

**Do Women Represent Women? An Analysis of Bills Introduced by Women Members of the
National Assembly of Pakistan**

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Abstract

This study is an attempt to evaluate the impact of the presence of women in the National Assembly of Pakistan. It analyses the effect of the inclusion of women in the legislative bodies on the policies and laws of the country. With increasing demand and participation of women in politics the question of the impact of women presence in the legislative bodies arises. This study makes an analysis of the bills introduced by women members in the National Assembly and categorizes it under different headings. The study concludes that women members were more interested in resolving issues of women and piloted women related agenda to the floor of the house but this concern does not ensures any substantive change in policy making due to the influence of other variables i.e. method of election on reserved seats for women and party affiliations etc.

Keywords: Women Representation, Quota, legislative bodies, Governance

Introduction

The 20th century saw an increase in the discussion and movements for the inclusion of women in every field of life for social and economic development. Earlier to the discussion and struggle for integration of women for economic and social development different approaches have been adopted. The first such point of view was called women welfare approach. This approach does not meddle with the traditional role of women in society but stress upon the welfare activities for women. Here the women did not have any role in the development process of the society. This was followed by a new approach which outlines that welfare and development of women is possible only when they are fully integrated in the development process of the society. Thus the struggle for women integration in the process of social and economic development was expedited by different international organizations. Although there is emphasis on the inclusion of women in social and economic sphere for development but their participation in politics is still contested. Even though Universal Franchise is widespread in the world but it is not enough for the full participation of women in the politics. There are several other hurdles in the way of women participation in politics which could not be removed only through the provision of right to vote to women. Consequently women are in minority in the legislative bodies of the world in spite of the fact women form 50 % of the world population.

To balance population and political representation of women many scholars and academician supported quota system. Several countries of world were able to increase the number of women in their legislative bodies by adopting different types of quota system. While through quota system the number of women has increased in the legislative bodies, it is still a topic of highly controversial debates. The supporters and opponents both have their own arguments to support their point of view on quota system. Those who oppose quota system consider it biased to those not favoured by it. They also argue that women are not a homogenous group rather divided by class location and race etc. This division confers the doubts that all women have common interests and issues and will be dealt by them in the legislative bodies. The group of supporters of quota system also uses justice argument, that it is injustice if any group of a society is not represented adequately in the decision making bodies of that society. In face of all these unending debates different countries have adopted quota system for the integration and proper representation of women and other disadvantaged groups of the society.

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Pakistan also adopted quota or reservation of seats for women in its Parliament. The first Constitution of the country in 1956 reserved 10 seats for women in the national legislature. According to the constitution of 1962, the second constitution of the country, there were six reserved seats for women in the 156 members National Assembly of Pakistan. The third constitution in 1973 provided 10 reserved seats for women which were increased to 20 in 1985. These seats were lapsed after the passage of 10 years and thus from 1990 up till 1999 there were no reserved seats for women in the national legislature but in the election of 1990 two, in 1993 four and in 1997 six women win election on general of the national assembly (Aurat Foundation, 2012). The drastic change came in 2002 when Musharraf¹ government increased the number of reserved seats for women to 60 in the national assembly while in senate the seats of women stood at 17 out of 100. It was for the first time that seats were reserved for women in the Senate. After the election of 2002 there were total 74 women in the National Assembly of Pakistan in which 14 were elected on general seats. Thus for the first time in the history of the country 23% of the members of the National Assembly were women.

Literature Review

In Pakistan researches have been conducted to analyse the performance of women parliamentarians, the impact of their presence in the legislative bodies and the problems faced by women in politics. Khawar Mumtaz (1998) has analysed the role of women parliamentarians in the national legislature of Pakistan for an extended period of time from 1947 to 1988. She concludes that women legislators were found more active than the men and participated very actively in the business of the house. She is of the opinion that although women legislator brought women related agenda to the floor of the house the indirect method of election on the reserved seats makes them accountable to their parties rather than women. She sums up that such mechanism for the election of women on reserved seats should be adopted which ensures their grass root level involvement in politics and understanding of women's problems (Mumtaz, 1998). In another study Mumtaz (2005) discusses the challenges to women involvement in politics. These challenges are lack of quota system in different countries of South Asia, male dominated political institutions, lack of training and awareness among women regarding political participation and process, social, religious and cultural norms and the laws regarding women involvement in politics. In order to remove these challenges, seats should be reserved for women in those countries where these do not exist, direct constituency elections instead of indirect elections, special provisions should be included in laws regarding political parties in order to make them bound to have female participation, training programs for women and sensitization programs of male political leaders as well as at the level of society towards female participation (Mumtaz, 2005).

Farzana Bari (2010) makes an assessment of the performance of women legislators who were elected on women quota to the National Assembly of Pakistan. She is of the opinion that despite different issues and challenges to women politician in Pakistan, they brought greater attention to women issues during the legislative business and also showed interest in other issues of national and international importance (Bari, 2010).

Saira Bano (2009) opines that in order to accommodate women as equal partner in the political culture of Pakistan, only reservation of seats in legislatures is not enough but the cultural norms of the society should be changed to fully integrate them in the society as equal partner of men (Bano, 2009). Shabana Shams Gul Khattak and Akhtar Hussain (2016) discuss that the allocation of 17% of seats for women in the legislature of Pakistan was a landmark decision towards the empowerment of women. However the important task is to remove those barriers that create hindrances in the way of women entry into politics. These hurdles are of social, cultural, religious and political nature. Women must be given education and must be provided political training in politics and in the process of how to participate in the democratic institutions. Only then they will be able to fully represent and participate in the political process and decision making process (Khattak & Hussain, 2016). Muhammad Usman Amin Siddiqui (2015) concludes that women legislators usually belong to elite class of the society due to which they cannot understand problems of the common women in the country (Siddiqui. 2015). Musarrat Jabeen and Sajid Mehmood Awan (2017) stated in

¹ General Pervez Musharraf in a military coup toppled the government and imposed martial law in the country. Before restoring democracy and conduct of election he made several changes to constitution including restructuring parliament.

their research that the quota system is a mechanism for achieving proper share in the political process for women. With the reservation of quota, the possibility of increasing in gender representation in political system can be enhanced. Quota system not only empowers women in parliaments but also increases the chances for women to participate in political parties, state committees and to hold government offices. Although quota system opened up the way for the participation of women in politics and their political empowerment but still there are hurdles in the way of their full empowerment. It is now time to think beyond their numbers and to work for their empowerment in real sense (Jabeen & Awan, 2017). This paper makes a comprehensive analysis of the interest of women members of the national legislature of Pakistan while moving bills in the house.

Theoretical Framework

Political representation and participation of women turned out to be the main focus of research on gender and politics. One such most important work related to the issue is that of Hanna Pitkin (1967) 'The Concept of Political Representation'. She is of the opinion that the term political representation has different meaning in different contexts. She discusses different types of representation in her work i.e. Descriptive, Substantive, Symbolic and Formal.

Descriptive representation is the representation on the basis of similarity between representatives and the represented. The similarity or resemblance could be in the shape of class, race, gender, occupation etc. Thus this type of representation does not scrutinize the activities of the representatives (Pitkin, 1967). Mansbridge argues in favour of descriptive representation that even only physical existence reminds other law makers about the point of views, issues and interest of that particular community to which they belong (Mansbridge, 2005). Anne Philip uses justice argument to support descriptive representation of women. She argues that justice demands the inclusion of women as representatives (Philip, 1995).

Substantive representation means to act in the favour of represented. Pitkin is of the opinion that substantive representation is the most important form of representation. Pitkin describes it as the most important type of representation. (Pitkin, 1967). Anne Philip regarding the substantive representation of women states that women have specific issues, needs and interests which are related to women only and men do not experience it just because of their gender. As men do not face these issues and concerns they cannot address it properly in the legislative bodies. Thus she argues to include equal number of women to properly address these issues (Philip, 1995). In her view the presence of women is mandatory to appropriately bring these concerns to policy making institutions.

Symbolic representation is to judge the representative status through the level of acceptance by the represented. They are not assessed through resemblance or by evaluating their activities. The only criterion in this form of representation is that how they have been evaluated by the represented and what is the level of their acceptance (Pitkin, 1967). Anne Phillip opines that successful women in the sphere of politics could have role model effect. It will enhance the self-esteem of women which in turn will encourage more women to enter the arena of politics (Philip, 1995). Miki Caul concludes that larger number of women in political sphere and movements for the political rights of women puts pressure on political parties to nominate larger number of women to the legislative bodies. Other reasons which could be attributed to the increasing participation of women in politics is the presence of women in political parties and rules and policies which are formulated to enhance the ratio of women (Caul, 1999).

Formal representation refers to the institutional arrangement that proceeds and initiates representation (Pitkin, 1967). Philip put emphasis that the present political system of political equality and popular control cannot guarantee the equal number of women or proportionate representation of ethnic minorities. Therefore she insists on other possible methods to make sure the inclusion of women. And this alternate system which she supports for the inclusion of women in legislative bodies is quota system (Philip, 1995). With the adoption of quota for women the question arises whether these women on quota seats in the parliament truly represents women population of the country or not. In other words does the descriptive representation of women in the national legislature of the country have brought any substantive change for the women of the country in the form of pro-women laws and policies?

Pakistan like many other countries adopted quota system for women in the Parliament to empower women politically to contribute to the welfare of women in the country. With the adoption of increased quota for women in the national legislature it was hoped that the increase presence of

women in the legislature will bring positive change for women in the laws and policies of the country. This paper is primarily trying to establish link between women descriptive and substantive representation in Pakistan. As Weiss (2012) concludes that women empowerment in Pakistan could not be achieved without the enactment of rights based legislation. The first step towards the achievement of women empowerment is rights based legislation for women. Such laws are important which will protect rights of women as citizen, as family member and safeguard them against discriminatory traditions and norms. Although implementation of laws is of great importance, but once the laws are there then it will be followed by its implementation. In the first place existence of laws is important (Weiss, 2012). And Philip (1995) argues that the inclusion of women in the legislative bodies will result in women friendly policies and laws.

Thus this research study explores that how the women member of the National Assembly of Pakistan is utilizing their presence for achieving women empowerment through their interests in women rights based legislation and policy making. In other words how women descriptive representation is leading towards substantive representation.

Objectives and Methodology of the Study

The aim of the study was to find out the impact of women descriptive representation in the shape of substantive change for women in laws and policies in favour of women.

To find out the answer to the question of women representing women, this study made an analysis of the bills introduced by women members of the National Assembly as private bills on the floor of the house. Government bills were not made part of analysis as government bill shows the policy of government rather than the interest or concern of the member introducing the bill. To find out the bills and its subject matter National Assembly Debates and Gazette of Pakistan was thoroughly scrutinized for the study period (2002-2007). The bills were then categorized into the following.

- a. Women Issues
- b. Social Issues
- c. Health
- d. Education
- e. Governance
- f. Finance, Commerce and Agriculture:
- g. Miscellaneous

The interest of women members have been judged through the analysis of the purpose and contents of the bill moved by them in the house. The analysis has been made on the basis that in which category women members introduced most of the bills. Sometimes a bill may cover more than one category and at a time it may cover different issues like child and women welfare. Such bills have been kept in category of women issues. This study takes into consideration not only the policy outcome/laws enacted but all the matters bring forward by women members on the agenda of the house through introduction of bills. Passage of the laws is possible only when majority of the legislative bodies agrees with. But bringing of the matter on the floor of the house by women member shows that they are interested in resolving that particular issue. Thus the study makes analysis that how much women members are interested in issues related to women of the country.

Apart from the analysis of the bills introduced by women members of the house, interviews of the three women members of the National Assembly from the said period was also conducted to know their perception of the problems faced by women in politics, performance of women in the legislative bodies and the focus of women during the business of the house.

Research Question

1. What is the link between women Descriptive and Substantive Representation in the context of Pakistan?
2. How the presence of women in the national legislature could be instrumental in balancing the man-woman rights in the country?

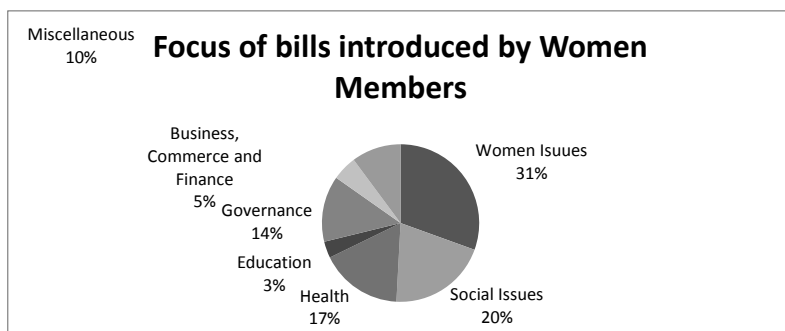
Assessment of Women Parliamentarian Interest while Introducing Bills in the Legislature

In the following section an assessment of the bills introduced by women members of the legislature has been made. Here the bills have been categorized on the basis of purpose of introduction and content of the bills to highlight trend in the introduction of bill by women parliamentarians.

Substantive Representation as Bringing Women Issues on the Agenda of the Legislative Business

The analysis of bills introduced by women members of the National Assembly demonstrate that women member of the house were more focused on women and social issues as compared to business, governance and political issues. The analysis shows that 31% of the total bills were related to women, 21% related to social and 17% percent were related to health and 14% governance, 3% to education, 5% to Finance and Commerce while 9% were related to different matters not covered by those categories. This establishes the assumption made by Anne Philip that woman brings women oriented agenda to the legislative business.

Figure1. Bills Introduced by Women Members of National Assembly (2002-2007)



Source: Based on data collected from National Assembly Debates and Gazette of Pakistan

Women Issues

In Pakistan women are facing different problems. They have to face domestic violence, killing in the name of honour, lack of education and health facilities, denying right to inheritance and different types of harassment etc. After the reservation of 17% seats for women in the Parliament of Pakistan it was hoped that the presence of women in the highest policy making body of the country will impact the policies and laws in such way as to address these problems.

Keeping in view the issues and problems faced by women in Pakistan, women members of the National Assembly moved different bills on the floor of the house to address these issues. The bills moved by women members were related to the prevention of domestic violence, honour killing and empowerment of women in different fields of life. They also made efforts to eliminate discrimination against women in certain laws as to enable them to have equal rights to that of men in the country. Similarly they also tried to ensure their share in inheritance through the implementation of more strict laws to make them economically strong and empowered. They also worked on the issues of working women as certain bills proposed by them were related to the problems of working women.

Table 1: Bills moved by Women Members related to Women

S. No	Title of Bill	Theme/Purpose of Bill
1	The Protection and Empowerment of Women Bill, 2004	Empowerment of Women in Different fields of Life
2	The <i>Haddoo</i> Laws (Repeal) Bill, 2005	Repeal of <i>Haddoo</i> ² laws
3	The Prevention of Domestic violence Bill, 2006	Prevention of Domestic Violence against Women
4	The Establishment of the Office of <i>Wafaqi</i>	Prevention of Domestic Violence against

²*Haddoo* is the plural of *Hadd*, A punishment fixed in the Quran and Hadith for different crimes. *Haddoo* Ordinance was introduced in Pakistan in 1979 with the intention to implement *Sharia* Law or bring Pakistani law into compliance with the principles of Islam through the enforcement of punishments mentioned in the Quran and *Sunnah* for *Zina* (extramarital sex), *Qazf* (false accusation of *Zina*), theft and consumption of alcohol. This law has been termed as Anti-women by right activists.

	Women <i>Mohtasib</i> Bill, 2005	Women
5	The Uplift and Welfare of Women Bill, 2006	Uplift women in different filed of life
6	The Offences of <i>Zina</i> Amendment Bill, 2005	Facilitation of women in registration of rape cases
7	The Offence of <i>Zina</i> (Enforcement of <i>Haddood</i>) Amendment Bill, 2006	Amendments in <i>Haddood</i> laws to facilitate women
8	The Code of Criminal Procedure (Amendment) Bill, 2005	Prevention of Honour Killing
9	The Criminal Law Amendment Bill, 2004	Prevention of Honour Killing
10	The Code of Civil Procedure Amendment Bill, 2006	To ensure right of inheritance of women
11	The Family Court Amendment Bill, 2006	To ensure right of inheritance of women
12	The Prohibition of Marriages with the Holy <i>Quran</i> Bill, 2005	To discourage illegal customs practiced against women
13	The Services Tribunal Amendment Bill, 2005	To safeguard interests of working women
14	The Equality of Opportunity for Women in Employment Bill, 2005	To provide opportunity for employment
15	The Protection of Serving Women bill, 2005	To protect working women
16	The Citizenship Amendment Bill, 2005	To remove discrimination against women in certain laws
17	The Code of Criminal Procedure (Amendment) Bill, 2005	Protection of women from mishandling of police
18	The Muslim Family Laws Amendment Bill, 2006	Facilitation of widows in maintenance of Children

Source: National Assembly of Pakistan Debates

The analysis of these bills shows that women member of the legislature are well aware of the problems faced by women, the concerned laws and the gaps in laws and also the solution to the problems through enactment of new laws or changes in the existing legal system. It also establishes the assumption of Anne Philip that women bring women issues related agenda to the floor of the house.

Social Issues

Women members of the National legislature of the country were also found more interested in resolving social issues. They focused on children welfare, issues of disable and senior citizens. They also moved bills for elimination of social evils from society. At the moment Pakistan is faced with different social problems of which women legislators brought dowry, wasteful expenditure on marriages, fake spiritual healing, welfare of senior and special citizens etc. Due to prevalence of dowry and custom of wasteful expenditure in the society, girls from poor background could not get married and others live an unhappy married life. Women member moved certain bills aimed at to discourage these customs. Similarly, senior citizens and disable persons are the part or sections of our society which are at risk. They are in need of more care and facilitation from society and state. With the passage of time those traditions and norms which ensures care and facilitation to them, are on decline. Therefore the liability of facilitating them falls on the state. As the women members have the sense of this declining trend and the need to facilitate them moved bills to improve their status and facilitate them. They also moved bills which were of religious nature such as punishment for denouncing Islam and also to publish the Holy Quran error free.

Table 2: Bills Moved by Women Members related to Social Issues

S.No	Title of Bill	Theme/Purpose of Bill
1	The Dowry and Bridal Gifts Restriction Bill, 2005	Restriction on Dowry
2	Pakistan Bait-ul-Mal Amendment Act, 2006	Facilitation of Poor families in marriages of daughter
3	Prohibition of Ostentatious Display of Wasteful Expenditure Bill, 2005	Discourage of expensive marriage functions
4	The Dowry and Bridal Gifts Restriction Bill, 2005	Restriction on Dowry

5	The Senior Citizens Bill, 2006 ³	Protection and facilitation of Senior citizens
6	The Senior Citizens Bill, 2006	Protection and facilitation of Senior citizens
7	The Special Citizens Bill, 2006	Protection and facilitation of Special citizens
8	The Family Stability and Protection Bill, 2007	Protection and stabilization of Institution of family
9	Prohibition of Immoral Advertisement Bill, 2006	Prevention of Immoral Advertisements
10	Criminal Law Amendment Bill, 2005'	To stop the practice of fake spiritual healing
11	The Apostasy Bill, 2006	Punishment for denouncing Islam
12	The Publication of Holy Quran (Elimination of Printing and Recording Errors) Amendment Bill, 2006	To ensure error free orienting of the Holy Quran

Source: Debates of the National Assembly of Pakistan

Health

State is responsible to provide health facilities to its citizens. Like other under developed countries of the world, Pakistan also lacks basic health facilities. Similarly the existing system has several flaws and shortcomings. Women members were aware of the lack of facilities as well as gaps of the existing system moved several bills for improvement. They moved bills to regulate the system of traditional medicines and to prevent the use and sale to fake and sub-standard medicines, infant formula and cosmetics to prevent hazards to the health of citizens. They also made efforts to enact laws to prevent and control certain diseases i.e. Hepatitis, Thalassaemia, HIV AIDS etc. A bill was moved to facilitate the injured persons in getting medical aid at the hospitals and tried to stop the illegal business of removal and sale of different organs of human beings.

Table. 3: Bills moved by Women Members related to Health

S.No	Title of Bill	Theme/Purpose of the Bill
1	The <i>Tibb-e-Unani, Ayurvedic, Homeopathic, Herbal</i> and any other Non-allopathic Medicine Bill, 2005	Regulation of Traditional Medicine
2	The Pakistan Pharmacy Council Bill, 2007	Establishment of Pharmacy Council
3	The Drugs Amendment Bill, 2006	Prevent prevalence of fake and substandard drugs
4	The Drugs Second Amendment Bill, 2006	Discourage Injurious cosmetics, infant formulas etc.
5	The Control of Viral Diseases Transmitted Via Blood Products Bill, 2007	Control of blood transmitted diseases
6	The Control of Hepatitis Bill, 2006	Control of Hepatitis
7	The Control of Thalassaemia Bill, 2004	Control of Thalassaemia
8	The Control of HIV AIDS 2006	Control of HIV AIDS
9	The Pakistan Penal Code Amendment Bill, 2006	Prevent the illegal practice of kidney removal
10	The Injured Persons (Medical Aid) Amendment bill, 2007	Facilitation of injured persons in getting medical aid

Source: The Debates of the National Assembly of Pakistan

Education

It is the obligation of the state and the basic right of every citizen to be provided with education facilities. To ensure the provision of education to all citizens of the country and improve the literacy rate women member moved bills in the national legislature of the country.

Table. 4: Bills Moved by Women Member related to Education

S.No	Title of Bill	Theme/Purpose of the Bill
1	The Compulsory School Attendance Bill, 2006	Provision of educational facilities to all
2	Compulsory Education for Children, Bill, 2006	Improvement of literacy ratio

Source: The debates of the National Assembly of Pakistan

Governance

The use of power and authority by political leaders to implement policies and decisions for the welfare and well-being of the citizens is called Governance. The women members of the National

³ Sometime one bill has been moved two times either by different members or once not permitted introduction, deferment or rejection in the house prompted the supporters to move it again.

assembly of Pakistan moved a number of bills in the house which were related to governance. The aim behind those bills was welfare of the people. Bills were moved with the intention to ensure the right to information of the citizens. Similarly, different bills moved by women members were aimed at strengthening of judiciary to ensure the timely provision of justice to the people. They also made efforts to enact laws to save the government servants from political oppression and establishing rule of law.

Table. 5: Bills Moved by Women Member related to Governance

S.No	Title of Bill	Theme/Purpose of Bill
1	The Freedom of Information Bill, 2006	To ensure right to information of the citizens
2	The Freedom of Information Amendment Bill, 2007	To ensure right to information of the citizens
3	The Constitution Amendment Bill, 2005	Strengthening of Judiciary
4	The Constitution Amendment Bill, 2006	Speedy disposal of cases in High Court and Supreme Court
5	The Constitution Amendment Bill, 2005	Establishment of Separate High Court for Islamabad
6	The Family Courts Amendment Bill, 2006	Power of Supreme Court
7	The Removal From Services (Special Powers) (Repeal) Bill, 2005	To repeal the law to protect government servants from political oppression
8	The High Treason Punishment Amendment Bill, 2004	High Treason to be challenged by every citizen

Source: The Debates of the National Assembly of Pakistan

Finance, Commerce and Agriculture

Women members of the National Assembly did not ignore the finance, commerce and Agriculture sectors and moved bills related to fair financial procedure and to ensure maximum agriculture production. But the number of bills moved by women members related to this category was less than all other categories. The bills were related to the prevention of the supply of sub-standard pesticides and fair procedure for recovery of finances.

Table. 6: Bills Moved by Women Member related to Finance, Commerce and Agriculture

S.No	Title of the Bill	Theme/Purpose of the Bill
1	The Financial Institutions (Recovery of Finance) Amendment Bill, 2005	Fair procedure for recovery of finances
2	The Agriculture Pesticide Amendment Bill, 2006	Prevent supply of sub-standard pesticides
3	The Agriculture Pesticide Amendment Bill, 2006	Prevent supply of sub-standard pesticides

Source: The Debates of the National Assembly of Pakistan

Miscellaneous

Beside the above mentioned groupings women members proposed laws related to different issues like environmental pollution, refugees etc. The women member took interest in reduction of the environmental pollution which is evident from the fact that bills were moved by them to control spread of environmental pollution and prevention of non-biodegradable items which causes pollution. A bill was moved with the purpose of the protection of wildlife in Islamabad. They also moved bills related to the facilitation of refugees, stranded Pakistanis in other countries and regulation of private courier services.

Table. 7: Bill Moved by Women Member related to Miscellaneous Subjects

S.No	Title	Theme/Purpose of the Bill
1	The Pakistan Environmental Protection Amendment Bill, 2007	To control spread of Pollution
2	The Environmental Protection Amendment Bill, 2005	Stop manufacture of non-biodegradable items
3	The Islamabad Wildlife Protection, Preservation, Conservation and Management Amendment Bill, 2005	Protection of wildlife in Islamabad
4	The Pakistan Citizenship Amendment Bill, 2006	Facilitate Stranded Pakistanis in the wake of 1971 crisis
5	The Foreigners Amendment Bill, 2005	Facilitation of Refugees
6	The Pakistan Postal Services Management Board Amendment Bill, 2006	Regulation of Private Courier Services

Source: The debates of the National Assembly of Pakistan

Substantive Representation as Pro-Women Policy Outcomes/Laws Passed by National Assembly

Although women members of the National Assembly introduced considerable number of bills in the National Assembly on a number of topics and issues related to women as well as other important issues of social and national interest but none of the bills introduced by women members could passed through the legislature to become law. Thus it could be assumed that the when it comes to the analysis of substantive representation as policy outcomes, it revealed that only presence of women could not be translated into pro-women legislation. There are other variables which affects the substantive representation.

Apart from that the Assembly in the said period passed 38 laws of which two were related to women rights and interest in the country. One of the two passed laws is ‘The Protection of Women (Criminal Laws Amendment) Act, 2006’. By the enactment of this law two of the *Haddood*⁴ Ordinances were significantly altered i.e. The *Zina* (extramarital sex) and *Qazf* (false accusation of *Zina*). The objective behind these changes was the protection of women from the misuse of law. According to *Haddood* Ordinance a women have to bring four men as evidence to prove her allegations of rape. In case of failure there was possibility of being punishment for having extramarital sex. Thus this law prohibited punishment of women with fornication offence in such cases. Rape was shifted to the Pakistan Penal Code (PPC)⁵. In the cases of rape punishment would be given according to the sections of PPC. The offence of fornication was inserted in the PPC as separate sections with imprisonment up to five years and fine up to ten thousands rupees. The procedure for complaint of *Zina* and *Qazf* was also changed to facilitate women complainant. This law provides that such complaints will be investigated by a court before formal charges are laid (GoP, 2nd December, 2006). Another law is ‘The Criminal Law (Amendment) Act, 2004’. The aim behind this legislation was to prevent the practice of killing women in the name of honour. The existing law provided the facility of settlement with the family of the victim in cases of murder. As the offender and victim in the honour killing cases always belongs to same family, the offender easily get rid of punishment through settlement. This encourages and increases the custom of honour killing in the society. This law authorized the court to give punishment in such cases in spite of compromise or settlement between the parties (GoP, 11th January, 2005).

The debates on the two bills in the National Assembly revealed that women in the National Assembly were not united and had divergent views on the bills. All of them supported the ideological stance of their respective parties regarding the bills. The protection of women bill which sought amendment in the *Haddood* Ordinances was strongly opposed by religious political parties and the same attitude was adopted by the women elected on quota seats from those parties. Thus it reveals that women members in the National Assembly usually follows party lines rather than looking into the issues of women.

A woman member from the National Assembly commented on the issues faced by members comes through reserved seats,

“Those who come on reserved seats are mostly considered second category of politicians in the parties as getting membership in the house depends upon the party high ups. They are usually asked in meetings to remain silent.”⁶

The same member also commented,

“Off course women can represent women more appropriately because men cannot feel like women, but if they come on direct seats they will be more strong and independent in their decisions.”⁷

⁴*Haddood* is the plural of *Hadd*, A punishment fixed in the Quran and Hadith for different crimes. *Haddood* Ordinance was introduced in Pakistan in 1979 with the intention to implement *Sharia* Law or bring Pakistani law into compliance with the principles of Islam through the enforcement of punishments mentioned in the Quran and *Sunnah* for *Zina* (extramarital sex), *Qazf* (false accusation of *Zina*), theft and consumption of alcohol. Rights activists consider this law as anti-women. It has been objected on the ground that it has been implemented as ordinance without formally laying it before the parliament. Similarly it reduces testimony of women to half and encourages killing in the name of honour killing.

⁵The Pakistan Penal Code, abbreviated as PPC, is a penal code for all offences charged in Pakistan. It was prepared by Lord Macaulay in 1860 on the behalf of the Government of India as the Indian Penal Code.

⁶ Interview with a Woman Member of National Assembly, 6th December, 2019.

⁷ Ibid.

She also revealed that women member in the house are not united on women issues.

“Women members often follow the policy and ideology of the party to oppose or support any move of legislation. They do not look into the fact that the specific matter concerns with women development or empowerment in the country.”⁸

Another factor which affects the representative status of women members of the parliament is the absence of any set criteria or mechanism for the nomination of candidates on reserved seats. A member commented on the procedure of nomination within parties for reserved seats,

“It is a matter of extreme concern that political parties nominate members for reserved seats without any specific criteria and qualification. The only criteria and qualification for nomination is the services of a particular family or individual. This results in the nomination of inexperienced members of particular families who have services for the party. As a result those members cannot perform well on the floor of the house.”⁹

Most of the members on reserved seats do not have the required skills to fully participate in the legislative business of the house. An ex-member of a provincial assembly commented during her interview,

“The head of political parties should have in their mind while making decision for reserved seats that they are going to send these individuals to legislative bodies. Those legislative bodies have to decide the policy of a country. Therefore educational qualification should be mandatory requirement because without being formally educated one cannot comprehend the procedure and technicalities of law making.”

This shows that although assembly passed two very important laws affecting women in the country but that was not due to the presence of a large number of women in the legislature. It was the government policy at that time which resulted in the shape of pro-women laws.

Discussion

The pattern of bills moved by women members not only shows their concern for women related problems and issues which is considered their primary domain but also their interest in other important matters. They took keen interest in resolution of social issues as well by introducing a number of bills related to that category. Provision of health facilities and prevention of different diseases was of high importance to them which is evident from the fact a large number of bills were moved women members were related to prevention of diseases and provision of health facilities. Other matters like Governance, Finance, Agriculture, environmental pollution and refugees etc. could not escape their attention. This shows that women members of the assembly have well enough knowledge of the problems of the country and could contribute very wisely to its solution. But the interest of women members could not be translated into policy outcomes. The representative status of women members is highly affected by the method of their election to the legislative bodies. The procedure of their election makes them responsible to the political parties' high ups rather women of the country. The debates of the national assembly show that during legislative business they do not think of themselves as a representative of women rather as member of a specific political party. Therefore their moves in the legislative business always follow the ideology and stance of political party.

Conclusion

The analysis of the private members bills introduced by women members of the National Assembly shows that women were more interested in issues, matters and rights of women, as the highest percentage of the bills introduced by them was related to women. It is in spite of the fact that women members are indirectly elected and are not directly accountable to women population of the country. Thus the assumption that women existence in the legislative and policy making bodies is essential to bring women concerns to these institutions is proved correct in case of National Assembly of Pakistan. But the assumption that women descriptive representation can bring substantive change in policy making proved highly irrelevant in case of the National Assembly of Pakistan. Not even a single bill introduced by women could pass by the legislature. A bill can become law only when majority of the house agrees with, thus the policy of government is extremely important for passage of laws. But the presence of women in politics matters a lot and if women are able to get more space in

⁸ Ibid.

⁹ Interview with a Woman Member National Assembly of Pakistan.

politics, political parties and governmental positions, the substantive change in policy in favour of women could be achieved. The method of election of women member on reserved seats held them responsible to party leaders rather than common women of the country. Thus instead of looking towards the needs and preferences of women they have to look towards the policy of party and orders of the party high up. Therefore reforms are needed in the electoral system for women reserved seats to make these women truly representative of the women folk of the country.

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