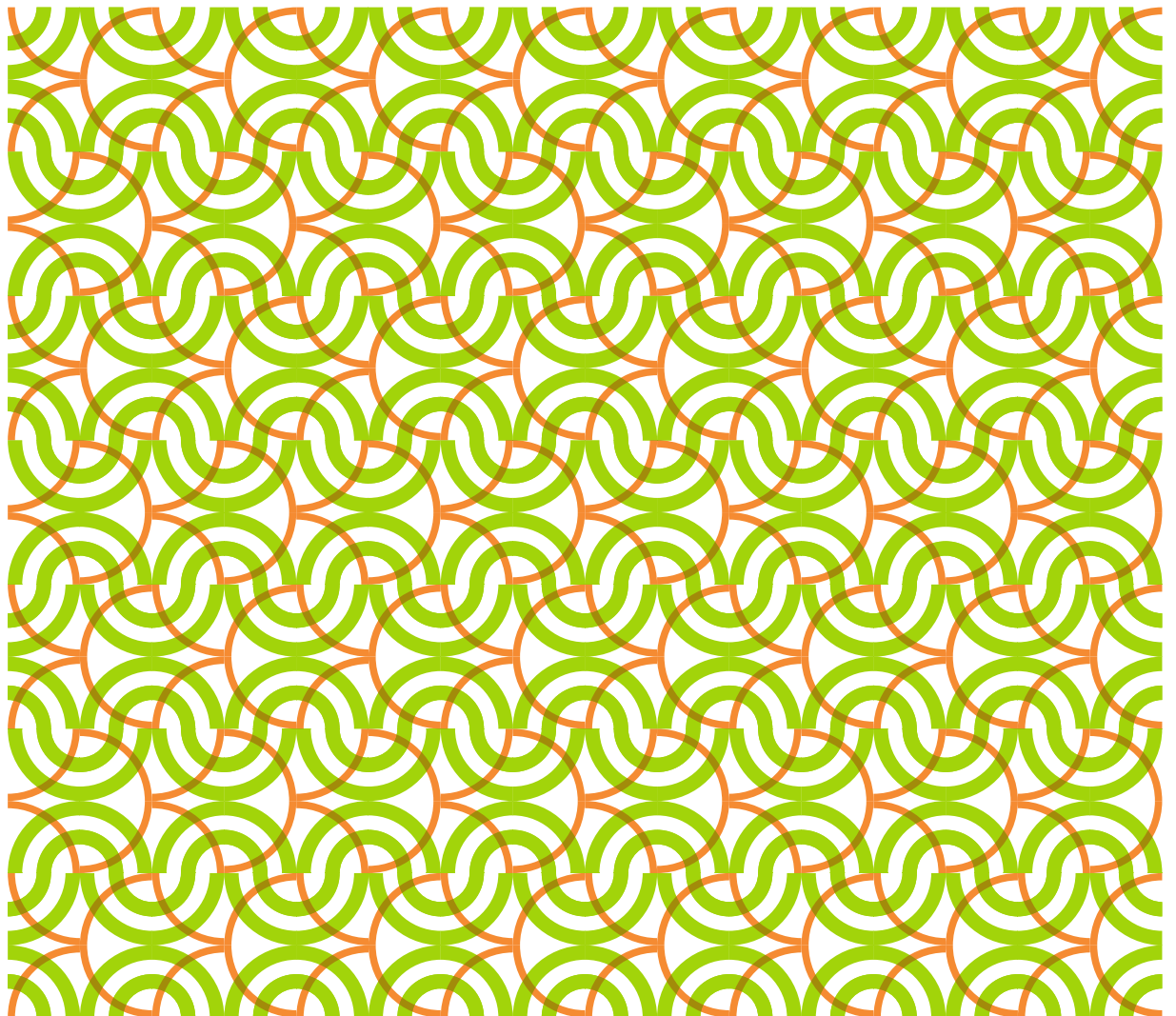




Bridging The Fault Lines? Rethinking the Gender Quota Approach in Pakistan

Farzana Bari



Research Study
Publication Series "Reviewing Gender Quotas in Afghanistan and Pakistan"
2015

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Introductory Remarks on Research Rationale

Gender quota in politics continues to be surrounded by controversies and debate at the level of discourse and practice in Pakistan. The legal provision of reserved seats for women have been in all the Constitutions of Pakistan but the number of reserved seats was not significant enough. On average, there were never more than three percent women in the parliaments till 2001. The military regime of Pervez Musharraf increased the reservation of seats for women substantially in the local government (33%) and in the national, provincial assemblies and in the senate (17%) through the Legal Framework Order (LFO) 2001.

The questions and trepidations enunciated on gender quota in politics are shifting and complex in nature. The set of questions frequently raised at the time of the first election held in 2002 with the provision of 17 percent reserved seats for women included (i) do women have required political skills to effectively participate in the legislative business (ii) do women have different legislative and political priorities (iii) do women have shared interests, and (iv) to what extent women representatives will be able to negotiate and promote women's interest in politics etc.

The performance assessments of women parliamentarians conducted by several civil society organisations in the 12th, 13th and 14th National Assemblies on reserved seats have provided answers to these questions. The research studies show that gender quota parliamentarians actively participated in the conduct of parliamentary business. Women's legislative priorities proved to be somewhat different than their male counterparts. The number of women-specific bills, moved by female parliamentarians and passed during the last two parliaments, were unprecedented in the parliamentary history of Pakistan. The questions are now on the connectivity of women's higher representation in the parliament and its impact on the lives and status of women. Pakistan slipped from 127 in 2008 to 134 in 2012 and 141 in 2014, second last on the Global Gender Gap Index. This paper sets out to understand the contradictory reality of women's political representation through the prism of multiple theoretical frameworks and empirical insights. It examines the nature of democracy, institutional and socio-cultural frameworks, political parties and the ways in which the formal and informal rules, structures and practices of candidate selection and recruitment impact on patterns of women's substantive representation in legislation and policy making. The paper intends to shift the focus on individual agency of women parliamentarians to social and political structures that imperil women's substantive representation in politics.

The guiding questions are: what quality transversality, as well as volatility characterises gender quota mandates in Pakistan? What kind of 'imagined constituency' do gender quota parliamentarians conceptualise and aim to establish, also in order to ensure their own political mainstreaming and effectiveness beyond a quota regime? Do gender quota politicians advance a pro-women agenda? To what extent is this structured by a specific power configuration within formal and informal institutions, as well as by (in-) formal stakeholders within society and politics? What changes are required for institutional configurations, engagement with key stakeholders and the quota system and electoral system design as such?

A mix of qualitative research methods were used to conduct this research. A thorough literature review was undertaken before finalising the research tools. Thirty eight semi-structured interviews with parliamentarians of both gender, leaders of political parties, chairs of standing committees, male and female bureaucrats were conducted. Two focus group discussions were arranged with members of civil society organisations who work as electoral watchdog and think tanks, and have the expertise in gender and governance issues. Legislators were selected belonging to mainstream political parties. The sample of women parliamentarians included first timers and re-elected parliamentarians.

Contesting Arguments on Gender Quotas

Contra:

- undemocratic as violating principle of equal opportunity for all and other democratic principles, e.g. voters decisions are prime
- positive discrimination violates principle of meritocracy and qualifications in favour of gender concerns
- narrows women's political representation to women's constituencies and issues
- leads to conflicts within political organisations / institutions

Pro:

- democratic as quotas address the gender democracy deficit of politics - women as citizens have the right to participate in politics and elections primarily aim for people's representation, not male elite capture in terms of educational, political qualifications and capacities in political systems marked by androcentrism and patriarchy
- no level playing field - quotas thus address gender-specific structural and institutional barriers, also those by gatekeepers who control the candidacy pool
- creating critical mass and avoiding stressful experience of women as tokens
- inclusive - quotas allow for women's experiences and needs to be addressed in otherwise androcentric politics
- transformative and democratising - conflicts, if caused, are temporary and address (i) crucial societal inequalities, which are forms of everyday violence and conflict, and (ii) lack of accountability, formalisation and thus intransparencies of political nomination processes

Positive Discrimination and Notions of Equality

In her writings, leading gender quota scholar Drude Dahlerup contends: "Real equal opportunity does not exist just because formal barriers are removed. Direct discrimination and hidden barriers prevent women from getting their share of political influence. In general, quotas for women represent a shift from one concept of equality to another. The classic liberal notion of equality was a notion of 'equal opportunity' or 'competitive equality'. Removing the formal barriers, for example, giving women voting rights, was considered sufficient. The rest was up to the individual women. Following strong feminist pressure in the last few decades, as expressed for instance in the Beijing 'Platform for Action' of 1995, a second concept of equality is gaining increasing relevance and support: the notion of 'equality of result'. The argument is that real equal opportunity does not exist just because formal barriers are removed. Direct discrimination and a complex pattern of hidden barriers prevent women from being selected as candidates and getting their share of political influence. Quotas and other forms of positive measures are thus a means towards equality of result. The argument is based on the experience that equality as a goal cannot be reached by formal equal treatment as a means. If barriers exist, it is argued, compensatory measures must be introduced as a means to reach equality of result. From this perspective, quotas are not discrimination (against men), but compensation for structural barriers that women meet in the electoral process" (quoted from: <http://www.quotaproject.org/aboutQuotas.cfm> as of 27.10.2015).

Types of Quota Provisions

Quota project distinguishes between three major types in existence worldwide: (i) reserved seats, i.e. a specific number of parliamentary seats is reserved as outcome of any elections as codified in a constitution or electoral laws; (ii) legal candidate quotas, i.e. a specific number of candidates must be woman as mandatory requirement codified in a constitution or electoral law; or as (iii) voluntarily agreed by political parties / electoral alliances in political party quotas. Quotas are not only used to ensure women's political mainstreaming, but a popular tool to engineer inclusive political representation and participation. "In some countries quotas apply to minorities based on regional, ethnic, linguistic or religious cleavages. Almost all political systems apply some kind of geographical quotas to ensure a minimum representation for densely populated areas, islands and the like. (...) Quota systems aim at ensuring that women constitute at least a 'critical minority' of 30 or 40%. Quotas for women entail that women must constitute a certain number or percentage of the members of a body, whether it is a candidate list, a parliamentary assembly, a committee, or a government. The quota system places the burden of recruitment not on the individual woman, but on those who control the recruitment process. The core idea behind this system is to recruit women into political positions and to ensure that women are not only a token few in political life. Previous notions of having reserved seats for only one or for very few women, representing a vague and all-embracing category of 'women', are no longer considered sufficient. Today, quota systems aim at ensuring that women constitute a large minority of 20, 30 or 40%, or even to ensure true gender balance of 50-50%. In some countries quotas are applied as a temporary measure, that is to say, until the barriers for women's entry into politics are removed, but most countries with quotas have not limited their use of quotas in time". (Quoted from: <http://www.quotaproject.org/aboutQuotas.cfm> as of 27.10.2015)¹.

¹ See Fleschenberg and Bari (2015), "Unmaking Political Patriarchy through Gender Quotas?" Policy Brief, Heinrich Böll Stiftung, p. 10.

Theorising Substantive Representation

The nexus between specific modalities of gender quotas and the quality of gender quota legislators is one of the keys in determining women's political effectiveness, or in other words the quality of women's political agency to navigate through structural constraints in order to promote women's interests, among others. Therefore, we investigate if the current setup of rules, formal or informal ones, enshrined structures, dynamics and practices of candidate recruitment and selection, transversality of mandate and performance impact on patterns and degrees of women's substantive political representation and, ultimately, political mainstreaming. We challenge the dichotomy of women's participation/representation and the subsequent focus primarily on women's agency as not only recruitment patterns and quota provisions have a determining effect on the ability of women parliamentarians to deliver on substantive concerns, but also other environmental variables in the shape of sociopolitical institutions, contestations and barriers. It is beyond the scope of this paper to engage in detailed deliberations of the state of the art and its research findings and debates. Nevertheless, we would like to sketch some theoretical insights that guide and/or infuse this action research project.

But first things first: when talking about political representation and political participation some terminological clarification and references are required. The seminal work of Pitkin (1967) outlines four dimensions of political representation - formal, descriptive, substantive and symbolic - and coined the difference of delegate and trustee when reviewing understandings of parliamentary mandates and agency. Building on this, Mansbridge (2003) adds three additional concepts of political representation which are of significance: (i) gyroscopic, i.e. interests, common sense and principles from one's own background to formulate as basis for parliamentary action; (ii) surrogate, i.e. representing constituents beyond one's own spatial electoral basis and of those whose values, identities one shares; (iii) anticipatory, i.e. based on what one thinks constituents will approve at the next election and not what has been promised previously in electoral campaigns/manifestos. This links the framework of assessing quota women politicians' experiences with questions of performance, outreach, representativeness, accountability, as well as transversal agency, moving the academic debate from the question of "Do women represent women?" to questions such as "Who claims to act for women? Where, how and why does the Substantive Representation of Women (SRW) occur?" and thus regarding representation as "dynamic, performative and constitutive" (Celis et al. 2008; Franceschet 2011).²

2 In addition, such an understanding opens up the concept of political representation in terms of spaces, actors, agency and manifestations, considering legislative arenas, as well as other arenas of politics, a wide range of actors, sites, goals that inform political processes, highlighting

As argued elsewhere (Fleschenberg 2009, 2013; see also Celis et al. 2008), the frequent heterogeneity of women parliamentarians in terms of interests, policy priorities, support systems or party obligations and dependencies, ideological differences or other societal cleavages, as well as the influence of multiple institutions - be it parliamentary practices, political cultures, gender ideologies, work cultures - and predominant political discourses shape women's substantive political representation. Consequently, Celis et al. (2008) stress that we need to search for critical actors of both genders within and outside political institutions and key arenas, explore possibilities of competition, conflict, cooptation and cooperation along with multiple directionalities of reinforcement and reciprocity between different actors, sites and levels of political representation and negotiation, which shape political behaviour and performance of women parliamentarians - be they on quota seats or not.

The feminist institutionalist approach offers a crucial insight into the gendered nature of institutions, inclusion and exclusion along with the interplay of formal and informal rules and norms. Institutional feminists argue that gender, as the organising principle of social relations, constitutes institutions and social structures. "Not only are gender relations seen to be 'institutional', these are institutionalised embedded in particular political institutions and constraining and shaping social interactions" (Mackay et al. 2010: 580). Thus, power and gender inequalities in social relations do not operate in a vacuum, but are structural, systemic and institutional. The approach explains the political recruitment process of women shaped by masculinist gender norms embedded in formal and informal party rules (Kenny 2013). It draws our attention to the wider context of the 'nested' systemic, practical and normative political institutions and how this institutional configuration impacts on the recruitment processes of women in politics, as well as beyond when it comes to gender quota parliamentarians having to operate and perform, to politically compete, negotiate and meet expectations of stakeholders such as constituents, civil society representatives, fellow politicians and/or community leaders.

Razavi and Jennichen (2010) point towards a "rising political prominence of religious actors and movements", be they at the local, national or transnational level with specific gendered prescriptions and societal positioning for women, using more often than not the informal power of religion, in terms of

diversity in probabilities, levels, ways, strategies, locations, attempts and expressions / articulations "to act for women as a group" (or not), Celis et al. (2008) argue. Substantive female political representation thus needs to be considered to take place and to be negotiated at different levels - from the local via provincial, national to transnational and international, using strategies of uploading or downloading reference frameworks for policy-making, framing of agenda issues or negotiating issues through the use of various platforms and amplifiers, not only within the confined space of national parliamentary politics. This also means to review the role of male parliamentarians, cabinet members, civil society representatives or bureaucrats, state agencies and institutions beyond the usual focus upon women's policy machineries, state feminism and women's movements (Celis et al. 2008).

diffusing ideas and norms, thus shaping the political arena and predominant societal culture in a way which is difficult to counter-argue and counter-act. The impact of unwritten constitutions – be they of religious nature or not – on norms, discourses and practices of politics cannot be highlighted enough although research findings are scarce. Overall, the impact of informal institutions, such as, but not limited to, religiously gendered rules on mobility or dress code, on the arenas of formal politics, its key institutions and civil society are diverse and create a difficult field for women parliamentarians to navigate in:

“A crucial part of achieving gender equitable institutional change (understood here as any institutional change that contributes to lessening gender inequalities) is, therefore, to improve our understanding of not only the outputs of institutions but also the institutions themselves in both their formal and informal guises. This will, for example, help gender scholars to understand why the outcomes of institutional change, such as the creation of Women’s Policy Agencies (WPAs) and the implementation of gender mainstreaming, are often not as hoped for, or how change efforts are subverted” (Waylen 2013: 2).

While feminist institutionalists’ scrutiny exposes the gendered nature of institutions and institutional power that privilegemen, Carole Pateman theory of the “Sexual Contract” (1988) historicises the gendered nature of the institution of the state through her critique of the original “Social Contract” and claims that classical contractarian theorists chose to tell half the story of the social contract between the State and its citizens. The sexual contract, preceding the social contract, is omitted in the analysis of “political fiction of the original contract”, leading her to argue that women did not enter it as individuals, but as dependent of men. Therefore, the “new civil society [...] created through the original contract is a patriarchal social order that established men’s political rights over women” (Pateman 1988: 1).

These theoretical approaches provide insights on the gendered nature of political institutions and how this reproduced gender power in recruitment and performance processes of women in politics. However, in nowhere feminists argue that these structures are stable, fixed or unchangeable; the role of agency and structure is seen as dynamic and mutually constitutive. The trajectory of institutional change is the contestation of conflicting interests of institutional actors. Self-interested actors through their strategic actions puncture institutional resistance. Women politicians on gender quota, thus, can and do attempt to influence and transform male dominated political structures through their parliamentary performance, caucusing and networking with the women’s movement – with quota provisions being one factor, but not the only or sufficient one to do so.

Consequently, Franceschet, Krook and Piscopo (2012: 4) argue that (i) “quotas may interfere with existing gendered dynamics”; (ii) “public controversies surrounding quota adoption may shape expectations about who ‘quota women’ are and what they will do once they reach political office”; and (iii) diverse

designs and implementation practices generate “diverse effects on the composition of political elites”. They contend that this “may influence the capacities of quota women to pursue legislative change and may shape the broader meaning of quotas for democratic legitimacy and women’s political empowerment” In their review of the research literature at hand, they summarise that the introduction of gender quotas can generate ambivalent outcomes and dynamics – ranging from (i) a feminist turn among male politicians to a gender-conservative or even misogynist backlash and obstructive legislative behaviour among male politicians, from (ii) increased effectiveness and unity of smaller numbers of women MPs due to a lower threat perception of women’s concerns, in terms of dismantling male dominance to a large and diverse number of women elected, increasing the heterogeneity of interests and positions on women’s issues (ibid.: 8).

“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 (...). At the same time, many have been accused of acting only as proxies for men (...) and of being excessively loyal to party leaders (...). In part, this is because quotas are often not rooted in processes of constituency formation (...), preventing quota women from gaining skills that would make them less vulnerable to manipulation (...). In other cases, the situation is more complex: quota women may support women’s rights legislation but tread carefully in response to harassment, intimidation, or security concerns (...)” (Franceschet, Krook and Piscopo 2012: 11).

Additional food for thought in this regard is provided by feminist political theorist bell hooks (2000: 86) that women obtain transformative power more than often within existing systems, leading to diverse positions and behavioural patterns, for example, as parliamentarians adopting imitation, cooptation, corruption, difference, transformation or incorporation, to name a few. This means for hooks (2000: 87, 89) that women might “not conceptualise power differently” than men and might “focus their attention on gaining as much power and privilege as they can within the existing social structure”. At the same time, she contends that “[w]omen, even the most oppressed among us, do exercise some power. The power can be used to advance feminist struggle”, understanding power as the “ordered use of power to disbelieve” (hooks 2000: 92). This disbelief must ultimately be one of patriarchy, and political patriarchy for that matter – an invasive power system “based on control as a core principle around which entire societies are organised”, entailing “dynamic relationships between fear and control” and whose engine is mostly “driven by how men both cause and respond to it”, often resorting to misogyny (Johnson 2001: 95, 97, 103). Thus, resorting to a primary focus on women to dismantle patriarchal institutional setups, norms and practices do not address the core issue at hand, argues Johnson (2001: 100), as the control of women is “neither the point of patriarchy nor the engine that drives it”, making male members of

a given society, or male political stakeholders, for the matter of our research focus, liable as prime targets and agents.

Reviewing the state of the art, Franceschet, Krook and Piscopo (2012: 13, 26) conclude that gender quota provisions potentially generate divergent and multiple effects within different polities and societies as “based on current theories and evidence – quotas may have positive, mixed, and sometimes even perverse effects on women’s political representation”, because

“[t]he features of each country’s political, institutional, and cultural background play a central role in shaping the effects of quotas on all aspects of women’s political representation. The relevant factors that emerge (...) can be classified into three broad categories: (1) the degree of democratisation and, in some cases, the path a country takes towards democracy; (2) the types of political institutions, including both formal rules and informal norms; and (3) the social and cultural norms associated with gender equality”.

Thus, with our own case study-based empirical research, we intend to contribute to this debate, reviewing evidence from Pakistan in terms of political performance, constituency-building along with gatekeepers and institutional constraints of women’s substantive political representation³.

Performance that Doesn’t Count

Women have a history of disadvantage in the formal arena of politics in Pakistan, although there is no constitutional bar on women’s participation in politics as voters and candidates. The Constitution of Pakistan has several articles that guarantee gender equality and participation in public life. Article 25 of the Constitution states that there shall be no discrimination on the basis of sex. Article 26 guarantees non-discrimination in respect of access to public places. Article 34 makes it obligatory for the State to ensure full participation of women in national life. There are several other provisions, within the Constitution, to protect women’s right to vote, contest and take part in politics. However, from the time of independence till 1997, only 113 women had ever been elected in various national legislatures, including the nominated Majlis-e-Shoora (Mumtaz 1998: 322), to the extent that two parliaments of 1955-56 and 1956-58 had no women representatives. As mentioned above, the legal provision for the reservation of 10 seats was given in the country’s first constitution in 1956. Again, in the Constitutions of 1962 and 1973, six and ten seats were reserved for women respectively. However, the number of reserved seats for women was not significant enough.

The military regime of Pervez Musharraf increased the reservation of seats for women substantially in the local government and in the legislatures. Under the Devolution of Power Plan (2001), 33 percent seats were reserved for women at the local government level. Seventeen percent seats (60 seats) were reserved in the national and provincial assemblies and 17 percent in the Senate through the Legal Framework Order (LFO) 2001.

The modality adopted for the election on reserved seats is indirectly affected through the party list. Each political party is given a share of women’s reserved seats in proportion to the number of seats won in the election. In the last three parliaments: 2002, 2008 and 2013, 60 women were elected in each parliament as public representatives on reserved seats. In addition to reserved seats, 14 women got elected on general seats in 2002; 16 women in 2008 and 9 women in 2013 elections. The numerical visibility of women in the national and provincial legislatures and in the Senate since 2002 has brought the spotlight on their role and performance to advance women’s equality agenda in policy and legislations.

The performance of women parliamentarians on gender quota in the last three parliaments has been closely monitored by International and National NGOs in the country such as Free and Fair Election Network (FAFEN), Pakistan Institute of Legislative Development and Transparency (PILDAT), Pattan Development Organisation, Aurat Foundation, International Foundation for Election System (IFES) inter alia. Women legislators have been put under strict scrutiny by the civil society and the media as well. This has been greatly resented by some women parliamentarians as similar accountability and performance assessment has not been done of their male counterparts⁴. In one instance, a women MNA got irritated when the question was asked about the performance of women parliamentarians:

“Why is everyone interested to assess our performance? How about men? They don’t even bother to attend parliamentary sessions. What have they done? Why no assessment is being done on their performance?”⁵

There is consensus in reporting by various organisations that women parliamentarians on gender quota actively participate in parliamentary business (see annex 1). The 12th National Assembly (NA) saw the highest number of women legislators (74) in the parliamentary history of Pakistan. Sixty women came on reserved seats (17 %) and 14 were elected on general seats. The majority of women came in the parliament for the first time. They had limited knowledge of parliamentary functioning and lacked political skills to participate in parliamentary business. Nevertheless, the performance assessment of women parliamentarians in the 12th NA conducted by the author and Aurat Foundation showed a remarkable contribution that women had made in parliamentary functioning. Women

3 This section is reproduced here from the comparative paper by Fleschenberg and Bari (2015): “Unmaking Political Patriarchy through Gender Quotas?”, Policy Brief, Heinrich Böll Stiftung, pp. 13-15.

4 FAFEN monitors and reports regularly on the performance of all male and female legislators.

5 Interview with Shazia Marri, Islamabad, September, 2015.

legislators moved 27 percent of the total questions; 30 percent of the total calling attention notices; 24 percent of the total resolutions and 42 percent of the total private members' bills moved in the house (Mirza and Wagha 2008: Preface: 2). Legislative performance of women parliamentarians on gender quota remained high in the 13th and 14th NA (on-going).⁶ In the last two parliaments, nine extremely pertinent pro-women legislations were passed and all the bills were moved by women parliamentarians on gender quota. Male parliamentarians' record of moving legislation on women's specific issues has been extremely low in the parliamentary history of Pakistan. Interestingly, women legislators who won on directly elected general seats are not as active in the parliament as women on gender quota. The performance assessment of the NA from June 2014 - Feb 2015 showed that women legislators contributed 50 percent share in the conduct of parliamentary business.⁷ Thus, women legislators performed much better on legislative work of the parliament compared to an oversight and representation role, primarily because of their lack of awareness about these roles.

Standing committees in the parliament have the role to oversee the functioning of the government. All 31 standing committees in the current parliament are chaired by men only. In the political culture of patronage and clientelism, these positions, on the standing committees, are used to oblige male legislators to allow them to enjoy extra perks and privileges being the chair of the committees.⁸ Substantive representation requires more than legal reforms, as women specific protective laws that women legislators moved and passed will not yield positive results unless women are socially and economically empowered to claim those legal rights as well.

Women parliamentarians' ability to drive shifts in policy, resource allocation and institutional frameworks towards building women's human capital is fairly limited as they are not present in Cabinet where policies are debated. Presently, in the cabinet of 19 Federal Ministers, not a single woman parliamentarian is included as a full minister. Only two women were ever given the portfolio of state ministers. In the absence of women's presence in the highest decision making forum, their active role in passing pro-women legislation does not get translated in the substantive equality of outcomes for women in the country.

Women legislators rate their own performance in the legislature far better than men. They feel women take their job as legislators far more seriously and with value than male counterparts. However, they seem to be less focused on their representational and oversight roles. Dr. Ramesh Kumar made a critical remark during the interview:

“Women legislators lack political vision. They are active in moving legislation to make political gains but they do nothing to raise the issue of implementation. There are six out of sixty women on gender quota who are good. Political party leadership does not like vocal women. There is no change in political parties. If today gender quota is abolished that will be the real test of the political parties. I believe quota seats must be filled through direct election”.⁹

Male parliamentarians have divided views on women's role and added value in the parliament. They make a distinction between serious women legislators, with core competencies, and non-serious women legislators. Atizaz Ahsan (PPP) said that attitudes toward women on gender quota are changing:

“I think initially when the quota was given to women, they were not taken seriously. Even women who came on general seats were treating women on gender quota as lesser parliamentarians. There was an arrogance of being elected directly. Over the years, the situation has changed. Now active women on reserved seats command a lot of respect too. They are neither a frill nor frivolous. Parties have also improved the representation on quota seats. There is a better mix on gender quota seats now. There will always be a political compulsion to accommodate the spouses of hard core cadre of the party. Political parties will always use these seats this way but I feel the mix in the quality of women on gender quota has improved”.¹⁰

Male parliamentarians referred to the fact that several women MNAs did not participate in any form of parliamentary business over the last three year. Concurrently, however, they admitted that a small number of women lawmakers played an extremely active and important role. Women's high level of attendance in parliamentary sessions is also viewed negatively by some of them, notwithstanding that the Parliament is faced with a consistent lack of interest and low attendance of male law makers. On several occasions during the last three years, the speaker had to prorogue NA session due to lack of quorum. The quorum requirement of a minimum of 86 parliamentarians to proceed the parliamentary session is often met due to the presence of women lawmakers in the NA. One of the male MNAs expressed his views on women's presence in the parliament in the following words:

“Women parliamentarians have plenty of time at hand. They do not have to go out to do any constituency work. It is easy for them to leave home and come and sit in the comfortable environment of the assembly. They enjoy the status of being parliamentarians but do not have to do any hard work like us. They have nothing to do at home, so they get ready and come to the assembly while we have to spend time in our constituency”.¹¹

6 FAFEN have been monitoring parliamentary sessions regularly of the 13th and 14th NA. It is documented that women legislators excel in their participation in the parliament as compared their male colleagues.

7 FAFEN, Women Legislators Performance in the National Assembly June 2014 –February 2015.

8 Members of Standing Committees get TA/DA for attending sessions and other financial benefits.

9 Interview with Dr. Ramesh Kumar (PML-N), Islamabad, May, 2015.

10 Interview with Atizaz Ahsan, Islamabad September, 2015.

11 Interview with male parliamentarian, Islamabad, September, 2015.

Women's role inside the parliament is seen as easier and less valuable compared to men's constituency work outside the parliament. The dichotomy of inside/outside and the value attached to outside public sphere continues to devalue women's 'inside' work in the lower house of the parliament.

Several male MNAs acknowledged that women parliamentarians have political capacities and they have been playing an active role in the conduct of parliamentary business. However, there seems to be consensus amongst them that as long as quota seats will be filled through the selection process of party list, women will not be treated as equals. Male parliamentarians also referred to the fact that quota seats have brought women in from the elite background, those who belong to influential political families and are the relatives of politicians, thus not based on merit. Dr. Ramesh Kumar (PML-N) pointed to the fact that there is no regional, class and minority spread in quota seats. The majority of women on gender quota belong to urban centers, from fewer districts and none from religious minorities.

The majority of women legislators across political parties mentioned common problems of male resistance and lack of support within the party with the exception of Ayesha Syed (Jamaat-e-Islami), Munaza Hassan (PTI) and Nikhat Shakeel (MQM) who reportedly received support from their parties. They raised the issue of being ignored by their party members and the speaker of assembly for not giving them the floor and not taking up resolutions and motions moved by them. They shared that the problem of gender discrimination faced by women legislators across parties and in the gender biased House has not led to a stronger caucusing and networking among themselves. Therefore, women parliamentary caucus is fairly weak in the present parliament. In the previous parliament, under the leadership of Fahmida Mirza, cross party women parliamentary caucus was quite active. In the present parliament, out of 60 women on gender quota, 31 belong to PML (N). The majority of women (45) in the parliament are first timers and some are not very active in the parliament. Nafisa Shah expressed her concern on the low quality of women legislators in the 14th parliament by saying:

"I think this government sees women as 'extras' and extras do not have much to do. They are made to sit on the back benches. It is only women law makers from opposition who are vocal and doing our bit but when it comes to treasury benches, all women sit on the back benches, mostly cheering to their leaders".

Women legislators continue to suffer from their credibility being questioned. Almost all of the women legislators felt they were not treated equally in the parliament by their male counterparts. Quota seats are viewed as "candy" seats. They continue to face male resistance, to accept them as equal despite consistently performing high in the house since 2002, which is reflected in denying development funds to women on gender quota in the current parliament. This was repeatedly mentioned by many MNAs as evidence that gender quota parliamentarians are not treated equally.

Dr. Nikhat Shakeel (MQM) said:

"It made me extremely upset and sad when a male member from PML (N) said to the floor of the house that these women do not need any funds because they do not have any constituency. I asked myself what is the purpose of us women sitting in the parliament? Are women sitting in the parliament only for raising their hands or merely just to increase the strength of the party? This mindset is a big challenge for women".¹²

Nafisa Shah (PPP) said:

"Personally I do not think that MNAs, MPAs should be doing development work. But if they think that there should be some constituency development funds then this should be given equally to every member. Now they gave those constituency development funds to male members and members of minorities. Women are the only ones who came on quota seats who were totally shunted out of the system. Despite several protests, they did not deem it necessary to give these funds to us".

On the issue of development funds, women on gender quota across political parties put up a show of solidarity by walking out from the parliamentary sessions in protest. However, this did not lead to achieve any results. Otherwise, the intra-gender competition, lack of solidarity and lack of gender consciousness impedes women legislators to act in unison on behalf of women voters. Shaista Pervaiz, secretary parliamentary women caucus mentioned difficulties to bring women together on a common agenda:

"Women are not united. They are more loyal to their parties than to women. They do talk about solidarity but when the time comes, they toe the party line. I am trying to build a team. In the previous caucus, there were a few active women who were running the show. If women can be united in a caucus and speak with one voice, I am sure we can get a lot of things done for women through this parliament".¹³

Women parliamentarians are fully aware about the significance of having a constituency base. There is also a consensus amongst them on the need of retaining quota seats, but they favour a change in the indirect modality of election. They feel direct election will give them a constituency and a power base.

The parliament works without providing any technical/research support to MNAs. Women particularly suffer due to their inexperience and lack of a support system available for the first timers on quota seats within parliament or in their political parties to give them capacity support to perform actively in legislative business. No party supports political, leadership training of women in parliamentary business except Jamaat-e-Islami. Dr. Nikhat Shakeel (MQM) stated:

"We are the first timers in the assembly and we are in the learning phase. We have a lot of ideas regarding legislation and doing other things for people but there

12 Interview with Nikhat Shakeel, Islamabad, July, 2015.

13 Interview with Shaista Pervaiz, Islamabad, September, 2015.

is no one here to support us. We need researchers and legislation drafters to help us out. There is no training for the parliamentarians. There is Pakistan Institute for Parliamentary Services (PIPS) but that is really out of the way and it is very difficult to get there when they invite us for training. I feel PIPS should be housed in the National Assembly building. This will be a great help to us new comers”.¹⁴

In the current parliament, an overwhelming number of women legislators (66.8%) are new entrants. Out of a total number of 211 women elected on reserve and general seats in the national and provincial assemblies, 141 are first timers. They need hand holding. There is no formal mechanism available neither at the parliament nor the party level to provide capacity support to women parliamentarians who have no prior experience. There is only informal mentoring by senior women MPs.

Imagined Constituencies: Realities and Challenges

Pakistan is a diverse nation, multi-ethnic and pluralist society with highly uneven socio-economic development. The tribal, feudal and capitalist social formations determine divergent status of women across regions, class and rural-urban divides. The constituency based politics heavily relies on primordial loyalties, factionalism, money, baradri, and patron-client relationship. In this traditional social order, women face structural barriers to develop their political constituency base due to (i) lack of social capital as traditionally they are not head of the families, kinship group, or a tribe (ii) lack of independent economic resources that is becoming more important due to increasing corruption, criminalisation and commercialisation of politics (iii) voters' continuing bias to not elect women candidates as they are not seen powerful enough to help them in their issues at the thana (police station) and the kacheri (court) (iv) reluctance of political parties to give women party tickets to contest on general seats as they are not considered winnable candidates, (v) weakening ideological bases of party politics where money and power defeat merit and (vi) poor governance, corruption and culture of safarish (getting ahead by who you know rather than merit) puts pressure on elected representatives to solve constituents problems through personal interference. These are the systemic issues that mitigate against women building their constituency and entry in politics through contesting on general seats.

Due to entrenched feudal/tribal/capitalist power structures, the experiment of liberal democracy in Pakistan has resulted in strengthening local power configurations. Every election held in the country

has catapulted land owning elite, tribal leaders and urban rich business class in the parliament. Political parties with no party structures at the grass-roots level prefer to work through local power brokers. They are the winnable candidates who bring a block vote with them to a political party and women politicians are unable to compete with male contestants for party tickets. Many gender quota parliamentarians have expressed their desire to contest on general seats, on the party ticket, but have no hope to get there. Despite tall claims reflected in party manifestoes for gender equality, political parties are not willing to take risks by fielding women candidates. Shafqat Mahmood (PTI) said “politics is a game of power and not a charity”. Political parties' primary concern is to come into power playing through winnable candidates, thus women stand no chance. Nafisa Shah expressed her discontent by saying that party leadership will never take a risk of giving women tickets on winnable seats even if they think a woman in that particular constituency is far more capable than a male candidate:

“It is not the gender, the dynamics here is who could win. Yes, I would like to contest on general seats. Last time I tried but could not get the party ticket. I will try again but not sure whether I will get it. Parties always look for winnable candidates. In my particular case, as they already have a winnable candidate on that particular seat, they do not see any reason to shift whereas I am sure if they give me the ticket, I will win them the seat but I stand no chance”.¹⁵

Political parties give tickets to only those women who they think could win the seat. Nine women who were elected on general seats belonged to powerful political families and inherited social capital from the male member of their families.

With the fading of ideological politics in the country, the criteria for candidature is further shifted in favour of money, power and influence which makes it harder for women to claim political power. Several quota women are doing serious constituency work in their areas without their party support. Many would like to contest on general seats but parties will not grant them tickets. Nafisa Shah said if a party has no winning candidate and they think a woman can win, then they may give a party ticket to her like in the case of Shazia Marri. Shazia was elected twice on gender quota in the Sindh provincial assembly.

Shazia Marri explained how she managed to win on the general seat:

“I am proud to say that it was my sheer hard work to win a constituency that traditionally belongs to Pir Pagara. Defeating this religious/political giant was a huge victory for me and for the people in my constituency. Thirty percent population in the area consists of Hindu population. They deposited great trust and confidence in me. On the day of my victory, they came to me and said Pakistan got independence on 14th of August but we got independence on 22nd September, on the day of your victory”.¹⁶

¹⁴ Interview with Nikhat Shakeel, Islamabad, June, 2015.

¹⁵ Interview with Nafisa Shah, Islamabad September, 2015.

¹⁶ Interview with Shazia Marri, Islamabad, September 2015.

There is a stark realisation amongst aspiring women politicians that within this larger disempowering socio-economic and political context, constituency building without the support of political parties is quite challenging. Therefore, the majority support the retention of gender quota to be filled through the same direct process of election as adopted on the general seats.

The serious contenders of political power are working hard to build their imagined constituency base against all odds. Depending on their gender awareness and political ambitions, their imagined constituencies include (i) all voters in the area to which they originally belong (in terms of family domicile) (ii) political parties and their respective membership, which brought them into formal political institutions on a gender quota seat, and/or (iii) all women of Pakistan.

Munaza Hassan (PTI) expressed the difficulty of building a constituency base like men do:

“You have to create a constituency by solving people’s problems. The State has failed to solve people’s issues. Women parliamentarians cannot go to the police and courts in the middle of the night to resolve their issues. We must make the people understand that it is not a job of a MNA or a MPA to solve their issues. Unless the government becomes functional and unless people have a better understanding of the role of a parliamentarian, women stand no chance to come through general seats”.¹⁷

Ayesha Syed (Jamaat-e-Islami) shared the pressure that women parliamentarians have to bear due to their dual public and private roles in the political and domestic arenas and, yet an extra burden to prove their worth to the party and to their constituents:

“We have to work harder to sustain our support at the constituency level through welfare work. I am so tired of working hard for my constituency. I received a call late night that the forest in Dir (my constituency) was on fire, I had to rush and stayed there till 4:00 am in the morning. I feel if I am not there, people will be disappointed. It’s my responsibility to be there in time of need. My husband is very cooperative but I am a mother too. I am so tired that I do not want to be a parliamentarian again”.¹⁸

Farhat Khan (ex MNA, PPP) expressed the security threat she personally faced while visiting her constituency in Mardan. She feels that the rising tide of extremism and Talibanisation increases the risk for secular politics and for advocates of secularism in the country. The Tehreek-e-Taliban Pakistan singled out “secular parties” like Pakistan People’s Party (PPP), Muhajir Quomi Movement (MQM) and Awami National Party (ANP) during the 2013 election and struck 44 election related attacks on the rallies and leaders of ‘secular’ parties during the 2013 election campaign. With the erosion of the State’s ability to protect citizens and counter non-state actors, these threats have become far more real. Attacks on the lives of human rights defenders are equally on the rise. The recent killing of a prominent human rights activist Sabeen Mehmood in

Karachi, who founded an NGO called The Second Floor (T2F); the murder of Farida Afridi, a NGO worker from KPK; Parveen Rehman, a fearless rights activist of Orangi Pilot Project, and Rashid Rehman, the regional coordinator of Human Rights of Pakistan, who took a blasphemy case as a lawyer, has created a scare in the country. The wave of violence against human rights defenders is an attempt to silence liberal and secular voices in the country. Religious conservatism and radicalisation in Pakistani society and media is rising. Research on youth shows an alarming trend of radicalisation amongst the young in Pakistan. Ayesha Siddiqi (2010) in her study refers to five other studies conducted in Pakistan to analyse the link between youth and extremism. The findings of four out of five studies show that Pakistan youth is getting radicalised.

Atizaz Ahsan referred to the role of electronic media that is hyper conservative:

“The morning talk shows characterise women as subservient. TV dramas are all about projecting women with dupatta and hijab as *naik parveen* and a woman is cast as the bad one. Society is being talibanised and women play along happily. I mean to say happily that women are caught in a dichotomous situation of jeans and hijab. But the mindset is really conservative and the pretense is to show that Islam is very liberal, so the jean/hijab combination”.¹⁹

Shahnaz Wazir Ali said:

“Our society is going through a conflicting phenomenon. Pakistan has become more and more urbanised but is becoming more religious and moving towards conservative ways of thinking. Modernity is shown only with reference to the dress code but the mentality and thoughts are increasing becoming very conservative”.²⁰

In the 2008 election, around a third of the women, registered to vote in FATA, were prevented from doing so due to threats from local Taliban militants. Pamphlets distributed in Bajaur, Kurram, and Mohmand agencies warned tribesmen of bombing or other “severe punishment” if women were not kept away from polling stations. In addition to this, many candidates struck private agreements to ban women from voting.

17 Interview with Munaza Hassan, Islamabad September 2015.

18 Interview with Ayesha Syed, Islamabad, June 2015.

19 Interview with Atizaz Ahsan, Islamabad, September 2015.

20 Interview with Shahnaz Wazir, Islamabad, September 2015.

Between a Rock and a Hard Place

When women as 'private' citizens enter the public domain of politics on gender quota, all the structural constraints that militate against them to enter politics through mainstream political processes do not disappear. Women continue to face patriarchal resistance to be accepted as legitimate power contenders in politics.

Political parties as gatekeepers are the major stumbling block to women's political empowerment. Male domination, misogyny, authoritarianism, corruption, criminalisation and dynastic politics are characteristics of mainstream political parties in Pakistan. Waseem and Mufti (2012: 9) explained the historic nature of political parties in Pakistan in the following three specific ways. (i) Muslim League leadership was dominated by Muslim elite from the Muslim minority provinces; whereas the new State of Pakistan was established on the territory of the Muslim Majority provinces. This anomaly soon led to the disintegration of the party into several factions, as real power drifted to the civilian bureaucracy and later the army (ii) the migrant leadership had left its electoral constituency in India. It chose to govern through a civil bureaucracy that was itself dominated by the migrant elite (iii) there was a gross imbalance in favour of the postcolonial state apparatuses of the bureaucracy and the army against political parties.

The concept of over-developed post-colonial state of Hamza Alavi (1972) is also very useful to understand the nature of political class and political parties in Pakistan. Alavi contends that under-developed indigenous bourgeoisie in post-colonial state was unable to subordinate the relatively high developed colonial state apparatus through which the Metropolitan power exercised their domination. According to him:

“...the convergence of interests of three propertied classes, the indigenous bourgeoisie, the Metropolitan neo-colonialist bourgeoisie and the landed class under the Metropolitan patronage allows bureaucratic-military oligarchy to mediate their competing but no longer contradictory interests and demands” (Alavi 1972: 60).

This explains the domination of military and civil bureaucracy in the political system of Pakistan. The first coup in the newly independent State of Pakistan was launched by the civil bureaucracy in 1954 and then the army interrupted the political process through military coups in 1958, 1969, 1977, 1999. Every military coup followed by rendering political parties defunct (Waseem and Mufti: 2012).

The nature of mainstream political parties is shaped by the political trajectory of the post-colonial State of Pakistan. The leadership of the mainstream political parties, dominated by landed aristocracy and business class, have no interest to democratise the

parties that could be a potential risk to their dynastic descendants. Lack of inner-party democracy is the key feature of the mainstream political parties in Pakistan, except Jamaat-e-Islami that holds regular elections.

In this backdrop, political parties prefer to work through electoral heavy weights. They are less interested in membership recruitment, political ideologies or public policies. Their primary interest is in capturing state power and use state resources to sustain their patronage and power base.

As Pakistan's mainstream political parties do not keep membership records, it is hard to assess what percentage of women have joined political parties, however, the common observation is that an increasing number of women is joining and aspiring to public office. All national mainstream political parties have separate women's wings, with the exception of the Awami National Party. In my earlier work, I have documented the marginality of women's wings within political parties with few substantial changes during the past one and a half decades: while women play an active role in party politics, their activism, however, is not matched with a corresponding status within the decision-making structure of their respective parties along with appointed women's wings lacking any political power to influence party policies (Zia and Bari 1999). Conspicuous was the 2014 large scale female participation in the months-long Dharna (protest), mostly of lower and middle class women mobilised for the protest turned sit-in in the capital Islamabad over allegations of fraud in the 2013 parliamentary elections, called for by Tehreek-e-Insaf and headed by cricketer-turned-politician Imran Khan. As a matter of fact, key figures during the Dharna were predominantly male party leaders and members speaking and rallying, relegating women to support functions for further and continued political mobilisation, social media activism, as well as to ensure an enthusiastic audience for the large-scale daily protests at the protest camp site.

With regard to women's inclusion in politics, political parties have shown contradictory trends: women are increasingly seen as a constituency but are not supported sufficiently when seeking candidacies and/or exercising a political mandate. To attract women voters, commitment to gender equality and women's empowerment is reflected in party manifestoes of all major parties, including religious political parties in the past elections. In reality though, there is hardly any change in the attitude, behaviour and political practices of party leadership towards women's rights, women voters, female party workers and female candidates. Thus, one can identify a clear mismatch between women's political aspirations and parties' responses, reflected in the growing number of women contesting as independent on general seats with a phenomenal increase in the number of women candidates. Fifty-four in 2002, 64 in 2008 to 161 in the 2013 National Assembly elections; while in the provincial assemblies the number grew from 116 in 2008 to 355 in 2013 in provincial elections. Comparing data from the 2008 and 2013 elections, the overall number of women candidates rose by 246 percent for National Assembly and by 306 percent for Provincial Assemblies. Out of

116 women who contested elections on general seats in 2013, 95 ran as independent (UNWomen 2013). Instead of consolidation of gains made in the political sphere, a downward trend is visible in the present government. Women have not been given ministerial positions in the present political set up. In the previous government, led by Pakistan People's Party, seven women legislators had ministerial positions including important portfolios such as Minister of Information (Sherry Rehman), State Minister of Foreign Affairs (Hina Rabbani Khar) and Dr. Fahmida Mirza was made the first woman speaker of National Assembly. Despite women's proven capabilities to serve on ministerial posts, the present government of PML (N) appointed only two women Saira Afzal Tarar, who came on directly elected seat, as minister of Health and Anushe Rehman as State Minister of Information, Technology and Telecom. The ideology of political parties seems to have an impact on acceptance and women's inclusion in positions of power in politics. Political parties with liberal credentials are relatively more open to accept women in political roles than conservative and centrist parties.

Within the political context of Pakistan, the wide gender gap in supply and demand for parliamentary office does not support the political recruitment model outlined by Norris and Lovenduski (1993), based on the correlation that "the outcome of particular parties' selection process can be understood in terms of interaction between the supply of candidates wishing to stand for political office and the demands of party gatekeepers who select the candidates" (Kenny 2013:16).

While there appears to be an increasing recognition amongst party leadership that women command political capacities and competencies, patronage structures meanwhile intercede with most major parties' decisions of candidate selection for general seats. Based on considerations of who can get the work done for their voters and supporters and who could win them a seat, business as usual is followed with little space and chances carved out for women as novel and different entries to patrimonial-androcentric politics.²¹

"Political parties make tall promises for women's equality and empowerment. But when party is expected to overturn the gender status quo to appoint women in decision making positions or give them party tickets, I do not see much change. At the party roundtable where core decisions are taken, I could think of just one woman who makes it there and the rest of us are still behind".²²

21 While most women parliamentarians in the current parliament joined pro status quo parties, however an interesting dynamic emerges: given their experiences of marginalisation, rejection and relegation to a weaker political status and mandate - be it by male colleagues or party whips - an increased oppositional gender consciousness develops and a desire to change androcentric political structures and practices, be they within parliament and/or political parties (interviews conducted with women parliamentarians, Islamabad, June 2015).

22 Interview with a leading woman parliamentarian from PPP, Islamabad, June 2015.

While women are better positioned within the ideological space of politics now, the overall political trends in Pakistan move into different directions with significant implications for gender-specific barriers and institutional constraints to women's issue-based agenda setting and political mainstreaming. Significant forces and trends are on the rise in religious extremism, political violence along with political parties that are moving towards identity politics and constricting women's space in politics. Political parties often drop gender equality concerns for short-term political gains and for purposes of political expediency prior to elections. There is evidence enough to demonstrate that across-parties alliances are often struck to bar women from voting in order to entertain and maintain local patriarchy. Perpetuating political patriarchy in terms of values, discourses and practices is not the hallmark of religious political parties only; it is just as well discernible in liberal parties. The latest case in point was the 2013 general election in Dir, Khyber Pakhtunkhwa, in PK 95 constituency, where representatives of all mainstream political parties (PPP, ANP, PMLN, Jamaat-e-Islami, PTI) signed an agreement saying that due to "prevalent conditions" women would not vote in the general elections. A fine of Rs. 5 million was fixed in case an individual or party violated the agreement. The civil society raised this issue of gross violation of human rights, i.e. women being barred from voting, with the Election Commission, highlighted it on the national media and demanded for the cancellation of election results in such constituencies.

Consequently, women's spaces and opportunities in politics are continuously shrinking due to religious militancy, security concerns and growing gendered societal conservatism, way of thinking and mindset. This is mirrored by and linked to the overall patriarchal nature of the Pakistani state and its institutions, identified as another significant structural barrier to women's substantive representation. Pakistan's state bureaucracy is completely dominated by men - only a negligible 1.7 percent of women is working in senior management positions (Government of Pakistan, 2009). The majority of women are over representing in the lower rung of public institutions. The concept of 'representative bureaucracy' has not found its way in academic or policy debates on civil service in Pakistan. The male dominated bureaucracy with institutionalised gender bias in bureaucracy is frequently mentioned as a key challenge. Women legislators shared their experiences of male domination, masculine bias and rude attitudes of ministerial bureaucrats towards them. The majority of women legislators interviewed complained that bureaucrats and local administrators do not take them seriously. Previously serving as Nazima (mayor) in the district of Khairpur (Sindh Province), outspoken and active gender quota politician Nafisa Shah stated that:

"[T]he general attitude of bureaucracy towards women is either condescending or indifferent. They do not take you seriously, so you really have to speak up. You have to show them that you really understand them and see through the things they were saying; then they take you seriously".²³

23 Interview with Nafisa Shah, Islamabad, June 2015.

Similarly, another woman legislator from PML (N) expressed her frustration in dealing with bureaucracy:

“Bureaucracy does not take us seriously and positively. Maybe the media has built this perception and people say there is political interference. I ask: where is the political interference? They do not allow any political interference because they do not listen to politicians. Women are never taken seriously by them”.²⁴

Local level bureaucracy does not cooperate with women parliamentarians. When they approach them with the problem and issues of their constituents, the local bureaucrats do not pay attention and feel that they are not accountable to local public representatives. A woman MNA from Sindh said:

“I know this is not my job to resolve people’s issues. We are legislators. It is the job of the government machinery to solve people’s issues. But government does not work for people at the local level. People keep on coming to us and demand to resolve their issues. I am happy to go with them to the concerned department but no one takes me seriously there. They pretend as if they respect me but they do not do my work. This undermines my value in the eyes of my own people”.²⁵

The slow pace of work and the level of efficiency of bureaucracy was also mentioned as a problem. Marvi Memon expressed her frustration saying:

“I am working on an executive position, I face the inefficient bureaucracy every day. I come from the corporate sector where the pace of work is fast and very efficient. We politicians are more concerned to deliver to the constituents, but our bureaucracy is slow and inefficient”.²⁶

Ayesha Syed from JI said:

“Bureaucracy always creates problems for politicians but I handle them well. Whenever I face problems at the local level, I tackle them by approaching the higher level. It is great fun to control the bureaucracy”.²⁷

Ayesha Gulalia also shared her experience saying that:

“Bureaucracy does not take women seriously. Maybe because they think that women do not have experience, so they can dodge them. They make excuses. Male politicians go to their offices so they know how to work with them. Women are new in this field. It will take time for bureaucracy to learn that women parliamentarians also represent people”.²⁸

If women parliamentarians are able to get bureaucracy on their side, they feel empowered but the majority of female parliamentarians’ experience with bureaucracy is not positive. Our bureaucracy reflects the societal norms of gender hierarchies and gender inequalities in its institutional rules and working environment. Inefficient, inept, unaccountable and gender biased institution of bureaucracy is

another structural barrier to women’s substantive representation.

Interestingly, the response of bureaucrats interviewed in the course of this study spoke very highly of women legislators, finding them extremely competent and committed.²⁹ Imtiaz Inayat Elahi, a bureaucrat said:

“Women are more efficient, honest, professional and have a higher level of personal integrity. Women lack understanding of rules but they are quick to learn. I feel there is more lip service to gender equality than the genuine commitment at the top level. More and more women are coming through civil service. They, as women bureaucrats, should be given some relaxation in age, and in marks and some tax relaxation too. More women in bureaucracy can change the bureaucratic culture”.³⁰

Women’s competencies and stature determines the relationship with bureaucracy. Women who can speak their language and those who come from an elite background, bureaucracy tends to take them more seriously.

With regard to the State’s commitment to gender equality, the majority of women parliamentarians expressed a lack of satisfaction. The government of Pakistan is signatory to the International Covenant on Civil and Political Rights (ICCPR)³¹ and the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) that binds the State to ensure universal suffrage and guarantee free and fair elections under the Universal Declaration of Human Rights (UDHR). The State is under the international treaty obligation to ensure an enabling environment for gender equality and women’s political participation. The majority of male and female MNAs were open and candid in criticising that the government is paying only lip service to gender equality agenda.

24 Interview with woman legislator, PML (N), Islamabad, June 2015.

25 Interview with woman MNA, Sindh, June 2015.

26 Interview with Marvi Memon, Islamabad, June 2015.

27 Interview with Ayesha Syed, Islamabad, August 2015.

28 Interview with Ayesha Gulalai, Islamabad, August 2015.

29 Interviews with bureaucrats, Islamabad, June 2015.

30 Interview with Imtiaz Inayat Elahi, Senior adviser to Federal Ombudsperson, Islamabad, June 2015.

31 International Covenant on Civil and Political Rights, Article 3.

Article 25 sub section (1) &(2)

Article 26.

Trajectory to Substantive Representation

The paper has problematised the trajectory of women's political participation to substantive representation. There is no linear causality between political participation and substantive representation. With women's entry in historically male-dominated sphere of politics, the patriarchal resistance from political structures and institutions that imperil their political effectiveness as parliamentarians does not disappear automatically. To understand the roadblock to women's journey to substantive representation, the paper calls for paradigmatic shift from numerical concerns and focus on individual women's agency and capacities towards structural and institutional constraints.

Women have taken different pathways to reach to the highest political forum of decision-making in the country. Their experiences as politicians and their ability to act on behalf of women varies. However, their presence in the National Assembly epitomises the rupturing of the discursive divide of public-private and symbolically asserts women's claim of voice in policy and political decision-making.

Gender quota is a critical strategy to bridge the gender gap in politics. Gender quota in politics has created role models of women as politicians. Women's numerical strength and physical visibility in the parliament, media and at the constituency level inspired many more women to enter formal politics. This is evident from the increasing number of women contesting in the national, provincial and local government elections. The space created through gender quota encouraged women from poor, minority and marginalised backgrounds to make a claim on politics. Veeru Kohli, a Hindu bonded labourer, belonging to a schedule caste decided to contest in the 2013 election on provincial assembly seat PA-50 in Hyderabad, Sindh. Veeru escaped as a bonded labourer, reached the office of Human Rights Commission of Pakistan and with the help of police freed 40 bonded labourers. Her election campaign focused on freeing all bonded peasants. Similarly, Badam Zari, a first tribal woman from Federally Administered Tribal Area (FATA) mustered up the courage to contest as an independent, on the general seat, in the 2013 election. Demographically, half the population of tribal areas consists of women. Of the roughly 186,000 registered voters in Badam, Zari's constituency, about 67,000 were women. She said in a press conference that "no lawmaker from the tribal areas had ever raised women's issues in the National Assembly. I want to work for the betterment of women in the tribal areas, especially Bajaur Agency, which has suffered immensely in the tribal system",³² The sharp increase of 419 women contesting on general seats of the national assembly

and the provincial assembly in 2013 as compared to 192 in 2008 election indicates the change in women's political aspirations.³³

Women's visibility on gender quota in the male dominated political arena has made a substantial dent at the cultural level. Women's political capacities, performance and participatory rights are increasing recognition amongst the general public and the leadership of political parties. High level of performance and the legislature, and continuing issue of legitimacy and credibility has led to creating an oppositional gender consciousness amongst women legislatures. They have begun to identify that it is not the lack of political experience or competence but the misogynist mindset and androcentric political and state institutions that are the impediments to gender equality in politics. The need for electoral and political reforms has been voiced from many circles of civil society and political workers who are committed to the democratisation of politics.

The nature of electoral politics and political culture has allowed only a limited number of women MPs to attain sustainable constituency-building and political mainstreaming; volatility of electoral politics, institutional proceedings and hybrid political institutions, leading to ambiguity and constant renegotiation of legislative agency and performance; inroads in terms of spaces and agency carved out by women MPs remain precarious, contested and in need of outside solidarity. Women parliamentarians constantly referred to their inability to compete with male politicians within the majoritarian first-past-the-post electoral system. It is hard for them to create and sustain enlarged constituencies through the patronage system. However, there is no discussion amongst women legislators to explore alternative electoral system options that might be more conducive to facilitate women's political participation and representation, such as proportional representative system.

Despite compelling evidence of women's active participation in the parliamentary business, the patriarchal resistance at the parliament and political parties' level needs to be countered through political and electoral reforms.

Indirect modality of election on quota seats is identified as the key mechanism through which women dependence on male leadership of political parties has been reinforced. Indirect election deprives women of any opportunity to develop their own constituency/power base. In the absence of criteria for women to be nominated on gender quota seats, political parties select women of their choice, belonging to their own families, elite background and those who are willing to toe the party line rather than push for women's agenda. The quality of legislators on gender quota can only be ensured through a prescribed criteria based on prior track record of working for gender equality. The merit-based selection on reserved seats will bring women who will be able to effectively advocate gender equality agenda in the legislation and public policy. Intersectional approach to gender quota seats will ensure the regional, rural and urban spread.

³² DAWN 2nd April, 2013.

³³ www.ecp.gov.pk.

A consensus on the direct mode of election on the reserved seats for women has emerged from numerous consultations conducted by national and international NGOs, UN agencies and Women's Parliamentary Caucus etc. Gender quota worked in terms of symbolic representation of women in the formal political structures. For substantive representation, the quota modality must be direct and empowering to assist women to build their geographical constituency base. Within the given 17 percent seats reserved for women, to work out any election modality that is direct is quite challenging. Therefore, the increase in the reserved seats for women in the national and provincial assemblies from 17 percent to 33 percent is imperative to move toward adopting a direct mode of election on gender quota seats in the legislatures.

In view of the entrenched patriarchal mindset and non-democratic dynastic nature of political parties, change in Political Party Act 1962, is decisive to make it mandatory for political parties to hold periodic party elections, give 33 percent representation to women in decision making bodies within the party, and at least 20 percent party tickets to women to contest elections on general seats. Political legal reforms is the only way forward to bridge gender imbalance in politics. It is recommended by Women's Parliamentary Caucus that in general elections, at least 20 percent out of the total turnout of voters in each constituency should be that of women, for the election results to be validated.³⁴ The forced change in the behaviour and attitude of politicians was witnessed at the time of reserved seats for women, notwithstanding that religious parties like Jamaat-e-Islami, whose official position is that women cannot become the head of the State. In their political ideology, politics is not a legitimate arena for women but they nominated women from their own families on reserved seats in the parliament.

To engender the parliament, 20 percent representation must be given to women at the chairpersonship level and in the membership of the standing committees of the parliament. Parliament should be equipped to provide legal, research support to parliamentarians. Electoral reforms should aim to reduce the role of money in politics. The limits of expenditure on election campaigning and sources of political financing should be strictly monitored. Political parties should be encouraged to finance election campaigns of women candidates in general elections.

Patriarchy and bureaucracy are mutually reinforcing systems. Men use patriarchy within the bureaucracy not only to create and sustain male privilege and power over women but also to sustain institutional hierarchy. A good working relationship with government officials is critical for public representatives as they need them to respond and redress the problems of their electorate. So far 10 percent of gender quota in public sector jobs has not been fully implemented. To correct gender imbalance in public sector government machinery, the quota provision in jobs for women should be diligently observed, especially at higher pay scales of BPS-18

and above. The performance of the institutions from the gender perspective should be made a part of the performance assessment of bureaucrats. Education, health, police and judiciary are some of the important sectors in which gender balance and closer linkages of women parliamentarians will go a long way in addition to addressing other aspects of good governance.

Shaista Pervaiz stated:

“People blame parliamentarians that they do not resolve people's issues. This is not correct. Parliamentarians try to resolve issues of their constituents. The real issue is that we need to improve our governance. We parliamentarians may have our own faults but police needs to be revamped. Although a lot has been invested in them but it has not changed their mindset. We need to sensitise our police force. We need to induct more women police. They comprise only one percent till now. Secondly, education and awareness is very important. Women should be part of the bench and judiciary. We need to change the entire scenario. Women parliamentarians should not be blamed for not delivering on women's substantive interests”.³⁵

The issues and challenges confronted by women parliamentarians and the roadblocks to their substantive representation are identified. However, this diagnosis cannot transform the ground realities of women legislators. The ruling class and those waiting to rule are the forces of pro-establishment and pro-status quo.

Having said that, a stronger voice and collective agency of women can democratise the state institutions and political structures. There is an absence of organised women's movement in Pakistan. The fluidity of women's rights groups have failed to insert its agenda in public policy and debates. The NGOisation of women's movement in post 1980s took the sting out of women's demands for gender equality. Many vocal women rights activists from the middle class established NGOs,³⁶ but their development work remains confined to creating space within the existing structures. The donor dependency typically limits the transformative potential of NGO work globally. NGOs are less likely to question the structural barriers and often suggest technical solutions and work within reformist framework to resolve the problem of gender inequality. The marginal voices of working class women, women peasants or women councillors, fighting for the specific rights of their social groups, were not even counted in women's movement documented by middle and upper middle class women. The weak and depoliticised women's movement outside the parliament could offer women parliamentarians only a project supported leadership training, and technical support to draft legislation. It failed to build pressure on the parliament to act in the larger interest of women of Pakistan.

34 Recommendation for Electoral Reforms Committee by Women's Parliamentary Caucus (see Appendix 2).

35 Interview with Shaista Pervaiz, Islamabad, May, 2015.

36 Shirkat Gah, Aurat Foundation, ASR, Simorgh, SAHE inter alia.

The way forward for women parliamentarians who are divided along the lines of class, political affiliation, and other social differences is the 'strategic essentialism'. Their experience of public and private patriarchy albeit different has commonality of subordination and neglect within their political parties, parliament and the state bureaucracy. Women MPs

need to transcend their differences and intra-gender conflict and tensions to form an alliance vertically with members of provincial assemblies and women councillors in the local government, and horizontally with women's rights groups and social movements. With the collective voice and agency, women politicians will be able to deliver on substantive representation.



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Appendix 1:
Women Parliamentarians Elected on General Seats in National Assembly
(2002-2013)

2013 National Assembly

Sr. No	Name	2013	Party Affiliation
1.	Ghulam Bibi Bharwana	Present	NA-88 PML(N)
2.	Saira Afzal Tarar	Present	NA 102 PML(N)
3.	Shazia Mubashar	Present	NA 129 PML(N)
4.	Dr. Shezra Mansab Ali Khan	Present	NA 137 PML(N)
5.	Faryal Talpur	Present	NA 207 PPPP
6.	Dr. Azra Fazal Pechuho	Present	NA 213 PPPP
7.	Dr. Fehmida Mirza	Present	NA 225 PPPP
8.	Shazia Marri	Present	NA 235 PPPP
9.	Shams-un-Nisa	Present	NA 237 PPPP

2008 National Assembly

Sr. No	Name	2008	Party Affiliation
1.	Sumera Malik (Fake degree case)	Present	NA 69 PML
2.	Rahela Baloch	Present	NA 78 PPPP
3.	Ghulam Bibi Bharwana	Present	NA-88 PML(N)
4.	Saima Akhtar Bharwana	Present	NA 90 Independent
5.	Farkhanda Amjad	Present	NA 92 PML
6.	Saira Afzal Tarar	Present	NA 102 PML(N)
7.	Firdous Ashiq Awan	Present	NA 111 PPPP
8.	Sumaira Yasir Rasheed	Present	NA 115 PML(N)
9.	Samina Khalid Ghurki	Present	NA 130 PPPP
10.	Natasha Daultana	Present	NA 168 PPPP
11.	Tehmina Daultana	Present	NA 169 PML
12.	Hina Rabbani Khar	Present	NA 177 PPPP
13.	Khadija Aamir Yar Malik	Present	NA 184 PPPP
14.	Faryal Talpur	Present	NA 207 PPPP

2002 National Assembly

Sr. No	Name	2002	Party Affiliation
1	Saima Akhtar Bharwana	Present	NA-90 PML (Q)
2	Ghulam Bibi Bharwana	Present	NA-87 PML (Q)
3	Sumaira Malik	Present	NA-69
4	Zubaida Jalal	Present	NA-272 PML (Q)
5	Dr. Fahmida Mirza	Present	NA-225 PPPP
6	Shamshad Sattar Bachani	Present	NA-223 PPPP
7	Dr. Azra Afzal Pechuho	Present	NA-213 PPPP
8	Hina Rabbani Khar	Present	NA-177 PML (Q)
9	Khalida Mohsin Ali Qureshi	Present	NA-176 PPPP
10	Rubina Shaheen Watoo	Present	NA-147 IND
11	Samina Khalid Gurki	Present	NA-130 PPPP
12	Riffat Javed	Present	NA-117 PML (Q)

Source: <http://www.na.gov.pk/en/index.php>

Appendix 2

Recommendation for electoral reforms committee by Women's Parliamentary Caucus

- Women should have at least 33% representation of the reserved minorities quota in the National Legislature.
- A 15% quota should be reserved for women on general seats by each political party while ensuring that those constituencies are contestable only by women.
- Selection of women reserved seats should be transparent and merit-based with pre-defined criteria which should be based on prior experience in politics, contribution in social development, advocacy on women issues of education
- In general election, at least 20% out of the total turnout of voters in each constituency should be that of women for election results to be validated
- It should be ensured that all decision making bodies, including the political parties and parliamentary committees, have at least 33% representation of women.
- 01 seat in each legislature should be reserved for persons with disability.
- There should be 33% seats for women in the quota for minorities.
- Political parties should provide financial, as well as political support to its women candidates to contest elections on general seats.
- More women should be inducted in the ECP staff and it should be ensure that only women polling agents should be assigned to the dedicated women polling stations.
- All women registered in the national database of NADRA should automatically be enrolled in the voting lists so as to encourage participation of women in the electoral process.
- Election commission should provide its own polling staff instead of deploying teachers to the polling stations.
- Women agents should be provided transport and security.

