constitutional amendments; Amendments in criminal and civil law especially in Pakistan panel code.
Economics/Business/Commerce	Fiscal matters Banking; Imports and Export; Oil and gas industry, etc.
Governance	Political parties; Civil servants; Law and order; Federal Public Service Commission, etc.
Other Issues	Environment; Agriculture, IDPs, etc.

#### **Analysis of Legislative Bills Submitted by Female Legislators in the 12<sup>th</sup> National Assembly (2002-07)**

As per Rule 118, any legislators may submit a legislative Bill (National Assembly of Pakistan, 2013). It is mandatory to inform the Secretary of the assembly and also should provide three signed copies of the Bill along with a statement of objects. There is qualified staff in the National Assembly Secretariat that provides possible assistance and technical support to the members in preparing the draft of the bill so it is not rejected for any technical reason. In the 12<sup>th</sup> National Assembly, 240 PMBs were submitted by the legislators of government and opposition parties. More than 50 percent (202) of PMBs were allowed in the house and 23 PMBs were disallowed. Overall, the data show an inconsistent interest of members in submitting Private Members' Bills. For the second parliamentary year, an upward trend was observed, but after the third year, a decline was noticed.

It looked appropriate to discuss the impact of women's presence in the National Assembly on the legislative priorities of female MNAs and it also provides a comparison of the legislative priorities of quota and non-quota women. A detailed content analysis of all the Private Members' Bills submitted by female legislators in the five years (2002-05) had been prepared. Male and female legislators submitted 240 private bills altogether during these five years. The majority of PMBs (170) were rejected or not permitted to submit and only 70 PMBS bills were admitted. Private bills moved by women MNAs received the same or equal treatment. Female legislators submitted 101 PMBs but the bulk of the bills (60) was dropped or disallowed and only 40 PMBs were laid in the assembly. It means that women's share in the PMBs introduced before the House remained 57.14 percent, almost double for their numerical representation (21.3 percent).

There are clear indications that women showed more interest in women's issues while introducing more bills on such issues. The majority of the PMBs submitted by female legislators exclusively dealt with women's issues. The study of the PMBs suggests that overall, male MNAs demonstrate the least interest in legislation on women's concerns. Their share in the introduction of legislative bills was only 58 percent, whereas they had 79 percent representation. Statistics also confirmed that the majority of male MNAs did not give priority or showed interest in female-related legislation. Another study (Lovenduski and Norris, 2003) also substantiated that women's issues are mostly raised by women members. *Figure 1: Party-Wise Analysis of Private Members' Bills Submitted by Female Legislators (2002-07)*



Source: National Assembly Official Database; NA, 2008; PILDAT, 2007

The female legislators from the Pakistan People's Party submitted the highest number of Private Members' Bills. More than (43 percent) of the PMBs were submitted by these female legislators. This was a remarkable performance as this party had only 20 female legislators. Female legislators belonging to the alliance of religious parties (MMA) remained very active and these women legislators also submitted 30 PMBs. The female legislators belonging to the ruling

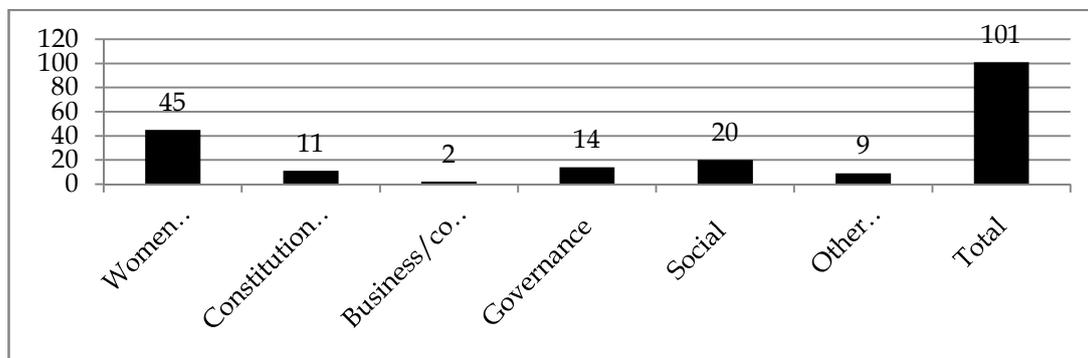
party (PML-Q), only submitted 25 PMBs but 19 MMBs were submitted by only two female legislators from the party, Mehnaz Rafi and Kashmala Tariq, Ishrat Ashraf, from PML-N moved three PMBs. In the latter portion of this chapter, there is a detailed analysis of the legislative priorities of quota and non-quota women legislators.

**Table 4**  
**Top Ten Women MNAs with Highest Number of Private Members Bills 2002-07**

Sr. No	Name of MNA	Number of PMBs Submitted	Percent of Total PMBs (101)
1	Sherry Rehman(PPPP)	11	10.89
2	SamiaRaheelQazi (MMA)	11	10.89
3	Kashmala Tariq (PML-Q)	11	10.89
4	Mehnaz Rafi (PML-Q)	08	7.92
5	BelumHasnain(PPPP)	08	7.92
6	Samina Khalid Ghurki (PPPP)	06	5.94
7	Dr. Farida Ahmad Siddiqui (MMA)	05	4.95
8	Yasmin Rehman(PPPP)	05	4.95
9	SyedaFrahana Khalid Banoori(MMA)	05	4.95
10	RobinaSaadatQaimkhani(PPPP)	05	4.95
Total		75	74.25

Source: Mirza and Wagha, 2009, PILDAT, 200

These three women MNAs altogether submitted 14 percent (33) of the total bills (240) and 33 percent of the 101 bills submitted by women MPs. Interestingly, of the 45 bills of direct concern to women introduced by female MNAs, almost half of the bills (21 or 48 percent) were moved by these three individual women, indicating the great commitment of these women to raising women's issues. Figure 2 shows Legislative Themes of the Private Member Bills Submitted by Female Legislators (2002-07)



The content analysis of the PMBs shows that the majority of the legislative bills sought new laws or amendments in existing laws to protect women's rights. This study has confirmed the findings of the previous research that female parliamentarians have different legislative priorities than their male colleagues. Even those women parliamentarians of religious parties submitted legislative bills for the welfare of women. However, the analysis of 101 PMBs moved by women MNAs demonstrated that they were also focused on governance and constitutional matters besides women's rights issues. Out of all these PMBs submitted by women, 45 were directly concerned with core women's rights issues but most of them were regarding legal issues. Women also demonstrated great interest in other issues of public interest. Almost 45 legislative bills submitted by women legislators deal with amendments in the constitution for the welfare of the public. The remaining 11 legislative bills had some indirect concern for women.

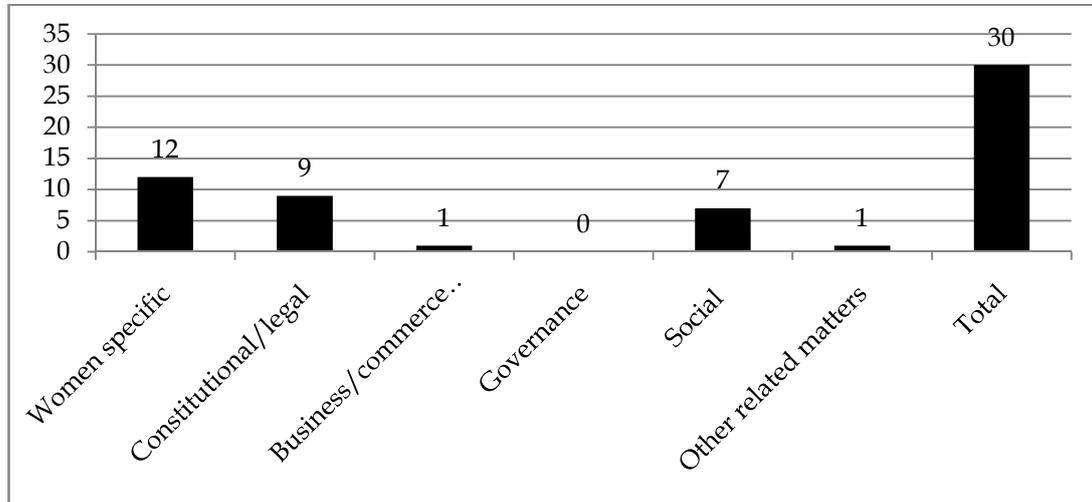
Although the majority of female legislators lack parliamentary experience, they submitted 101 PMBs. Some of the bills were submitted individually while others were submitted jointly with other legislators. Most of the effort of the female legislators remained unproductive as 60 (59 percent) PMBs were not entertained. Only 41 (40 percent) PMBs of the female legislators were introduced in the parliament. It is more than 57 percent of the total PMBs (70) introduced in the parliament. Female MNAs from various political parties submitted several PMBs on Prevention of Domestic Violence Bill 2005'. One year later, another bill 'Domestic Violence against Women was clubbed together and was referred to the relevant Standing Committee. It is pertinent to have a look at the party affiliation of women who submitted PMBs.

The analyses of Private Members Bills also reveal some other important facts about 'critical actors' such as those key individuals who make a disproportionately high level of interventions (Childs and Krook, 2009). The data show that amongst all female MNAs, the maximum numbers of bills (11) were moved by three women: Sherry Rehman, Samia Raheel Qazi, and Kashmala Tariq respectively. These three women parliamentarians belong to three different political parties. They were followed by two other women, Mehnaz Rafi and Belum Hasnain moved eight bills each while Samina Khalid Ghurki moved six bills. Four other women MNAs, Dr. Farida Ahmed, Yasmeen Rehman, Farhana Khalid Banuri and Rubina Saadat Qaimkhani moved five bills each. The political experience and social background enabled these active women MNAs to perform better than others.

### **Legislative Priorities of Mutahida Majlis e-Amal (MMA) Female legislators**

Out of 101 Private Members Bills submitted by female legislators from all political parties, 30 Private Members Bills were submitted by female representatives of Mutahida Majlis e-Amal (MMA). It is relevant to mention that these bills were mostly submitted by three female legislators; Samia Raheel Qazi

(11), SyedaFrahana Khalid Banoori (5) and Dr. Farida Ahmad Siddiqui (5). SamiaRaheelQazi and Sherry Rehman PPP) submitted an equal number of bills. Legislators of MMA have a noteworthy inspiration on some major national issues, particularly legislation on some religious issues (International Crises Group, 2016). Figure 3 shows Legislative Priorities of MMA female Legislators



It is evident from Figure 4 that the majority of legislative bills submitted by MMA female legislators deal with women issues. Constitutional and legal categories came second as second-highest number of bills were submitted in this category. Social issues came on third. It is appropriate to point out that most of the bills on women's issues have religion-based. Some of the important private bills moved during the five years with a clear focus on women's rights issues.

Female Legislators of MMA also showed deep interest in several important social issues of public importance and had been regularly raising the issues of public wellbeing. Some of the bills related to this category were: The Drugs (Amendment) Bill, 2007; The Drugs (Amendment) Bill, 2007; The Pakistan Pharmacy Council, Bill 2007; The Pakistan Pharmacy Council, Bill 2006; The Allopathic System (Prevention of Misuse) (Amendment) Bill, 2006; The Prohibition of Kite Flying Bill, 2006; The Security and Well-being of the pauper Relations Bill, 2005

Another interesting point is that the contribution of female MNAs in other hardcore policy areas such as finance, governance, legislative and constitutional issues, had been substantive. Women MNAs also showed interest in the minority, population, environment, language, and refugee issues. Some of the important bills in this category included: The Constitution (Amendment) Bill, 2007; The Constitution (Amendment) Bill, 2006; The Code of Civil Procedure (Amendment) Bill, 2006; The Constitution (Amendment) Bill, 2006 (Articles 51 and 59); The Muslim Family Laws (Amendment) Bill, 2006; The Family (Stability and Protection) Bill, 2006; The Muslim Family Laws (Amendment) Bill, 2006; The Direct

Excess to Courts by the Victims Bill, 2005; The Family Courts (Amendment) Bill, 2005

There has been a clear division on women issues among legislators of Pakistan People's Party and MMA legislators. Despite forward a vast range of bills on different issues by female members, it was noted that the contents of some of the PMBs were the same. This indicates that women MNAs did not make any effort to discuss their bills with other parliamentarians to develop a joint strategy to push together for the successful passage of the bill from the house. There were three bills on the Freedom of Information Bill, 2004 by female legislators from different political parties. Three bills on family courts were also submitted by legislators from different legislators. Women legislators from MMA, PPPP submitted a bill on The Muslim Family Laws (Amendment) Bill. On Huddod Laws, the Offence of Qazf and Offence of Zina has been the main source of division among women legislators on an ideological basis. Almost every member of a major political party submitted bills on these issues.

The following two short texts from the speeches of two female legislators from two political parties clarify how political parties have different opinions on women's issues. It is relevant here to produce text from the speech of Dr. Farida Ahmed, MNA of a religious alliance (MMA), to show the views of religious parties on critical women's issues.

We want to convince the House that it is against the Quran and Hadith... it has challenged our chastity. It is an effort to make the girls of our family... it is an effort to convert our unmarried girls into unmarried mothers... you say it's a bill of protection. It is a shame for women that it is not to secure women but too insecure women. Sir, women's honor and chastity are not safe (Mirza & Wagha, 2009, p. 96).

It is also pertinent to present the views of liberal political parties. Ms. Sherry Rehman, a female legislator from PPPP made a lengthy speech to support the bill. Her speech presented the opposite view of the same issue. She said,

I have to say with great regret that today in the House; the debate is going to establish that equal rights for women and women's rights movement are part of the uncivilized or un-Islamic movement. It is very sad and I think it is going to negate the Islamic spirit of tolerance... they are inculcating the religion in politics for their political objectives. Article 52 of the constitution clearly says that the state shall do everything to protect its women and women will be equal under the constitution of Pakistan. ... Our colleagues on both sides have realized that there are discriminatory laws and we are here to repeal those laws. I feel that Islam does not stop us. Islam does not like injustice. It is the biggest sin in Islam (Mirza & Wagha, 2009, p. 97).

These two pieces from the National Assembly debates demonstrate that the presence of orthodox and liberal parties with conflicting positions on women's issues has a deeper impact on legislation on critical women's issues.

## **Conclusion**

It is evident from the analysis of legislative bills submitted by female legislators from political parties that these female legislators have some influence on the Mandate effects of gender quota on their legislative priorities. The highest number of bills submitted by female legislators deal with women issues and the majority of legislative bills submitted by MMA female legislators also deal with women issues. There is paradoxical confirmation that legislation on women's issues received collective efforts, solidarity, and support from women parliamentarians above party lines. Many female MNA, especially from religious parties also opposed women-specific legislation because of their party politics. However, they showed unity in the law about an amendment to the honor killing legislation. The amendment was moved by three ruling parties but female parliamentarians from the PPP also supported the bill. There had been a considerable amount of conflict between women MNAs from liberal and religious parties. The list given above makes it clear that on the Hudood laws, liberal and religious parties moved their own version of the legislation. In this case, women parliamentarians preferred to tow the party line instead of securing women's interests through the passage of the bill. There were many bills on same issue submitted by legislators from different political parties. It indicates that legislators are always sticking to party ideologies and policies. These female legislators do not show any inclination for collective efforts for promotion of women issues.

The paper has found a clear link between the political ideology of a political party and the legislative priorities of a female legislator. The two short citations from the speeches of two female legislators from two main political parties made it crystal clear that even gender concerns are interpreted with different lenses by political parties. The study has found that female legislators are more concerned with legislation on women issues although religious parties have their own interpretation of women's rights. It is concluded that in the Parliament of Pakistan, party ideology is more important for female legislators than gender identity.

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