



RESEARCH PAPER

Gender Quota in Pakistan: An Analytical Study

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ABSTRACT

This study critically evaluates the different gender quota policies adopted by Pakistan and what have been the actors and factors responsible for such strategies. Although the constitution of Pakistan grants equal rights to women, but these constitutional provisions had not improved the status of women accordingly. The descriptive research mythology has been adopted for this paper. Study has found that gender quota has always been introduced in isolation. There looks complete alienation between civil society and political elites. In the absence of a favorable social structure and cultural traditions, only constitutional provisions of equality could not guarantee the provision of any rights to a marginalized segment of the society.

Introduction

In Pakistan, women are exploited in the name of custom and culture, while in many cases, women's rights are interpreted through religious cover (Waseem, 2006). During the early phase of independence, the public discourse was progressively ideological, but later on, efforts have been made to incorporate some of the Western political ideas into the Islamic institution of the state (Malik, 1996). Ecclesiastic groups were provided official patronage by the government of Zia-UL-Haq. Another challenging concern was the disagreement that existed between women-related cultural practices and Islamic standards. At that time, women belonging to a religious group, such as Jamaat-e-Islami and Deobandi in Pakistan, had traditionally been disdainful of the idea of feminism in all its manifestations (Jalal, 1991). It was also claimed by religious leaders that Islam had already

bestowed adequate rights upon women, so in an Islamic state, women will enjoy the protection of such rights (Shaheed, 2009).

There is a certain type of inequalities and heterogeneity in Pakistani society. Social status, economic development, and rural-urban divide are clear manifestations of such inequalities. The lives of Pakistani women are also influenced by certain other dynamics. Women of Pakistan are deeply affected by many social customs and practices. In 1985, the Pakistan Commission on the Status of Women (1989) stated that women in Pakistan exercise little power either over themselves or on matters distressing their welfare. Women in Pakistani society are not allowed to be a self-reliant human. Although legally women are entitled to inherit property, they are always dispossessed and disinherited. Local cultural values are another strong factor that has negative effects on their status in society. This paper analyzes the actors, strategies, and institutions that have been instrumental in the adoption of gender quotas in Pakistan from 1947–2017. In Pakistan, there are two types of narratives on the issue of women reserved seats. Supporters of gender quotas argued that in patriarchal societies like Pakistan, male deliberately excluded women from mainstream politics and gender quota is the only feasible policy to ensure women's inclusion in the parliament. The opposite school of thought claimed that legally women are already enjoying all rights so this type of electoral arrangement would only prevent them from gaining valuable political understanding and awareness but also having a label of quota legislators (Mumtaz, 1998).

Gender Quota during the Early Phase of Independence

British Government introduced a policy of gender quotas in the subcontinent and this colonial legacy continued to exist after the creation of Pakistan in 1947. Muslim leaders had been demanding from the British Government to introduce a quota for Muslim women in the legislative assemblies. This demand was accepted in 1930 but virtually it was fulfilled in the Government of India Act, of 1935. In this Act, Nine seats were reserved for women in the Federal Assembly and six seats for women in the Council of States (Zia and Bari, 1999). However, under its statutes, Muslim women could only vote for Muslim women's seats (Afzal, 1999). This act first time provided women an opportunity to be part of the legislative assemblies (Krook, 2009, p. 60). It is worth mentioning that women already had gained the right to vote in the provincial elections with strong property qualifications (Mumtaz, 1998). After Pakistan gained independence in 1947, the Government of India Act 1935 was adopted as the provisional constitution of the newly formed state of Pakistan. The first Constituent Assembly

of Pakistan adopted the principle of Adult Franchise in 1951. Mohammad Ali Jinnah, the founder of Pakistan, had emphasized that the equal participation of women in all walks of life was an essential condition for women's empowerment (Ikramullah, 2002; Mumtaz, 1998). Later on, the third amendment was made that also reserved seats for women in the provincial assemblies whereby women would be elected by female voters through separate constituencies (Afzal, 1999, p. 18).

During this early period, there had been a consistent demand from women's rights groups to introduce women reserved seats. It is convincingly argued that during the early phase of independence, there were certain important governance issues that need urgent attention from the government. These challenges put the question of women's reserved seats under the carpet (Afzal, 1999; Ali, 2000) but women activists were not ready to let the government put this demand in abeyance. In 1948, thousands of women gathered in Lahore to push the government to grant women their due rights. These Women also claimed to have the right to inherit property and also women reserved seats should be increased. As a result of the agitation in 1949, another woman organization namely the All Pakistan Women's Association (APWA) was created to promotion and protection of the interests of Pakistani women (Zafar, 1991).

In March 1949, the Basic Principles Committee (BPC) was established with the responsibility of drafting the basic principles for the future constitution of Pakistan. This committee considered a variety of options after having a consultation with individuals and women's rights organizations on the question of women's political representation. Religious groups sent their own recommendations and suggested that they were not in favor of women's political activity, but these suggestions were overruled by the Basic Principles Committee (BPC). The committee instead presented its own ambiguous suggestions in 1952 that every adult citizen has the right to vote and right to participate and contest elections for political office, but did not give a clear stance on women reserved seats (Afzal, 1999). In the first Constituent Assembly, two women Legislators presented a Women's Right Bill in which a five percent quota for women was proposed, however, only a three percent quota was approved by the Constitutional Assembly in 1954 (Shaheed, 1991). Predominantly, two main arguments were presented on women reserved seats during that period. It was contended that even in the Western countries, women were underprivileged of certain rights while supporters pointed out that it would be an injustice to dispossess a substantial proportion of the population from exercising their right to vote (Haroon, 1995). After some delay, the Constituent Assembly officially adopted the recommendations of the report of the BPC but at the end of the day, in

the 52-member House of the People, only two seats were reserved for women. Women candidates on reserved seats would only be elected by female voters on the basis of territorial constituencies (Afzal, 1999, p. 24).

Women Reserved Seats in the 1956 Constitution

The first Constitution of Pakistan was adopted in 1956 and article (44) (2) (1) of the constitution, provided ten reserved seats for women in the 156-member unicameral parliament for a period of ten years. These reserved seats were equally divided between West Pakistan and East Pakistan (five from each province) (Zia and Bari, 1999, p. 40). This constitution gave women the right to double vote. They were not only entitled to cast a vote for a general seat, but also for the female candidates on reserved seats. However, as it turned out, women were unable to exercise this right because no elections were held during this period (Mumtaz & Shaheed, 1987).

Ayub Khan, a military general imposed another period of martial law in Pakistan on October 8, 1958. General Ayub Khan was skeptical of parliamentary democracy and he openly articulated that this type of governance was not suitable for Pakistan, because the people of Pakistan had low literacy rates and were not sufficiently knowledgeable to cast a meaningful vote (Saiyid, 2001). He devised the presidential form of government and introduced a five-tiered system in which, an electoral college consisting of 80,000 locally-elected Basic Democrats who would elect the members of the provincial and National Assembly and also president of the state. Women's rights organizations severely criticized this system of governance because women reserved seats were not introduced. Ayub Khan constituted an eleven-member Constitution Commission to present recommendations for women reserved seats and also allowing women to contest elections on the general seats.

The Constitution of 1962 and Women's Reserved Seats

The second Constitution of Pakistan was adopted in 1962 that provided six seats for women, three each from East and West Pakistan, in the single-chamber National Assembly consisting of 156 members (later increased to 218). The Constitution of 1962 brought changes in the electoral procedure for women's reserved seats, which were now to be filled through the indirect method of election (Shaheed, Zia and Warraich, 1998). This constitution also abolished the arrangement of female suffrage on the basis of territorial constituencies. Now male members of the national and provincial assemblies have delegated this responsibility to elect female members (Zafar, 1996). It is argued that this indirect

system of elections curtailed women's direct contact with constituencies, and made them accountable to the male members of the assemblies (Zia and Bari, 1999, p. 40).

In 1964, during the deliberations over the Electoral College Bill, the question of women's reserved seats resurfaced. A female member from East Pakistan proposed that half of all seats of the 80,000 Basic Democrats be reserved for women, stating that it would be a reflection of their proportion of the population but later she proposed two more amendments. She suggested that there should be at least 10,000 seats for women as Basic Democrats. National Assembly approved the proposal to establish separate polling stations for women voters but the proposal for women reserved seats was rejected. She then introduced another constitutional amendment in the parliament and proposed that at least 25 percent of all seats should be reserved for women (Zia & Bari, 1999).

Yet again in 1966, a female legislator proposed to increase the proportion of women reserved seats in the parliament. The government did not visibly react, but the Minister for Law announced in 1967 that the government has planned to increase women reserved seats in the National Assembly as well as in each provincial assembly. These reforms triggered a completely new debate. The women groups argued for greater women's representation in the National and the Provincial Assemblies, but some prominent male politicians pointed out that women already had two women members in the Parliament so the demand for an increase in women's seats had no justification. It indicated that male politicians were trying to keep women's representation in the existing position (Mumtaz, 1998).

Legal Framework Order (LFO) of Yahya Khan

General Yahya Khan, another army commander, assumed power after a countrywide movement to get rid of Ayub Khan. In March 1970, after consultation with various political forces, he replaced the constitution with his own version of constitutional arrangements called Legal Framework Order (LFO). In this new law, there had been a provision of thirteen reserved seats for women in the National Assembly (Afzal, 1999, p. 31). The LFO also specified that women on these reserved seats would be elected by members of the national and provincial assemblies (the majority were male). It is the credit of Yahya Khan that he successfully conducted the first general elections on December 7, 1970. However, due to political crises, the assembly was not able to have a session. This political chaos forced the Election Commission to fill women reserved seats without elections. The returning officer has delegated the power to fill the women reserved

seats from the women candidates who had filed nomination papers (Afzal 1999, p. 32).

East Pakistan came into being as the new state of Bangladesh in 1971 and later on those legislators, who were elected from West Pakistan, instituted the Parliament of Pakistan. In the 144-member National Assembly, six women members came on the reserve seats. The government constituted a 25-member Constitution Committee to give its recommendations on institutional reforms. In its report, the committee also proposed ten reserved seats for women for the period of ten years but women organizations had been lobbying to increase the number of women reserved seats and also demanded that electoral procedure for these seats be changed from indirect to direct elections. The Committee in its final report suggested the creation of a bicameral legislature but surprisingly did not recommend any reserved seats for women in the Senate. In the National Assembly, only ten women reserved seats were recommended. There had been contradictory views by male and female legislators. Male legislators supported the proposed reforms but several female members criticized the nonexistence of women reserved seats in the Senate. They were of the opinion that every bill required the approval of the Senate and women need to be present in the Senate to play their effective role in policy-making and legislation. It was claimed that this would lead to the exclusion of women's views from the broader legislative process. Female members presented their own proposal and suggested that as all provinces had equal representation in the Senate so there should be at least one or two seats be reserved for women in the Senate. The proposal of these female legislators was rejected by the National Assembly and endorsed the committee's recommendations on women reserved seats (Mumtaz, 1998).

Female legislators made another attempt to increase women's representation in mainstream politics of the country. A female legislator subsequently presented an amendment for changing the electoral procedure for women reserved seats. It was proposed that women on reserved seats should be directly elected by female voters because it will foster accountability of the female legislator and also strengthen liaison between women legislators and ordinary voters. Begum Nasim Jehan argued that the prevailing method of election had restricted the capacity of female legislators to work for women's issues. She further pointed out that in many instances when a female legislator took a strong standpoint on women issues, their male colleagues reminded her that she is here due to the courtesy of male members (Mumtaz, 1998). It indicated that indirect election procedures strongly curtail women members' legislative choices. It is also argued that this procedure of indirect elections had enabled political parties to

increase their numbers in the Parliament, without feeling any commitment to safeguarding women issues in the legislature (Mumtaz, 1998; Pakistan Commission on the Status of Women, 1989). Male legislators showed strong hostility towards these arguments. They claimed that if these seats were filled through direct elections by the female voters than it would create a further gender gap. This procedure of elections would support only urban, women and would keep rural women out of the corridor of power because urban women are highly educated and politically more active.

The Constitution of 1973: A New Phase of Gender Equality

The constitution of 1973 has a few significant provisions to uphold gender equality and had forbidden gender discrimination. Even it was suggested to include at least one woman as a member of the Council of Islamic Ideology (Afzal, 1999). The 1973 constitution retained the indirect procedure of election for women reserved seats. Gender quota is considered a short term policy measure and this was the purpose of inserting a provision of the time frame for women reserve seats until two more general elections or ten years, whichever came later. After this time, this provision of women reserved seats would expire until Parliament increases the time period (Bari, 2009). It looked that people at the helm of affairs at that time believed that after ten years women would be in a position to contest elections on general seats. These developments stemmed from a robust women's rights movement that played a significant role during the anti-Ayub agitation and it also pressed major political parties to form women's wings inside the party cadre (Mumtaz, 1998).

A political scuffle over the formation of the government after the 1970 elections, culminated in yet another episode of martial law in the country by the Army Chief, General Zia-ul-Haq. He depicted himself as bringing back "Islamic democracy". Despite the anti-woman image of his government, he included twenty women legislators in the 284-member Majlis--e-Shoora. This helped to slightly increase women's representation in legislative assemblies (Khan, 2007). In 1983, Zia established the Ansari Commission to present proposals on the subject of a possible system of government. The commission presented a few controversial recommendations like excluding women from becoming the head of state and the only females over the age of fifty could contest the National Assembly elections. It was also made mandatory for women candidates to obtain written permission of their husbands in order to be considered an eligible candidate for elections. The commission claimed that these regulations were, according to Islam, but many speculated that certain provisions were deliberately inserted to block the entry of

Benazir Bhutto, a prominent political figure in the opposition. She was thirty years old and unmarried (Korson & Maskiell, 1985). On the other hand, the commission also advocated another policy measure of having separate electorates for women and men. At least 5 percent of seats were reserved for women in the National Assembly. Several months later there had been an intense deliberation in the Majlis-e-Shoora to discuss these issues. Female legislators demanded to increase the number of women reserved seats. On the other hand, male legislators presented a motion in which it was proposed that women should not be head of the state.

Table 1
Constitutional/Legal Provisions for Reserved Seats for Women in Pakistan

Legal Provision	Number of Seats Reserved (Women)	Mode of Election
1956 Constitution Article 44(2) provided reserved seats for women for a period of ten years	10 (5 from East Pakistan and 5 from West Pakistan)	Women's territorial constituencies were delimited. Giving double vote to women in these constituencies; one for a general seat candidate and one of the women's seats
1962 Constitution Article 20 (2) provides reserved seats for women in the National Assembly	6 (3 from East Pakistan and 3 from West Pakistan)	Electoral college comprising members of the National Assembly elected 6 women on reserved seats before the first meeting
Legal Framework Order of Yahya Khan	13 seats reserved for women (7 in East Pakistan and 6 from West Pakistan)	Same as above
1973 Constitution Article 51(4) provided reserved seats for women for the period of ten years or 2 nd general elections (whichever is later)	10 seats in National Assembly	Same as above
1985 Provision of reserved seats amended; Quota doubled to 20 and Provision extended to 3 rd general election or for 10 years (whichever is later)	20 seats	Same as above
Musharraf LFO(2002) 17 percent seats were reserved for women in the Parliament	60 seats	--
Elections Act of 2017	A political party shall ensure at least five percent representation of women candidates	

Source: Shaheed, Zia and Warraich, 1998

In 1985, the Zia-ul-Haq government increased women reserved seats in the National Assembly from ten to twenty but not a single seat was reserved for

women in the Senate (Zia, 1991). The Eighth Constitutional Amendment Bill proposes to extend the time period of the provisions of reserved seats for one more general election (Pakistan Commission on the Status of Women 1989). Female legislators had conflicting opinions during the deliberations on the bill. Women elected to general seats pointed out that reserved seats were an oblique and sneaky way to be elected. It indicated that women could not win elections on general seats and these women were always labeled quota women. On the other hand, women on reserve seats showed apprehensions that without reserved seats, the number of elected women would dramatically decline. The Women's Action Forum lobbied to allow women a double vote. A woman could give her one vote for a general seat and one vote for reserved seats. These various suggestions were not accepted and the National Assembly retained the current provision of reserve seats for one more electoral phase (Haroon, 1995). The constitutional provision of reserved seats, with the amendment made in 1985, stayed in force until the 1988 elections. The provision expired after that election on the pretext that three general elections had been held so lawfully this provision no longer had any legal power. In the next National Assembly, 20 women were elected to reserve seats. The provision of reserve seats lapsed in 1988 and its cloud no is restored in the next three general elections held in 1990, 1993 and 1997.

An Era of Democratization (1988-1999)

Benazir Bhutto expressed on different occasions during the election campaigns that her government will implement a comprehensive plan to empower women. After becoming the Prime Minister, She established a new Ministry of Women's Development and subsequently directed this ministry to develop a comprehensive plan of action to ensure that women had at least five to ten percent representation in all decision-making positions within each ministry (Weiss, 1999). Women's organizations also pushed the Benazir government to not only reinstate women reserved seats but also increase the number of seats reserved for women. These organizations presented a proposal of having twenty percent of women reserved seats in the national and provincial assemblies, and 10 percent of the seats are reserved for women in the Senate. This proposal also further required that all women reserved should be constituencies based (Zafar, 1996). According to the Constitution of Pakistan, for any constitutional amendment, two-thirds votes of the Parliament are required and Benazir Government tried to get the support of various political parties to reinstate the provisions for women reserved seats. In November 1989, the Government introduced a bill into the Senate, but before the voting could take place, President Ghulam Ishaq Khan dismissed the government of Benazir Government (Shaheed, Zia & Warraich 1998).

Nawaz Sharif became the next Prime Minister of Pakistan and his government dissolved the Marriage Act and Family Protection Bill. This had severe consequences for the protection of women's rights. His government also passed the Sharia Law Bill, which established religious courts with the supremacy to overrule the existing laws. Women groups felt that such type of legal system will shrink any protections previously granted to women (Goodwin, 2002). The Sharif Government did not show any enthusiasm for women's inclusion in politics. The continuous efforts and hard work of the women's groups pushed the government to submit a new bill on women reserved seats in the Parliament (Shaheed, Zia, & Warraich, 1998). Three years later, Nawaz Sharif was forced to resign after a scuffle with the president, resulting in new elections being held in October 1993. Women's groups launched a campaign and met the leaders of the political parties and motivated them to give an extraordinary consideration to women's issues in their election manifestos, including reserved seats (Ali, 2000). This campaign was successful in the way that the major parties pledged to work for the restoration of the constitutional provision about women reserved seats (Zafar, 1996).

During the second tenure of Benazir Bhutto as prime minister (1993-96), the Women's Action Forum and the Commission on the Status of Women initiated deliberations with the government as well as opposition parties to formulate a more detailed plan for women reserved seats (Zafar, 1996). The campaign of women groups remained successful in the sense that the PPP government drafted a constitutional amendment bill to increase the number of women reserved seats in the parliament and provincial assemblies. In the National Assembly 25 reserved seats for women was proposed and subsequently nine seats in the Senate, and 5 percent seats for women in the provincial assemblies. This proposal asked for no time restrictions. Opposition party Pakistan Muslim League (N), responded with two alternative proposals. Firstly, it was suggested to have 40 reserved seats for women in the National Assembly. Secondly, women on these seats are elected either directly by female voters or through a process of proportional representation. Pakistan Muslim League (N) also proposed that all political parties should award 10 percent tickets to female candidates (Report of the Commission of Inquiry for Women, 1997). However, during the parliamentary session, the PML-N did not support the constitutional amendment bill and proposed that the government should submit a broader package of constitutional reforms. The government indicated some apprehension regarding the new stance of PML-N, and it was argued that this shift was a strategy to demoralize the government. These conflicting stances and misunderstandings eventually led failure of both bills (Gulrez & Warraich, 1998) but Women's groups continued their efforts to

advocate the issue of women reserved seats. In response to this hard work, the Bhutto Government set up a National Consultative Committee to discuss the question of women reserved seats with the legislators. The committee obtained 148 signatures in favor of the proposed reforms. Three major political parties also signed a joint statement and supported the reinstatement of women reserved seats. The government was optimistic to gain the required support of the legislators to introduce a bill to reinstate reserved seats. Despite the apparent consensus and support across all parties, the effort was badly defeated, said, due to the concerns of PML-N (Sarwar, 1997). It was also the obligation of the government of Pakistan after the ratification CEDAW, to incorporate a bigger proportion of women at all tiers of political institutions so all political bodies should have women representation. The government of Benazir Bhutto was again dismissed in 1996. It is a discouraging scenario that even a woman prime minister could not reintroduce the women reserved seats in the Parliament of Pakistan.

The PML-N got a clear majority in the subsequent elections held in 1997 and Nawaz Sharif was sworn as the prime minister of Pakistan for a second time. Women's groups organized demonstrations and called on the government and members of the parliament to reinstate women reserved seats (Sarwar, 1997). In this term of government, Nawaz Sharif enjoyed a massive majority in the parliament enabling him to pursue a course of action to nullify the legislation enacted during the regime of his "spiritual father". Zia-ul-Haq, who inserted the controversial Eighth Amendment in the constitution of Pakistan that had shifted the balance of power between the president and Prime Minister. This law allowed the president to dismiss the government and the parliament.

Pakistan People's Party introduced another bill in the Senate and proposed nine seats for women in the Senate and forty seats for women in the National Assembly. It was also proposed in the bill that women's seats were distributed among the political parties according to the number of votes secured by each political party in the elections. This bill was sent to the relevant parliamentary committee but PML-N did not support the bill and it lapsed without further development. The ruling party announced that it would bring a new bill, having a broader constitutional reform package that would also have a proposal for reserved seats (Siddiqui, 1997). The opposition parties considered the government intentions simply an act of vengeance (Sarwar, 1997). The Federal Minister for Law and Justice maintained later that this was not a controversial issue and the government would soon present a constitutional amendment package in which all the proposals of the opposition's parties would be accommodated. That promise

proved to be empty and women continued to occupy less than a 3 percent representation in political institutions (Gulrez & Warraich, 1998).

Musharraf's Legal Framework Order: Major Step toward Women Political Representation

In October 1999, through a military coup, the government of Nawaz Sharif was dismissed by General Pervez Musharraf and became the self-proclaimed Chief Executive of the country, and later as President of Pakistan. He presented a seven-point agenda for his future plans, and further added that his government sought to make certain that the status of Pakistani women is improved by protecting their political and economic rights. It was claimed that women's political empowerment is necessary for women's development. Pakistan has commitments in international treaties and conventions to take concrete steps for women empowerment (Reyes, 2002). Musharraf also constituted 'National Commission on the Status of Women', to present a detailed report on the status of women in Pakistan (*Dawn* August 17, 2000). Musharraf stated the assurance of his government to bring a noteworthy transformation in the lives of Pakistani women through empowerment (*Dawn* February 10, 2004). He further claimed that women should utilize these enabling conditions to make a move from enslavement to development (*Dawn* March 8, 2003). He promulgated the Legal Framework Order (LFO), bringing with it a few major changes to the political arena of the country. The total number of seats of the Parliament was increased and the joint electorate was revived. Another significant step was taken by lowering the voter age from 21 years to 18 years. First time in the history of Pakistan a substantive number of seats were reserved for women in the National Parliament as well as in Provincial Assemblies. Minorities were also given more seats in the political institutions.

However, it is a common perception that only Quotas alone could not eliminate "undemocratic internal party structures and centralistic, patriarchal hierarchies" (Fleishenber, 2006). There has been different opinions about the effectiveness of this new policy of reserve seats. One female journalist was of the opinion that only bringing 60 women on reserved seats should not consider a 'landmark' when these women do not have a power base in any constituency. Such type of 'of medicated politics' indicates that a Pakistani woman is still not seen suitable to contest elections to constituency seats (Khan, 2007).

Another area of ongoing concern for women has been the procedure of elections to the reserved seats. This procedure, written in Article 51, sub-article 6 (d) of Chapter 2 of the amended constitution, states that "women's reserve seats be

filled through the representation system of political parties' lists of candidates on the basis of total number of general seats held by each political party in the National Assembly". There had been strong movement by women's groups for direct elections to women reserved seats. The feminist lobby articulated that the present procedure of elections for women reserve seats would convert women into second-class members of parliament, where they would be dependent on the male leadership of the party, and thus dilute their capacity to follow policy developments favorable to women (Reyes, 2002; Tinker, 2004).

The Elections Act, 2017

The parliament of Pakistan had landmark legislation in 2017 when the Elections Act, 2017, reformed and consolidated the election laws of the country. There has been a number of laws pertaining to the political mainstreaming of women but this law had significant role in increasing the number of women candidates in elections for national and provincial assemblies. The highest ever a number of women candidates (183) contested the 2018 election for general seats, but this is partially being attributed to a provision in the Electoral Act 2017 that bound all political parties to allocate at least 5 percent tickets to women on general seats for NA and Provincial Assemblies. Section 206 of the Act provides that:

A political party shall make the selection of candidates for elective offices, including membership of the Majlis-e-Shoora (Parliament) and Provincial Assemblies, through a transparent and democratic procedure and while making the selection of candidates on general seats shall ensure at least five percent representation of women candidates (the Elections Act 2017).

Political parties always award tickets to women on weak constituencies. It is argued that "Legal experts believe that ECP and its monitoring teams have to play a vigilant role in the implementation of these provisions of the Election Act, 2017, so as to ensure the political mainstreaming of women" (*Dawn*, July 9th, 2018).

This section of the Act permits the Election Commission of Pakistan to declare an election void. It has been made compulsory that at least women should cost 10 percent votes of the total votes polled in a constituency. If women cost less than 10 percent, it might be an indication that the women voters were restrained from casting their votes through agreement. Section 9 (1) of the Act states:

Notwithstanding anything contained in this Act, if, from facts apparent on the face of the record and after such enquiry as it may deem necessary, the Commission is satisfied that by reason of grave illegalities or such violations of the

provisions of this Act or the Rules as have materially affected the result of the poll at one or more polling stations or in the whole constituency including implementation of an agreement restraining women from casting their votes, it shall make a declaration accordingly and call upon the voters in the concerned polling station or stations or in the whole constituency as the case may be, to recast their votes in the manner provided for bye-elections (Elections Act, 2017).

This is a valid reason to declare “polling at one or more polling stations or election in the whole constituency as void”. Before this Act, the Election Commission of Pakistan does not have any legal power to declare any election void on such ground. In 2015, ECP, declared a by-election of a KPK provincial assembly void because not a single woman casts her vote, but that order of the Election Commission of Pakistan was set by the Peshawar High Court in 2016. In every election, there has been a disparity between male and female registered voters. Section 47 of the Act has made it binding on the Election Commission of Pakistan if there is a variation of more than 10 percent in the disaggregated data in a constituency; it is the responsibility of the Election Commission of Pakistan to take special actions to lessen such variation.

The development of democratic institutions in the country will remain a dream until women are allowed to be part of mainstream politics. Successive governments have taken special initiatives for the development and empowerment of women, however,

Authoritarian rule has stunted the growth of strong political institutions and the development of democratic culture in which there is a more active political participation of the people beyond the electoral process and where public representatives genuinely feel the need to reflect the interest of their constituents and held accountable by them (Zia and Bari, 1999, p. 49).

Conclusion

The debate over the women reserved seats continued through the history of Pakistan. The country’s unstable democratic history, low social and economic development, and strong identity as an Islamic republic like factors are responsible for low levels of women’s political representation. Even though in 2002, on the one hand, 60 seats were reserved for women, but on the other hand, a number of controversial constitutional amendments were introduced to stop the entry of few politicians in the parliament. The new requirements of graduation barred many strong former male politicians. Several months later, 13 women were elected on general seats and later on at least sixty more women became the member of the

National Assembly on reserved seats. However, due to the ineligibility of many prominent male political leaders, female relatives were nominated because they could not afford to lose that constituency.

Women's representation remained low, but steady during the early era of Pakistan's history, but dropped considerably during the years without reserve seats (1990, 1993, and 1997). From 2002, when reserved seats were restored, women's representation improved dramatically from just 2.3 percent to 21 percent. In the 2002 elections, 13 women were elected on general seats. Various analysts showed strong optimism that these women would work on those matters that had been neglected in the previous parliaments but few others have a different point of view. It is argued that these 'controlled political opportunities' are only created to demonstrate the world that the government of Pakistan is adopting a liberal and progressive agenda (Khan, 2007, p. 146)

It is argued that various regimes in Pakistan always have conflicting views on bringing women reserved seats through constitutional amendments. Political parties are not fully supporting the demands of women organizations. There had been consistent demands from the female legislators as well as civil society organizations to change the electoral procedure of women reserved seats and made it a constituency-based election but political parties are still reluctant to adopt such type of electoral arrangements for women reserved seats.

To ensure a successful future for women of Pakistan, both men and women require equal and effective representation in Parliament. This needs structural and institutional reforms that go beyond the politics of presence. In addition to such changes, there is a need to have a vigorous and effective women groups both inside and outside the legislature, having resilient associations with women's rights groups. This will help to educate and unite women parliamentarians on women's issues and efficiently politicize them as part of a feminist claim. It is evident from this study that women holding only reserved seats are not sufficient to uplift the status of Pakistani women as larger numbers of elected women have proven to be consequential. Several other factors are equally important. For women's substantive representation to happen in parliament, a consensus on women issues among women MPs is important. The support of feminist organizations is equally important because this would strengthen and reinforce women's political foundation and boost their effectiveness.

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