

**Limitations of Women Political Rights as a Vehicle for Social
Change: A Case Study of Rural and Urban Areas of Pakistan**



By

Khushboo Ali

15-FSL/MSHRL/S10

Supervised by

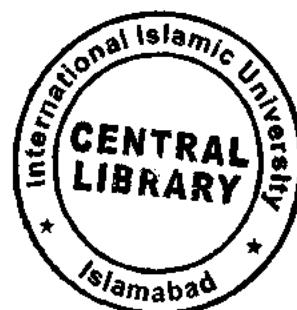
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**Thesis submitted in partial fulfillment of the requirements for the Degree of MS, in
Human Rights Law**

Department of Law

Faculty of Shariah and Law

International Islamic University, Islamabad



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DEDICATION

I dedicate this thesis to all those high-spirited people who gave away their lives for the survival and honour of our beloved country, Pakistan, and who are still struggling to make a fruitful contribution for the welfare and stability of Pakistan.

And

To all women critical thinkers of the world.

Approval Sheet

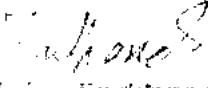
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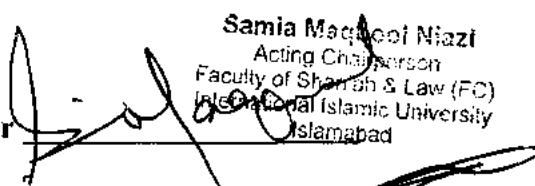
Accepted by the Department of Law, Faculty of Sharia'ah & Law, International Islamic University Islamabad, in partial fulfillment of the requirements for the award of degree of MS Human Rights Law. The thesis fulfills the requirements in its core and quality for the award of the degree.


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DECLARATION

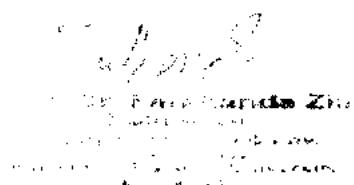
I, Khushboo Ali, do solemnly affirm that this dissertation, titled as, "Limitations of Women Political Rights: A Case Study of Rural and Urban Areas of Pakistan", is the result of my own research work and has never been presented anywhere else. I, moreover declare that whatever sources are used they are duly acknowledged.

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ABSTRACT

Women Rights has emerged as a strong and crucial concept in the globalized world of 21st century. Much emphasize has been laid on provision of rights without any discrimination to women. Human rights are now considered incomplete without women rights. Many voices have been raised and efforts have been made globally for the protection of all types of women rights. Political rights are one of the fundamental human rights of any individual. It is seen that women are usually being subjugated and marginalized group are mainly suppressed and enjoy less access to their political freedoms. Specially, the women of third world countries like Pakistan.

All international, regional, and national laws provide full political rights to women equally and independently. The constitution of Pakistan ensures equality at all levels and encourages women empowerment in all public spheres. Though laws provide all freedoms but practically woman in Pakistan faces numerous challenges and hurdles in their way to political empowerment. Women from both rural and urban areas of the country face pressures and their political role is limited. However, the limitations are of different nature and extent for women to become active agents of change in the societal development.

To analyze and understand such barriers eighty women from rural and urban areas of Pakistan were asked about the barriers in their way. In light of the findings of case studies and relevant literature the limitations of women political rights in Pakistan can be broadly categorized into socio-economic, cultural, structural and religious aspects.

TABLE OF CONTENTS

Abstract.....	i
List of Figures.....	viii
List of Tables.....	xi
Introduction.....	xii
Literature Review.....	xvii
Outline of the Thesis.....	xxiv
Research Methodology.....	xxv
CHAPTER 1: INTRODUCTION: A GLIMPSE AT THE WOMEN POLITICAL RIGHTS	
1.1 Introduction.....	2
1.2 Political Rights: A Concept.....	3
1.2.1 Typology of Political Rights.....	5
1.2.2 Political Representation.....	6
1.3 Eve's Emancipation with Regard to Political Rights.....	6
1.3.1 A look into history.....	7
1.3.2 Women suffrage movement: A historical Regional Context.....	10
1.4 Provision of Legal Instruments with Regard to Women Political Rights.....	15
1.4.1 International Instruments.....	15
1.4.1.1 Universal Declaration of Human Rights "(UDHR)".....	16
1.4.1.2 International Covenant on Civil and Political Rights "(ICCPR)".....	18

1.4.1.3 Convention on the Elimination of All Forms of Discrimination against Women “(CEDAW)”.....	21
1.4.1.4 Convention on the Political Rights of Women “(CPRW)”.....	24
1.4.1.5 Cairo Declaration on Human Rights in Islam.....	25
1.4.2 Regional Instruments.....	26
1.4.2.1 American Convention on Human Rights “(ACHR)”.....	26
1.4.2.2 African Charter on Human and People’s Rights “(ACHPR)”.....	27
1.4.2.3 European Convention on Human Rights “(ECHR)”.....	28
1.4.2.4 Arab Charter on Human Rights 2004.....	28
1.4.3 National Legislation.....	30
1.5 Conclusion.....	33

CHAPTER 2: PAKISTAN’S POLITICS: EVE’S ROLE AND PARTICIPATION

2.1 Introduction.....	35
2.2 Importance of Women’s Participation in the Politics.....	36
2.3 History of Women’s Political Participation in Pakistan.....	37
2.3.1 Roots of the Pakistani Women’s Status.....	38
2.3.2 Legislative history of women representation.....	41
2.3.2.1 1947-1969 Era.....	44
2.3.3 General Elections	46
2.3.3.1 Elections of 1970.....	49
2.3.3.2 Elections of 1977.....	51
2.3.3.3 Elections of 1985.....	52
2.3.3.4 Elections of 1988.....	54

2.3.3.5 Elections of 1990.....	56
2.3.36 Elections of 1993.....	58
2.3.3.7 Elections of 1997.....	59
2.3.3.8 Elections of 2002.....	61
2.3.3.9 Elections of 2008.....	63
2.3.3.10 Elections of 2013.....	64
2.4 Conclusion.....	66

CHAPTER 3: RURAL AND URBAN WOMEN OF PAKISTAN (DATA PRESENTATION OF CASE STUDIES)

3.1 Introduction.....	68
3.2 Data Presentation.....	69
3.2.1 Education Level.....	69
3.2.2 Vote Cast.....	72
3.2.3 Independent Voting.....	76
3.2.4 Importance of Vote.....	79
3.2.5 Freedom of Expression and Opinion.....	83
3.2.6 Awareness of Laws Related to Women Rights.....	86
3.2.7 Veil: An Obstacle or not.....	90
3.2.8 Provision of Rights by Religion/Islam.....	93
3.2.9 Desire to Come in Politics.....	97
3.2.10 Possible Hurdles to Participate in Politics.....	100
3.2.11 Limitations Faced by Women to get Political Rights.....	104
3.3 Conclusion.....	108

CHAPTER 4: WOMAN IS BORN FREE BUT EVERYWHERE SHE IS IN CHAINS

4.1 Introduction.....	112
4.2 Women at Crossroads: Political Empowerment and Challenges.....	113
4.2.1 Socio-Cultural Factors.....	114
4.2.1.1 No Individual Recognition and Male-Child Preference.....	114
4.2.1.2 Gender Assigned Roles.....	115
4.2.1.2.1 Fictional Representation.....	116
4.2.1.3 Male-Dominance.....	116
4.2.1.4 Education.....	118
4.2.1.5 Family Background.....	120
4.2.2 Structural Factors.....	120
4.2.2.1 Electoral Process.....	120
4.2.2.2 Political Parties.....	121
4.2.2.3 Security Concerns	123
4.2.3 Economic Factors	123
4.2.4 Religious Factors.....	125
4.3 Representative Dilemmas.....	126
4.3.1 Quota: Representation without Participation.....	127
4.3.2 Discrimination.....	128
4.3.3 Objectification of Women.....	129
4.3.4 Lack of Unity.....	130
4.4 Effective Measures.....	130
4.4.1 Quota Systems.....	130

4.4.2 Legal Instruments.....	131
4.4.3 Political Parties.....	132
4.4.4 Role of State Institutions.....	133
4.4.5 Civil Society and Media.....	134
4.5 Conclusion.....	135

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

5.1 Conclusion.....	138
5.2 Recommendations.....	142
5.2.1 Education and Awareness.....	142
5.2.2 Economic Empowerment.....	143
5.2.3 Amendments in Electoral Process.....	144
5.2.4 Election Commission of Pakistan.....	145
5.2.5 Governments Key Responsibility.....	145
5.2.6 Bridge the Gap between Voters and Non-Voters.....	146
5.2.7 Political Parties.....	147
5.2.8 Women Caucuses.....	148
5.2.9 Training.....	149
5.2.10 Joint Efforts by Women Organizations.....	149
5.2.11 Improved Advocacy and Networking.....	150
5.2.12 Condemnation of Discrimination against Women.....	150
5.2.13 Religious Lobby.....	151
5.2.14 Role of Media.....	151
5.2.15 Literature and Fictional Writers to Set New Trends.....	152

BIBLIOGRAPHY.....	153-167
APPENDIX I.....	168
APPENDIX II.....	174

LIST OF FIGURES

No.	Title	Page
Fig.1.1	Political Representation	6
Fig.1.2	Suffrage Acquisition 1890—1990	9
Fig 3.1	Education Level '(All Respondents)'	70
Fig.3.1.1	Education Level '(Punjab)'	70
Fig. 3.1.2	Education Level '(Sindh)'	70
Fig. 3.1.3	Education Level '(Balochistan)'	71
Fig. 3.1.4	Education Level '(Khyber Pukhtoon Khwa)'	71
Fig. 3.1.5	Education Level '(Gilgit Baltistan)'	71
Fig. 3.2.1	Did you cast your vote '(Punjab)'	73
Fig. 3.2.2	Did you cast your vote '(Sindh)'	73
Fig. 3.2.3	Did you cast your vote '(Balochistan)'	74
Fig. 3.2.4	Did you cast your vote '(Khyber Pukhtoon Khwa)'	74
Fig. 3.2.5	Did you cast your vote '(Gilgit Baltistan)'	75
Fig. 3.3.1	Indpenedent Voting '(Punjab)'	76
Fig. 3.3.2	Independent Votung '(Sindh)'	77
Fig. 3.3.3	Independent Votung '(Balochistan)'	77
Fig. 3.3.4	Independent Votung '(Khyber Pukhtoon Khwa)'	78
Fig. 3.3.5	Independent Votung '(Gilgit Baltistan)'	78
Fig. 3.4.1	Do you think your vote is precious '(Punjab)'	80

Fig. 3.4.2	Do you think your vote is precious ‘(Sindh)’	80
Fig. 3.4.3	Do you think your vote is precious ‘(Balochistan)’	81
Fig. 3.4.4	Do you think your vote is precious ‘(Khyber Pukhtoon Khwa)’	81
Fig. 3.4.5	Do you think your vote is precious ‘(Gilgit Baltistan)’	82
Fig. 3.5.1	Freedom of Expression and Opinion ‘(Punjab)’	83
Fig. 3.5.2	Freedom of Expression and Opinion ‘(Sindh)’	83
Fig. 3.5.3	Freedom of Expression and Opinion ‘(Balochistan)’	84
Fig. 3.5.4	Freedom of Expression and Opinion ‘(Khyber Pukhtoon Khwa)’	84
Fig. 3.5.5	Freedom of Expression and Opinion ‘(Gilgit Baltistan)’	85
Fig. 3.6.1	Awareness of Women Rights laws ‘(Punjab)’	87
Fig. 3.6.2	Awareness of Women Rights laws ‘(Sindh)’	87
Fig. 3.6.3	Awareness of Women Rights laws ‘(Balochistan)’	88
Fig. 3.6.4	Awareness of Women Rights laws ‘(Khyber Pukhtoon Khwa)’	88
Fig. 3.6.5	Awareness of Women Rights laws ‘(Gilgit Baltistan)’	89
Fig. 3.7.1	Is Purdah an Obstacle? ‘(Punjab)’	90
Fig. 3.7.2	Is Purdah an Obstacle? ‘(Sindh)’	91
Fig. 3.7.3	Is Purdah an Obstacle? ‘(Balochistan)’	91
Fig. 3.7.4	Is Purdah an Obstacle? ‘(Khyber Pukhtoon Khwa)’	92
Fig. 3.7.5	Is Purdah an Obstacle? ‘(Gilgit Baltistan)’	92
Fig. 3.8.1	Does Islam/ Religion Provide Rights to Women? ‘(Punjab)’	94
Fig. 3.8.2	Does Islam/ Religion Provide Rights to Women? ‘(Sindh)’	94

Fig.3.8.3	Does Islam/ Religion Provide Rights to Women? '(Balochistan)'	95
Fig. 3.8.4	Does Islam/ Religion Provide Rights to Women? '(Khyber Pukhtoon Khwa)'	95
Fig. 3.8.5	Does Islam/ Religion Provide Rights to Women? '(Gilgit Baltistan)' 96	
Fig. 3.9.1	Do you want to come in politics? '(Punjab)'	97
Fig. 3.9.2	Do you want to come in politics? '(Sindh)'	98
Fig. 3.9.3	Do you want to come in politics? '(Balochistan)'	98
Fig. 3.9.4	Do you want to come in politics? '(Khyber Pukhtoon Khwa)'	99
Fig. 3.9.5	Do you want to come in politics? '(Gilgit Baltistan)'	99
Fig.3.10	If you come in politics, what hurdles will you face? '(Pakistan Overall)'	100
Fig. 3.10.1	If you come in politics, what hurdles will you face? '(Punjab)'	101
Fig. 3.10.2	If you come in politics, what hurdles will you face? '(Sindh)'	101
Fig. 3.10.3	If you come in politics, what hurdles will you face? '(Balochistan)'	102
Fig. 3.10.4	If you come in politics, what hurdles will you face? '(Khyber Pukhtoon Khwa)' 102	
Fig. 3.10.5	If you come in politics, what hurdles will you face? '(Gilgit Baltistan)' 103	
Fig. 3.11.1	Why Pakistani women can't come into politics? '(Punjab)'	105
Fig. 3.11.2	Why Pakistani women can't come into politics? '(Sindh)'	105
Fig. 3.11.3	Why Pakistani women can't come into politics? '(Balochistan)'	106
Fig. 3.11.4	Why Pakistani women can't come into politics? '(Khyber Pukhtoon Khwa)' 106	
Fig. 3.11.5	Why Pakistani women can't come into politics? '(Gilgit Baltistan)' 107	

LIST OF TABLES

No.	Title	Page
Table 2.1	Phases of Political Participation in Pakistan	42
Table 2.2	Number of Women Parliamentarians in National Assembly	43
Table 2.3	Statistical Analysis of Women's Participation in the General Elections (1970-2013)	48

INTRODUCTION

Article 51 (2),¹ 62² and 63³ of the 1973 Constitution of the Islamic Republic of Pakistan provides the right to vote and participation in the Majlis-e-Shora (Parliament), similarly the

¹ Article 51 (2): A person shall be entitled to vote if-

- (a) he is a citizen of Pakistan;
- (b) he is not less than eighteen years of age;
- (c) his name appears on the electoral roll; and
- (d) he is not declared by a competent court to be of unsound mind;

Available online at: <<http://www.pakistani.org/pakistan/constitution/part2.ch2.html>> (last accessed: 15.12.2014).

² Article 62: Qualifications for membership of Majlis-e-Shoora (Parliament):

- (1) A person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) unless-
 - (a) he is a citizen of Pakistan;
 - (b) he is, in the case of the National Assembly, not less than twenty -five years of age and is enroled as a voter in any electoral roll in-
 - (i) any part of Pakistan, for election to a general seat or a seat reserved for non-Muslims; and
 - (ii) any area in a Province from which she seeks membership for election to a seat reserved for women.
 - (c) he is, in the case of Senate, not less than thirty years of age and is enrolled as a voter in any area in a Province or, as the case may be, the Federal Capital or the Federally Administered Tribal Areas, from where he seeks membership;
 - (d) he is of good character and is not commonly known as one who violates Islamic Injunctions;
 - (e) he has adequate knowledge of Islamic teachings and practises obligatory duties prescribed by Islam as well as abstains from major sins ;
 - (f) he is sagacious, righteous and non-profligate, honest and ameen, there being no declaration to the contrary by a court of law;
 - (g) he has not, after the establishment of Pakistan, worked against the integrity of the country or opposed the ideology of Pakistan.

Available online at: <<http://www.pakistani.org/pakistan/constitution/part2.ch2.html>> (last accessed: 15.12.2014).

³ Article 63: Disqualifications for membership of Majlis-e-Shoora (Parliament):

same rights are provided by article 106 (2) and 113 of the constitution regarding provincial assemblies.⁴ Article 34⁵ of the constitution aimed at participation of women in all spheres of national life. Various international and regional instruments also grant rights of same nature

- (1) A person shall be disqualified from being elected or chosen as, and from being, a member of the Majlis-e-Shoora (Parliament), if:-
 - (a) he is of unsound mind and has been so declared by a competent court; or
 - (b) he is an undischarged insolvent; or
 - (c) he ceases to be a citizen of Pakistan, or acquires the citizenship of a foreign State; or
 - (d) he holds an office of profit in the service of Pakistan other than an office declared by law not to disqualify its holder; or
 - (e) he is in the service of any statutory body or any body which is owned or controlled by the Government or in which the Government has a controlling share or interest; or
 - (f) being a citizen of Pakistan by virtue of section 14B of the Pakistan Citizenship Act, 1951 (II of 1951), he is for the time being disqualified under any law in force in Azad Jammu and Kashmir from being elected as a member of the Legislative Assembly of Azad Jammu and Kashmir; or
 - (g) he has been convicted by a court of competent jurisdiction for propagating any opinion, or acting in any manner, prejudicial to the ideology of Pakistan, or the sovereignty, integrity or security of Pakistan, or morality, or the maintenance of public order, or the integrity or independence of the judiciary of Pakistan, or which defames or brings into ridicule the judiciary or the Armed Forces of Pakistan, unless a period of five years has elapsed since his release; or
 - (h) he has been, on conviction for any offence involving moral turpitude, sentenced to imprisonment for a term of not less than two years, unless a period of five years has elapsed since his release; or
 - (i) he has been dismissed from the service of Pakistan or service of a corporation or office set up or, controlled, by the Federal Government, Provincial Government or a Local Government on the grounds of misconduct, unless a period of five years has elapsed since his dismissal; or
 - (j) he has been removed or compulsorily retired from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a Local Government on the ground of misconduct, unless a period of three years has elapsed since his removal or compulsory retirement; or
 - (k) he has been in the service of Pakistan or of any statutory body or any body which is owned or controlled by the Government or in which the Government has a controlling share or interest, unless a period of two years has elapsed since he ceased to be in such service; or
 - (l) he, whether by himself or by any person or body of persons in trust for him or for his benefit or on his account or as a member of a Hindu undivided family, has any share or interest in a contract, not being a contract between a cooperative society and Government, for the supply of goods to, or for the execution of any contract or for the performance of any service undertaken by, Government.

Available online at: <<http://www.pakistani.org/pakistan/constitution/part2.ch2.html>> (last accessed: 15.12.2014).

⁴The Constitution of the Islamic Republic of Pakistan adopted on 10 April, 1973. Available online at: <<http://www.pakistani.org/pakistan/constitution/>> (last accessed: 15.4.14).

⁵ Article 34: "Steps shall be taken to ensure full participation of women in all spheres of national life." Available online at: <<http://www.pakistani.org/pakistan/constitution/part2.ch2.html>> (last accessed: 15.12.2014).

to women. Most significant of them are article 21⁶ of Universal Declaration of Human Rights, article 25⁷ of the International Covenant on Civil and Political Rights, article 7⁸ and 8⁹ of the CEDAW provides political rights to women.

Legal instruments and government places no restriction on the participation of women in the political process, however, they are still under represented in government and politics in the patriarchal society of Pakistan. Such political rights can be a catalyst for significant change that allowed women to successfully challenge many stereotypes about women that kept them from full equality with men. However, women, in both rural and urban areas of Pakistan still endeavor with gender inequality in many ways. Right to suffrage

⁶1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedure.

The Universal Declaration of Human Rights adopted on 10 December 1948. Available online at: <http://www.un.org/en/documents/udhr/> (last accessed: 15.4.14).

⁷Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
(c) To have access, on general terms of equality, to public service in his country.

International Covenant on Civil and Political Rights adopted on 19 December 1966. Available online at: <http://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf> (last accessed: 15.4.14).

⁸a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Convention on the Elimination of All Forms of Discrimination Against Women adopted on 18 December 1979. Available online at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> (last accessed: 15.4.14).

⁹States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

is a vehicle for asserting human rights but possess limitations to combat discriminatory voting practices and influence political and social determinants of voting behavior. Moreover, societal pressures such as gender-stereotypes and gender-biased voting behavior¹⁰, negative effect and pressures of 'personal vote'¹¹ on women candidates, cultural politics¹² and environment, assumption of traits of ideal leader and belief that men make better political leaders than women do, reluctance of political parties to nominate female candidates due to presence of prejudiced voters¹³, presumed perceptions about ineffectiveness of women in government and women still seen by society as primary caregivers for children or home workers and elders and trail men in terms of managerial positions are the determinants hindering the way of women to participate in government despite being the legal voters in Pakistan. Thus, women's emancipation to overcome such impediments is present in developing society of Pakistan in the globalized world of 21st century to exercise their rights independently and represent the government.

Women are to be focused because of the fact that they have to face more societal pressures and barriers in enjoying their rights and particularly to be represented in government. This research will highlight the nature and extent of impediments faced by

¹⁰KiraSanbonmatsu, "Gender Stereotypes and Vote Choice", *American Journal of Political Science*, 46:1 (Jan., 2002), 30. Available at: <<http://www.jstor.org/stable/pdfplus/3088412.pdf>> (last accessed: 15.4.14).

¹¹"A personal vote refers to that portion of a candidate's electoral support which originates in his or her personal qualities, qualifications, activities, and record".

Dr. Melody EllisValdini, *Democracy or Diversity: The Effect of the Personal Vote on the Representation of Women* (Portland State University: Department of Political Science, 2010),3. Available at: <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1581163> (last accessed: 15.4.14).

¹²Stephen T.Mockabee, "A Question of Authority: Religion and Cultural Conflict in the 2004 Election", *Political Behavior*, 29:221-248 (2007), 6. Available at: <<http://www.springerlink.com/content/b6343w2931524n20/fulltext.pdf>> (last accessed: 14.4.14).

¹³Valdini, *Democracy or Diversity: The Effect of the Personal Vote on the Representation of Women*, 11, 14. Available at: <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1581163> (last accessed: 15.4.14).

women in this respect in the rural and urban areas of Pakistan and will recommend how such pressures can be overcome and will help in facilitating the way of women to combat barriers towards representing their government at each level. There is a need to highlight such social barriers and lacunas in contemporary human rights regime aiming at protecting and guaranteeing equal rights without gender-based discrimination.

LITERATURE REVIEW

A review of the literature suggests that there is much debate at the theoretical level on significance of women political rights and how political empowerment can be achieved. However very little work has been done to understand the nature of obstacles and voting behavior specially in context of Pakistani women. Very limited literature exists to talk about hurdles faced by women in Pakistan to enjoy her rights, exercise her political rights freely, and become an active agent of change. Various studies by individual researchers and organizations have been carried out to contribute towards women empowerment in the country by highlighting the need for such empowerment, indicating the factors behind violation of women rights, limitation of women political rights, efforts to achieve gender equality and how women empowerment can be achieved. But all such studies lack the comprehensive discussion regarding the challenges and constraints faced by women from both rural and urban areas of Pakistan.

Dr. Melody Ellis Validini, in her *Democracy or Diversity: The Effect of the Personal Vote on the Representation of Women*¹ beautifully explains some of the social factors impeding the way of women candidates to be elected and how voters respond to women candidates. She totally focuses on personal vote concept and based her whole research on

¹ Dr. Melody Ellis Validini, "Democracy or Diversity: The Effect of the Personal Vote on the Representation of Women", *Prepared for Presentation at the Annual Meeting of the Western Political Science Association, Portland*, Available online at: <<http://wpsa.research.pdx.edu/meet/2012/valdini.pdf>> (last accessed: 20.11.2014).

effects of this factor on women candidates. She further explains very little about party politics, people's perception and assumptions of ideal leaders but did not mention the hurdles faced by women to exercise their right to vote and get nominated. Moreover, she did not go for other prevalent barriers and limitations of voting rights that how they are not effective in bringing a change.

Asma Afzal Shami in her article, *Political Empowerment of Women in Pakistan*,² gives the detailed analysis of women's participation in the freedom movement and all political eras. The article mainly focuses on the struggle by women and various policies adopted in response to such emancipation. Article is insufficient to explain the existing impediments in women's political participation.

Amna Mahmood in *Political Empowerment of Women: A Comparative Study of South Asian Countries*³ discusses the measures taken by different governments in South Asia to achieve the goal of political empowerment and participation of womenfolk in the decision making process at all levels and very briefly the domestic and societal hurdles faced in political empowerment of women. The hurdles mentioned by author are insufficient and there is a need to explain these obstructions comprehensively.

² Asma Afzal Shami, "Political Empowerment of Women in Pakistan", *Pakistan Vision*, 10:1. Available online at: <<http://pu.edu.pk/images/journal/studies/PDF-FILES/Artical%20-%208.pdf>> (last accessed: 20.12.2013).

³ Amna Mahmood , "Political Empowerment of Women: A Comparative Study of South Asian Countries", *Pakistan Vision*, 10:1. Available online at: <<http://pu.edu.pk/images/journal/studies/PDF-FILES/Artical%20-%209.pdf>> (last accessed: 20.10.2014).

Farzana Bari's paper, *Women's Political Participation: Issues and Challenges*,⁴ focuses on the historic exclusion of women from political affairs and identifies few of the internal as well as external factors limiting women's political participation. The author also provides few strategies to achieve women political empowerment. However, the paper is not significant enough to encompass all the factors behind under representation of women in politics.

Dr. Dushka H. Saiyid in article entitled *Women in Politics-Problems of Participation: A Case Study of Pakistan*,⁵ provides the historical participation of women in Pakistan, issue of under-registration of women, general seats and reserved seats for women, devolution and participation of women. Author of the article declare low literacy level, under-registration, difficulty in exercising the right to vote practically and less attention by democratic governments to empower women politically, continuously hindering the women political participation. Social impediments discussed in the article are significant however are not sufficient.

Kira Sanbonmatsu in *Gender Stereotypes and Vote Choice*⁶ argues about gender stereotypes and voter's gender based preference in the particular article and gives a detailed

⁴ Farzana Bari, "Women's Political Participation: Issues and Challenges" (paper presented at the Expert Group Meeting of the United Nations Division for the Advancement of Women, Bangkok, Thailand, 8-11 November, 2005), 6. Available online at: <<http://www.un.org/womenwatch/daw/egm/enabling-environment2005/docs/EGM-WPD-EE-2005-EP.12%20%20draft%20F.pdf>> (last accessed: 8.2.2014).

⁵ Dr. Dushka H. Saiyid, "Women in Politics-Problems of Participation: A Case Study of Pakistan", Saiyid, Dr. Dushka H, Women in Politics-Problems of Participation: A Case Study of Pakistan. (24.2.10). Available online at: <http://edharti.com/articles/82/1/WOMEN-IN-POLITICS-PROBLEMS-OF-PARTICIPATION-A-CASE-STUDY-OF-PAKISTAN/Page1.html> (last accessed: 22.2.11).

⁶ Kira Sanbonmatsu, "Gender Stereotypes and Vote Choice", *American Journal of Political Science*, 46:1 (Jan., 2002). Available at: <<http://www.jstor.org/stable/pdfplus/3088412.pdf>> (last accessed: 25.10.2014).

analysis of these two factors. The research done by this author explains the two mentioned factors in the light of voter's ideology, perception and how people prefer one candidate over other in accordance with various issues. Despite these, author did not consider any other pressure and norms making difficult for women to be elected as government representatives and to exercise their independent political rights.

Gial Minault in her edited work *The Extended Family: Women and Political Participation in India and Pakistan* provides a framework of analysis of changes in women's emerging roles regarding their place in public arenas.

Sarfraz Hussain Mirza in his book *Muslim Women's Role in the Pakistan Movement* provides the historical analysis of Muslim women's contribution to the national movements including the freedom movement but he is unable to recognize their role in ongoing feminist movements in British India during that time. The book helps in understanding the historical role of women, which have been inherited by the Pakistani women.

United Nations Economic and Social Commission for Asia and the Pacific's *Report on the State of Women in the Urban Local Government Pakistan*⁷ depicts the education level and number of women registered voters and women participation and describes the political and government structure of country. Further provides the historical statistics of women's political participation. Very few barriers are discussed in report, faced by women in the exercise of their right to vote and representation at all levels.

Farida Shahid have conducted and published various reports on issues of women in Pakistan. In *Women of Pakistan; Two Step Forward, One Step Back*, Khawar Mumtaz and Fareeda Shahid⁸ provides a very deep analysis of development of women's movement in Pakistan. The study looks at the movement's nature, composition and transformation in changing the environment and the policies of government in this regard. In *Shaping Women's Lives: Laws, Practices and Struggles in Pakistan*, Farida Shahid discusses and analyzes the issues of women from different angles. The issue of gender empowerment is taken in all political, social and economic perspectives.

The three editions of *Women in Politics: Participation and Representation in Pakistan*⁹, compiled by Shahina Hanif and published by Shirkat Gah- Women's Resource

⁷United Nations Economic and Social Commission for Asia and the Pacific, Report on the State of Women in the Urban Local Government Pakistan. Available online at:

<<http://www.unescap.org/huset/women/reports/pakistan.pdf>> (last accessed: 17.10.14).

⁸ Khawar Mumtaz and Farida Shaheed, *Women of Pakistan: Two Steps Forward, One step Back?* (Lahore: Vanguard, 1987).

⁹ Farida Shaheed, Asma Zia and Sohail Warraich, *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009). Fazila Gulrez and Sohail Warraich, "Women In Politics: Update 1993-1997", *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009).

Centre provide very helpful detail in regard to the women empowerment in political sphere. The struggles of women and their level of participation and representation in Pakistani politics in different eras are discussed in the reports. The hurdles faced by women are illustrated in a comprehensive manner and disadvantages of women in the society. The reports highlights the efforts made during different time period to bring women to the main politics and also recommend achieving gender equality and possible efforts to be made in this regard. The reports do not cover all barriers faced by women and lack the difference between political limitations of rural and urban women.

Nasra M. Shah in *Pakistani Women: A socioeconomic and Demographic Profile*¹⁰ has discussed the demographic and socioeconomic situation of women in Pakistan through a data-based study. The data and substantiated facts explicit the women's place and recognition of their contribution towards the society. The study helps in finding out few of the limitations faced by Pakistani women and can be related to the problems faced during the acquisition of political freedoms.

Xavier Giné and Ghazala Mansuri in *Together We Will: Experimental Evidence on Female Voting Behavior in Pakistan*¹¹ through field experiment examine the voting behavior of women in Pakistan. The study highlights the determinants of female voting behavior and effects of the awareness campaigns on them. It identifies the few reasons behind limited

¹⁰ "Women In Politics: Update 1997-2009", *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009).

¹¹ Nasra M. Shah, ed., *Pakistani Women: A socioeconomic and Demographic Profile* (Islamabad: Pakistan Institute of Development Economics).

¹¹ Xavier Giné and Ghazala Mansuri, "Together We Will: Experimental Evidence on Female Voting Behavior in Pakistan" *World Bank Policy Research Working Paper Series* (June 1, 2011). Available online at: <<http://ssrn.com/abstract=1871588>> (last accessed: 9.2.2014).

political participation of women and the voting procedures and though experiment explains that through proper education and visual aids the female voter turnout can be increased to some extent.

Gender Quotas and the Politics of Empowerment - A Comparative Study by Shirin M. Rai¹² is a critical appraisal of the quota system for women in politics. While providing the significance of the types of quota system in ensuring the presence of women in the parliaments, the author also discusses that it does not ensure the participation in political affairs and role in the political decision-making process.

Besides the above mentioned studies, there are numerous studies in regard to the women's political rights and their struggles. However, very less material is available exploring the limitations of women political rights in Pakistan. Few studies that focused on gender empowerment from this perspective do not comprehensively provide a full account of pressures faced by women in rural and urban areas of Pakistan. There is much literature available related to the significance and importance of women empowerment but when it comes to the identification of causes of limited empowerment in Pakistan, very less data is available. The issue of political empowerment of women seems to be of less attention to the researchers and political freedoms are seldom discussed separately from all angles.

¹² Shirin M. Rai et al., "Gender Quotas and the Politics of Empowerment - A Comparative Study", *Women Quota and Politics*, ed. Drude Dahlerup (London: Routledge).

This study would be unique as it attempts to explore and highlight the nature and extent of pressures faced by Pakistani women in this respect in the rural as well as urban centers of Pakistan. It further aims to suggest and recommend some measures that may be taken to overcome such pressures thereby ensuring Pakistani women's actual participation in the political process and henceforth become active agents of social change.

Outline:

The thesis is divided into five main chapters to study the concept of women political rights, historical development, and challenges faced by rural and urban women of Pakistan to exercise her political rights freely. Chapter 1 explains the concept of political rights, women struggle to achieve these rights in a historical context and laws for the provision and protection of women political rights at international, regional, and national levels. Chapter 2, is about women's role and political participation in Pakistan in both pre and post independence eras. To elaborate the level of representation and participation, legislative history of the country is presented. Chapter 3 elaborates the hurdles faced by rural and urban women of Pakistan. Case study of women respondents is presented to analyze the nature and extent of pressures faced by women and a comparison is made between rural and urban areas to see the similarities and differences of the social barriers. Chapter 4 elucidates the limitations faced by women in enjoying their political rights. Social, cultural, structural, economic, and religious constraints are explained and efforts by governments, state institutions, civil society, and media towards women political empowerment are included.

The last chapter 5 one concludes all the research with recommendations for the women development and political empowerment in rural and urban sectors of the country.

Research Methodology:

Historical, evaluative, analytical, and comparative methods are used for the purpose of the study. The main sources of information and data collection is the published material such as international conventions and declarations, books, journals, reports of various international, government and non-governmental organizations, press releases, research papers, and moreover, available electronic and print media. Furthermore, field work, which includes the interviews of women from all major areas of Pakistan and women politicians.

CHAPTER 1

INTRODUCTION: A GLIMPSE AT THE WOMEN POLITICAL RIGHTS

The chapter elucidates on the concept of political rights, its typology, and the political representation and eve's emancipation to attain these rights in historical context with the suffrage rights movements in various parts of the world. The researcher then elaborates the legal instruments available to secure women political rights at international, regional, and national levels. The nature of conventions, declarations and constitution have been described along with the particular articles of these legal documents dealing with the equality and guarantee of political rights to the women.

"Every country deserves to have the best possible leader and that means that women have to be given a chance to compete. If they're never allowed to compete in the electoral process then the countries are really robbing themselves of a great deal of talent."

– Madeleine K. Albright, NDI Chairman

1.1 Introduction:

Democratic political system is supposed to have universal suffrage, regular elections, a civil society, the rule of law and an independent judiciary.¹ Provision of basic fundamental human rights has emerged as one of the primary requisites for any government of the world. Political rights are one of the first generation human rights and their provision on equality basis to all citizens of the globalized world is much focused. In the recent past there has been

¹ Farah Parvaiz Saleh, "Locating Women's Engagement in Democratization, Representation and Local Government Structure of Pakistan", *Scratching The Surface: Democracy, Traditions, Gender*, ed. Jennifer Bennett (Lahore: Heinrich Boll Foundation, 2007), 255.

a strong linkage between ‘good government and gender equality’² and it is being said now that ‘women rights are human rights.’³

Women achieved their political rights and right to political representation historically through various movements and attained legal protection to their full voting and political rights. Suffrage movements are one of the most significant movements throughout the world and as a result of them women in various parts of the globe succeeded in an acquisition of their voting rights. Laws are one of the strongest tools in protecting and promoting human rights.⁴ Guarantees are provided to safeguard women’s political rights through international, regional and national laws. However, the actual practice may vary as per the pre-decided norms of the society.

1.2 Political Rights: A Concept:

Political rights, among first generation of human rights, are one of the wide categories⁵ of the human rights⁶ today and come under the first category, ‘individual freedom’⁷ of freedom

² Pranab Kumar Panday, “Representation without Participation: Quotas for Women in Bangladesh”, *International Political Science Review*, 29:4 (Sep., 2008), 489. Available online at: <<http://www.jstor.org/stable/pdfplus/20445157.pdf>> (last accessed: 3.4.2014).

³ Hillary Rodham Clinton, *Remarks to the U.N. 4th World Conference on Women Plenary Session on 5 September 1995, Beijing, China*, available online at: <<http://www.americanrhetoric.com/rhetoricdefinitions.htm>> (last accessed: 13.12.2013).

⁴ Nasira Iqbal, “Legal Pluralism in Pakistan and its Implications on Women’s Rights”, *Scratching The Surface: Democracy, Traditions, Gender*, ed. Jennifer Bennett (Lahore: Heinrich Boll Foundation, 2007), 101.

⁵ The collection of human rights protected by international law draws on a longer of tradition of rights from philosophy, history, and normative political theory and now includes three sets, or categories of rights that have become useful shortcuts for talking about human rights among scholars and practitioners are:”

- a) [C]ivil and political rights,
- b) Economic, social and cultural rights and
- c) Solidarity rights.

Available online at: <<http://web.abo.fi/instit/imr/research/seminars/indicators/Background.pdf>> (last accessed: 12.12.2013).

concepts⁸. Though political rights isn't a new phenomenon emerged, however, in the wake of human rights era⁹ and rapid globalization, the concept of political rights gained a global momentum and became more significant. Provision of political rights has become considerable requisite for the democratic states to the extent that on the basis of periodic elections, majority of the states claim to be democratic.¹⁰

Political rights¹¹ ensure 'positive contribution'¹² in the process of steering one's societal affairs, communal political life, governmental management included off, and

⁶ 'The freedoms, immunities, and benefits that, according to modern values (esp. at international level), all human beings should be able to claim as a matter of right in the society in which they live.'

Bryan A. Garner, *Black's Law Dictionary*, 3rd Edition, (USA: Thomson West, 2001), 824.

⁷ 'Individual freedom is the right and capacity of individual citizens to pursue their own perceived values relatively unimpeded by arbitrary governmental authority. This usage of rights is best phrased as *political and civil liberties* which have served as a subtitle for the *Freedom in the World Series*'.

William L. Richter, "Prospects for political freedom in Pakistan", *Freedom in the World: Political Rights and Civil Liberties, 1981*, comp. Raymond D. Gastil, (Oxford: Clio Press, 1981), 111.

⁸ *Ibid.*

The three broad categories of freedom concepts are:

- a) Individual freedom,
- b) Ethnic self-determination and
- c) National independence.

⁹ "The belief that everyone, by virtue of her or his humanity, is entitled to certain human rights is fairly new. Its roots, however, lie in earlier tradition and documents of many cultures; it took the catalyst of World War II to propel human rights onto the global stage and into the global conscience."

"Human Rights Fundamentals", *Human Rights Here and Now: Celebrating the Universal Declaration of Human Rights Available*, ed. Nancy Flowers.

Available online at: <<http://www1.umn.edu/humanrts/edumat/hreduseries/hereandnow/Part-1/short-history.htm>> (12.11.2013).

After the horrors of World War II, a broad consensus emerged at the worldwide level demanding that the individual human being be placed under the protection of the international community.

Christian Tomuschat, "International Covenant on Civil and Political Rights", *Audiovisual Library of International Law*.

Available online at: <<http://untreaty.un.org/cod/avl/ha/iccpr/iccpr.html>> (last accessed: 12.11.2013).

¹⁰ Andrew Fagan, *The Atlas of Human Rights: Mapping Violations of Freedom Worldwide* (London: Earthscan, 2010), 73.

¹¹ The right to participate in the establishment or administration of government, such as the right to vote or the right to hold public office.

Garner, *Black's Law Dictionary*, 2001, 1323.

¹² *Human Rights Issues in Criminal Justice*

Available online at: <<http://www.lincoln.edu/criminaljustice/hr/Civilandpolitical.htm>> (last accessed: 13.12.2013).

provision of opportunities for political participation of all eligible citizens.¹³ According to the modern notion of political rights, all citizens should have the right and opportunity, without unreasonable restrictions to participate in the conduct of public affairs, directly or through elected representatives.¹⁴

1.2.1 Typology of Political Rights:

Political rights include rights such as:

- Right to speech and expression;
- Right to assembly and association;
- Right to hold public office;
- Right to take part in government directly or indirectly;
- Right to vote; and
- Right to petition.¹⁵

¹³ *Ibid.* and Maulin Joshi, "What are the important Political Rights that every citizen of India can enjoy?", *Preserve Articles: Preserving Articles for Eternity* Available online at: <<http://www.preservearticles.com/201012251633/important-political-rights.html>> (13.12.2013).

¹⁴ *Human Rights Issues in Criminal Justice* Available online at: <<http://www.lincoln.edu/criminaljustice/hr/Civilandpolitical.htm>> (last accessed: 13.12.2013).

¹⁵ Available online at: <<http://web.abo.fi/instit/imr/research/seminars/indicators/Background.pdf>> (last accessed: 12.12.2013). And The Universal Declaration of Human Rights adopted on 10 December 1948. Available online at: <<http://www.un.org/en/documents/udhr/>> (last accessed: 13.12.2013). These rights are elucidated in later headings.

1.2.2 Political Representation:

The term political representation can be best elucidated as:

Fig. 1.1 Political Representation

Representation of	... interests ideas / values perspectives collectively mediated experiences corporeal experiences
Representativeness	
symbolic arguments	... effects on status of group effects on aspirations legitimacy of institution
Equal right to represent	
justice arguments	... to participate in public decision-making not to be discriminated against by structures of public life
utility arguments	... increase pool of talent partisan advantage

16

1.3 Eve's Emancipation with Regard to Political Rights:

Political rights of women were never of universal nature as they are now. They were limited to privileged groups of the society and women were part of the subjugated groups of the society. The history of political rights reveals that dominant groups in every society limited

¹⁶ Marian Sawer, "Parliamentary Representation of Women: From Discourses of Justice to Strategies of Accountability", *International Political Science Review*, 21:4 (Oct., 2000), 363. Available online at: <http://www.jstor.org/stable/pdfplus/1601594.pdf> (last accessed: 13.12.2013).

the access to ballot and public offices by using their power and authority¹⁷. Women in such societies were deprived of many of their basic rights and political rights particularly.

1.3.1 A look into history:

Historically, women rights have been denied or non-recognized either through discrimination or through various forms of violence.¹⁸ Citizenship was gendered; men were the sole bearers of civil, political and social rights.¹⁹ Traditional resistance to women's political participation has been due to 'constraints of homemaking and parental responsibilities'.²⁰ Women have been kept away from the politics and were not even granted right to vote, importance of women's participation in political affairs was realized by the political and social scientists with the changing perceptions for socio-political orders of the societies.²¹ Women attained their political freedom through struggle and various feminist movements specially the

¹⁷ JoEllen Lind, "Dominance and Democracy: The Legacy of Women Suffrage for the Voting Right", *UCLA Women's Law Journal*, 5:103 (1994), 104-105. Available online at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1448907&download=yes (last accessed: 14.12.2013).

¹⁸ Human Rights Commission of Pakistan, *The State of Human Rights in 1995* (Lahore: Human Rights Commission of Pakistan, 1995), 127.

¹⁹ Francisco O. Ramirez, Yasemin Soysal and Suzanne Shanahan, "The Changing Logic of Political Citizenship: Cross-National Acquisition of Women's Suffrage Rights, 1890 to 1990", *American Sociological Review*, 62:5 (Oct., 1997), 735. Available online at: <http://www.jstor.org/stable/2657357> (last accessed: 14.12.2013).

²⁰ Ashraf R. El-Ghannam, "Analytical Study of Women's Participation in Political Life in Arab Societies", *Equal Opportunities International*, 22:8 (2003), 40. Available online at: <http://www.emeraldinsight.com/journals.htm?articleid=880837&show=abstract> (last accessed: 14.12.2013).

²¹ Zafeer ud Din, *Women in Electoral Politics 1985-1997* (Islamabad: Institute for Human Rights and Democracy, 1998), 1.

‘suffrage’²² movements throughout the world and ‘globalization of social movements’²³ played a significant role.

The following figure²⁴ indicates the suffrage acquisition of men and women in 133 countries from 1890-1990. A drastic increase in attainment of suffrage rights is seen after World War II.

²² Suffrage is “the right or privilege of casting a vote at a public election” or “A vote: the act of voting”

Garner, *Black's Law Dictionary*, 2001, 1447.

²³ Ramirez, “The Changing Logic of Political Citizenship: Cross-National Acquisition of Women’s Suffrage Rights, 1890 to 1990”, 736. Available online at: <<http://www.jstor.org/stable/2657357>> (last accessed: 14.12.2013).

²⁴ *Ibid.*, 738.

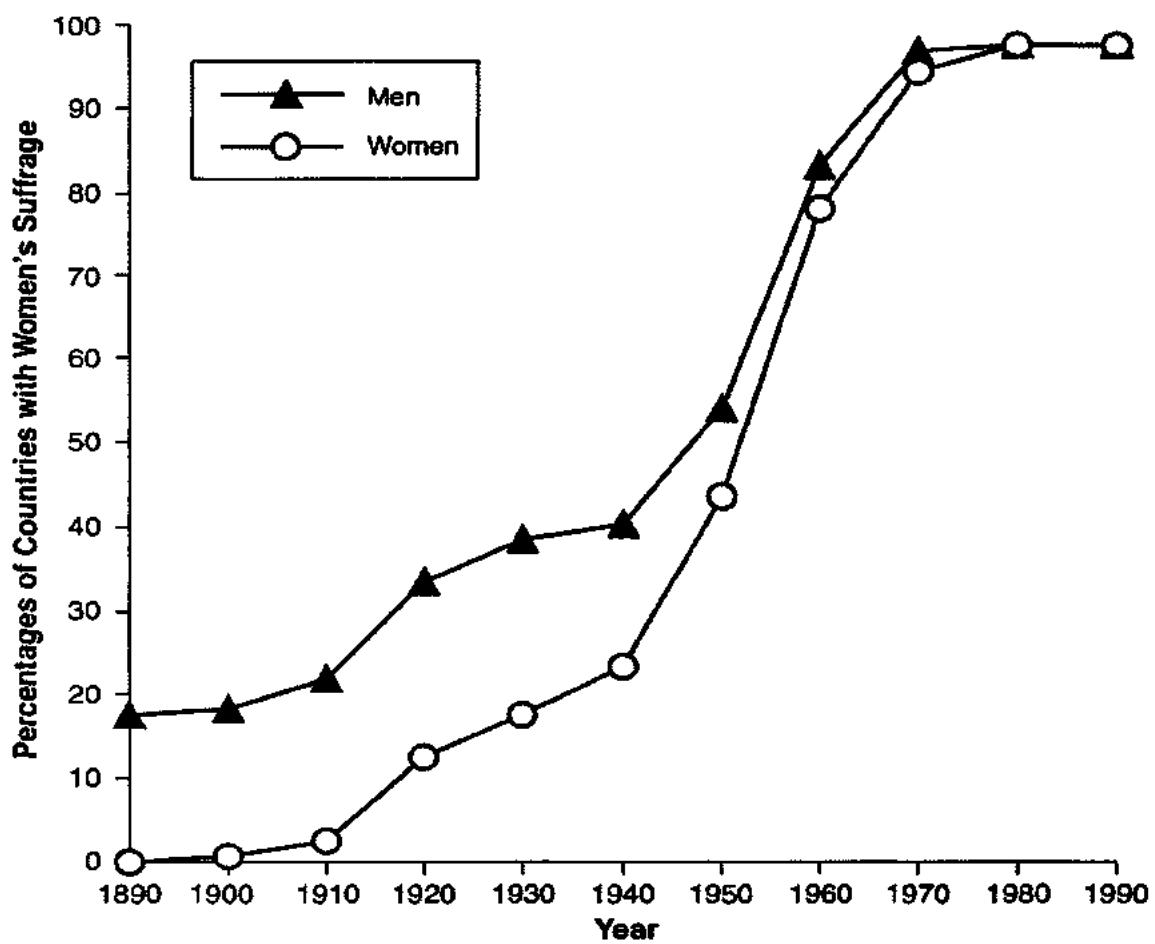


Fig. 1.2 Suffrage acquisition from 1890-1990.

Cumulative percentages of women's and men's suffrage acquisition from 1890-1990.

Note: Number of countries = 133.

1.3.2 Women suffrage rights: A historical Regional Context:²⁵

Political systems are not created in vacuum. Every system of the world draws inspiration from its historical roots and than in accordance with the socio-eco-political conditions of the time make dynamic changes.²⁶ Basic political right i.e., right to vote had a history how it was guaranteed to women belonging to various regions of the world.

American women won the 'full voting rights'²⁷ in August 1920 with the ratification of nineteenth amendment in constitution²⁸ as a result of suffrage movement.²⁹ Women when granted suffrage in the United States of America less than hundred years ago was a catalyst for significant change that allowed women, over the years, to successfully challenge many stereotypes about women that kept them from full equality with men.³⁰

Chinese women struggled for their rights before the foundation of the People's Republic of China in 1949.³¹ The struggle included the reform movement of 1898 for the

²⁵ History of very few selective prominent countries is discussed as detail of all continents is not relevant here.

²⁶ Dr. Muhammad Nazeer Ka Ka Khel, "Political System in Pre-Islamic Arabia", *Islamic Studies*, XX:1 (Summer, 1981), 376.

²⁷ Essortment, *The Women's suffrage movement in the United States* (2002). Available online at: <http://www.essortment.com/all/womenssuffrage_rcfa.htm> (last accessed: 14.12.2013).

²⁸ Akhil Reed Amar, "How Women Won the Vote", *The Wilson Quarterly*, 29:3 (Summer, 2005), 30. Available online at: <<http://www.jstor.org/stable/pdfplus/40233059.pdf?acceptTC=true>> (last accessed: 15.12.2013).

²⁹ The suffragist movement in the United States was an outgrowth of the general women's rights movement that officially began with the Seneca Falls Convention of 1848.

Details of all events related to women political rights are available online at <<http://www.annenbergclassroom.org/Files/Documents/Timelines/WomensRightstimeline.pdf>> (last accessed: 15.12.2013).

³⁰ *Ibid.*

³¹ Jinghao Zhou, "Keys to Women's Liberation in Communist China: An Historical Overview", *Journal of International Women's Studies*, 5:1 (Nov., 2003), 2. Available online at: <<http://www.bridgew.edu/SoAS/JIWS/nov03/Jinghao.pdf>> (last accessed: 15.12.2013).

liberation of women and revolution of 1911³² focusing on gender equality and the participation of women in political affairs. The Marxist perspective on women is not only the theoretical foundation of the Chinese communist state ideology and political discourse on women but also the guiding principle for everyday practices supporting women's liberation.³³

In 1893, New Zealand became first country to grant full voting rights to women at a national level³⁴ without any discrimination or condition³⁵ after sporadic public discussions from 1860s.³⁶ New Zealand suffragists³⁷ fought remarkably early for their suffrage rights and acquired it through Electoral bill in September 1893 by all two male chambers of legislature. Their struggle for the cause varied in timing and character as per the context of time and place.³⁸

³²*Ibid.*

³³Esther Ngan-Ling Chow, Naihua Zhang and Jinling Wang, "Promising and Contested Fields: Women's Studies and Sociology of Women/Gender in Contemporary China", *Gender and Society*, 18:2 (Apr., 2004), 178. Available online at: <<http://www.jstor.org/stable/pdfplus/4149431.pdf?&acceptTC=true>> (last accessed: 15.12.2013).

³⁴Zafeer ud Din, *Women in Electoral Politics 1985-1997*, 1.

³⁵Limited voting rights were enjoyed by women in western U.S states, Sweden, Britain, Finland, Canada and few others. The detail of all conditions to the women voting rights and related acts for further consultation can be found at <<http://memory.loc.gov/ammem/naw/nawtime.html>> (last accessed: 14.12.2013).

³⁶*Suffrage, Gender and Citizenship – International Perspectives on Parliamentary Reforms*, ed. Irma Sulkunen and Seija-Leena Nevala-Nurmi and Pirjo Markkola (UK: Cambridge Scholars Publishing, 2009), 17. Available online at: <<http://www.c-s-p.org/flyers/978-1-4438-0162-1-sample.pdf>> (last accessed: 15.12.2013).

³⁷Maori and Pakeha were chief New Zealand suffragists. Besides them, Mary Ann Muller, writing as 'Femina', published a lengthy article, *An Appeal to the Men of New Zealand*, in the *Nelson Examiner* keenly advocating women's legal, educational and political rights. Mary Ann Colclough – writing as 'Polly Plum' – engaged in a lively correspondence in the Auckland newspapers in the early 1870s on the question of women's political rights as well as their entitlement to higher education, professional work, and equal pay.

³⁸*Suffrage, Gender and Citizenship – International Perspectives on Parliamentary Reforms*, 15-17. Available online at: <<http://www.c-s-p.org/flyers/978-1-4438-0162-1-sample.pdf>> (last accessed: 15.12.2013).

Women in United Kingdom receive franchise rights on same terms as men through Representation of the People Act in 1928 after many years of fight for the ballot rights.³⁹ Earlier, women were granted suffrage rights but Great Reform Act of 1832 excluded women from electorate.⁴⁰ Later, through campaigns and petitions women acquired the right to vote but it was not for every woman and 'conditions'⁴¹ were imposed for show of hands.⁴²

Universal suffrage in South Australia was introduced in 1894,⁴³ Western Australian women gain franchise rights in 1899⁴⁴ and in 1902 'Commonwealth Franchise Act'⁴⁵ came into effect.⁴⁶ Australian women's emancipation for voting rights was significant and extraordinary efforts were made to get the petitions signed for their political freedom.⁴⁷

³⁹ "Women and the Vote", *Living Heritage*. Available online at: <<http://www.parliament.uk/about/living-heritage/transformingsociety/elections/voting/womenvote/>> (last accessed: 15.12.2013).

⁴⁰ *Ibid.*

⁴¹ Acts were passed to allow women who owned property to vote in local elections, widow and married woman above 30 years of age to cast their votes.

⁴² Edward Raymond Turner, "The Women's Suffrage Movement in England", *The American Political Science Review*, 7:4 (Nov., 1913), 590-601. Available online at: <<http://www.jstor.org/stable/1944309>> (last accessed: 15.12.2013).

⁴³ Kim Rubenstein, "Can the Right to Vote be Taken Away? The Constitution, Citizenship and Voting Rights in 1902 and 2002", *SELECTIVE DEMOCRACY: RACE, GENDER AND THE AUSTRALIAN VOTE*, eds. John Chesterman and David Philips, (Melbourne: Publishing Group, 2003), 88. Available online at: <<http://ssrn.com/abstract=47304>> last accessed: (15.12.2013).

⁴⁴ Australian Electoral Commission, *Women and the Right to Vote in Australia* (2011). Available online at: <http://www.aec.gov.au/Elections/australian_electoral_history/right.htm> (last accessed: 15.12.2013).

⁴⁵ Women were given both the right to vote in federal elections and also the right to be elected to parliament on a national basis.

Australian Government, *Australian Suffrages*. Available online at: <www.australia.gov.au/about-australia/australian-story/austn-suffragettes> (last accessed: 15.12.2013).

⁴⁶ Kim Rubenstein, "Can the Right to Vote be Taken Away? The Constitution, Citizenship and Voting Rights in 1902 and 2002", 89. Available online at: <<http://ssrn.com/abstract=47304>> last accessed: (15.12.2013).

⁴⁷ Australian Government, *Australian Suffrages*. Available online at: <www.australia.gov.au/about-australia/australian-story/austn-suffragettes> (last accessed: 15.12.2013).

Saudi women were given right to ballot on September 25th, 2011 when King Abdullah remarked,

"Women will be able to run as candidates in the municipal election and will even have a right to vote because we refuse to marginalize women in society in all roles that comply with Sharia, we have decided, after deliberation with our senior ulama [clerics] and others ... to involve women in the Shura council as members, starting from the next term."⁴⁸

Uprisings in the Arab world, democratic pressure for women's rights and a representative form of government compelled the monarch to go for the provision of political rights to women. Hatoon Al-Fasi⁴⁹ said,

"There is the element of the Arab Spring, there is the element of the strength of Saudi social media, and there is the element of Saudi women themselves, who are not silent, plus, the fact that the issue of women has turned Saudi Arabia into an international joke is another thing that brought the decision now."⁵⁰

Women in South Asia did not strive much to get their franchise rights and political freedom. South Asia possesses most influential women leaders than any other region of the world. Women have been elected prime ministers, leader of political parties, heads of states

⁴⁸ Martin Chulov , "Saudi women to be given right to vote and stand for election in four years," *The Guardian*, September 25, 2011. Available online at: <<http://www.theguardian.com/world/2011/sep/25/saudi-women-right-to-vote>> (last accessed: 15.12.2013).

⁴⁹ She is a history professor and one of the women who organized a campaign demanding the right to vote this spring.

⁵⁰ NEIL MacFARQUHAR, "Saudi Monarch Grants Women Right to Vote", *The New York Times*, September 25, 2011. Available online at :<<http://www.nytimes.com/2011/09/26/world/middleeast/women-to-vote-in-saudi-arabia-king-says.html?ref=abdullahbinabdulazizalsaud>> (last accessed: 15.12.2013).

and regional governments.⁵¹ Four out of seven South Asian states⁵², four have been ruled by six women politicians.⁵³ In 1931, Sri Lanka was first South Asian country to grant voting rights to women.⁵⁴ Pakistani, Bangladeshi⁵⁵ and Indian women enjoy full suffrage rights since guaranteed by their respective constitutions. It is notable that women of earlier sub-continent attained their equal legal political rights without any feminist movements. Bhutan in 2008 switched to individual voting system from one family one vote system.⁵⁶ Maldives in 1932 and Nepal in 1951 provides equal political rights to all of their citizens without any discrimination of gender.

South Asian states take pride in producing some of the most powerful women political leaders of the world. However, the accumulative political participation of women in the region remains dismal.⁵⁷ The percentage of women in politics in these countries has been 6-8 percent. Various steps have been taken to ensure more political participation of women

⁵¹ Gail Omvedt, "Women in Governance in South Asia", *Economic and Political Weekly*, 40:44/45 (Oct., 2005), 4746. Available online at: <http://www.jstor.org/stable/pdfplus/4417361.pdf> (last accessed: 15.12.2013).

⁵² Srimavo Bandaranayake (world's first woman prime minister and one of the longest serving prime ministers anywhere in the world) and Chandrika Kumaratunga of Sri Lanka, Indira Gandhi in India, Benazir Bhutto in Pakistan and two Bangladeshi women i.e., Khalida Zia and Hasina Wajid.

Shirin M. Rai, Farzana Bari, Nazmunessa Mahtab and Bidyut Mohanty, "South Asia: Gender Quotas and the Politics of Empowerment-A Comparative Study", *Women, Quotas and Politics*, ed. Drude Dahlerup (London: Routledge, 2006), 222.

⁵³ Zafeer ud Din, *Women in Electoral Politics 1985-1997*, 2.

⁵⁴ Jone Johnson Lewis, *Winning the Vote for Women around the World 1930 – 1959*. Available online at: http://womenshistory.about.com/od/suffrage/a/intl_timeline_2.htm (last accessed: 15.12.2013).

⁵⁵ Bangladesh was part of Pakistan before 1971

⁵⁶ Ministry of Foreign Affairs Denmark, Denmark in Bhutan, *Bhutan's Way to Democracy*. Available online at: <http://bhutan.um.dk/en/about-bhutan/bhutans-way-to-democracy> (last accessed: 15.12.2013).

⁵⁷ Gail Omvedt, "Women in Governance in South Asia", 4746. Available online at: <http://www.jstor.org/stable/pdfplus/4417361.pdf> (last accessed: 15.12.2013).

through introduction of various bills and more significantly the quota system⁵⁸ but limitations to exercising of such rights exist as a result of certain socio-religious and cultural challenges, hindering the political participation of women and representation in decision-making process.⁵⁹

1.4 Provision of Legal Instruments with Regard to Women Political Rights:

International and domestic legislation provides equal opportunities to women to participate in political activities and enjoy their political freedom. Significant legal instruments for political rights without any gender discrimination or focusing on women rights are discussed in subsequent discussion.

1.4.1 International Instruments:

No comprehensive set of human rights existed at international level before World War II. The conviction that rights at international level should be provided with legal obligations emerged after WWII. The United Nations '(UN)' Charter adopted in 1945 contains articles about human rights but the content wasn't spelled in that context. The task of formulating

⁵⁸ Gail Omvedt, "Women in Governance in South Asia", 4746-4752. Available online at: <<http://www.jstor.org/stable/pdfplus/4417361.pdf>> (last accessed: 15.12.2013).

⁵⁹ Pranab Kumar Panday, "Representation without Participation: Quotas for Women in Bangladesh", 490. Available online at: <<http://www.jstor.org/stable/pdfplus/20445157.pdf>> (last accessed: 15.12.2013).

human rights was given to the specific committee by UN.⁶⁰ International declarations and conventions providing equal political rights include the following:

1.4.1.1 Universal Declaration of Human Rights (UDHR):

Universal declaration of Human Rights '(UDHR)',⁶¹ adopted unanimously by United Nations on December 10th 1948 provides equal rights to all humans without any discrimination. 30 articles of UDHR⁶² provide civil, political, economic, social, and cultural rights. Article 21⁶³ of the declaration aims at providing equal political opportunities and participation for everyone without any distinction.

Article 21 (1) clearly explicates the right of political participation i.e. elections and government. Participation here may also refer to the point that voices of people,⁶⁴ who are marginalized or subjugated, should be pay heed to and to be considered in the process of policymaking. Further it also elucidates that participation should be directly or indirectly,

⁶⁰ NEEDS, *Compendium of International Standards for Elections* (London: NEEDS, 2007), 4.

⁶¹ 'The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 General Assembly resolution 217 A (III) (French) (Spanish) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected.' The Universal Declaration of Human Rights adopted on 10 December 1948. Available online at: <<http://www.ohchr.org/en/udhr/pages/introduction.aspx>> (last accessed: 15.12.2013).

⁶² Provided in the appendix I.

⁶³ Article 21: 1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedure.

The Universal Declaration of Human Rights adopted on 10 December 1948. Available online at:

<<http://www.un.org/en/documents/udhr/>> (last accessed: 15.12.2013).

⁶⁴ People marginalized or discriminated against because of disability, race, religion, gender, descent, age or on other grounds.

direct participation is where opinion influences directly like referendum and indirectly through chosen representatives who act and make decisions on behalf of their voters.⁶⁵ This clause provides with different forms of participation and direct participation is not only focused.

Article 21 (2) safeguards the right of all citizens to be part of public service of their state, public servants include legislators, government ministers or civil servants. It also ensures that no citizen should be barred to serve these positions.⁶⁶

Whereas, article 21 (3) provides the principle of popular sovereignty that people with their desires and interests are to legitimize the public power. The elements for such participation are that 'genuine elections'⁶⁷ to be conducted 'periodically'⁶⁸ and 'secret

⁶⁵United Nations Human Rights: Office of the High Commissioner for Human Rights, Universal Declaration of Human Rights - In six cross-cutting themes. Available online at:

<<http://www.ohchr.org/EN/UDHR/Pages/CrossCuttingThemes.aspx>> (last accessed: 15.12.2013).

And

Glendon Goh, "The Promotion of The Article 21 of the Universal Declaration of Human Rights", Presented at Human Rights Council. Available online at:

<<http://munofsv4.wikispaces.com/file/view/HRC+The+promotion+of+Article+21+of+the+Universal+Declaration+of+Human+Rights.pdf>> (last accessed: 15.12.2013).

⁶⁶*Ibid.*

⁶⁷ 'The element of genuine elections may be understood at two levels. At the high or broader level, the adjective genuine can be seen to bring in the so-called adjacent political freedoms and rights, such as the freedom of expression, assembly, association and movement. At the lower or narrower level, the element of a genuine election should include a real choice for voters between political contestants.'

NEEDS, *Compendium of International Standards for Elections*, 6.

⁶⁸ The requirement for periodic election implies that country's legislation should provide a certain period after which elections should be conducted on regular basis with a need for a responsive and independent election administration or other such structure to ensure the timely holding of the election.

Free elections of such nature are generally held in established democracies with lesser amount of irregularities as compared to other nations where elections are marred by severe irregularities. Situation is more grieved in authoritarian regimes where election results are manipulated and elections are not conducted regularly.

NEEDS, *Compendium of International Standards for Elections*, 5-6.

And

Glendon Goh, "The Promotion of The Article 21 of the Universal Declaration of Human Rights".

Available online at:

ballot'⁶⁹ system should be implied so voters are free to choose their representatives according to their free will. All 'adult citizens'⁷⁰ should be granted equal voting rights.⁷¹

Declaration laid high stress on the protecting and provision of all rights mentioned in it by the member states of the U.N and Article 30⁷² forbids interpreting the declaration in any way to violate rights or freedoms guaranteed by it. Declaration being the soft law of international community lacks binding obligations. Though it is the only document, which is truly universal in nature as all present members of United Nations adopt it.

1.4.1.2 International Covenant on Civil and Political Rights '(ICCPR)':

International Covenant on Civil and Political Rights '(ICCPR)',⁷³ adopted by the General Assembly on December 16th, 1966 contains a comprehensive catalogue of civil and political

⁶⁹ <http://munofsiv.wikispaces.com/file/view/HRC+The+promotion+of+Article+21+of+the+Universal+Declaration+of+Human+Rights.pdf> (last accessed: 15.12.2013).

⁷⁰ Secret ballot/vote refers to the principle that voters should cast his or her vote in secret. Nobody should be permitted to see how the voter votes, this is to ensure that voters enjoy their voting rights independently free from all influences and coercion from anybody. It also implies that ballot paper when marked and dropped into the ballot box must be completely anonymous in relation to the voter who marked it to ensure safety to voters to choose according to their free will.

Ibid., 6.

⁷¹ This refers to the concept of universal suffrage. This element concerns that everyone should be granted the right to vote without any discrimination with condition of minimum age to be attained and restrictions can be imposed on criminals and people with unsound mind and judgment.

Ibid.

⁷² *Ibid.*, 5-6.

⁷³ Article 30: Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Article 30 of The Universal Declaration of Human Rights adopted on 10 December 1948. Available online at: <http://www.un.org/en/documents/udhr/> (last accessed: 15.12.2013).

⁷⁴ ICCPR's adoption along with ICESCR (International Covenant on Economic, Social and Cultural Rights) in 1966 completed the plan to create a global Bill of Human Rights. These two covenants implement the Universal Declaration by creating a binding set of human rights norms at the level of international law.

rights⁷⁴ and is a legally binding human rights document to the states party to it. Article 25⁷⁵ of the convention goes for the provision of equal political rights to all without any discrimination. These rights shouldn't be suspended or limited except on plausible and objective legal grounds, for instance persons with unsound mentality can be denied his/her enfranchisement rights or to hold an office.⁷⁶

Article 25 (a) refers to the conduct of public affairs, a broad concept relating to the exercise of political power; predominantly the exercise of legislative, administrative and executive powers. The formulation and implementation of policy i.e. participation should be at all levels of public administration in relation to the regional, national and local government levels. Participation can be as: a voter, participant in assemblies, member of

⁷⁴ Paul Andrew Mitchell, "The U.S. ICCPR Reservations, Understandings and Declarations Are Self-Executing," email message to Supreme Law Firm May 2, 2012.

Available online at: <http://www.mpil.de/shared/data/pdf/pdfmpunyb/seibert_fohr_5.pdf> (last accessed: 15.12.2013).

⁷⁵ Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.

Article 2, paragraph 1: Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

International Covenant on Civil and Political Rights adopted on 19 December 1966. Available online at: <<http://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>> (last accessed: 15.12.2013).

⁷⁶ Office of the High Commissioner for Human Rights, "General Comment No. 25: The right to participate in public affairs, voting rights and the right of equal access to public service (Art. 25)", (1996).

Available online at: <<http://www.unhchr.ch/tbs/doc.nsf/0/d0b7f023e8d6d9898025651e004bc0eb>> (last accessed: 15.12.2013).

legislative bodies, executive office holder or member of bodies established to represent the citizens.⁷⁷

Paragraph (b) of article 25 supports the direct participation and to be freely chosen representatives. The paragraph sets out the necessary elements for the elections and the idea of an electoral cycle; to hold elections at regular intervals to ensure government exercises power as per the free expression of will of the citizens at large.⁷⁸ The electoral elements provided in the particular paragraph are:

- i. Periodic elections;
- ii. Genuine elections;
- iii. Contest elections;
- iv. Universal suffrage;
- v. Voting in elections on the basis of the right to vote;
- vi. Equal suffrage;
- vii. Secret vote; and
- viii. Free expression of the will of the voters.⁷⁹

Paragraph c provides the basic right to the citizens to have access to public offices or public service positions on equal terms. There should be reasonable and objective criteria for the recruitment, promotion, suspension and dismissal to ensure such access to everyone.⁸⁰

⁷⁷ *Ibid.* and NEEDS, *Compendium of International Standards for Elections*, 8-9.

⁷⁸ *Ibid.*, 8-10.

⁷⁹ *Ibid.*, 10

These election elements have been defined and explained in the above discussion.

Article 2 (3) (a) and (b) legally binds its state parties to ensure effective remedies in case of violation to the rights provided in covenant.⁸¹ Although the word democracy is not mentioned in the article 25 but it does introduce in the electoral process a number of human rights and makes the elections as central component of participation by providing numerous election elements.⁸²

ICCPR is one of the popular and widely accepted documents of United Nations. The protections provided by it are highly significant in provision of political rights to all.

1.4.1.3 Convention on the Elimination of All Forms of Discrimination against Women ‘(CEDAW)’:

‘CEDAW’ (Convention on the Elimination of All Forms of Discrimination against Women) also described as international bill of rights for women was adopted in 1979 by the United Nations. Convention defines ‘discrimination against women’⁸³ and strongly provides the

⁸⁰ Office of the High Commissioner for Human Rights, “General Comment No. 25”. Available online at: <<http://www.unhchr.ch/tbs/doc.nsf/0/d0b7f023e8d6d9898025651e004bc0eb>> (last accessed: 15.12.2013).

⁸¹ http://ccprcentre.org/doc/HRC/Norway/NGO%20Information/NCHR_shadow_report_ICCPR_Norway_HRC_101-1.pdf page 28.

⁸² NEEDS, *Compendium of International Standards for Elections*, 7.

⁸³ Article 1:

‘For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.’

Convention on the Elimination of All Forms of Discrimination Against Women adopted on 18 December 1979. Available online at: <<http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>> (last accessed: 15.12.2013).

basis for equality of both men and women to ensure women's equal access and opportunities to political and public life.⁸⁴

Convention obligates state parties to ensure equal voting rights and participation to women on equal terms with men⁸⁵ in article 7⁸⁶ and 8⁸⁷. Article 7 of the convention protects and emphasizes that women should have all the rights to vote, contest elections, participation in governmental policies, political parties and other organizations and Article 8 of CEDAW provides women with the same opportunities as men to represent their countries internationally and to get involved in the work of international organizations.⁸⁸

⁸⁴ *Ibid.*

⁸⁵ Human Rights Advocates, *Human Rights Defenders and The Right to Vote* (Berkley: Human Rights Advocates, 2010), 2.
Available online at: <<http://www.humanrightsadvocates.org/wp-content/uploads/2010/05/Right-to-Vote-Paper-Final-2-21-1.pdf>> last accessed: (15.12.2013).

⁸⁶ Article 7: States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Convention on the Elimination of All Forms of Discrimination against Women adopted on 18 December 1979.
Available online at: <<http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>> (last accessed: 15.12.2013).

⁸⁷ Article 8: States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Ibid.

⁸⁸ Human Rights Advocates, *The Right to Vote: A Basic Human Right in Need of Protection* (Berkley: Human Rights Advocates), 5. Available online at:
<<http://www.humanrightsadvocates.org/wp-content/uploads/2010/05/The-Right-to-Vote-A-Basic-Human-Right-In-Need-of-Protection.pdf>> (last accessed: 15.12.2013).

and
Australian Human Rights Commission, *Woman of the World – A Guide to the Rights in CEDAW* Available online at:
<http://humanrights.gov.au/sex_discrimination/publication/archive/cedaw/the_rights_in_cedaw.html> (last accessed: 15.12.2013).

Article 7 (a) provides suffrage rights to women at all levels and advocates 'inclusiveness'⁸⁹ for women by declaring them eligible to contest elections to all elected public bodies. Paragraph (b) and (c) provides:

- Practical functioning in elective bodies
- Participate in the formulation and implementation of government policy
- Hold public office and perform public functions at all levels
- Participation in non-governmental and civil society organizations⁹⁰

CEDAW has important function in providing exclusive rights to women in particular to field of political and public life and ensures that state parties abide by the obligations prescribed in the document, however practical grounds and interpretation of law are always different. Majority of the countries have ratified CEDAW and put it into force, similarly, Pakistan ratified the CEDAW in 1966 with reservation.⁹¹

⁸⁹ NEEDS, *Compendium of International Standards for Elections*, 14.

⁹⁰ *Ibid.*

and

United Nations Development Fund for Women, *Section 5: Women's Human Rights In-Depth* (New York: UNIFEM), 10. Available online at:

<http://www.unifem.org/files/CEDAW_HRBA_guide_pt2_eng%5B1%5D.pdf> (last accessed: 15.12.2013).

⁹¹ Declaration: "The accession by [the] Government of the Islamic Republic of Pakistan to the [said Convention] is subject to the provisions of the Constitution of the Islamic Republic of Pakistan."

Reservation: "The Government of the Islamic Republic of Pakistan declares that it does not consider itself bound by paragraph 1 of article 29 of the Convention."

<<http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm>> (last accessed: 16.2.2014).

1.4.1.4 Convention on the Political Rights of Women ‘(CPRW)’:

Convention on the Political rights of Women adopted by the General Assembly in 1952 and enforced in 1954 obliges member states to grant women equal voting rights and to hold public offices on equal grounds with men.⁹² Convention consists of 13 articles and first three articles exclusively mentions political rights to be provided to women and later ten articles provides for the signatures, ratification and reservations to the convention.

Articles 1,⁹³ 2⁹⁴ and 3⁹⁵ provides following basic political rights to women without any discrimination:

- i. Equal voting rights
- ii. Eligible to contest all elected public bodies
- iii. To hold public offices and exercise public functions and responsibilities.⁹⁶

The convention implemented the equality principle for both genders and recognized inalienable political rights of women to exercise their ballot rights and be a part of government and public policy formulation process and ‘desir[es] to equalize the status of

⁹² Women Aid International, *UN Action for Women*

Available online at: <<http://www.womenaid.org/press/info/general/unaction.html>> (last accessed: 15.12.2013).

⁹³ *Article 1:* Women shall be entitled to vote in all elections on equal terms with men, without any discrimination

⁹⁴ *Article 2:* Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination.

⁹⁵ *Article 3:* Women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination.

Convention on the Political Rights of Women adopted on 20 December 1952. Available online at:

<<http://www.unhcr.org/refworld/type,MULTILATERALTREATY,UNGA,3ae6b3b08,0.html>> (last accessed: 15.12.2013).

⁹⁶ NEEDS, *Compendium of International Standards for Elections*, 47.

men and women in the enjoyment and exercise of political rights.⁹⁷ The convention served as the symbolic statement of political equality's rule between two sexes.⁹⁸

1.4.1.5 Cairo Declaration on Human Rights in Islam:

The Cairo Declaration on Human Rights in Islam was adopted on August 5, 1990 in the Islamic conference of Foreign Ministers in Cairo, Arab Republic of Egypt. The declaration was adopted to document the concept of human rights in Islam. It provides guidance to the member states of the Organization of the Islamic Cooperation (OIC) related to the human rights.⁹⁹

The declaration contains almost all the rights as in UDHR but in context of Islamic Sharia'ah. As regards the equality and status of women and men and the provision of political rights to women, Articles 1, 6, 22 and 23¹⁰⁰ explains these freedoms in Islamic perspective.

⁹⁷ Convention on the Political Rights of Women adopted on 20 December 1952. Available online at: <<http://www.unhcr.org/refworld/type,MULTILATERALTREATY,UNGA,,3ae6b3b08.0.html>> (last accessed: 15.12.2013).

⁹⁸ *United Nations Convention on the Political Rights of Women Is Approved*. Available online at: <<http://www.enotes.com/united-nations-convention-political-rights-women-reference/united-nations-convention-political-rights-women>> (last accessed: 15.12.2013).

⁹⁹ University of Minnesota: *Human Rights Library, Cairo Declaration on Human Rights in Islam*. Available online at: <<http://www1.umn.edu/humanrts/instree/cairodeclaration.htm>> (last accessed: 9.2.2014).

¹⁰⁰ *Article 1:* (a) All human beings form one family whose members are united by submission to God and descent from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the grounds of race, color, language, sex, religious belief, political affiliation, social status or other considerations. True faith is the guarantee for enhancing such dignity along the path to human perfection.

Article 6: Woman is equal to man in human dignity, and has rights to enjoy as well as duties to perform; she has her own civil entity and financial independence, and the right to retain her name and lineage.

Article 22: (a) Everyone shall have the right to express his opinion freely in such manner as would not be contrary to the principles of the Shari'ah.

(b) Everyone shall have the right to advocate what is right, and propagate what is good, and warn against what

1.4.2 Regional Instruments:

Efforts at regional level had also been made to ensure equal political rights to women and provide them with ample opportunities to be a part of political and public life effectively. For the purpose, various 'regional legal instruments'¹⁰¹ have been adopted and implemented accordingly.

1.4.2.1 American Convention on Human Rights '(ACHR)':

American Convention on Human Rights¹⁰² adopted on November 22, 1969 at San Jose, Costa Rica 'reaffirms their intention to consolidate in this hemisphere, within the framework of democratic institutions, a system of personal liberty and social justice based on respect for the essential rights of man.'¹⁰³ Convention provides equal political rights, without any gender discrimination, such as freedom to assembly, association, participate in government,

is wrong and evil according to the norms of Islamic Shari'ah

c) Information is a vital necessity to society. It may not be exploited or misused in such a way as may violate sanctities and the dignity of Prophets, undermine moral and ethical values or disintegrate, corrupt or harm society or weaken its faith.

(d) It is not permitted to arouse nationalistic or doctrinal hatred or to do anything that may be an incitement to any form of racial discrimination.

Article 23: (a) Authority is a trust; and abuse or malicious exploitation thereof is absolutely prohibited, so that fundamental human rights may be guaranteed.

(b) Everyone shall have the right to participate, directly or indirectly in the administration of his country's public affairs. He shall also have the right to assume public office in accordance with the provisions of Shari'ah. Organization of Islamic Cooperation, "Cairo Declaration on the Human Rights in Islam". Available online at: <http://www.oic-oci.org/english/article/human.htm> (last accessed: 9.2.2014).

¹⁰¹ Few of the important regional instruments in regard to equal political rights from various regions will be included here.

¹⁰² ACHR is also known as pact of San Jose.

¹⁰³ Organization of American States, *American Convention on Human Rights, "Pact of San Jose", Costa Rica*, 22 November 1969. Available online at: <http://www.unhcr.org/refworld/docid/3ae6b36510.htm> (last accessed :15.12.2013).

cast vote and access to public offices in Articles 15, 16 and 23.¹⁰⁴

1.4.2.2 African Charter on Human and People's Rights '(ACHPR)':

African (Banjul) Charter on Human and People's Rights adopted in 1981 emphasizes on core principles such as freedom, equality, justice and dignity for the African people.¹⁰⁵ Political rights advocated and promoted by the charter are; right to free association (Article 10¹⁰⁶), right to assembly (article 11¹⁰⁷) and right to be a part of government and access to public services (Article 13¹⁰⁸).¹⁰⁹

¹⁰⁴ Article 15:

The right of peaceful assembly, without arms, is recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and necessary in a democratic society in the interest of national security, public safety or public order, or to protect public health or morals or the rights or freedom of others.

Article 16:

1. Everyone has the right to associate freely for ideological, religious, political, economic, labor, social, cultural, sports, or other purposes.
2. The exercise of this right shall be subject only to such restrictions established by law as may be necessary in a democratic society, in the interest of national security, public safety or public order, or to protect public health or morals or the rights and freedoms of others.
3. The provisions of this article do not bar the imposition of legal restrictions, including even deprivation of the exercise of the right of association, on members of the armed forces and the police.

Article 23:

1. Every citizen shall enjoy the following rights and opportunities:
 - a. to take part in the conduct of public affairs, directly or through freely chosen representatives;
 - b. to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and
 - c. to have access, under general conditions of equality, to the public service of his country.
2. The law may regulate the exercise of the rights and opportunities referred to in the preceding paragraph only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings.

Ibid.

¹⁰⁵ African (Banjul) Charter on Human and Peoples' Rights adopted on 27 June, 1981. Available online at: <http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf> (last accessed: 15.12.2013).

¹⁰⁶ Every individual shall have the right to free association provided that he abides by the law.

¹⁰⁷ Every individual shall have the right to assemble freely with others. The exercise of this right shall be subject only to necessary restrictions provided for by law in particular those enacted in the interest of national security, the safety, health, ethics and rights and freedoms of others.

¹⁰⁸ 1. Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.

1.4.2.3 European Convention on Human Rights ‘(ECHR)’:

ECHR’s Protocol 1 (adopted in 1950), Article 3¹¹⁰ puts up an obligation on the states to organize elections and provides plausible conditions for free elections such as; secret ballot system, regular intervals and to make sure that people express their opinion at free will.¹¹¹ The adjacent political rights provided in the charter of 1949 are everyone’s freedom of expression, freedom of association and assembly in articles 10 and 11¹¹² respectively.

1.4.2.4 Arab Charter on Human Rights 2004:

Arab Charter of 2004 on human rights is the second of its version, first one was adopted in

2. Every citizen shall have the right of equal access to the public service of his country.

¹⁰⁹ *Ibid.*, 101.

¹¹⁰ The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature. European Convention on Human Rights adopted in 1950. Available online at:

<http://www.echr.coe.int/Documents/Convention_ENG.pdf> (last accessed: 15.12.2013).

¹¹¹ NEEDS, *Compendium of International Standards for Elections*, 15.

¹¹² *Article 10 (1)* Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 11 Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

European Convention on Human Rights adopted in 1950. Available online at:

<http://www.echr.coe.int/Documents/Convention_ENG.pdf> (last accessed: 15.12.2013).

1994 by the League of Arab states, consisting 53 articles and preamble¹¹³ for the protection of universal human rights of all citizens of member states. Political rights in charter are mentioned in article 24 which stated;

“Every citizen has the right:

1. To freely pursue a political activity.
2. To take part in the conduct of public affairs, directly or through freely chosen representatives.
3. To stand for election or choose his representatives in free and impartial elections, in conditions of equality among all citizens that guarantee the free expression of his will.
4. To the opportunity to gain access, on an equal footing with others, to public office in his country in accordance with the principle of equality of opportunity.
5. To freely form and join associations with others.
6. To freedom of association and peaceful assembly.
7. No restrictions may be placed on the exercise of these rights other than those which are prescribed by law and which are necessary in a democratic

¹¹³ Dr. Mohammed Amin Al-Midani and Mathilde Cabanettes, trans., “Arab Charter on Human Rights 2004”, *Boston University International Law Journal*, 24:147 (2006), 149. Available online at: http://www.acihl.org/res/Arab_Charter_on_Human_Rights_2004.pdf (last accessed: 15.12.2013).

society in the interests of national security or public safety, public health or morals or the protection of the rights and freedoms of others.”¹¹⁴

The particular article in this document too provides political rights to every citizen without any discrimination and charter encourages ‘universal, indivisible, interdependent and indissoluble’¹¹⁵ human rights.

1.4.3 National Legislation:

Pakistan’s national law like the international and regional laws is not a hindrance in exercising political rights to all of its citizens without any gender discriminations. The Constitution of Islamic Republic of Pakistan provides a framework for legislation to empower women.¹¹⁶ It declares that ‘all citizens enjoy the protection of law and are to be treated in accordance with law.’¹¹⁷ Article 25¹¹⁸ explicitly provides for equality of all citizens and prohibits gender-based discrimination. Article 51 (2)¹¹⁹, 62¹²⁰ and 63¹²¹ of the 1973

¹¹⁴ <http://www1.umn.edu/humanrts/instre/loas2005.html>

¹¹⁵ Al-Midani, “Arab Charter on Human Rights 2004”, 151.

Available online at:

<http://www.acihl.org/res/Arab_Charter_on_Human_Rights_2004.pdf> (last accessed: 15.12.2013).

¹¹⁶ Nasira Iqbal, “Legal Pluralism in Pakistan and its Implications on Women’s Rights”, 102.

¹¹⁷ Article 4 of the The Constitution of the Islamic Republic of Pakistan adopted on 14 August, 1973.

Available online at: <<http://www.pakistani.org/pakistan/constitution/part1.html>> (last accessed: 15.12.2013).

¹¹⁸ Article 25: Equality of Citizens.

1. All citizens are equal before law and are entitled to equal protection of law.
2. There shall be no discrimination on the basis of sex.
3. Nothing in this Article shall prevent the State from making any special provision for the protection of women and children.

Article 25 of the The Constitution of the Islamic Republic of Pakistan adopted on 14 August, 1973. Available online at: <<http://www.pakistani.org/pakistan/constitution/part2.ch1.html>> (last accessed: 15.12.2013).

¹¹⁹ A person shall be entitled to vote if-

- a) He is citizen of Pakistan;
- b) He is not less than eighteen years of age;
- c) His name appears on the electoral roll; and
- d) He is not declared by a competent court to be of unsound mind.

Available online at: <<http://www.pakistani.org/pakistan/constitution/part3.ch2.html>> (last accessed: 15.12.2013).

¹²⁰ Qualifications for membership of Majlis-e-Shora (Parliament):

- 1) A person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) unless-
 - a) he is a citizen of Pakistan;
 - b) he is, in the case of the National Assembly, not less than twenty -five years of age and is enroled as a voter in any electoral roll in-
 - i) any part of Pakistan, for election to a general seat or a seat reserved for non-Muslims; and
 - ii) any area in a Province from which she seeks membership for election to a seat reserved for women.
 - c) he is, in the case of Senate, not less than thirty years of age and is enrolled as a voter in any area in a Province or, as the case may be, the Federal Capital or the Federally Administered Tribal Areas, from where he seeks membership;
 - d) he is of good character and is not commonly known as one who violates Islamic Injunctions;
 - e) he has adequate knowledge of Islamic teachings and practises obligatory duties prescribed by Islam as well as abstains from major sins ;
 - f) he is sagacious, righteous and non-profligate, honest and ameen, there being no declaration to the contrary by a court of law;
 - g) he has not, after the establishment of Pakistan, worked against the integrity of the country or opposed the ideology of Pakistan.
- 2) The disqualifications specified in paragraphs (d) and (e) shall not apply to a person who is a non-Muslim, but such a person shall have good moral reputation.

Ibid.

¹²¹ Article 63 of the constitution talks about disqualifications for membership of Majlis-e-Shora (Parliament).

Ibid.

Constitution provides the criterion as provided by article 106 (2) and 113¹²² of the constitution regarding right to vote and participation in the Majlis-e-Shora (Parliament), similarly the same rights provincial assemblies. Article 34¹²³ of the constitution aimed at participation of women in all spheres of national life.

Constitution provides equal opportunity to be available to all its citizens, women as well as men, to exercise political rights without any gender discrimination rather article 34 talks particularly about women empowerment in all national affairs. Despite provision of legal protection to women's political rights, Pakistani women are far behind in exercising her rights as per her free will. Parallel legal system and numerous socio-cultural factors and hurdles contribute towards the political repression of women in third world society like Pakistan.

Despite the national legislation, Pakistan is legally and morally bound to the international conventions and declarations it has ratified or is party to it. Pakistan is obliged to implement all such laws in the country and provide protection to its citizens in the light of guarantees provided by international instruments. The state is also bound to submit authentic country reports to the concerned committees and councils on regular basis.

¹²² These articles provides same qualifications to exercise ballot rights and to be member of provincial assemblies as were provided by Articles 51 (2), 62 and 63 for national assembly.
Available online at: <<http://www.pakistani.org/pakistan/constitution/part4.ch2.html>> (last accessed: 15.12.2013).

¹²³ Article 34: "Steps shall be taken to ensure full participation of women in all spheres of national life." Available online at: <<http://www.pakistani.org/pakistan/constitution/part2.ch2.html>> (last accessed: 15.12.2013).

1.5 Conclusion:

Political rights, one of the most important categories of human rights, have become more significant in new era. Modern democratic systems aim at ensuring human rights to all of its citizens without any discrimination. As far as women political rights and political representation are concerned, there is a long history behind that how women being one of the most subjugated groups of the society attain these rights on equality basis through deliberate efforts, most effective of them were suffrage movements carried out for the purpose in various regions of the globe. Legal protection and guarantee to political rights is provided by several international, regional and national laws without any gender discrimination, however many of these political liberties and freedoms are not enjoyed by women in all societies of the world due to several socio-cultural, political and religious hindrances. Particularly, the women of the third world countries like Pakistan are striving for the access to actual practice of their political rights.

CHAPTER 2

PAKISTAN'S POLITICS: WOMEN'S ROLE AND PARTICIPATION

This chapter is command with the importance of women in politics and their contribution and history of women's political participation in Pakistan starting from the roots of her status in pre-independence era and participation in the movements and political matters. Later, the legislative history of women representation in Pakistan is discussed and phases of their level of such representation and participation in different political regimes in the country. The era from 1947 until the first general elections in the country, all ten general elections and the governments formed in result of elections are discussed in respect to the women status. The nature and level of women's participation in the perspective of their voter turnout, registration as voter and comparison of number of women voters to the male voters, general seats contested, reserve seats, percentage in the parliament and role in the parliament are elaborated along with the political trends.

“No nation can rise to the height of glory unless your women are side by side with you. We are victims of evil customs. It is a crime against humanity that our women are shut up within the four walls of the houses as prisoners. There is no sanction anywhere for the deplorable condition in which our women have to live.”

— Muhammad Ali Jinnah

2.1 Introduction:

The role of women in any nation's development cannot be ignored. Women's participation in all spheres of a society is crucial specially the political participation. It is highly important for women to exercise their political rights and fully participate in the political matters. When it comes to the Pakistan, there is a history of women's political participation and its

roots can be found back to the time of Khilafat movement and independence struggle. After the formation of Pakistan, from the perspective of women political participation there have been phases of high, medium, and low participation in compliance with the political climate and set patterns. The legislative history have witnessed the rise and fall of women; their percentage in parliament, participation in decision-making process, ratio as voters and their struggle in achieving this all despite the presence of numerous socio-religio-cultural limitations. The ten general elections of the country have exposed the nature of political participation by women and the factors involved.

2.2 Importance of Women's Participation in the Politics:

Women empowerment and gender mainstreaming is imperative for the political, economic, social and cultural growth of any country and this also lie at the heart of development and achievement of Millennium Development Goals.¹ All citizens should play plausible role in states management affairs and so is the case with political participation, they should be 'equal partners'² in decision-making and the developmental process. Political participation of women is an indicator to measure the extent of political rights enjoyed by them.³ Effective political participation of women is not only critical ensuring significant improvement in their

¹ Dr. Miss Zohra Azam, *Woman in the 21st Century : Roles, Responsibilities and Rights* (Islamabad: The Pakistan Futuristics Foundation and Institute, 1997), 16.

² The National Democratic Institute, *Women's Political Participation*.

Available online at: <<http://www.ndi.org/womens-political-participation>> (last accessed: 20.1.2014).

³ Pranab Kumar Panday, "Representation without Participation: Quotas for Women in Bangladesh", *International Political Science Review*, 29:4 (Sep., 2008), 489. Available online at: <<http://www.jstor.org/stable/pdfplus/20445157.pdf>> (last accessed: 20.1.2014).

status but also makes sure that women's views and opinions found their way in public policy matters, political structures and all processes.⁴

'[W]omen's participation is fundamental to democracy and essential to the achievement of sustainable development and peace.'⁵

Quaid-i-Azam, Muhammad Ali Jinnah, founder of Pakistan also stressed much on political involvement of women by clearly remarking that;

'Women are supposed to create a sense of general political consciousness. They should stand shoulder to shoulder with men in practical politics.'⁶

Quaids believe in women empowerment and strengths made women an active element in the Pakistan movement and other related affairs. The detail of such participation is included in the subsequent pages.

2.3 History of Women's Political Participation in Pakistan:

Pakistan's political history is hampered by fragile democratic process has not been much conducive in fostering the political participation of its citizens. The general condition of Pakistani women is that she is still lagging behind men in all forms of the society however,

⁴ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives* (Pakistan: UNDP, 2005), 4. Available online at: <<http://www.mumkinalliance.org/wp-content/uploads/2012/06/POL-legislative-OF-Women-UN-Report.pdf>> (last accessed: 20.1.2014).

⁵ UN Women Executive Director Michelle Bachelet remarks on "Women Political Participation" at the Old Town Hall in Helsinki, Finland, 11 October 2011. United Nations Entity for Gender Equality and the Empowerment of Women, *Women's Political Participation*. Available online at: <<http://www.unwomen.org/en/news/stories/2011/10/women-s-political-participation/>> (last accessed: 20.1.2014).

⁶ Mrs. Asma Afzal Shami, "Political Empowerment of Women in Pakistan", *Pakistan Vision*, 10:1. 141. Available online at: <<http://pu.edu.pk/images/journal/studies/PDF-FILES/Artical%20-%208.pdf>> (last accessed: 20.14.2013).

Pakistan has made 'significant stride'⁷ in recent history towards women's political empowerment at all levels through reserves seats, relying on importance of political participation of all citizens of society and electoral reforms. Benazir Bhutto was the first Muslim women Prime Minister. Historical political representation of women in the context of Pakistan can be elucidating firstly looking into the roots of the Pakistani woman's status and then legislative history with reference to voting gap between men and women, reserved seats for women, women candidates on general seats and party shares in proportion to women.

2.3.1 Roots of the Pakistani Women's Status:

Pakistani culture is deeply rooted over centuries and highly influenced by Indian traditions and interaction with orthodox Hindu society. Political legacy was dominated by the Muslim rule in the former sub-continent and secondly colonial rule by the British till 1947 (shortly after World War II), when sub-continent gained freedom and Pakistan was created.⁸ The freedom was attained after a long anti-colonial struggle and movements and this was the time when,

'Muslim women in India made important inroads- transforming themselves from invisible isolated within confines of their traditional roles, to emerge as

⁷ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 14.

⁸ Nasra M. Shah, ed., *Pakistani Women: A socioeconomic and Demographic Profile* (Islamabad: Pakistan Institute of Development Economics), 19.

organized, aware individuals/groups determined to participate in political arena.⁹

Khilafat movement was significant to enroll every Muslim in India, man, woman and child; it was also for the first time that women participated in political movement. Earlier, role of women was confined to traditional roles related to domestic affairs as daughters, housewives and mothers.¹⁰ During Khilafat Movement, Bi Amma (mother of Maulana Muhammad Ali Johar) made striking appearance by addressing all-male Muslim League in 1917,¹¹ entering into political realities of her time.¹²

Women also played highly credible role in Pakistan movement at all phases and collaborated with their subjugators. Begum Muhammad Ali Johar, dressed in a burqah, was the first woman to address the public meetings and was the only female member of working committee of the All India Muslim League. Miss Fatima Jinnah, 'Madr-e-Millat'¹³ and Begum Rana Liaqat Ali Khan¹⁴, formed women's voluntary service and women's National Guard and founded the first women NGO. All Pakistan Women's Association (APWA).¹⁵

⁹Farida Shaheed, Asma Zia and Sohail Warraich, *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009), 10.

¹⁰ Khawar Mumtaz and Farida Shaheed, *Women of Pakistan: Two Steps Forward, One step Back?* (Lahore: Vanguard, 1987), 43.

Dr. Rizwan Malik and Samina Awan, *Women Emancipation in South Asia: A Case Study of Fatima Jinnah* (Lahore: Centre for South Asian Studies, 2003), V.

¹¹ She made this appearance in place of her son Muhammad Ali who had been arrested by British.

¹² Khawar Mumtaz, *Women of Pakistan*, 43.

¹³ Mother of the nation.

¹⁴ She had also worked as honorary secretary of Liaquat Ali Khan at the time when he was General Secretary of the All India Muslim League before the creation of Pakistan and then Prime Minister afterwards. The Muslim League had no money to pay the salary of a secretary and Begum Ra'ana did that job happily.

¹⁵ 'Women's Role in The Pakistan Movement', *JANG*, August 14, 2003. Available online at: <http://jang.com.pk/thenews/spedition/14aug/14aug2003/p8.html> (last accessed: 21.1.2014).

Women from Sindh,¹⁶ Punjab¹⁷ and Swat¹⁸ bravely worked for the freedom movement and inspire the men to struggle for the freedom.

Women abilities were recognized and appreciated by men as powerful potential source of the political activities.¹⁹ Nevertheless; it can be said that women were asked during struggle period to come forward and play their roles, they contributed in rehabilitation process after independence but later religion i.e. Islam was used as a tool to curtail their political freedom and women were once again pushed again to the confined roles of them, departing them from mainstream society in the name of their protection and security.²⁰ Moreover, Jinnah emphasized much on participation in practical politics by women but in 1948 an abrupt end came to the temporary political freedom of women.²¹

¹⁶ Lady Nusrat Haroon, Lady Sughra Hidayatullah, Begum Khairunnisa Shaban, Miss Fakhrunnisa Wali Muhammad Effendi and Fatima Sheikh of Hyderabad worked hard for the freedom movement. Lady Nusrat Haroon was elected as the President of All India Muslim Women League in 1943 and became Vice President of APWA.

¹⁷ Begum Jehan Ara Shahnawaz was the first Muslim woman to make a speech in London's Guild Hall. She represented the Muslim women at the three Round Table Conferences, held in London. She was elected to the Punjab Legislative Assembly. Other women who played an active part in the freedom movement are Begum Iqbal Hussain, Begum Salma Tassaduq Hussain, Geti Ara Bashir Ahmed, Begum Shaista Ikramullah, Begum Viqarunnisa Noon, Begum Nawab Muhammad Ismail and Noorus Saba Begum. Begum Salama Tasadduq was the Secretary of the Punjab Women's Muslim League. She joined the All India Muslim League in 1937. Begum Geti Ara was the President of the women's branch of the Muslim League. Begum Shaista organised the Muslim Girls Students and was appointed its convener.

¹⁸ Begum Husan Ara Khan originally belonged to Swat but had settled in Calcutta, where she devoted herself for the Pakistan Movement.

¹⁹ Khawar Mumtaz, *Women of Pakistan*, 46-47.

²⁰ Siobhan Mullally, "As Nearly as May be: Debating Women's Human Rights in Pakistan", *Social and Legal Studies*, 14:3 (2005), 344. Available online at: <<http://sls.sagepub.com/cgi/content/refs/14/3/341>> (last accessed: 21.1.2014).

And

Tahmina Rashid, Empowerment and Subordination of Pakistani Women through Patriarchy, Eliticism, Class and Gender Discourses, 85. Available online at:

<http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2043376> (last accessed: 21.1.2014).

²¹ Mrs. Asma Afzal Shami, *Political Empowerment of Women in Pakistan*, 141.

The present status of women in Pakistan can be linked back to colonist and national periods during which this segment of society remained politically invisible.²² Reforms were brought and efforts were made in the constitutional history of Pakistan in regard to eve's political empowerment, effective participation and protection of political rights.

2.3.2 Legislative history of women representation:

Pakistan's constitutional history has been 'fraught'²³ by the confrontation between pursuit of gender empowerment and Islamization and political structures here could not get vital chances to grow into mature modern democratic institutions.²⁴ Women have not gained much attention in political history of the state and they exercised very limited participation in political affairs. Total ten (10) general elections²⁵ have been conducted so far, an analysis of their data and statistics related to women political participation and their voting behavior can give a clear account of nature and extent of such participation.

Table 2.1 gives a general account of level of political participation during various regimes and the table (2.2) shows the number of women in National Assembly throughout the Pakistani history.

²² *Ibid.*, 86.

²³ Siobhan Mullally, *As Nearly as May be: Debating Women's Human Rights in Pakistan*, 344.

²⁴ *Ibid.*

and

Syed Farooq Hasnat, *Politics in Pakistan: Problems of Active Participation and Political Process*, 39.

²⁵ General Elections of 1970, 1977, 1985, 1988, 1990, 1993, 1997, 2002, 2008 and 2013.

Table 2.1**Phases of Political Participation in Pakistan**

Nature of the regimes	Years	Level of Participation
Parliamentary	1947-58	High/Medium
Martial Law	1958-62	Low
Presidential (Controlled Democracy)	1962-69	Medium
Martial Law	1969-71	Low
Parliamentary	1971-77	High
Martial Law	1977-85	Low
Parliamentary /Presidential (Controlled Democracy)	1985-88	Medium
Parliamentary	1988-99	High
Martial Law	1999-2002	Low
Parliamentary (Controlled Democracy)	2002-08	Medium
Parliamentary	2008-2013	High
Parliamentary	2013-present	High

Source: Syed Farooq Hasnat and Tahmina Rashid, "Politics in Pakistan: Problems of Active Participation and Political Process", *Nepali Journal of Contemporary Studies*, IV:1 (March., 2004), 44. Available online at: <<http://ssrn.com/abstract=2046395>> (last accessed: 20.1.2014).

Table 2.2**Number of Women Parliamentarians in National Assembly²⁶**

Era	Women in National Assembly ²⁷
1947-54 (first constituent assembly)	2
1955-1958 (second constituent assembly)	Nil
1962-65	8
1965-69	6
1970-77	6 ²⁸
1977	11
1985-88	22
1988-90	23
1990-93	2
1993-1996	4
1997-99	6
2002-2008	73
2008-2013	76
2013-present	67
Total	305

Source: Data compiled from National Assembly and Election Commission of Pakistan's (ECP) Library.

²⁶ This table only provides the number of women in National Assembly, other details are provided in subsequent pages.

²⁷ Inclusive of reserve seats.

²⁸ Six women representatives from West Pakistan while seven from East Pakistan. But in 1971 East Pakistan attained independence thus the number of women representatives from there is not included here.

2.3.2.1 1947-1969 Era:

The first constituent assembly of 1947 had two women members namely, Begum Shaista Suharwarday Ikramullah and Jahanara Shah Nawaz, in a house of 66.²⁹ In her book, 'From Purdah to Parliament', Begum Shaista Suharwardy Ikramullah narrates her experience in parliament with 'taste of joys of achievement as well as bitterness of failure, to know hope and fear, disillusionment and attainment.'³⁰ Demand for 3 percent reserve seats for women in national and provincial assemblies was made. Assembly was 'dissolved'³¹ on October 24th, 1954 and consequently through indirect election in East and West Pakistan, new assembly came into existence in 1955 comprising total 80 members with no women representation. The second constituent assembly also framed first constitution of Pakistan in 1956 thus leading to no women participation in constitution making.³² The first constitution provided for, 'the Principle of Female Suffrage and Women's reserved Seats'--- A dual voting right, under which women were eligible to vote for general seats as well as for reserved seats for women.³³

²⁹ According to Women's Parliamentary Caucus, number of house was 66 while according to Church World Service-Pakistan/Afghanistan and Free and Fair Elections Network, number of the house was 69.

³⁰Shaista Suharwardy Ikramullah, *Purdah to Parliament* (Karachi: Oxford University Press, 2007), 160. Begum Shaista also participated in U.N discussions in 1948.

³¹ Governor General Ghulam Muhammad dissolved the constituent assembly, when it was believed to have almost completed its task.

Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008: A Compendium of Elections related Facts and Statistics* (Lahore: Mavra, 2013), 25.

³²Iram Naz et al., "Women Empowerment and Youth Perception in Pakistan", *European Journal of Scientific Research*, 39:1 (2010), 7.

And

Women's Parliamentary Caucus, *An Introduction to Women's Parliamentary Caucus: Parliament of the Islamic Republic of Pakistan* (Islamabad: Women's Parliamentary Caucus, 2010) , 23.

³³*Ibid.*

In 1958, constitution was terminated by General Ayub Khan new constitution was framed in 1962 providing women to be elected only through indirect elections on six reserved seats for them, three from each province. Eight (8) women find their way in parliament in assembly lasting from 1962-65. In 1963, women representatives of various women's associations from East Pakistan sent a memorandum to Ayub Khan demanding the representation of women in cabinet as well and adding that 'absence of women representatives in the Provincial Cabinet meant that a genuine and legitimate demand of women in East Pakistan has been neglected'.³⁴

The indirect elections of 1965 proved significant regarding women's political empowerment with Fatima Jinnah contesting elections against a dictator. Fatima Jinnah not only challenged the dictatorial powers of Ayub but also electrified the nation and took significant steps towards ensuring political rights to women.³⁵ Noteworthy point is that no rigid opposition came forward regarding a woman's participation in highest elections of the state³⁶ and even the far-right religious parties like Maulana Maudidi's Jamaat-i-Islami supported Fatima Jinnah in the elections.³⁷

Women who very active during the pre-independence era were suddenly backstreamed in the newly established Pakistan. The first phase of the country politics from 1947-69 does not see a considerable amount of women representatives and their issues were left unheard.

³⁴ "Women write to Ayub; demand Cabinet Post", *DAWN*, March 26, 1963.

³⁵ Iram Naz, *Women Empowerment and Youth Perception in Pakistan*, 77.

Mrs. Asma Afzal Shami, *Political Empowerment of Women in Pakistan*, 142.

³⁶ *Ibid.*

³⁷ Muhammad Farooq, "Structural transformation and Gender Empowerment in Pakistan" (PhD diss., Bahauddin Zakariya University Multan, 2003), 196.

2.3.3 General Elections:

Elections,³⁸ whether direct³⁹ or indirect⁴⁰, are integral to any democratic state of the world and acts as agents of political socialization and integration.⁴¹ Pakistan, a democratic state, has so far conducted ten (10) general elections and the roots of elections in Pakistan can be traced back to British colonial administration in India when they introduced the election system in 20th century. The restricted adult franchise was adopted in British-India but universal adult suffrage was adopted by independent Pakistan and India.⁴²

The elections in Pakistan are carried either to seek a fresh mandate or for the return of civilian rule from a military regime. In Pakistan,

‘The elections campaigns are not only a competition between rival parties and their programs but also a competition of biradaris and ethnic groups. The reliance on paternalistic social structures thus reinforces a political culture dominated by men.

³⁸ “The act of electing a representative or representatives”.

P.H.Collin, *Dictionary of Government and Politics* (London: Peter Collin Publishing, 2001) 101.

Or

“The means of legitimizing the assignment of a person to an office of authority in the state”.

Mazher-ul-Haq, *Political Science: Theory and Practice* (Lahore: Bookland, 2003) 385.

³⁹ Direct elections are very simple and are easily carried out. Voters have to cast the vote in favor or against the particular candidate. The candidate who succeeds in securing majority votes is declared the representative of that particular constituency. In almost all the modern democratic states this method is adopted especially for the election of lower house of legislature. Lower house of the legislature consist of the elected representatives of the people.

Ibid., 397.

⁴⁰ Indirect elections are more complicated as compared to direct elections. In such type of election, voters don’t elect their representatives directly; rather they elect a number of people who constitute an electoral body which is called an Electoral College. Members of the Electoral College then choose the representatives.

Ibid., 398.

⁴¹ Robert J. Jackson and Doreen Jackson, *A Comparative Introduction To Political Science* (New Jersey: Prentice Hall, 1997) 366.

⁴² Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan A Story of Pakistan’s Transition from Democracy Above Rule of Law to Democracy Under Rule of Law: 1970-2013* (August, 2013), 11. Available online at:

http://www.pildat.org/Publications/publication/elections/First10GeneralElections ofPakistan_August2013.pdf (last accessed: 20.1.2014).

Against such a background, it is not surprising to find a smaller number of politically active women as local leaders and party workers.⁴³

Several limitations have been faced by women in exercising their political rights but it is noteworthy that electoral history of Pakistan has witnessed emergence of few exceptional women leaders and workers. The table 2.3 and further discussion provides significant data relevant for the evaluation of women political participation during the general elections and subsequent regimes.

⁴³ The Researchers and Women and Politics in Asia Forum, *Observation Report of Women Contested Constituencies General Elections 2008- Pakistan* (Islamabad, 2008), 9.

Table 2.3

**Statistical Analysis of Women's Participation in the General Elections
(1970-2013)**

Elections	Voter turnout (%)	Female % as compared to male registered voters	Total Seats in National Assembly	Reserve seats for women	Women contested general elections	% of women in National Assembly
1970	59.8	86.6	313	13 (7 for East Pakistan)	9	2.87
1977	64.1	82	216	10	1	5.09
1985	53.7	81.17	237	20	15	9.28
1988	42.7	86.9	237	20	16	9.70
1990	45.2	85.6	217	Nil	13	0.92
1993	37.6	83.5	217	Nil	16	1.84
1997	36.1	No data available	217	Nil	35	2.74
2002	41.8	85.6	342	60	57	21.34
2008	44.4	78.5	342	60	64	22.22
2013	55.2	—	342	60	147	19.6

Source: Data compiled from report of Election Commission of Pakistan , National Assembly and PILDAT.

2.3.3.1 Elections of 1970:

The first general election, after 23 years of independence, was held on December 7, 1970 under the legal framework ordinance of 1970⁴⁴. The election was based on adult franchise i.e., women were equally entitled to vote and on the principle of 'one person, one vote.'⁴⁵ The election revealed the preferences of ordinary citizen of Pakistan⁴⁶ with total voter turnout 59.8 percent⁴⁷ and female voters were 86.6 percent as compared to the total male voters.⁴⁸

From the perspective of women representation, out of total 313 seats of the National Assembly, 13 were reserved for women (seven for East Pakistan and six for West Pakistan). Nine⁴⁹ women contested general elections from both East and West Pakistan but no one could make it to the Parliament.⁵⁰ Women representation in the National Assembly was 2.87 percent with six women,⁵¹ all elected indirectly on reserve seats.

⁴⁴ The Legal Framework Ordinance was issued on March 30, 1970 and provided legal basis for the General Election.

⁴⁵ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 28.

⁴⁶ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 47.

⁴⁷ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 13.

⁴⁸ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 40.

⁴⁹ Five from Sindh, one from Punjab and three from East Pakistan. None from Balochistan and Khyber Pakhtunkhwa.

⁵⁰ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 41.

And

The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008- Pakistan*, 10.

⁵¹ Shireen Wahab Sahiba from Khyber Pakhtunkhwa, Mrs. Nargis Naim Sendhu from Rawalpindi Division, Begum Nasim Jahan from Lahore Division, Begum Zahida Sultana from Multan Division, Mrs. Dr. Ashraf Abbasi from Sindh and Jennifer Jehanzaba Qazi Musa from Balochistan.

The government drafted a new constitution for the country in 1973 increasing the number of reserve seats for women to ten (10) in National Assembly and five (5) in Provincial Assemblies. Three women parliamentarians⁵² played significant role in the drafting of the constitution being members of the constitution committee.⁵³

During Bhutto's first regime (1971-77) and the elections, PPP mobilized women supporters and activists and political mobilization was witnessed at all levels⁵⁴ and was a period of progress for women and their politicization. In 1972, were given access to the government posts and services⁵⁵ and later in 1975⁵⁶, Begum Nusrat Bhutto represented Pakistan at the Mexico conference and signed the Mexico Declaration. A 13 member Women's Rights Committee was formed in 1976 to give recommendations for women emancipation and improved conditions.⁵⁷ The committee also came up with recommendations for political representation of women,⁵⁸ however the report remained unimplemented due to next elections in 1977 followed by a military coup.⁵⁹

⁵² Mrs. Dr. Ashraf Abbasi, Jennifer Jehanzaba Qazi Musa and Begum Nasim Jahan.

⁵³ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008- Pakistan*, 10.

⁵⁴ Muhammad Farooq, *Structural Transformation*, 196 and 201.

⁵⁵ Women were appointed as Provincial Governor, University Vice Chancellor and Deputy Speaker of the National Assembly.

⁵⁶ 1975 was actively celebrated as "International Women's Year".

⁵⁷ Farida Shaheed, *Women in politics*, 15-16.

⁵⁸ Recommendations include:

- a) the formation of women's committees in villages to solve the women related issues and also create awareness about women rights and duties towards the community;
- b) an all-out campaign to give men and women understanding of women's rights. Ministries, media and mosques to play effective roles in this regard;
- c) government to include representatives from women organizations in planning and policy making wherever welfare and interests of women are concerned;
- d) government to consciously follow a policy of including women in all boards and a list of qualified women to be maintained to be included in various bodies.
- e) political parties manifestos to include programme for increased women participation;
- f) political parties to give a reasonable proportion of party offices to women;

2.3.3.2 Elections of 1977:

The second general elections to the National Assembly were held on March 7th, 1977 under the first constitution of Pakistan enforced on August 14th, 1973. The total voters turnout was 64.1 percent.⁶⁰ Under the constitution, National Assembly consisted of 216 seats with ten (10) reserve seats⁶¹ for women and six (6) for religious minorities.⁶² 82 female voters as per 100 male voters were in the country.⁶³ Only one woman, Begum Nasim Wali Khan⁶⁴, contested election on Pakistan National Alliance (PNA)⁶⁵ from two constituencies of the then NWFP (now Khyber Pakhtoon Khwa) and won from both.⁶⁶ However, she never assumed the office due to the boycott of the assemblies by her party alleging the polls to be rigged.⁶⁷ Eleven women elected for National Assembly constituted 5.09 percent of the house but the assembly could never convene due to the movement started by opposition challenging the polls and charging the PPP government to rig them.⁶⁸

- g) women to be appointed in election commission of Pakistan to ensure the protection of women rights.
- h) Mass media to project advantages of women empowerment, education and participation in community and political life.

Ibid., 51-52.

⁵⁹ National Commission on the Status of Women

Available online at: <<http://www.ncsw.gov.pk/about-ncsw.php>> (last accessed: 21.1.2014).

⁶⁰ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 14-15.

⁶¹ The constitution provided the ten (10) reserve seats for women for period of ten years.

Six seats were reserved for Punjab, two for Sindh, one for Balochistan and one for Khyber Pakhtunkhwa.

⁶² Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 128.

⁶³ *Ibid.*

⁶⁴ Wife of prominent Pashtun and banned NAP leader Khan Abdul Wali Khan.

⁶⁵ PNA-Qaumi Ittehad, was a conglomerate of nine anti-Bhutto political parties.

⁶⁶ Muhammad Farooq, *Structural Transformation*, 197.

⁶⁷ Farida Shaheed, *Women in politics*, 19.

⁶⁸ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008- Pakistan*, 10.

Pakistan National Alliance boycotted the provincial elections and refused to take oath as parliamentarians due to massive rigging and widespread fraud.⁶⁹ Countrywide protests were made by the opposition and a chaotic situation arose in the post-election scenario. As a result army step in on July 4th, 1977 abrogating the first constitution of the country and imposing the third martial law in the country by General Zia-ul-Haq and promised the next elections after 90 days.⁷⁰ Thus, the eleven women elected to the National Assembly along with their male colleagues couldn't play their roles in the parliament however, women emerged as strong voters and party workers. The priod from 1981-85 marked the formative period for the women's advocacy groups.⁷¹

2.3.3.3 Elections of 1985:

General Zia-ul-Haq after imposing martial law promised to hold elections within ninety days but the general elections were held on February 25th, 1985 on non-party basis and boycotted by all political parties.⁷² National Assembly elections came up with a total voter-turnout of 53.7 percent.⁷³ The elections showed some improvement as regard to the women in politics as fifteen (15)⁷⁴ women contested elections on the general seats⁷⁵ and number of reserve

⁶⁹ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 168-169.

⁷⁰ First 10 general elections. Pildat. Page 15.

⁷¹ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008- Pakistan*, 37.

⁷² Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 176.

⁷³ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 18.

⁷⁴ Eight from Punjab, Four from Sindh, Two from Khyber Pakhtunkhwa and one from Federal Capital. No women contestant came forward from Balochistan.

⁷⁵ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008- Pakistan*,

seats for women was increased to twenty (20). Syeda Abida Hussain from Jhang was the only woman to win a general seat however, later in by-elections of May, Nasim A. Majid won the seat from Bhawalnagar.⁷⁶ Despite of the introduction of Islamization by General Zia and Ansari Commission⁷⁷ (1983), the salient feature of the elections was more women in electoral politics. Women voters were 81.17 in ratio to 100 male voters in the country⁷⁸ and they constituted 9.27 percent of the National Assembly. Women in FATA (Federally Administered Tribal Areas) were not allowed to vote⁷⁹ and in 1986 resolution by frontier assembly was adopted to put women in purdah.⁸⁰ Political parties were revived in 1986 and members of the house joined political parties with Junejo as the president.⁸¹ General Zia dissolved the National Assembly using his discretionary powers under article 58 (2) (b)⁸² and announced the next elections to be non-party based and banned the political parties again.⁸³

11.

⁷⁶ Farida Shaheed, *Women in politics*, 19.

And

Muhammad Farooq, *Structural Transformation*, 198.

⁷⁷ Ansari Commission was appointed in July 1983 to present an Islamic political framework for the country. Its report presented in August of the same year attempted to limit women's participation as it recommended to have separate electorates for women and men, office of the head of state be closed for women and non-Muslims, and that women candidates to the assembly be above 50 years of age and have written permission from their husbands to contest seats.

⁷⁸ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 185.

⁷⁹ *Ibid.*, 186.

⁸⁰ Farida Shaheed, *Women in politics*, 19.

⁸¹ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 232.

⁸² Dissolution of the National Assembly:

Notwithstanding anything contained in clause (2) or Article 48, the President may dissolve the National Assembly in his discretion where, a vote of no-confidence having been passed against the Prime Minister, no other member of the National Assembly commands the confidence of the majority of the members of the National Assembly in accordance with the provisions of the Constitution, as ascertained in a session of the National Assembly summoned for the purpose.

⁸³ National Assembly, *Parliamentary History*. Available online at:

<<http://www.na.gov.pk/en/content.php?id=75>> (last accessed: 22.1.2014).

The Zia era marked the period in which ruling authorities mobilized against all forms of participation of women at all levels and reduced public visibility.⁸⁴

2.3.3.4 Elections of 1988:

President General Zia-ul-Haq died in a plane crash on August 17, 1988 thus bringing an end to his rule in the country.⁸⁵ With General's death, Supreme Court reversed the decision of banning the political parties in October, 1988⁸⁶ and the party-based general elections, after a gap of 11 years,⁸⁷ were held on November 16th, 1988⁸⁸ with 42.7 total voter turnout.⁸⁹

Despite eleven years of Islamization and efforts to limit the women participation and empowerment, increase in number of women voters was witnessed in the democratic elections of 1988 and political manifestos 'already reflected the impact of the activist lobby for women's rights that operated outside the framework of political parties.'⁹⁰ Women voters increased by 6 ratio⁹¹ as compared to the earlier election of 1985. Sixteen women contested

⁸⁴ Farida Shaheed, *Women in politics*, 32.

⁸⁵ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 19.

⁸⁶ Inter-Parliamentary Union, *Pakistan Parliamentary Chamber: National Assembly*

Available online at: <http://www.ipu.org/parline-e/reports/arc/2241_88.htm> (last accessed: 23.1.2014).

⁸⁷ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008- Pakistan*, 11.

⁸⁸ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 236.

⁸⁹ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 20.

⁹⁰ Farida Shaheed, *Women in politics*, 24.

⁹¹ The number of female registered voters per 100 male registered voters was 86.9. The ratio increased most in Sindh.

Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 245.

the elections on general seats with three⁹² winners.⁹³ Twenty-three women (twenty on reserve seats⁹⁴) in lower house of the parliament constituted 9.70 percent of the house. The milestone achievement in regard to women political empowerment was that despite structural and cultural barriers, Benazir Bhutto emerged as the first and youngest women Prime Minister in the Muslim world.⁹⁵

Benazir's term was significant towards women empowerment as women were appointed federal ministers and first deputy speaker⁹⁶ of the house was female.⁹⁷ Full ministry's⁹⁸ status was given to the women division and ministry in collaboration with the United Nations developed an approach to women's well-being and their awareness in regard to economic, social, legal and political matters.⁹⁹ To integrate women in the development process, Begum Nusrat Bhutto proposed eleven-point strategy, including the significant clause of increased women ministers, at the second SAARC Ministerial Meeting. Idea of an

⁹²⁹² Begum Nusrat Bhutto, Syeda Abida Hussain and Benazir Bhutto. Begum Nusrat and Syeda Abida contested elections on two seats each and BB contested on three seats and these three women won all the seven seats.

⁹³ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 246.

⁹⁴ Punjab:12

Sindh:4

Khyber Pakhtunkhwa:2

Balochistan:2

⁹⁵ Farida Shaheed, *Women in politics* 19.

⁹⁶ Mrs. Ashraf Khatoon Abbasi. Served as Deputy Speaker of the house from December 3, 1988-August 6, 1990.

⁹⁷ Muhammad Farooq, *Structural Transformation*, 199.

⁹⁸ Ministry of Women's Development.

⁹⁹ Ibid.

Islamic Women's Parliamentary Group also came forward but concrete measures were less.¹⁰⁰ Women became active in party politics too, women wigs of political parties played very positive role, and strong women party workers emerged.¹⁰¹

2.3.3.5 General Elections of 1990:

Benazir Butto's government was dismissed by the then President, Ghulam Ishaq Khan, on August 6th, 1990 on accused of being corrupt, mismanagement, inefficient to maintain law and order in the country¹⁰² under article 58 (2) (b) of the amended constitution.¹⁰³ The next elections for National Assembly were held on November 24th, 1990 with main competing players as IJI¹⁰⁴, led by Mian Muhammad Nawaz Sharif, and PPP, led by Mohtarma Benazir Bhutto¹⁰⁵. The total voter turnout was 45.2 (increased 3 percent than previous elections) percent for the National Assembly.¹⁰⁶ As regard the women voters, the number dropped to 85.6¹⁰⁷ in number as per 100 male voters. Women contested on 13 general seats and won two of them.¹⁰⁸ Women constituted only 0.9 percent of the National Assembly as Benazir Bhutto

¹⁰⁰ Farida Shaheed, *Women in politics*, 30.

¹⁰¹ *Ibid.*, 21.

¹⁰² Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 21.

¹⁰³ National Assembly, *Parliamentary History*.

¹⁰⁴ Islami Jamhoori Ittehad (Islamic Democratic Alliance), consisted of the nine parties namely Pakistan Muslim League, Jamaat-e-Islami Pakistan, National People's Party, Jamiat Ulema-e-Islam, Nizam-e-Mustafa Group, Markazi Jamiat-e-Ahl-e-Hadith, Jamiat-e-Mashaikh Pakistan, Azad Group and Hizbul Jihad. Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 298.

¹⁰⁵ Opposition leader after the elections.

¹⁰⁶ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 22.

¹⁰⁷ Election Commission of Pakistan, *Report on the General Elections 1990* (Islamabad: ECP), 25.

¹⁰⁸ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008-Pakistan*, 12.

and Nusrat Bhutto, 'the sole female legislators',¹⁰⁹ sit in the house as compared to the 215 men. There were no reserve seats for women as they expired under article 51 (4) of the constitution.¹¹⁰ The 1990 elections are also referred to as '[t]he flowering of oversight system,'¹¹¹

In the 1990 elections, it was expected that major political parties would give party tickets to women but it did not happen and the reason for this is the stated perception that women are weak legislators better not to field them.¹¹² Lower turnout and under registration of women voters lessened their impact on the electoral process and curtailed their voting power.¹¹³ Women's rights were much ignored during the IJI's government and the question of reserved seats for them was put down and they were left out of economic reforms altogether.¹¹⁴

¹⁰⁹ Farida Shaheed, *Women in politics*, 19.

¹¹⁰ 'Under article 51 (4) of the constitution, the additional seats for women in the National Assembly were reserved until the expiration of a period of ten years from the commencing day or holding of three general elections whichever occurs later. Since three general elections were held in 1977, 1985 and 1988, the reserved seats expired. The Ordinance 5 of 1990 amending the Representation of the People Act thus dropped Section 47, providing for the elections to the reserved seats.'

Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 303-304.

¹¹¹ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 58.

¹¹² Farida Shaheed, *Women in politics*, 19.

¹¹³ Muhammad Farooq, *Structural Transformation*, 201.

¹¹⁴ Farida Shaheed, *Women in politics*, 30.

2.3.36 Elections of 1993:

Nawaz Sharif's first term came to an end¹¹⁵ with the dissolution of the national assembly by the then President, Ghulam Ishaq Khan, under article 58 (2) (b). The charges against the government were of 'corruption, nepotism, terrorizing the opposition, violation of the constitution and subversion of the authority of the military.'¹¹⁶ PPP emerged as the single party in the National Assembly as a result of October 6th, 1993 elections.¹¹⁷ The total voter turnout for the National Assembly elections is reported to be 37.6 percent.¹¹⁸ Female voters were 83.5 in ratio to 100 male voters.¹¹⁹

Women's wings of all political parties put great effort to mobilize and motivate women voters. Power of female vote was recognized largely and women's rallies and meetings were conducted.¹²⁰ As a result of the mobilization, a very slight increase was witnessed in the general seats contested by the women i.e., 16 seats and four winners¹²¹ as compared to two in the last elections of 1990.¹²² Four women constituted 1.84 percent of the

¹¹⁵ Supreme Court restored the government declaring the President's act void but later Nawaz Sharif himself asked for the dismissal of assemblies due to the confrontation with the presidency.

¹¹⁶ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 23.

¹¹⁷ National Assembly, *Parliamentary History*.

¹¹⁸ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 25.

¹¹⁹ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 367.

And

Mr. Justice (Retd). Naimuddin, Mr. Justice Sheikh Riaz Ahmad and Mr. Justice Muhammad Bashir Khan Jehangiri, *Report on the General Elections 1993* (Islamabad: ECP), 35.

¹²⁰ Farida Shaheed, *Women in politics*, 22.

¹²¹ Benazir Bhutto, Nusrat Bhutto, Shahnaz Javed and Tehmina Dultana.

¹²² The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008-Pakistan*, 12.

National Assembly.¹²³ With Benazir coming to power again, measures were adopted for the women empowerment and the first bill to be drafted was on women's reserve seats. The women lobbying groups also emerged as strong and confident.¹²⁴

In 1996 Pakistan ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).¹²⁵

2.3.3.7 Elections of 1997:

Benazir's government formed as a result of 1993 elections was dismissed by the president Farooq Ahmad Khan Laghari on November 5th, 1996.¹²⁶ The next announced elections were held on February 3rd, 1997¹²⁷ and Nawaz Sharif became Prime Minister with the overwhelming majority. The voter turnout for the elections to the National Assembly was 36.1.¹²⁸ There is no data available for the registered women voters and their ratio as compared to the male voters.¹²⁹

From the perspective of women representation, 1997 elections and its campaign were significant.¹³⁰ The election manifesto of major political parties highlighted the need for

¹²³ No reserve seats for the same reason as of 1990 elections.

¹²⁴ Farida Shaheed, *Women in politics*, 30,32 and 37.

¹²⁵ Fazila Gulrez and Sohail Warraich, "Women In Politics: Update 1993-1997", *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009), 83.

¹²⁶ National Assembly, *Parliamentary History*.

¹²⁷ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 426.

¹²⁸ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 27.

¹²⁹ ECP doesn't provide this data.

¹³⁰ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008-Pakistan*, 13.

women's political empowerment and participation in the political process.¹³¹ Women contested thirty-five (35) general seats and succeeded in attaining six (6)¹³² of them.¹³³ These six women in National Assembly constituted 2.74 percent of the bill proposed by PPP for additional seats for women did not attain legal cover. The caretaker government granted the adult franchise in the FATA, though women participation was very low and in some agencies not even a single woman enjoyed her voting right due to the 'massive denial'¹³⁴ by local jirgas¹³⁵ to the female electorate¹³⁶ and in many cases men refuse to enter women on electoral rolls.

Nawaz government with two-third majority in the house didn't address the two pertinent issues related to women: restoration of reserve seats for women and Zia's discriminatory laws against women. Women NGO's and Ministry of Women's Development played active role in the National Plan Action in 1998 and strongly resisted the proposed introduction of 15th amendment bill¹³⁷ in the Constitution.¹³⁸

¹³¹ Fazila Gulrez, *Women In Politics: Update 1993-1997*, 80.

¹³² Benazir Bhutto, Nusrat Bhutto and Fahmida Mirza from PPP and Abida Hussain, Majeeda Wyne and Tehmina Daultana from PML-Nawaz.

¹³³ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 435-436.

¹³⁴ Fazila Gulrez, *Women In Politics: Update 1993-1997*, 80.

¹³⁵ Jirga: A pushto term for a decision-making assembly of male elders. The cases specially of criminal nature are handled by a Tribal Jirga rather than by laws or police.

¹³⁶ *Ibid.*, Page 78-80.

¹³⁷ The Bill threatened the basic principles of the Constitution, the parliamentary process and the concept of federation, placing fundamental rights of people at one man's discretion. The bill proposed that a constitutional amendment be proposed be possible by simple majority instead of the tow-thirds required by the constitution thereby concentrating power in the hands of the Federal Government and giving it full discretion interpret Shariah as it saw it.

¹³⁸ "Women In Politics: Update 1997-2009", *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009), 119.

2.3.3.8 Elections of 2002:

The democratic decade ended on October 12th, 1999 with the fourth military coup in the country.¹³⁹ General Pervez Musharaff soon after assuming power introduced the local government system under the 'Devolution Power Plan,' allotting six of eighteen general seats¹⁴⁰ to the women.¹⁴¹ The general elections held on October 10th, 2002 had the voter turnout 41.8 percent.¹⁴² The electoral reforms made by Pervez Musharaff as respect to the women status. He promulgated the Conduct of General Elections Order for provision of the legal framework to the elections.¹⁴³ Legal Framework Order (LFO) 2002¹⁴⁴ provided the 17.5% of the reserve seats for women in the Senate, National Assembly and all Provincial Assemblies.¹⁴⁵

Out of total 342¹⁴⁶ seats 60 were reserved for women,¹⁴⁷ one of the highest proportion of women reserve seats in the National Assembly. Fifty-Seven (57) women contested the general seats with thirteen winners.¹⁴⁸ One of the main reasons for this high number of contestants was the introduction of the rule for candidate to be a graduate, thus the male family members not possessing the degree bring forward their females. Seventy three women

¹³⁹ *Women In Politics: Update 1997-2009*, 119.

¹⁴⁰ After the implementation of this reform women in total constituted the 27.7 percent of the local government in all three tiers: Local, Tehsil and District.

¹⁴¹ *Ibid.*, 19-20.

¹⁴² Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 30.

¹⁴³ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 496.

¹⁴⁴ Legal framework Order instituted changes to 29 articles of the constitution some of which were the revival of joint electorates along with the increased proportion of women and the increased number of seats of the parliament.

¹⁴⁵ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 9.

¹⁴⁶ 272 general seats, 10 reserve seats for non-Muslims and 60 for women.

¹⁴⁷ Election Commission of Pakistan, *General Elections 2002*, 27.

¹⁴⁸ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 28.

at national level¹⁴⁹ was landmark in the political emancipation of women and they constituted 21.34 of the house. The female voters also showed their strength and they were 85.6 in number against 100 male voters.¹⁵⁰

The 2002 elections served as the turning point for the women's political and public participation.¹⁵¹ The women parliamentarians participated highly in the debates and discussions not only related to the women issues rather policies of important national agendas. Many pro-women bills were moved and passed and The Protection of Women (Criminal Laws Amendment) Bill, 2006 was most significant of them.¹⁵² Women legislators faced hurdles too and were criticized too for their performances¹⁵³ but this particular assembly had very political active participation of women 'providing legitimacy to the view that the implementation of the quota system has created a broader base for women to be part of the political process.'¹⁵⁴

¹⁴⁹ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008-Pakistan*, 14.

¹⁵⁰ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 508.

¹⁵¹ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 43.

¹⁵² *Women in Politics: Update 1997-2009*, 123-125.

¹⁵³ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008-Pakistan*, 18.

¹⁵⁴ *Women in Politics: Update 1997-2009*, 125.

2.3.3.9 Elections of 2008:

The National Assembly formed because of 2002 elections completed its tenure on November 15th, 2007.¹⁵⁵ Meanwhile the Musharaff imposed emergency, however on February 18th, 2008,¹⁵⁶ the ninth general elections, 'a transition to democracy and rule of law,'¹⁵⁷ to the National Assembly of the country were held.¹⁵⁸ The voter turnout to the National assembly was 44.4 percent.¹⁵⁹ Not a single party won the elections rather a coalition government¹⁶⁰ was formed with Asif Ali Zardari as the President.

As regard the women participation, the particular election witnessed women voters 78.5 percentage as compared to the male voters.¹⁶¹ Three hundred (300) nomination papers were submitted for the sixty reserve seats for women under the article 51 of the constitution.¹⁶² Large number of women, sixty-four (64), contested the general seats on party tickets and as independent candidates too.¹⁶³ Sixteen women joined the National Assembly on general seats,¹⁶⁴ total 76 women make up the 22.22 percent of the house.

¹⁵⁵ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 587.

¹⁵⁶ *Women in Politics: Update 1997-2009*, 126.

¹⁵⁷ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 73.

¹⁵⁸ Earlier the elections date announced by Election Commission of Pakistan (ECP) was January 8th, 2008 but due to the assassination of Benazir Bhutto and the ensuing law and order situation, the EC announced on January 2nd, 2008 to delay the polling.

Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 601.

¹⁵⁹ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 35.

¹⁶⁰ The PPP and the PML-N were joined by the MQM and ANP to form coalition government at the central level.

¹⁶¹ Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 619.

¹⁶² Election Commission of Pakistan, *General Elections 2008*, 143.

¹⁶³ Seven women from these sixty four candidates contested on two seats thus making the seventy one women candidatures.

Women enjoyed very high status during this term of election and were appointed as Speaker of the house, members of the Federal as well as Provincial Cabinets and members of parliamentary committees. Dr. Fehmida Mirza was elected as first female speaker of the National Assembly by acquiring more than two-third votes i.e., 249 votes.¹⁶⁵ Women showed high level of political participation in the government and advocated women rights largely. During the tenure pro-women legislation¹⁶⁶ is noteworthy and women mobilization by the civil society is very significant.

2.3.3.10 Elections of 2013:

The elections of 2013 are considered landmark, as it was the first completion of the five-year term by democratically elected civilian government and transferring the power to the government of same nature.¹⁶⁷ The tenth general elections, 'elections under rule of law and supremacy of the will of the people,'¹⁶⁸ were conducted on May 11th, 2013¹⁶⁹ with 55 percent

Church World Service Pakistan/ Afghanistan and Free and Fair Elections Network, *National Assembly Elections in Pakistan 1970-2008*, 619.

¹⁶⁴ "16 Women Elected on General Seats", *The Nation*, May 17, 2013. Available online at: <<http://www.nation.com.pk/editors-picks/17-May-2013/16-women-elected-on-general-seats>> (last accessed: 23.1.2014).

¹⁶⁵ The Researchers, *Observation Report of Women Contested Constituencies General Elections 2008-Pakistan*, 76.

¹⁶⁶ Domestic Violence (Prevention and Protection) Bill 2009, the Criminal Law (Third Amendment) Bill 2010, the Protection against Harassment of Women at the Workplace Act 2010, the Criminal Law (Second Amendment) Bill — earlier tabled as the Acid Control and Acid Crime Prevention Bill 2010 — and the Prevention of Anti-Women Practices Bill 2011.

¹⁶⁷ International Foundation for Electoral Systems, *Using a Gender Lens to Examine Pakistan's Historic Election* (June 20, 2013).

Available online at: <<http://www.ifes.org/Content/Publications/Interviews/2013/Putting-a-Gender-Lens-to-Pakistans-Historic-Election.aspx>> (last accessed: 23.1.2014).

¹⁶⁸ Pakistan Institute of Legislative Development and Transparency, *The First 10 General Elections of Pakistan*, 76.

¹⁶⁹ Hassan Muhammad, *Pakistan General Elections: 2013* (Lahore: Mavra, 2013), 13.

voter turnout.¹⁷⁰ The female voter turnout is considered remarkable with 40 percent of all the votes cast¹⁷¹ and the ratio of registered female voters increased by 5.5 percent.¹⁷²

Women participated very actively during the election campaign and the significant aspect is that women with low profiles and no family background contested the elections.¹⁷³ Despite the threats by the militants, women exercised their political rights.¹⁷⁴ The highest number of women candidates in the Pakistan's electoral history contested the general seats to the National Assembly. Seven out of 147 women candidates won the seat to the National Assembly and 301 women contested elections to the general seats of the provincial assemblies.¹⁷⁵ The sixty-seven (sixty reserve seats holder) women legislators are 19.6 percent of the lower house.

¹⁷⁰ "Pakistan Elections 2013 Total Voter Turnout 55%", *The Express Tribune*, May 21, 2013. Available online at: <<http://tribune.com.pk/story/552368/pakistan-elections-2013-total-voter-turnout-55/>> (last accessed: 23.1.2014).

¹⁷¹ United Nations Entity for Gender Equality and the Empowerment of Women, *Sharp Increase of Women Voters in Pakistan's recent Elections* (August, 2013). Available online at: <<http://www.unwomen.org/en/news/stories/2013/8/pakistan-elections-feature>> (last accessed: 23.1.2014).

¹⁷² Free and Fair Elections Network, *Women and the 2013 General Elections* (FAFEN, April 2013), 6. Available online at: <<http://elections.sdp.org/pdf/FAFEN%20-%20Women%20and%20the%202013%20General%20Elections%20-%202013%20April%202013%5B1%5D.pdf>> (last accessed: 23.1.2014).

¹⁷³ 53-year-old Badam Zari, a housewife from Bajaur Agency, made history by becoming the first female candidate to run for office from the tribal region along the Pakistan-Afghanistan border. Another woman, Veero Kolhi, a former landless bonded labourer and member of the marginalised Hindu community, ran as an independent in Hyderabad and logged more than 6,000 votes.

¹⁷⁴ Huma Yusuf, "Pakistani women yearn for greater enfranchisement", *The Daily Star*, September 3, 2013. Available online at: <<http://www.dailystar.com.lb/Opinion/Commentary/2013/Sep-03/229685-pakistani-women-yearn-for-greater-enfranchisement.ashx#axzz2IpR17f1>> (last accessed: 23.1.2014).

¹⁷⁵ Imaddun, "448 women candidates contesting elections on general seats", *Business Recorder*, May 7, 2013. Available online at: <<http://www.brecorder.com/elections-2013/top-news/118234-448-women-candidates-contesting-elections-on-general-seats.html>> (last accessed: 23.1.2014).

2.4 Conclusion:

Political rights of women are as crucial as the other fundamental human rights. In the contemporary age, women hold a very prominent position in the politics at all levels concerning the national and international politics. In Pakistan, the women are entitled fully to the political rights but practically differences occur in enjoying these rights as voters, party workers, campaigners, contesting the elections, decision-makers and also as legislators. The electoral history depicts the trends towards women participation and political participation of women during the pre-independence era and the post-independence time specially the ten general elections of the country. It is not an easy task for the women to enjoy their political rights and particularly coming to the mainstream politics of the country. The quota system introduced is helpful about their presence in the parliament but this does not ensure their participation even in the parliament. Women won highest number of general seats in the elections of 2002 and 2008 mainly due to the compulsion for the contestants to be a graduate and as soon as this provision was uplifted in the 2013 elections, the number decreased. The pressures and limitations faced by women are of diverse degrees and natures varying from area to area and the general conditions.

CHAPTER 3

RURAL AND URBAN WOMEN OF PAKISTAN

(Data Presentation of Case Studies)

This section of the research will present the nature and extent of limitations faced by women of rural and urban areas of Pakistan in exercising their political rights. For the purpose, eighty (80) respondents were interviewed from rural and urban Punjab, Sindh, Khyber Pakhtunkhwa, Balochistan and Gilgit Baltistan. As it was not possible to cover all areas so the data was collected from one district from each area. Further eight women respondents from one city and one village of the district were taken as sample studies. People and areas were chosen randomly however, it was taken care of to interview women from various backgrounds and age groups¹.

“The strength of a woman is not measured by the impact that all her hardships in life have had on her; but the strength of a woman is measured by the extent of her refusal to allow those hardships to dictate her and who she becomes.”
____ C. JoyBell C.

3.1 Introduction:

To understand the nature and extent of limitations faced by women of Pakistan to exercise their political rights, women from urban and rural areas were interviewed to get the real situation. The questions asked during the interview were to investigate and analyze the impediments faced by them, level of awareness and recognition of their rights and challenges. They were inquired about their education, voting rights, family pressures, religious factor, provision of legal instruments, willingness to join politics and possible hurdles. The interesting findings are discussed and illustrated in detail in the later headings.

¹ All respondents were more than 18 years of age.

District Sialkot (City: Sialkot, Village: Mandranwali) from Punjab, District Ghotki (City: Mirpur Mathelo, Village: Kot Gul Muhammad Pittafi) from Sindh, District Abbotabad (City: Abbotabad, Village: Dari Rakhala) from Khyber Pakhtunkhwa (KPK), District Jaffarabad (City: Usta Muhammad, Village: Ghot Haji Shabbir Umran) from Balochistan and District Baltistan/Skardu (City: Skardu, Village Churka Shigar) from Gilgit Baltistan (G-B) territory were considered for sampling. Sampling was done randomly and the opinions of the particular women do not necessarily represent all the voices.

3.2 Data Presentation:

The various questions asked are summarized in forms of graphs and pie charts with the explanation and the empirical data representation is as follows:

3.2.1 Education Level:

Respondents were asked about their education level, as it was necessary to compare it with their awareness level, approach to their rights and willingness to bring about a social change.

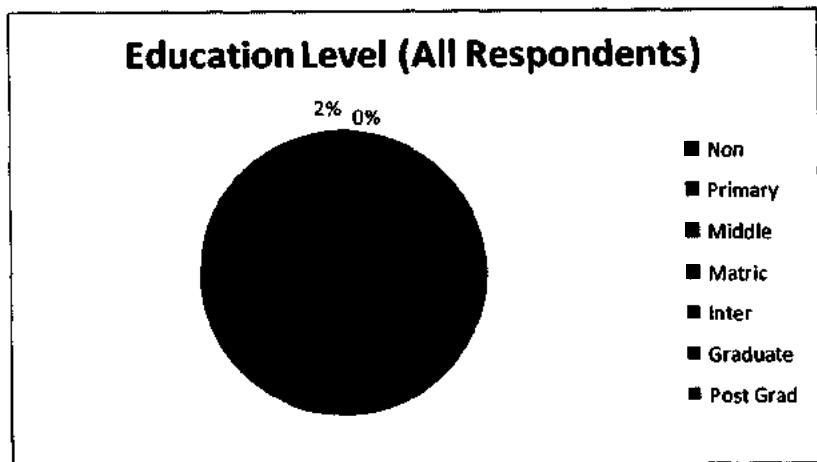


Fig. 3.1 Education Level (All Respondents)

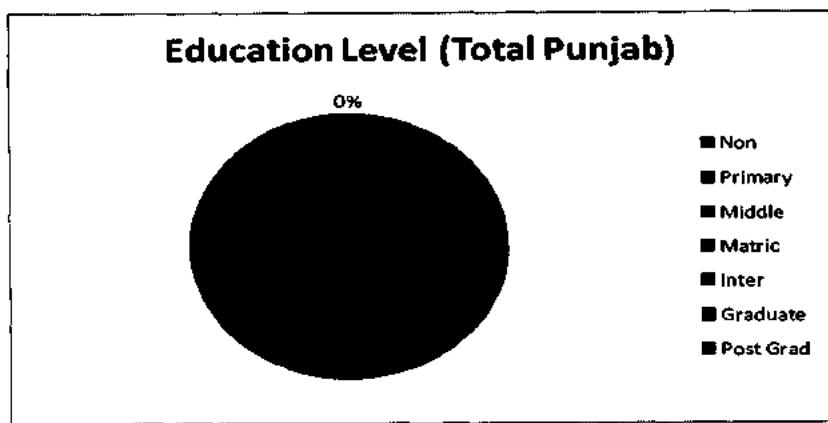


Fig. 3.1.1

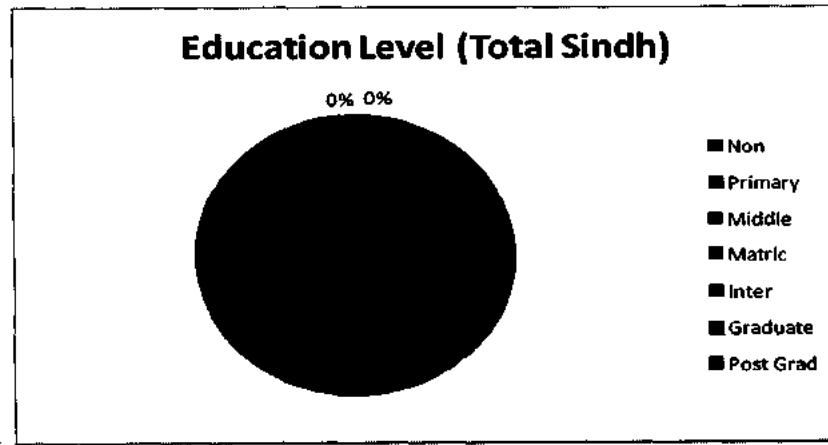


Fig .

3.1.2

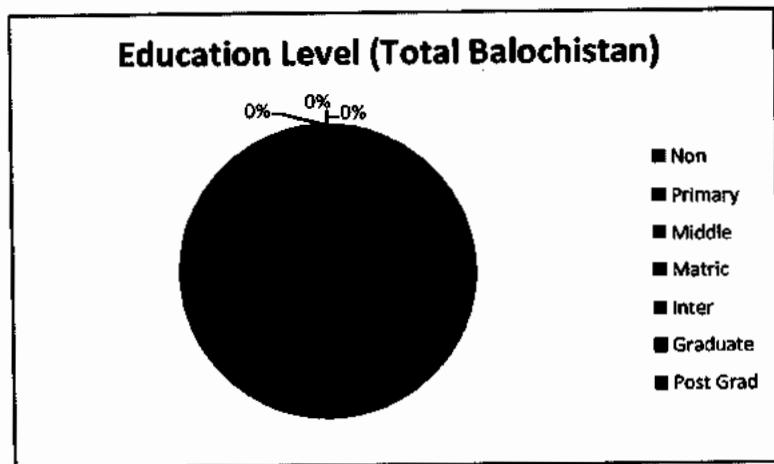


Fig 3.1.3

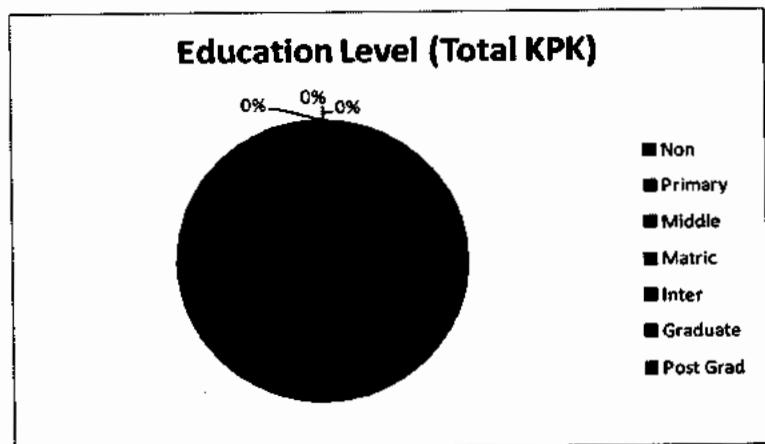


Fig. 3.1.4

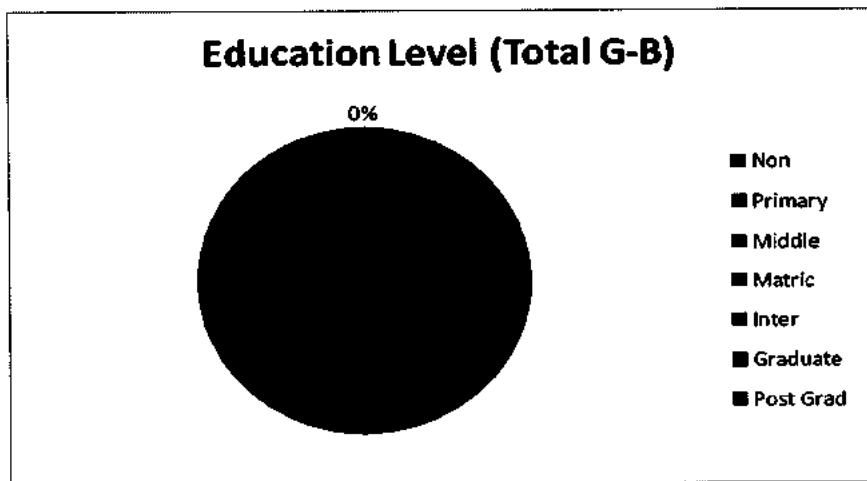


Fig. 3.1.5

The figures revealed that respondents from Gilgit Baltistan were more educated as compared to other areas and lowest literacy rate was found in Balochistan. It is also found that women with access to education are more aware of their rights and issues involved. However, it is not the case always as in few cases women with education are not eager about their political rights and does not seem to bother about such issues. However, mostly the education is prime factor behind the violation of women rights and less participation in political affairs. Rural women are less educated contrary to urban women in all areas of the country. Respondents wished a lot that provided they would have been educated; their living styles would have been different. 'I am very sad that I am not educated; if I would have been educated than I must be doing job somewhere. Uneducated person is equal to Ox.'²

² 'Mein bohat hafa hoon k meray pass taleem nae hai. Agar hoti tu mein nokri karte. An-parh aur bael brabar hain.'

Bibi, Azra. Personal interview, 9 September 2013.
Respondent is 73 years old and is from rural KPK.

3.2.2 Vote Cast:

The second question asked was about the vote that did they ever cast their vote, the answers are presented below.³

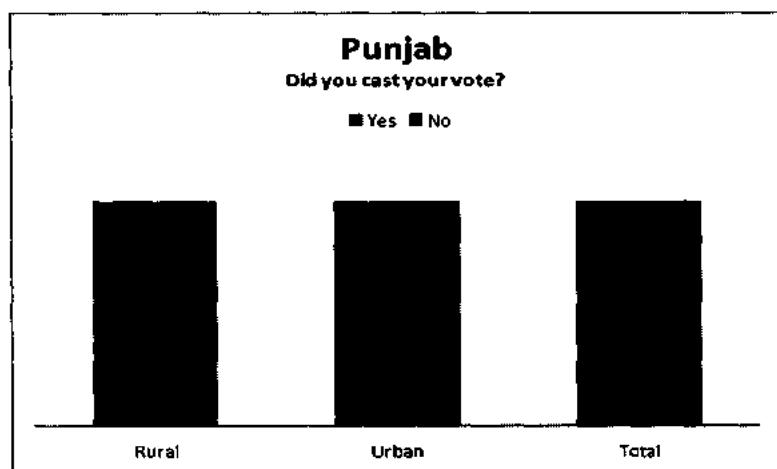


Fig. 3.2.1

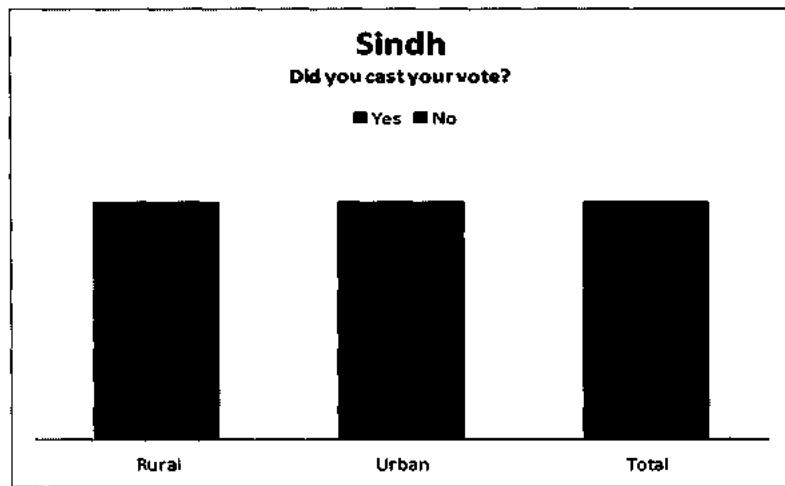


Fig. 3.2.2

³ Those who answered yes are not all first time voters, some of them are regular voters while some have casted once or two times. Age factor is also to be considered as respondents from various age groups were taken but all of them are eligible to vote i.e., 18 or more years.

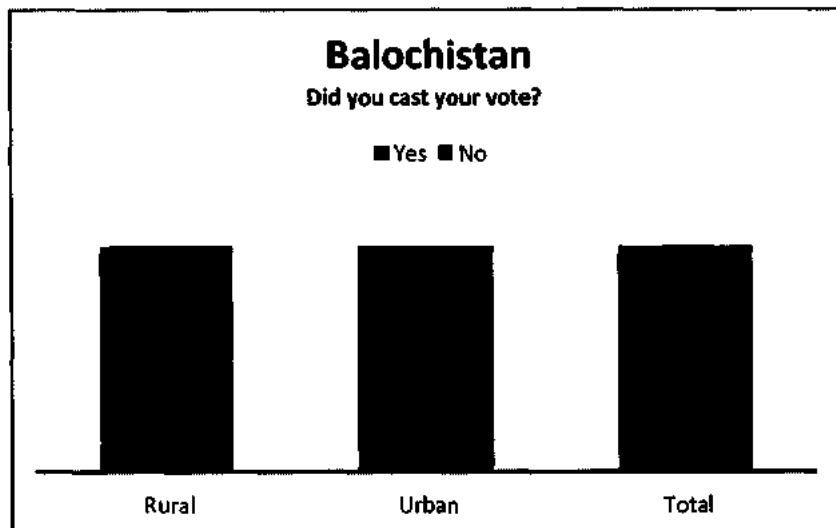


Fig. 3.2.3

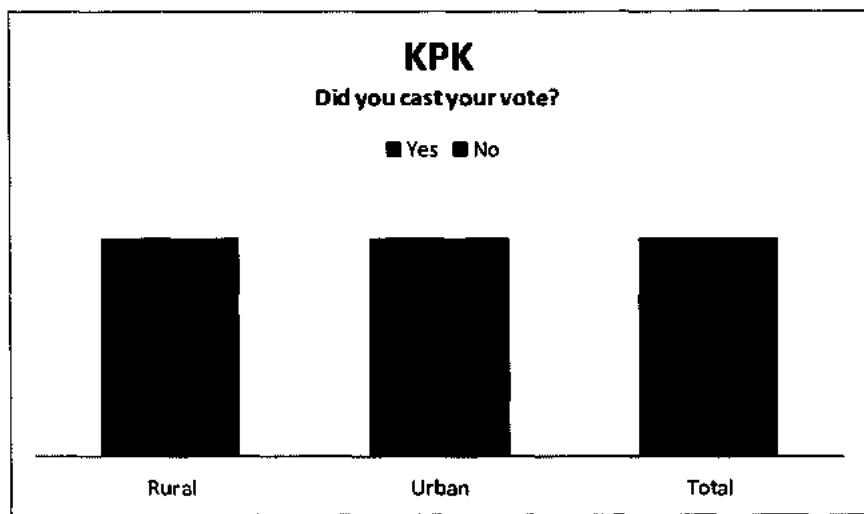


Fig. 3.2.4

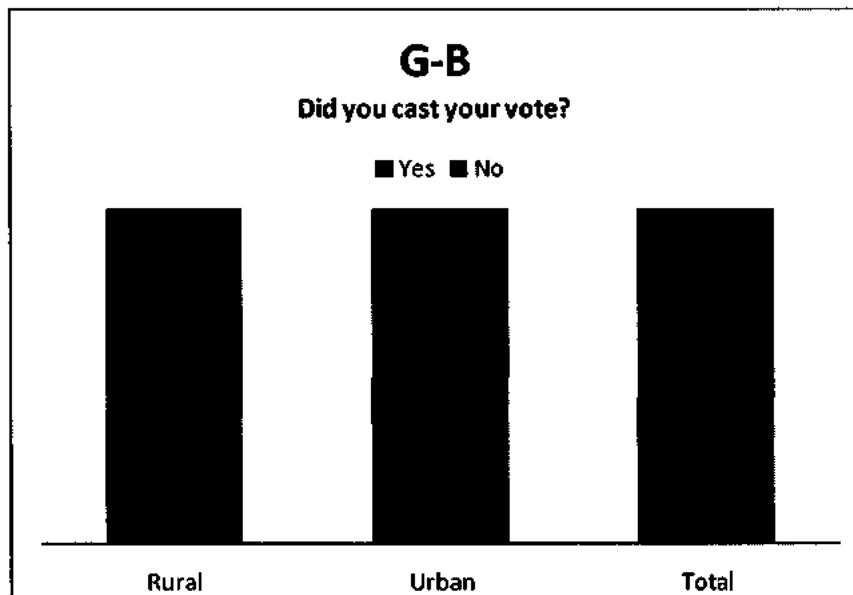


Fig. 3.2.5

Surprisingly when it comes to the exercise of voting rights, women of Sindh are seen more active and vigilant. On the other hand, the situation in Balochistan is not pleasant especially the rural area showed a very less percentage of women voters. When it was inquired about that why most of the respondents from all areas does not cast their vote, the reasons came out such as no ID card⁴, no permission from family to go to polling station, lack of awareness about voting procedure and no interest in casting vote as they deem it a total waste of time. For example, one of the respondents⁵ said, 'I do not have ID card because of the lengthy procedure to get it, I cannot stand in long queues for the card and if I get the card I will never

⁴ Without National ID card, vote cannot be casted. The reason for no ID card is women are not allowed to go out and get their cards and in other cases women feel no need to have a ID card. This shows how women are lethargic in their own affairs.

⁵ Batool, Khadija. Personal Interview. 30 august, 2013.
Respondent is 27 years of age from rural Punjab.

vote as it will get waste.⁶ Women from Urban Balochistan remarked, 'women have no time for voting. It's hard enough to look after my business, take care of children and their food, education, and basic necessities.'⁷

3.2.3 Independent Voting:

Those respondents who have been voting in past elections or those who wish to cast vote in the next elections were asked about how much independent they are in choosing their public representatives.

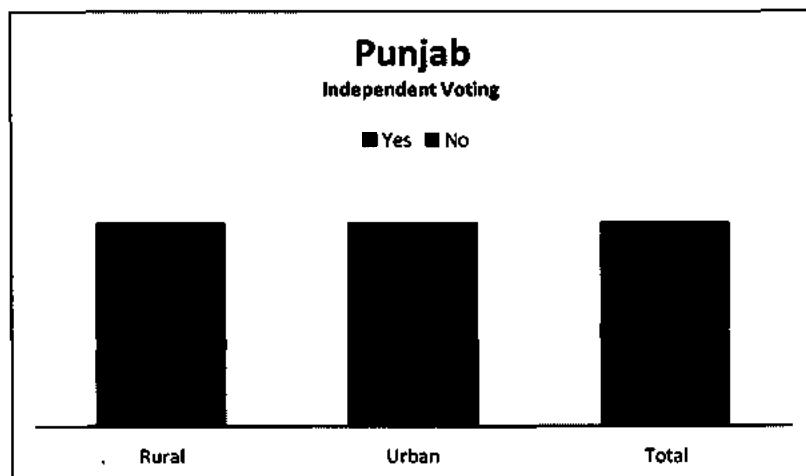


Fig. 3.3.1

⁶ The interview was conducted in Urdu, the translation is done here.

⁷ Akhtar, Safia. Indirect Interview. 23 August, 2013.

Respondent is 37 years old handicrafts maker from urban Balochistan.

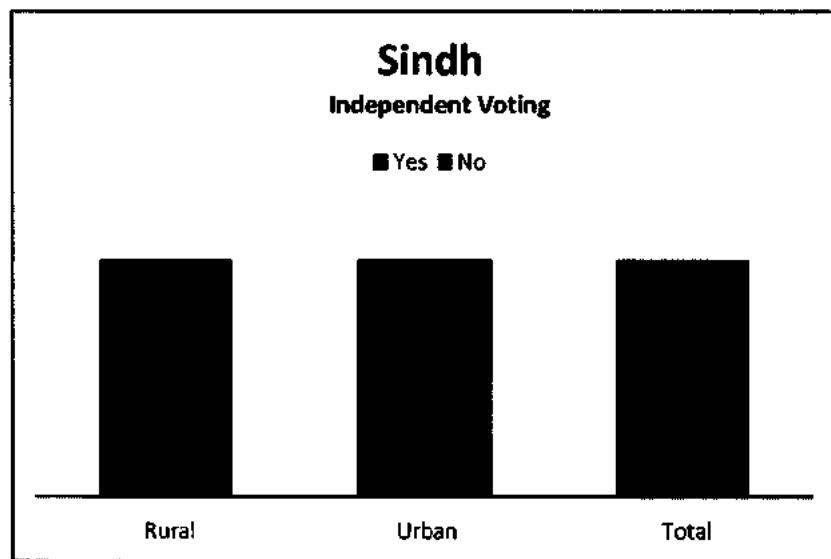


Fig. 3.3.2

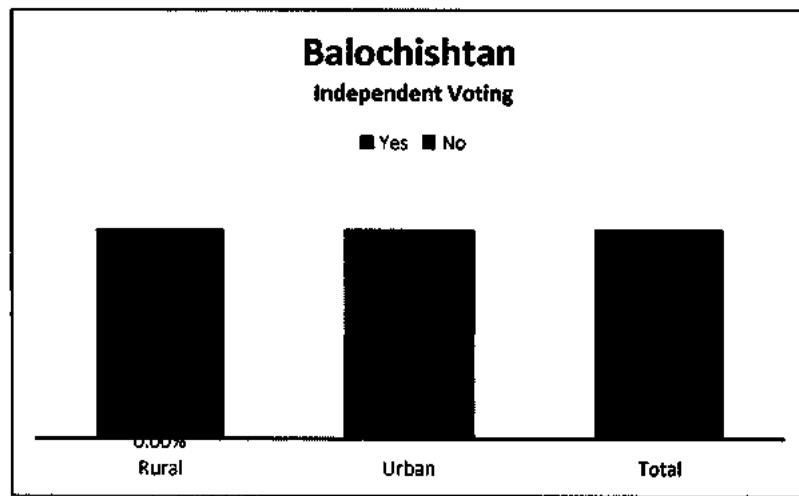


Fig. 3.3.3

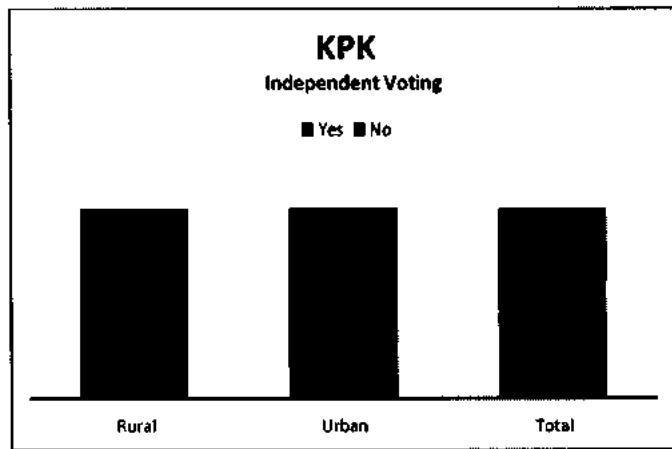


Fig. 3.3.4

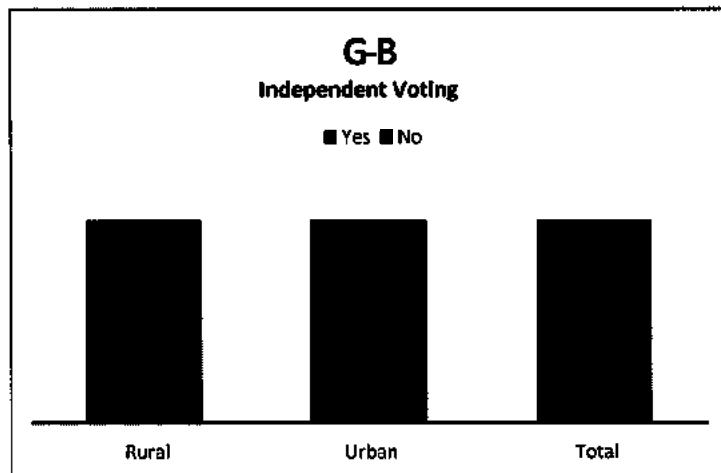


Fig 3.3.5

The statistics revealed that a myth that majority of women in Pakistan cast vote under family pressures proved wrong during survey as majority of them cast their votes independently as they wish while some face family pressures or are forced by the male members of the family or society. It was analyzed that women who are economically independent and well educated

are bold to exercise their rights independently. The interesting findings are of Sindh where the rural women vote according to their will while in urban Sindh they are deprived of such right. The reason behind this is that rural women of Sindh are economically independent as they are the bread earners and manages the house affairs while in urban area women are not allowed to work or leave the house without the company of male member. A respondent from Sindh told, 'if we say that we want to study more or give vote to our favorite candidate, male members of our family will kill us in the name of honor killing by accusing us of an illegitimate relation with a boy of opposition party.'⁸

Another fact from the survey came that Christian respondents were all aware of their rights and were free to enjoy their political rights as they wish.⁹ Women from rural Balochistan are not allowed to express their opinion, if they are allowed to vote they have to as dictated by the males of the family or tribe. 'Here, women have nothing to do with politics,' 'women are not meant to vote,' 'politics is the business of sardars, not the women,'¹⁰ such were the remarks of women in response to the question as why they cannot vote as per their will.

3.2.4 Importance of Vote:

One of the basic limitations of women in Pakistan can be attributed to women themselves, as they may not be concerned about their own opinion or how precious their vote is. To get the

⁸ Anonymous. Personal Interview. 10 October, 2013.

Respondent did not allow revealing her identity. She is from urban Sindh.

⁹ Christian respondents were interviewed from Punjab.

¹⁰ Respondents from rural Balochistan.

appropriate solution to this problem, respondents were asked if they think their vote some value or not.

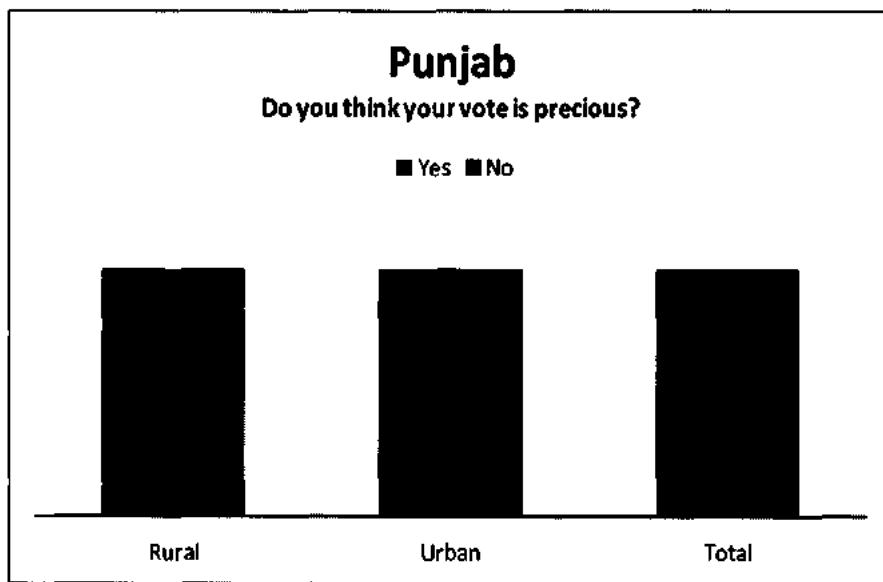


Fig. 3.4.1

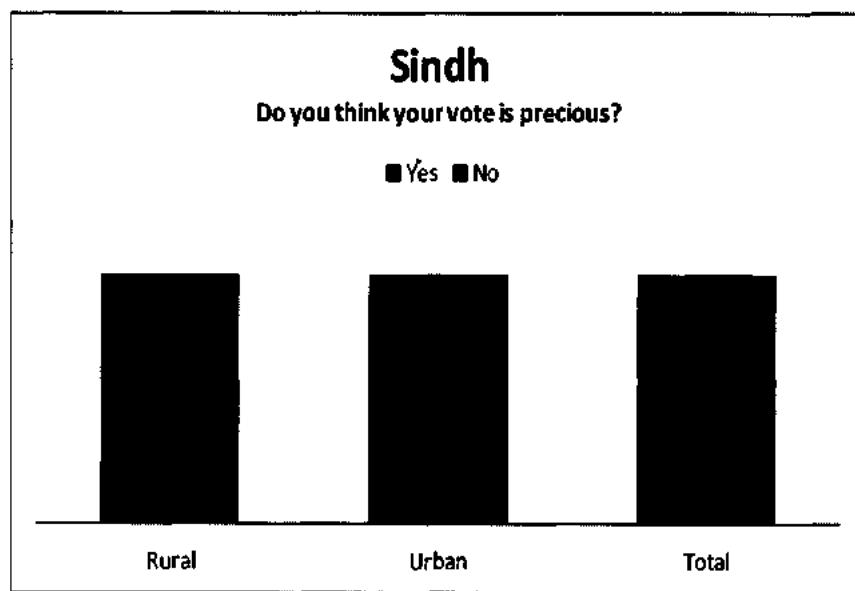


Fig. 3.4.2

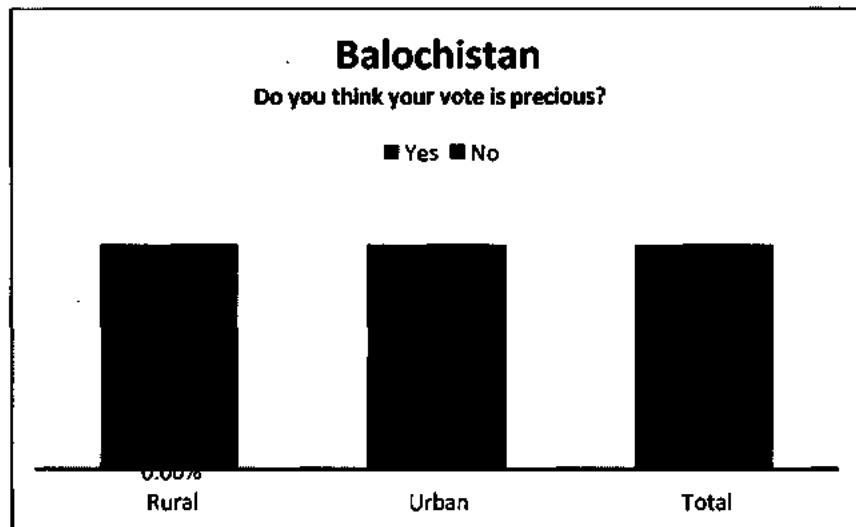


Fig. 3.4.3

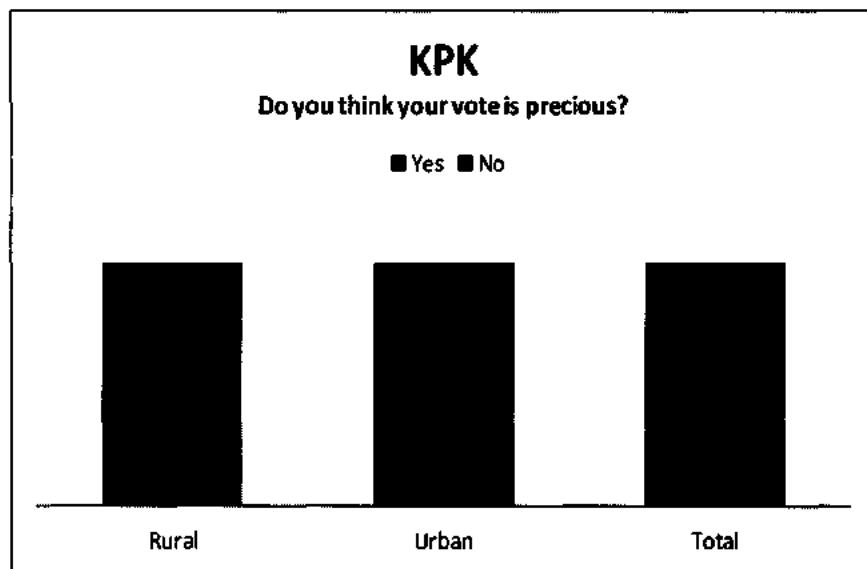


Fig. 3.4.4

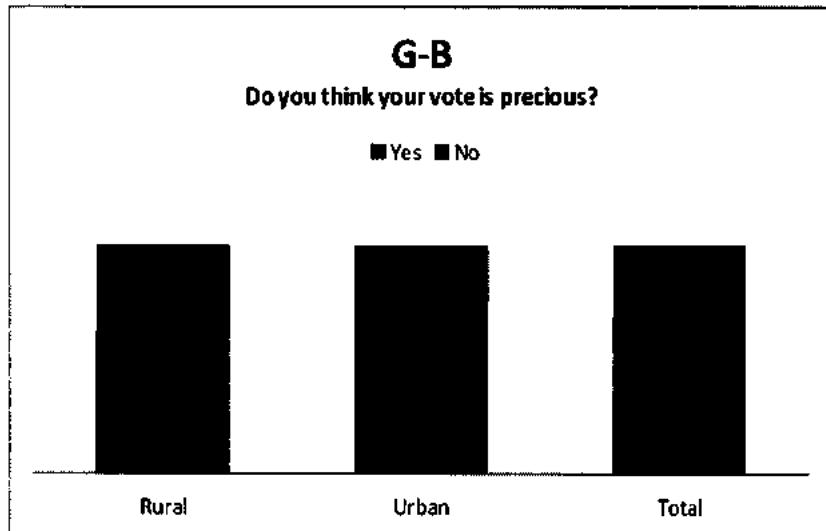


Fig 3.4.5

The ratio in the above figures showed women generally are aware of the value and strength of their ballot papers. Exception were the women from rural Balochistan, the factor behind such opinion can be assumed to be the suppression of their right to vote on their free will. Moreover, very few of them are allowed to go to polling stations so they deemed that they have nothing to do with politics and their opinion, their stand does not count at all. One important thing to be mentioned here is that this is not all the situation in all of the Balochistan, lamentably the village chosen for the sampling turns out to be such. Besides that, women generally are very much aware of the pertinence of their sacred vote. An old woman from Dari Rakhala (KPK) uttered very proudly, 'my one vote can let the candidate win or lose the election, and I and my vote are very precious.'¹¹

¹¹ 'mera vote kisi ko jeeta b sakta hai aur hara b, mein aiur mera vote bohat qeemti hain.' Akhtar, Nisar. Personal Interview. 9 September 2013.
Respondent is 85 years of age from urban KPK.

3.2.5 Freedom of Expression and Opinion:

Freedom of expression and opinion is very crucial and important right granted theoretically to every citizen but practically the situation is different.

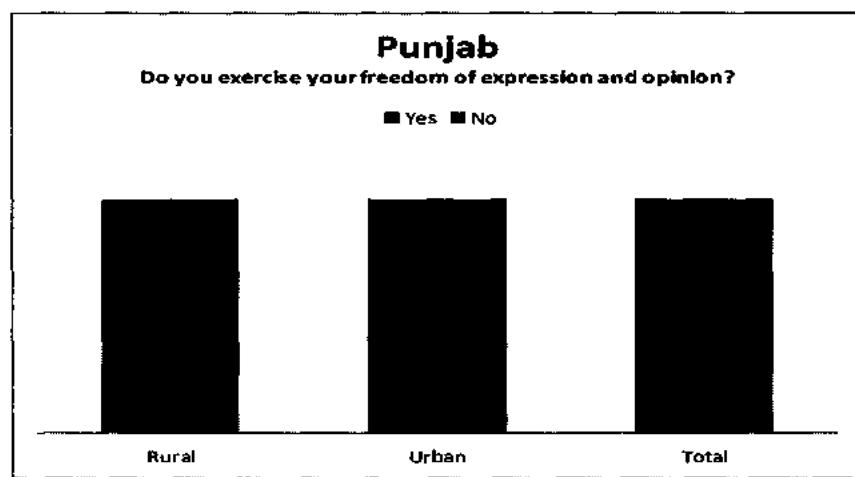


Fig. 3.5.1

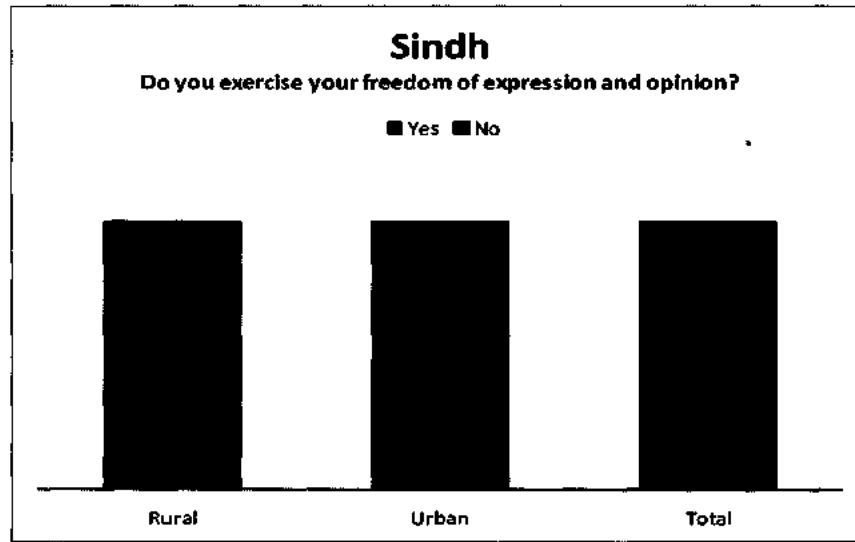


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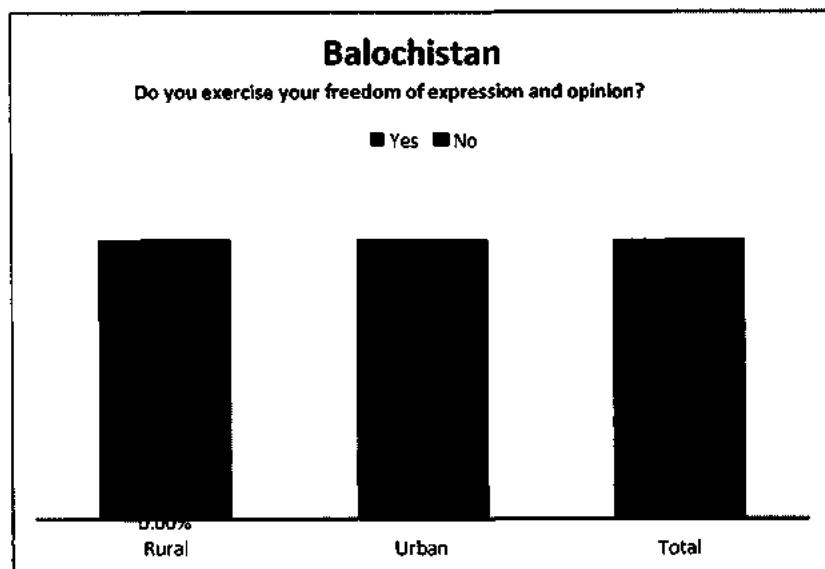


Fig 3.5.3

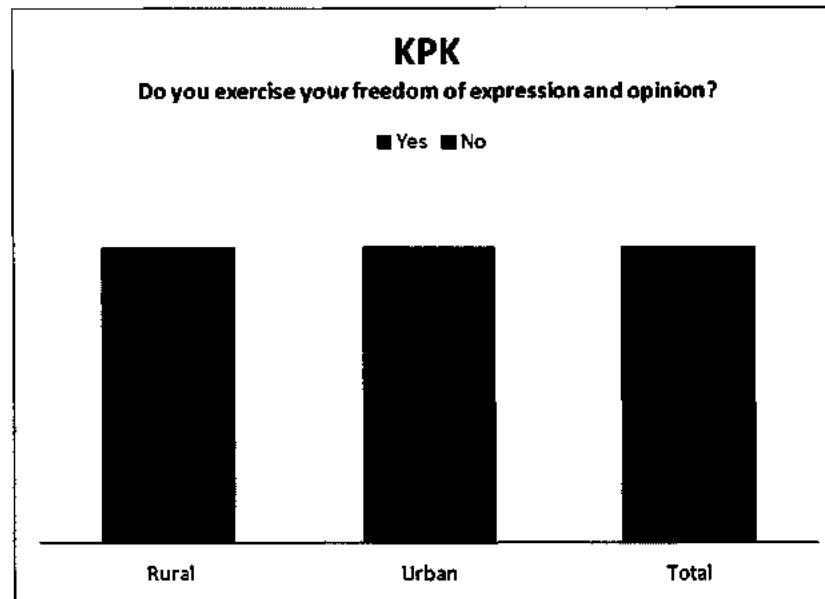


Fig 3.5.4

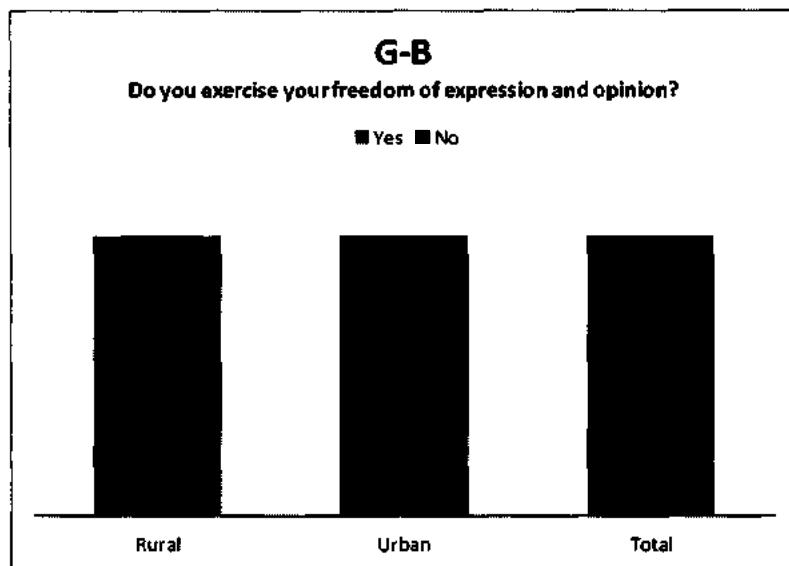


Fig. 3.5.5

The ratios elucidated that a very less percentage of respondents enjoy the freedom to expression and opinion in all matters including the political one. It is noteworthy here that women who exercise their voting rights without any limitations, do face problems in expressing out themselves in political matters. In first place, they are not allowed to give their opinion secondly, the opinion or idea is least bothered. 'In Jirgas¹² we are not allowed to talk, just listen quietly and accept whatever is decided about us and our fate.'¹³ A woman from rural G-B highlighted that 'men does not consider our opinion because they think they

¹² A Pushtoo term for a decision making assembly of male elders.

¹³ Khan, Naheed. Personal Interview. 11.12.2013.

Naheed Khan is a teacher in KPK government school.

are the masters and women know nothing.¹⁴ Dr. Shagufta Iqbal¹⁵ while discussing the expression and opinion issue commented that in some of the tribes, the old women hold a very significant position in family and are very strong to manage all the family affairs.

The dilemma is that even the educated women are given shut up call when it comes to give their opinion or to be expressive. At times, education and gender is the taunt they are being given such as, 'you are a woman, and you know nothing. Do not apply your education to us.'¹⁶

3.2.6 Awareness of Laws Related to Women Rights:

As discussed in earlier chapters, the laws are present at every level¹⁷ to protect and provide women rights. Despite of the presence of such rights, massive violations occur and one of the factors attributed to such practices is unawareness of such rights and laws prevalent. Pakistani women were asked if they were aware of presence of any such laws because until and unless they will be vigilant about their rights they cannot stand against the snatching away of their rights.

¹⁴ 'Mard zaat hamari rai nae laetay is liyay k wo smajty hain k hum guru hain aur aurataen kuch nae jaante is baray.'

Rziya, Syeda. Indirect Interview. 3 June 2013.

Respondent is 29 years old from Skardu, GB.

¹⁵ Dr. Iqbal, Shagufta. Personal Interview. 11.10.2013.

Dr. Shagufta Iqbal is Professor in Balochistan college.

¹⁶ 'Tum aurataen ho, tumhaein kia pata ho. Hum pay apni professor na jamaao.'

Dr. Shagufta Iqbal.

¹⁷ Local, national, regional, and international. All of such laws are discussed in chapter one.

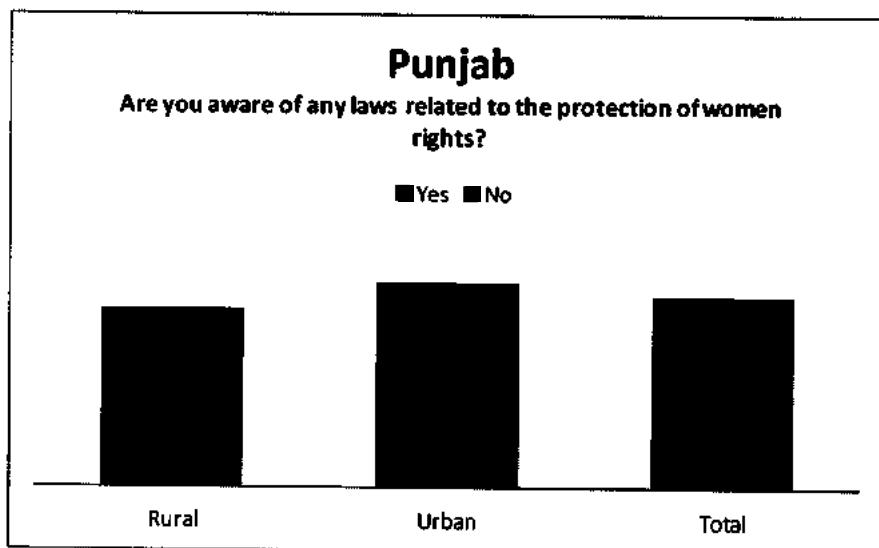


Fig. 3.6.1

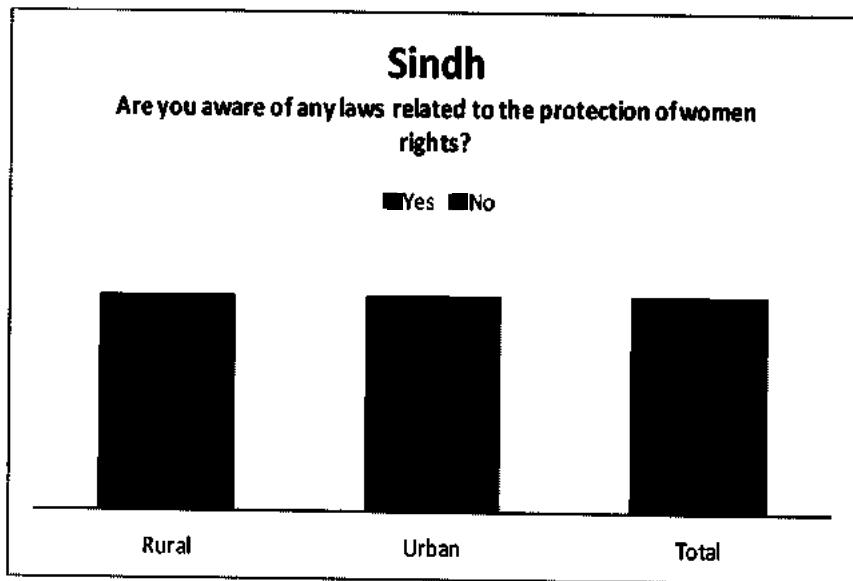


Fig. 3.6.2

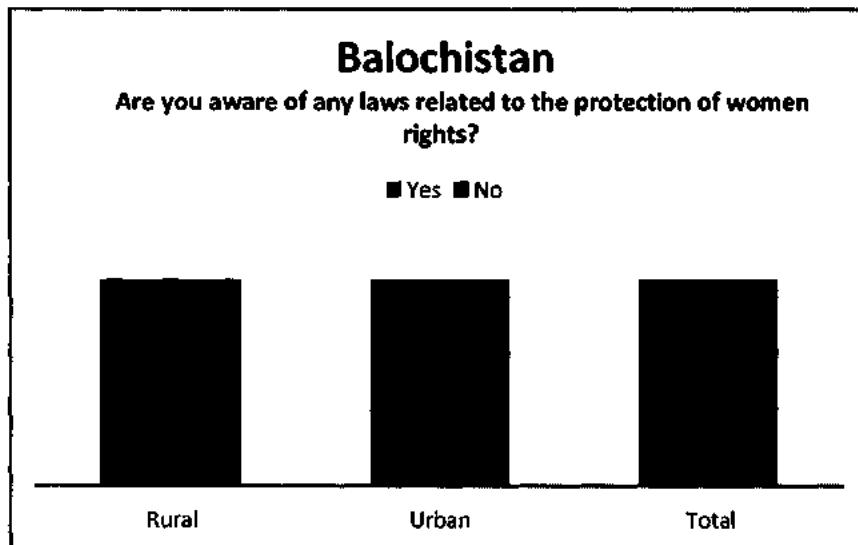


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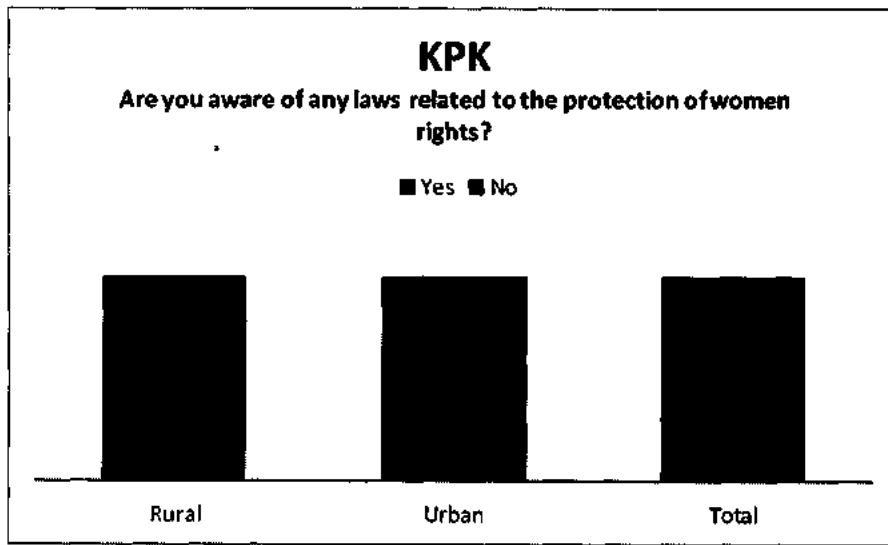


Fig. 3.6.4

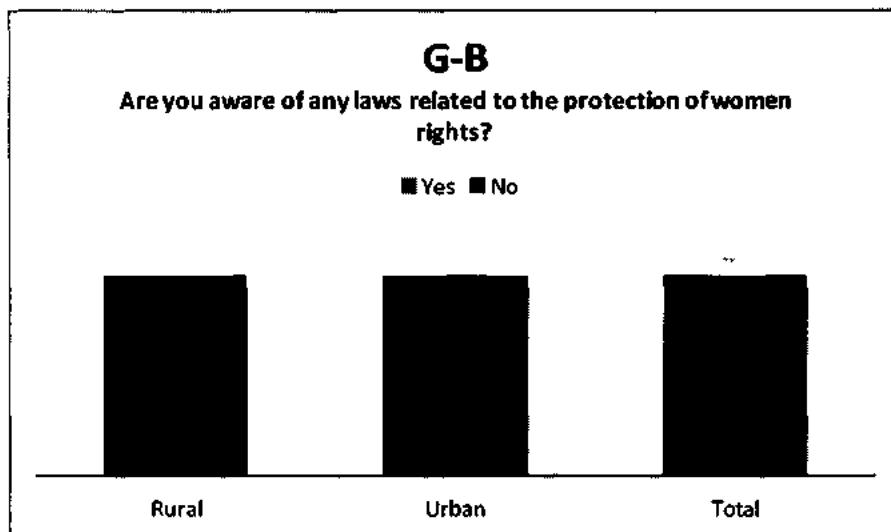


Fig. 3.6.5

The statistics showed that women residing in urban areas of Pakistan are more aware of the provision of the legal instruments protecting their freedoms as compared to the rural women who are unaware of such protections. Women were confident in declaring that laws are there but lack of implementation makes them useless. Women of Sindh came out as to be more vigilant regarding the provision of laws. Rural women generally were of the idea that no one is concerned about women so how can be there any laws or documents about the. When a young woman from Balochistan was asked if the constitution of the country provides rights to women she lamented, 'not at all, women are slaves of traditions.'¹⁸

¹⁸ 'Ge nahi, aurataen rawayat ki ghulam hain.'
Anonymous. Personal interview. 24 August 2013.
Respondent did not allow revealing her identity. She is from rural Balochistan.

The very idea of women rights was not so familiar among women. Women are never told that anything such as women rights exist and this is the problem when such freedoms and guarantees are violated, the violations are not recognized.

3.2.7 Veil: An Obstacle or not:

Veil, Purdah¹⁹, is very significant and common in Islamic Republic of Pakistan. However, this practice is sometimes used as means of stopping the women from enjoying their right to movement. Respondents were asked to express their views about purdah that is purdah an obstacle in their way to have their political rights. They responded what they have experienced in their own particular cases.

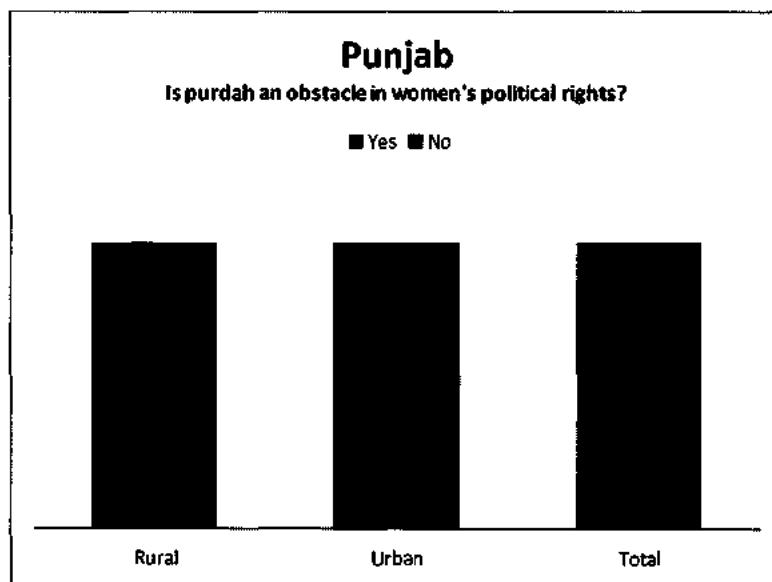


Fig. 3.7.1

¹⁹ 'A custom among Muslims and some Hindus in which women stay separate from men or keep their faces and bodies covered when they are near men.'

"An Encyclopedia Britannica Company: Merriam-Webster." Available online at: <<http://www.merriam-webster.com/dictionary/purdah>> (last accessed: 6.3.2014).

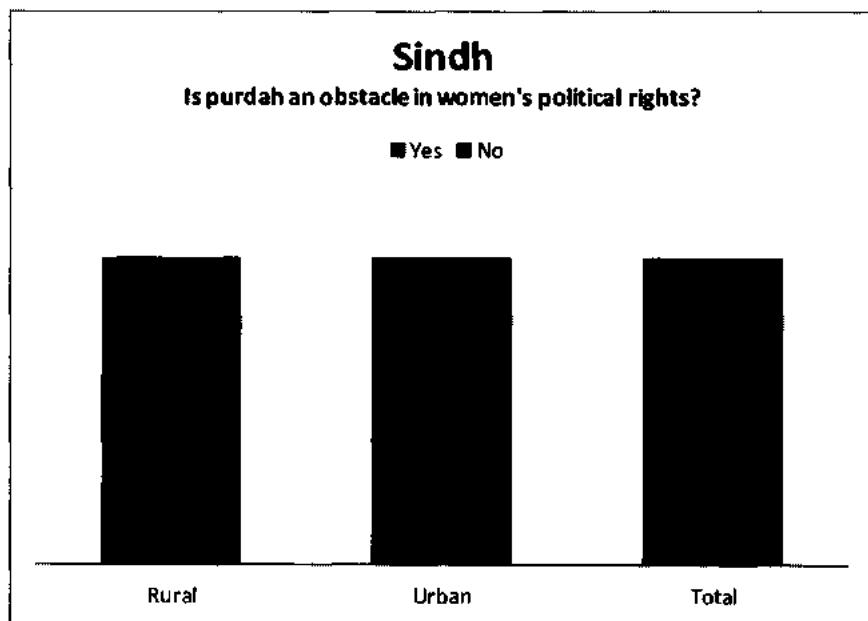


Fig. 3.7.2

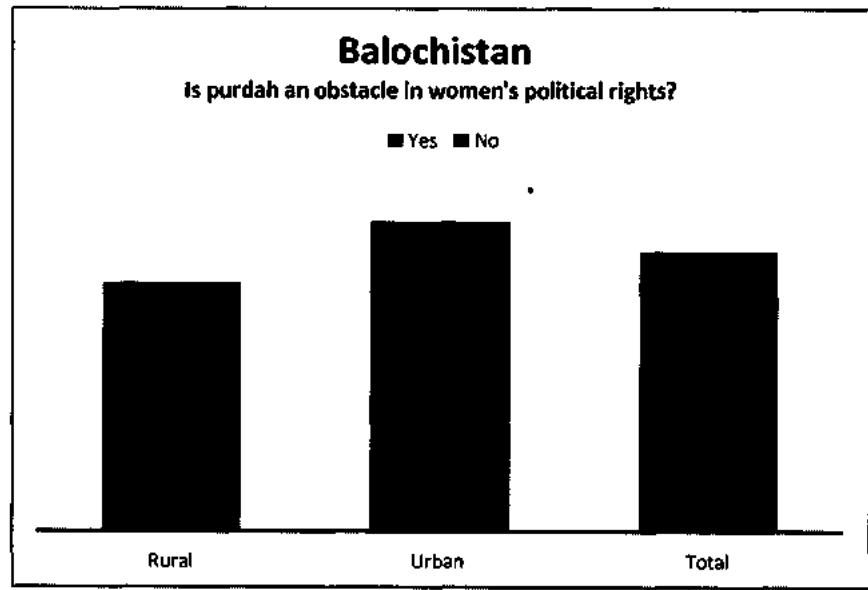


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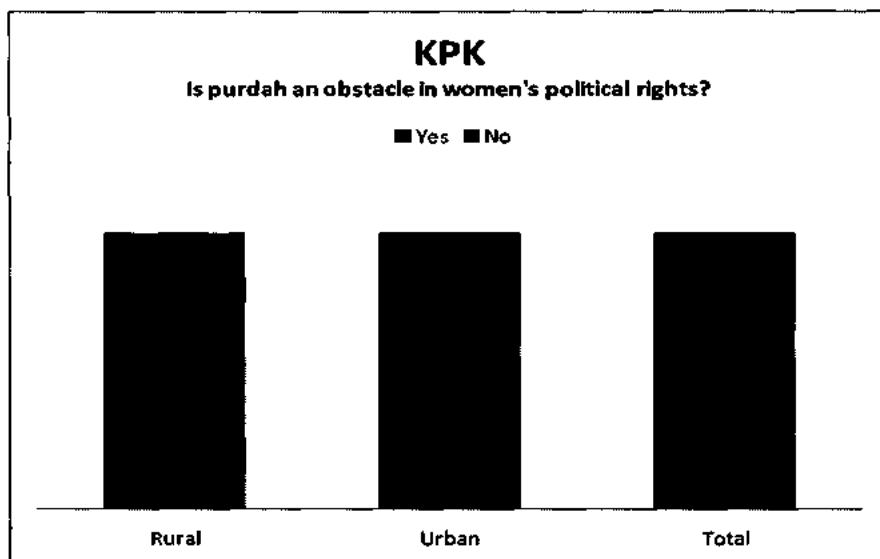


Fig. 3.7.4

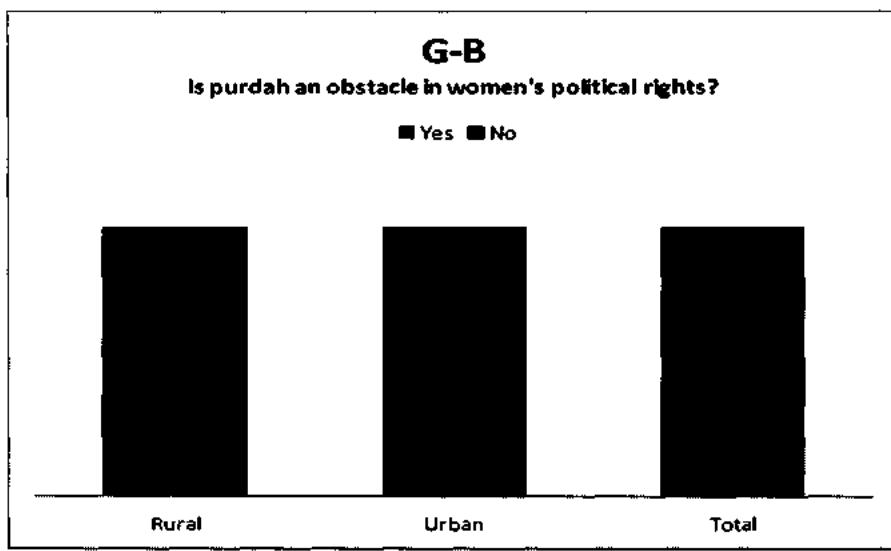


Fig. 3.7.5

The figures shows that a large number of rural residents think purdah is an obstacle in their way to mobility such as to go to polling stations to vote, participate in political gatherings and at large to be active political members. Majority of the urban women does not perceive purdah as an obstacle in carrying out the political matters. Urban Sindh and KPK women feel purdah as hindrance as men do not allow them stepping out of their homes. 'In some of the tribes and villages of KPK, the time is fixed for women to go out. In that particular time i.e., from Maghrib to Isha prayers²⁰, men are not allowed to roam around and only women can be seen on streets.²¹

It was also apprehended during the discussions and interviews that generally such hindrances in the name of purdah are created by those members of the society whose vested interest or cultural believes does not permit women to come forward or be expressive.

3.2.8 Provision of Rights by Religion/Islam:

Majority of the respondents were Muslims and very few Christians, so they were asked about their religion that what they understand about stand of their religion in this regard. The idea behind putting up this question was to see how much understanding of the true concept of religion is and to what extent it is misinterpreted.

²⁰ Maghrib is the evening prayer and Isha is the Night prayer.
The time between Maghrib and Isha prayers vary but it is never more than two hours.

²¹ Khan, Naheed.

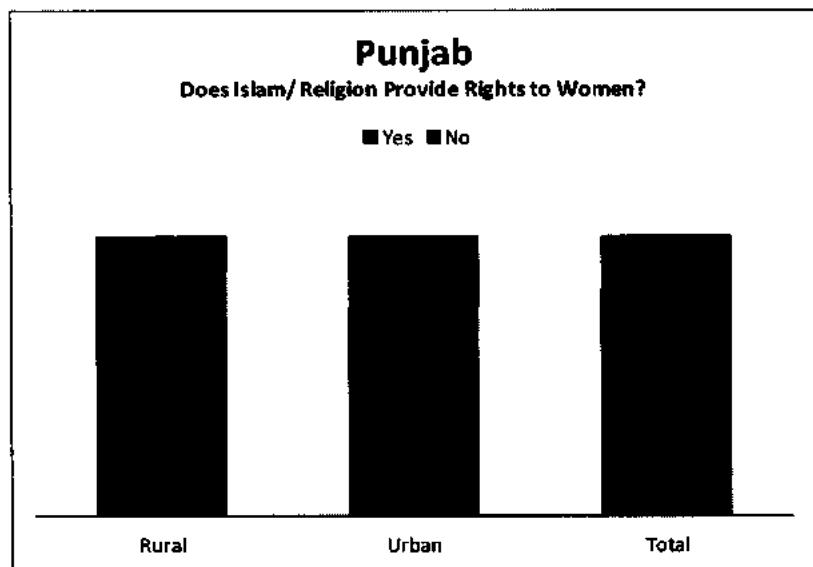


Fig. 3.8.1

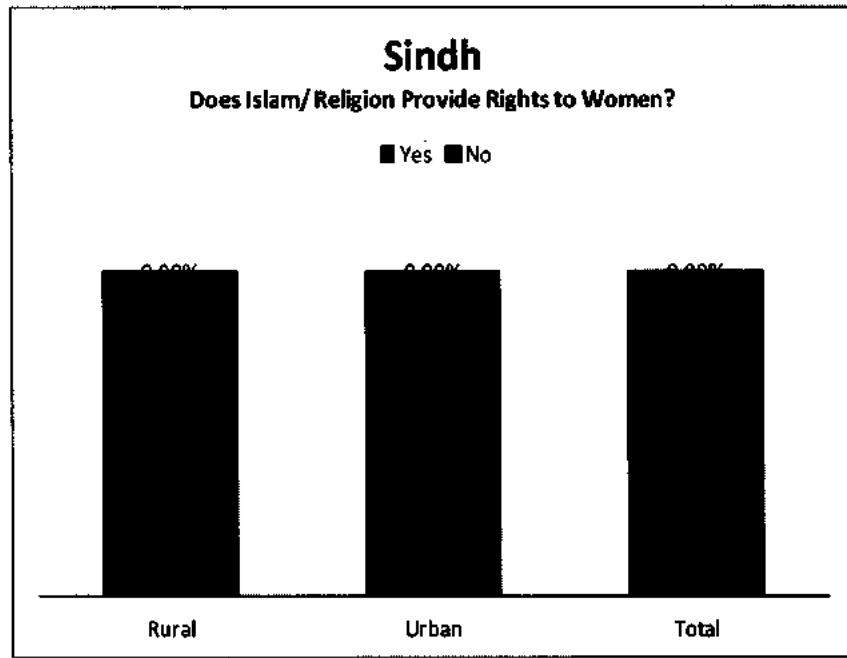


Fig. 3.8.2

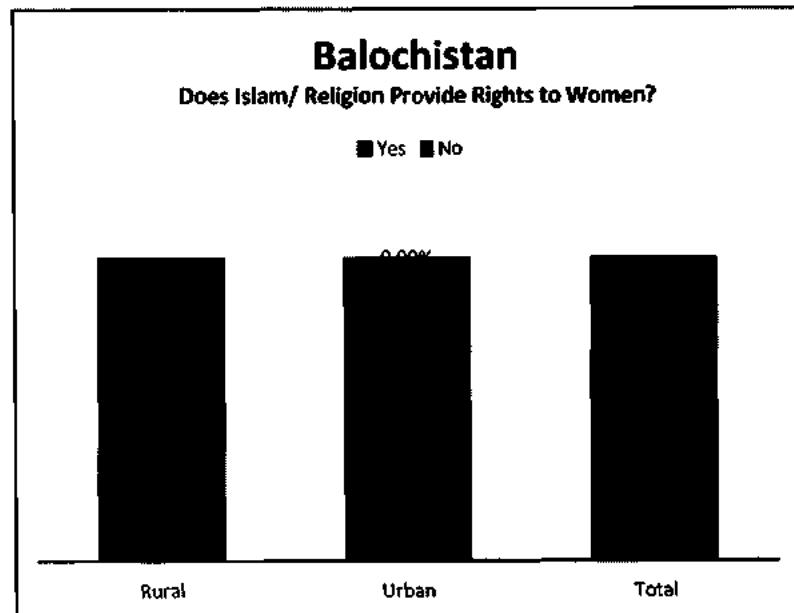


Fig. 3.8.3

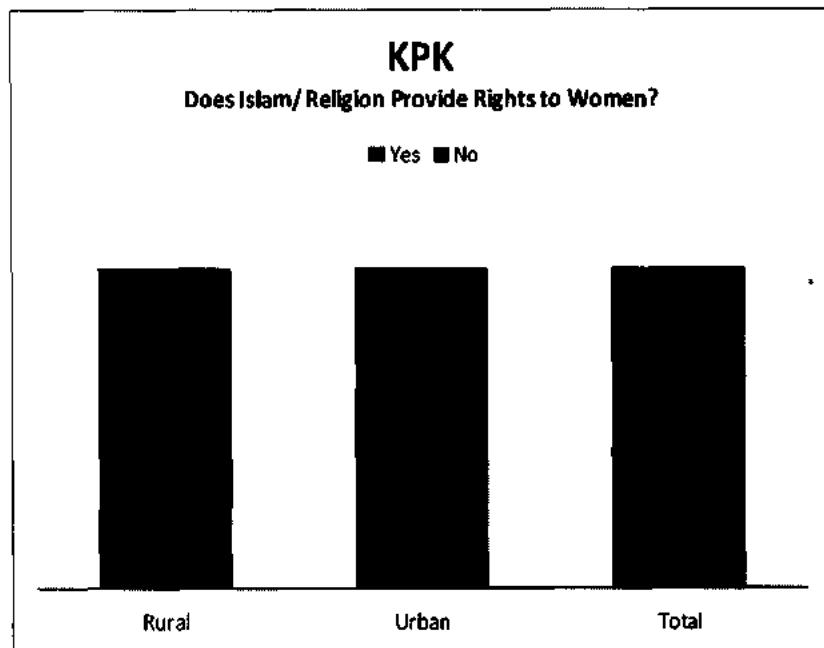


Fig. 3.8.4

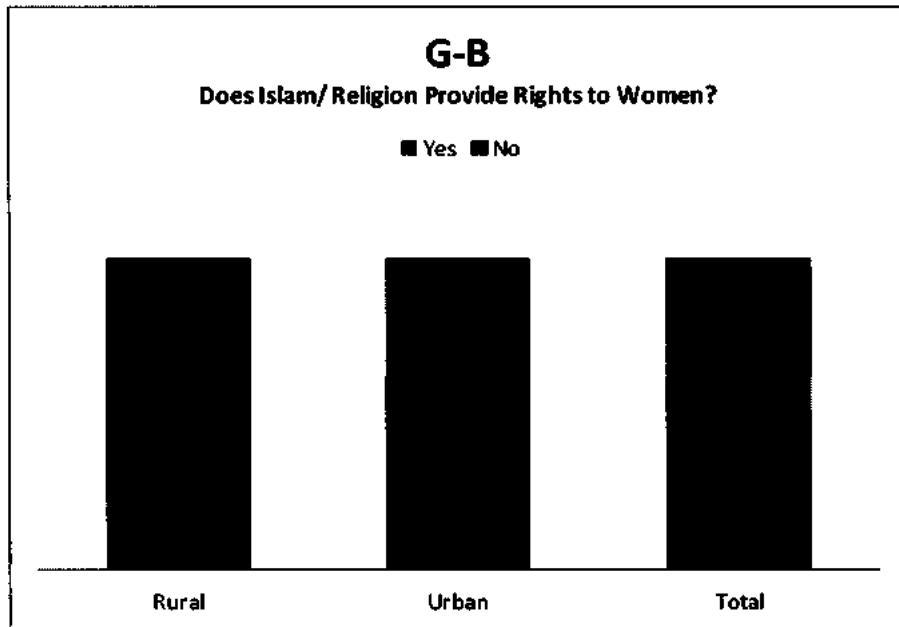


Fig. 3.8.5

The statistics shows that most of the women know about their status by their respective religion²² but others think Islam does not provide any such rights to them, as there are no practical results. Those who go for the answer no are those to whom Islam has been conveyed in its misconceived and misinterpreted form in such a way that it is seen as against women and their basic rights. However, this is not the fact as it has been explicitly explained in early chapters that Islam provides all of these rights in a very plausible manner, the problem lies with the implementation and confusing religion with the cultural and societal evils.

²² All Christian respondents firmly answered that their religion is very liberal and provides all the basic rights to them including the political rights.

3.2.9 Desire to Come in Politics:

The respondents were asked keeping aside all the constraints and restrictions, do they have any wish or desire to participate actively in politics, contest elections, or chosen as public representatives. The purpose behind such query was to know the actual desires of women related to political matters that if they have been provided with all opportunities and promoted will they come forward to play their roles towards society or not.

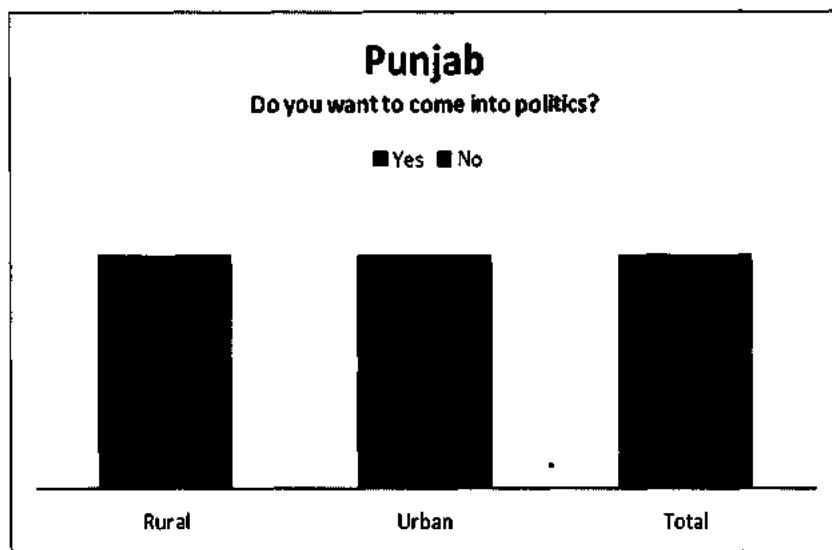


Fig. 3.9.1

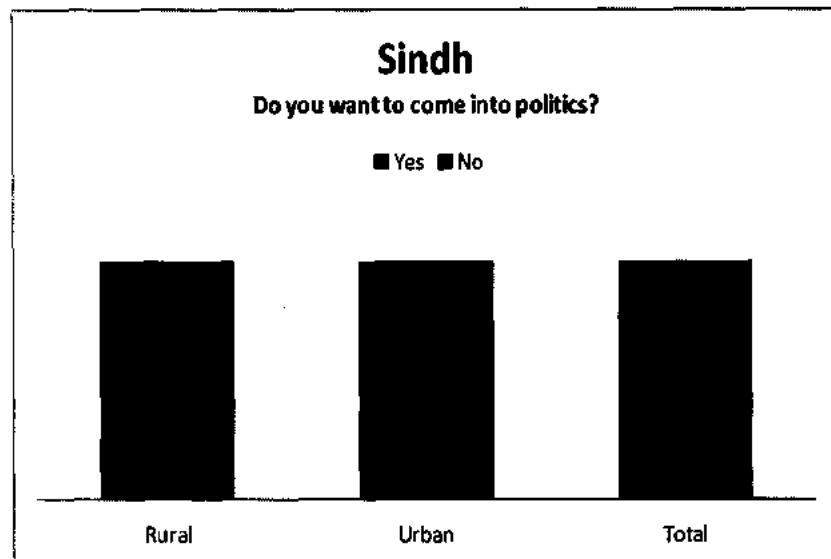


Fig. 3.9.2

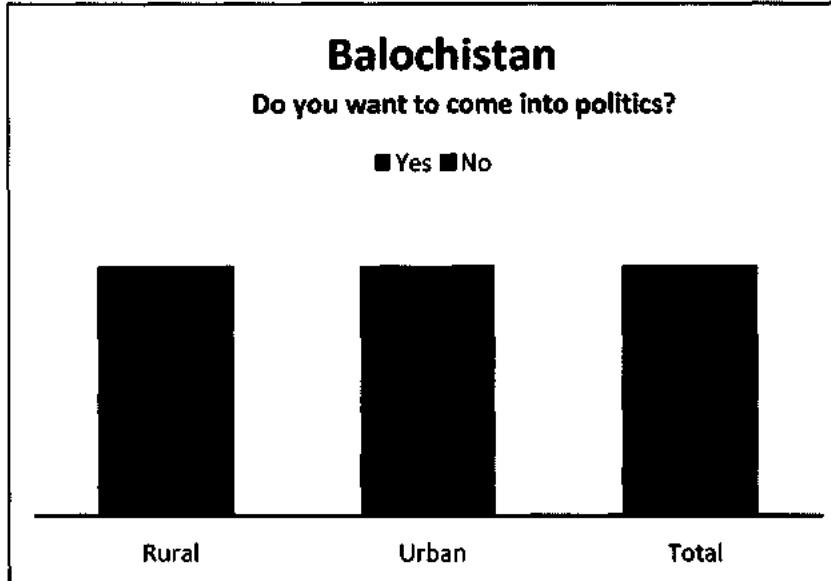


Fig. 3.9.3

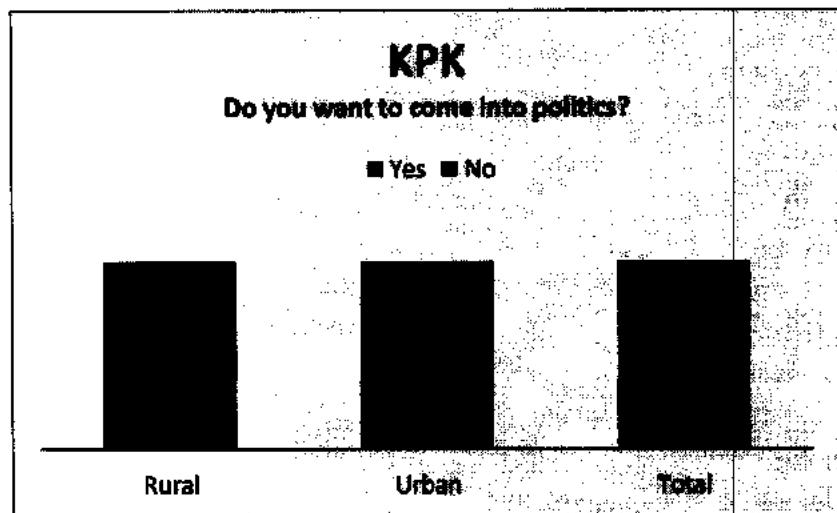


Fig. 3.9.4

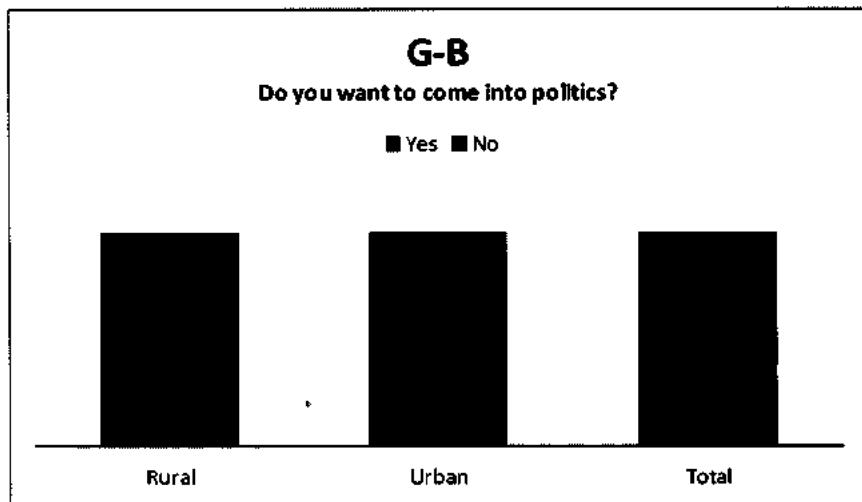


Fig. 3.9.5

The ratios shows a very different stance as regard to earlier questions. Respondents show less interest in participating in politics. However, the rural Punjabi women were found overwhelmingly interested in such activities. Those who showed no interest are who think politics is a dirty game, it is not a woman's job to so and they cannot handle dual

responsibility of household and politics together. Although majority of women want a woman leader to represent them as she will be more considerate about their problems and issues.

3.2.10 Possible Hurdles to Participate in Politics:

The interviewees in respond to question asked about the possible hurdles they might face if they come in politics practically or exercise their political rights independently. This was again to identify the hurdles, barriers, and pressures faced by a common Pakistani woman.

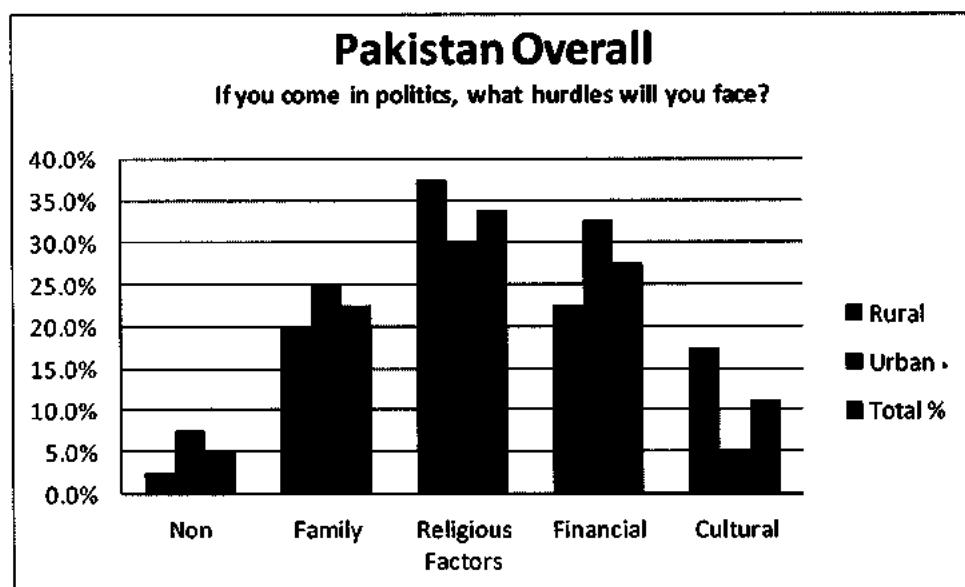


Fig. 3.10

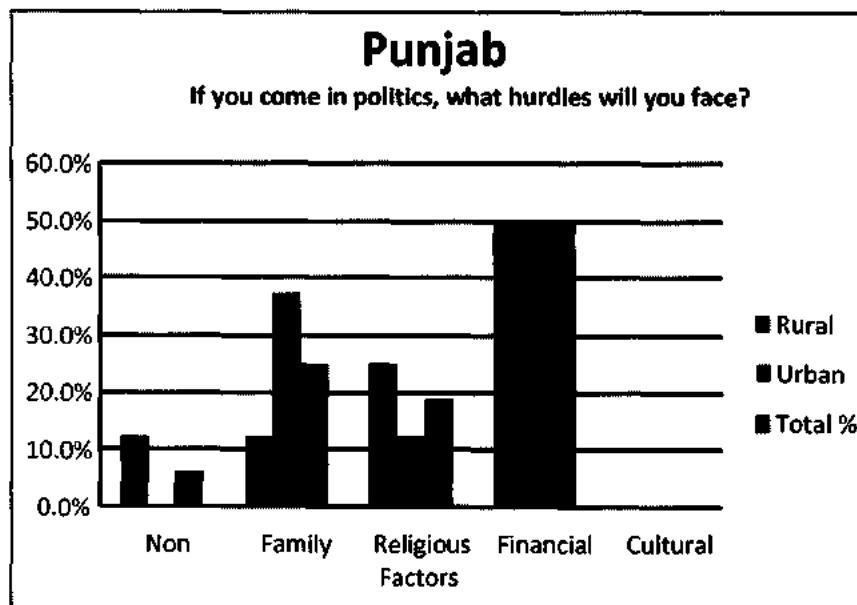


Fig. 3.10.1

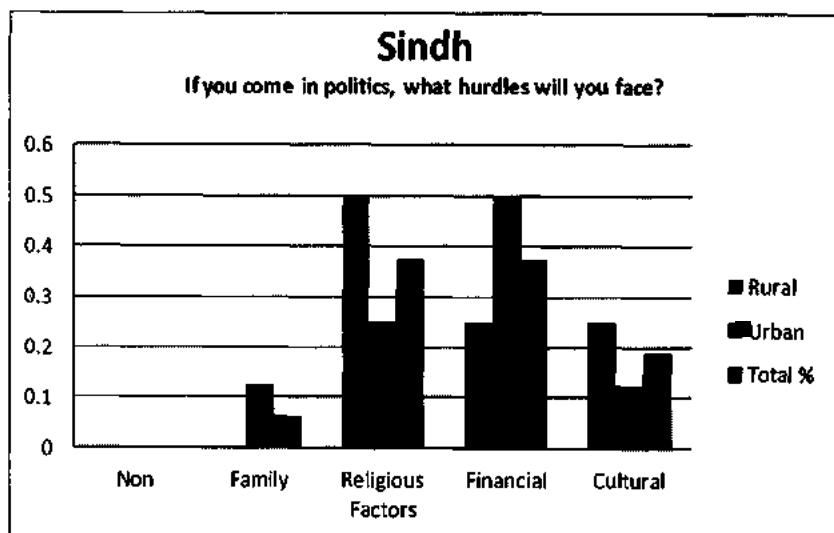


Fig. 3.10.2

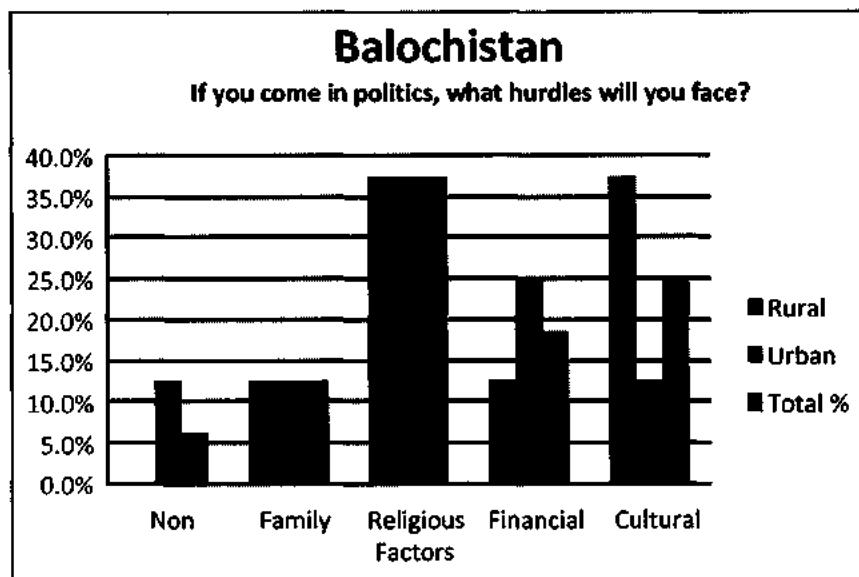


Fig. 3.10.3

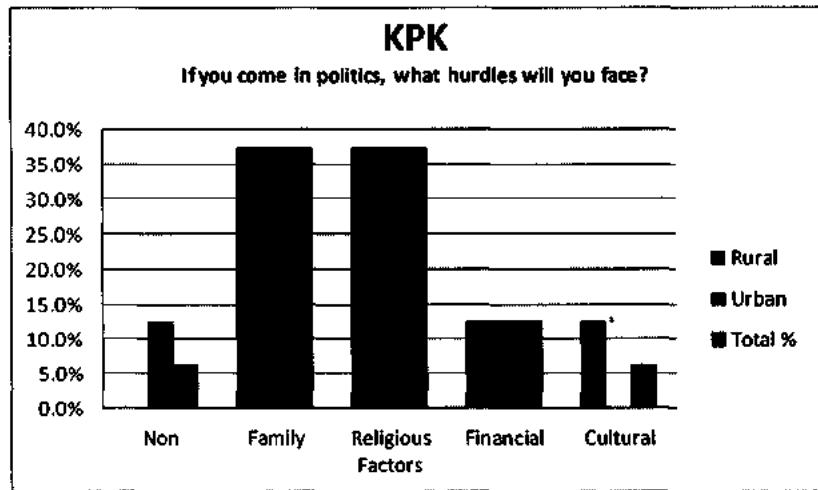


Fig. 3.10.4

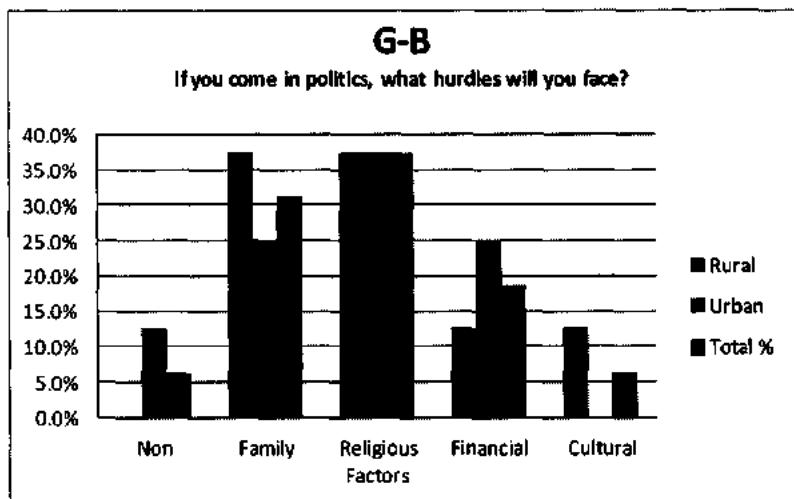


Fig. 3.10.5

The ratios revealed that very few women would face no pressures and problems in coming up and enjoy political freedoms. While others will face various issues and such problems, vary from case to case but at large depicts that areas set up and practices. Those who said family they mean the permission issue from family members specially the males, dual responsibility, etc. When the factor religious restrictions came up, it was so because such women believe that Islam does not allow them to be public representatives, step out of their homes or serve their society in any way. It is also necessary to mention here that in the name of religion; sometimes restrictions are imposed by few segments of society and discourage women political empowerment. Financial issue is pertinent too as economic independence matters a lot; moreover, heavy finances are required to carry out political activities in Pakistan. Surprisingly, except women from Balochistan, others do not consider culture as hindrance. A young woman from rural Punjab explained, 'in village it is not considered good

that woman argue with man, cast vote independently or go out of the home.²³ A well-educated woman from urban Sindh said that if I want to join politics, 'I will face no restrictions, but the general trend in Sindh is that the woman from upper class and respected class should not come out and mix with common masses. And if they step out, they have to be shoot down.'²⁴

3.2.11 Limitations Faced by Women to get Political Rights:

Keeping in view the varying backgrounds and area norms, respondents were asked that if a woman wants to use her political rights or be politically active, what hurdles or limitations she might face in bringing out a social change. To analyze the barriers in women's political participation, respondents were asked their opinion as their answers also reflects the societal issues at large. They were given six options such as family background, religious factor, financial, education, male dominance and do not know.

²³ 'gaon mein acha nae samjha jata k aurataen mardoon k agay zuban chalaen, vote apni marzi say daen ya ghar say bahir niklaen.'

Batool, Asiya. Personal Interview. 30 August 2013.

Respondent is 37 years old from rural Punjab.

²⁴ Anoynous. Personal Interview. 10 October 2013.

The remarks may be harsh or far from reality but this is what the particular respondent believes.

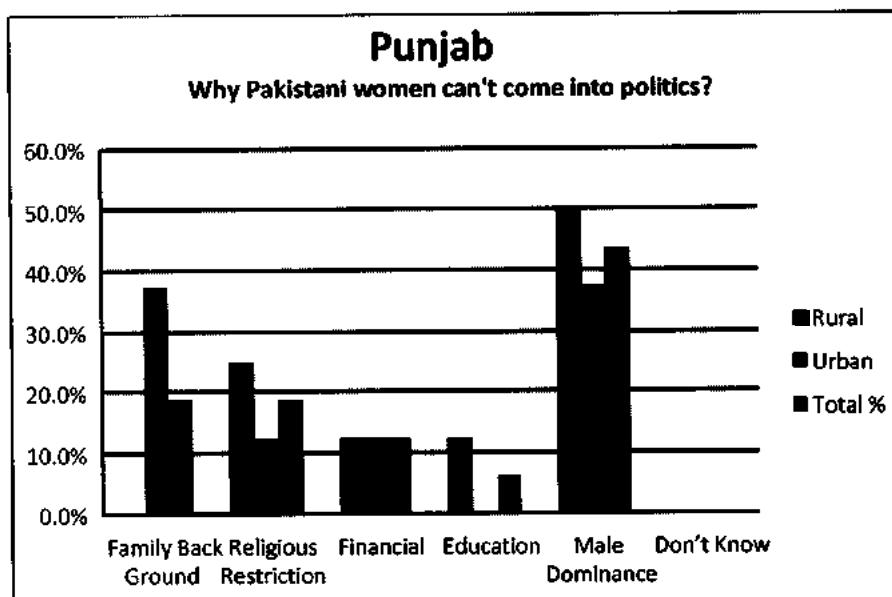


Fig. 3.11.1



Fig. 3.11.2

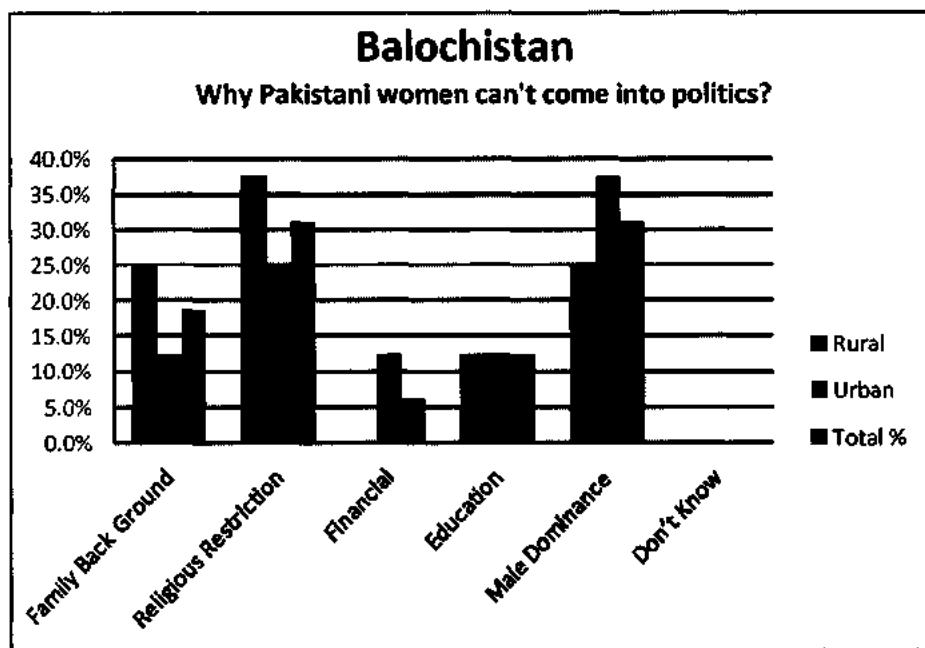


Fig. 3.11.3

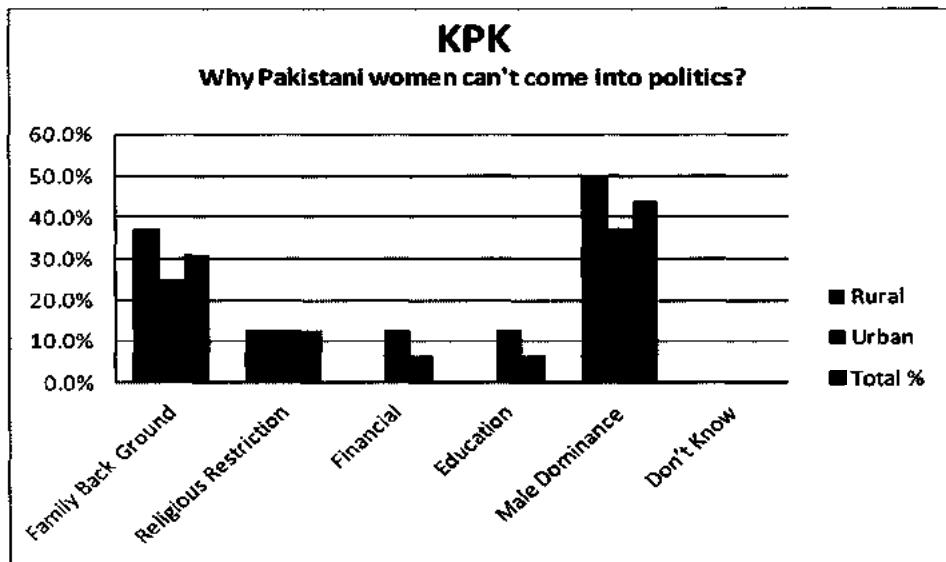


Fig. 3.11.4

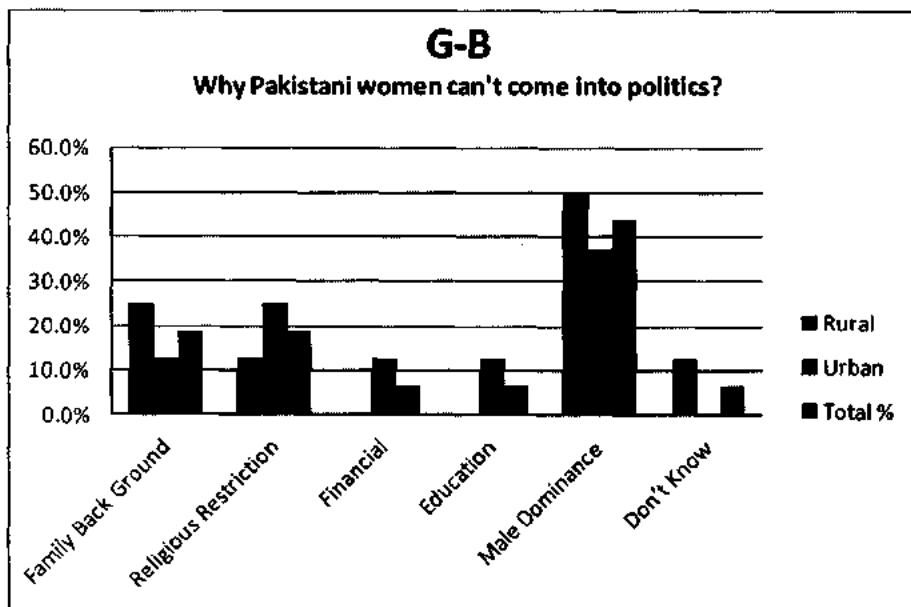


Fig. 3.11.5

Pakistan is the male chauvinist and it is evident from the above findings i.e. the major factor behind limited women political participation is male dominance. Women complaint about various restrictions imposed by male members and do not allow them to enjoy their political freedoms. Rural women generally mentioned religious restrictions²⁵ as major problem. Family background also is one of major factors, Pakistani politics surrounds mostly around family background, and it is one of the strong determinants of voting behavior. Financial and educational factors were not considered much by the respondents except the Sindhi interviewees.

²⁵ This form of restriction has been explained under heading 3.2.10, 'possible hurdles to participate in politics.'

3.3 Conclusion:

The findings and ratios of the interviews conducted reflects not only the understanding, thinking of a common Pakistan woman but also highlights the problems she has been facing when it comes to the freedom to enjoy political rights along with other rights and to bring a social change in the society. The perspective and views of these women does not necessarily represent all women of that particular area or Pakistan. The nature and extent of pressures faced by other women may be different but the opinions of respondents are very helpful to identify the societal and other barriers hindering the way of women. The figures just represent the opinions of those interviewed, it can't be generalized.

Women of Balochistan have been found to be more suppressive and repressive as compared to other women. It can also be said that educated women are more aware of their rights, their provision, and protection although they also seem helpless sometimes in getting full and independent access to their rights. However, education does inculcate in them a sense of awareness, familiarity with their rights and motivation to overcome the hurdles. Economic independence is a key factor in women's independence in all spheres including the political. Sindhi women from countryside are free to vote and express because they possess the economic strength.

Women at large do not know about their civil and political liberties and importance of their positive role in all matters of society. This is also the major constraints in their way and this need to be overcome through conscious efforts and education of all segments of society.

CHAPTER 4

**A WOMAN IS BORN FREE BUT EVERYWHERE
SHE IS IN CHAINS**

In this chapter, the general limitations faced by women in their political empowerment are discussed in detail. The chapter starts with the explanation of socio-cultural restraints such as no individual recognition, gender-assigned roles, fictional representation of women, patriarchal society, education, and the family background. The structural factors hindering the way are further sub-divided as electoral process, political parties, and security challenges. The economic and religious barriers are explained as how they are the important indictors as well. Further, the representative dilemmas of elected women and public representatives are explained like the quota system just ensures their presence not the participation, the discrimination faced by them in the party politics and the parliament, their objectification of women particularly by the media and lack of unity among the women legislators. The last section highlights the steps taken by the government, state institutions, media, and civil society in promoting women.

'Once you will politically empower women, they will solve all of their issues politically and through political power.'

____ General Pervez Musharraf⁴

4.1 Introduction:

Women equality and political empowerment are one of the most focused areas of the world today. Women in Pakistan are deemed to be one of the subjugated groups of the society facing many limitations in exercising their rights and hold a poor status. Women being marginalized and socially disadvantaged have struggled to attain their rights specially the political rights. The pressures and hurdles faced by women in Pakistan vary in nature and degree from case to case but generally, the barriers to their political empowerment can be broadly categorized as socio-economic, cultural, structural, and religious limitations. These obstacles in the political participation and representation are deep rooted and discriminatory practices are prevalent in the society. Such limitations have been recognized widely but the issue lies in the adoption and implementation of the policies addressing all the key aspects and along with the policies, the education of common masses both men and women is needed.

⁴ "India Today Enclave." March 10, 2009. Television.

4.2 Women at Crossroads: Political Empowerment and Challenges:

Women rights are at particular risk because of the historical failures to recognize the unaddressed issues.² Women's political participation and representation in Pakistan have been hampered and influenced by a number of associated factors. Women in Pakistan are politically repressed and such oppression is not similar due to the resources available, demographic location, education level and more importantly the economic empowerment.

In the year 2013, Pakistan ranked 64 out of 136 countries for the political empowerment of the women.³ Women are disadvantaged in terms of education, health, opportunities, employment, and legal status⁴ as compared to men in the patriarchal society. Despite numerous judicial attempts and constitutional provisions to guarantee equal treatment to all citizens, there are number of hurdles, which have seriously undermined the woman's access to her political rights and the electoral process.⁵ These barriers to her political freedom and participation can be widely categorized as:

I. Socio-Cultural

² Jocelyn Richard, "Women in Northern Pakistan – Protected by Tribe, Territory or Taliban?", *UCL Human Rights Review*, 3 (2010), 236. Available online at: <<http://www.ucl.ac.uk/human-rights/ucl-hrr/docs/hrreviewissue3/richard>> (last accessed: 1.2.2014).

³ Neha Ansari, "Global Gender Gap Report 2013: Pakistan Second Worst in Gender Equality," *The Express Tribune*, October 26, 2013. Available online at: <tribune.com.pk/story/622688/global-gender-gap-report-2013-pakistan-second-worst-in-gender-equality> (last accessed: 3.1.2014).

⁴ Farida Shaheed, Asma Zia and Sohail Warraich, *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009), 11.

⁵ Saba Ansari, "Policy Brief: Electoral Reform and Women's Political Participation", *Jinnah Institute*. Available online at: <<http://jinnah-institute.org/policy-brief-electoral-reform-and-womens-political-participation-3/>> (last accessed: 4.2.2014).

And

Siobhan Mullally, "As Nearly as May be: Debating Women's Human Rights in Pakistan", *Social and Legal Studies*, 14:3 (2005), 354. Available online at: <<http://sjs.sagepub.com/cgi/content/refs/14/3/341>> (last accessed: 10.1.2014).

II. Structural

III. Economic

IV. Religious

4.2.1 Socio-Cultural Factors:

The lower political participation of women in Pakistan can be largely attributed to the limitations of social and cultural nature. The socio-cultural patterns and set norms are more responsible for the political repression and the women subjugation. The societal customs limit their political engagements and also depriving them of their political rights. The basic reasons for this societal repression are discussed in detail.

4.2.1.1 No Individual Recognition and Male-Child Preference:

In Pakistan, the woman does not enjoy their individual roles rather they are always associated with the kin groups and are recognized as daughters, sisters, mothers or wives. Male child preference is negative feature of the South Asian societies and such preference continues in social, cultural, political, and economic aspects of life.⁶ The birth of a female child is greeted with 'less enthusiasm'⁷ and girl-child is usually not the wanted child.⁸ Such

⁶ Zafeer ud Din, *Women in Electoral Politics 1985-1997* (Islamabad: Institute for Human Rights and Democracy, 1998), 3.

⁷ Nasra M. Shah, ed., *Pakistani Women: A socioeconomic and Demographic Profile* (Islamabad: Pakistan Institute of Development Economics), 16.

attitude towards females of the society contributed to their more dependence on male members thus bearing more influence and left with less freedom.

4.2.1.2 Gender Assigned Roles:

As per the societal structures, the activities of males are preferred over those of females in the public spheres and there are specific gender assigned roles socially determined to be fulfilled by the women.⁹ Women also face it difficult to take time out for the politics due to their dual roles with all the domestic responsibilities.¹⁰ In majority of the areas of Pakistan, stress is made on women to stick to their typically roles assigned thus enjoying no political rights.

⁸ UNDP: Strengthening Democracy through Parliamentary Development, *Women Development (SDPD, 2010)*, 1.

And

Nasra M. Shah, *Pakistani Women*, 14-16.

⁹ Jennifer Nowlin, "Striking Out: Women and Political Participation in Egypt and Morocco" (June 25, 2009), 1. Available online at: <<http://ssrn.com/abstract=1466913>> (last accessed: 8.2.2014).

¹⁰ Farzana Bari, "Women's Political Participation: Issues and Challenges" (paper presented at the Expert Group Meeting of the United Nations Division for the Advancement of Women, Bangkok, Thailand, 8-11 November, 2005), 6. Available online at: <<http://www.un.org/womenwatch/daw/egm/enabling-environment2005/docs/EGM-WPD-EE-2005-EP.12%20%20draft%20F.pdf>> (last accessed: 8.2.2014).

4.2.1.2.1 Fictional Representation:

The fictional representation of women also endorses the general view of women being obedient and quiet and associated merely with the household activities. The portrayal of dependent and weak female characters in the fiction and specifically in fairy tales does the work of brainwashing and inculcating the message in young minds that they are meant to be subjugated and never speak up. In the fictive and fictional representation, Pakistani woman ‘has been shown as a being crushed with the weight of custom and tradition.’¹¹

4.2.1.3 Male-Dominance:

Pakistan is a patriarchal society and male are dominant in every aspect of both family and public spheres. All key decision related to her life are made by male immediate relatives of the family.¹² Majority of the women also feel comfortable with the males to play the decision-making roles and this can be attributed to their upbringing and the environment provided. And if men will monopolize the decision-making process it is difficult to get a balanced approach towards the male and females interests and development.¹³ Due to the prevalent customs and practices, women are not allowed to exercise freely their political will and even express their political opinion. An example of such suppression is the divorce given

¹¹ Asma Aftab, *Gender Politics: Falsifying Reality, Feminism: Another Perspective* (Islamabad:Emel Publications, 2011), 102.

¹² UNDP, *Women Development*, 1.

¹³ Sanaya Singh, “Challenges Faced by Women for Vertical Mobility in Politics: A Comparative Study of Sweden and India : A Structural Social Work Approach for Gender Empowerment” (Bachelor thesis, Akademien för Hälsa Och Arbetsliv, 2011), 6. Available online at: <<http://www.diva-portal.org/smash/get/diva2:474109/FULLTEXT01.pdf>> (last accessed: 9.2.2014).

by a man to his 36 years old wife on replacing the party flag on the house rooftop with the flag of another political party.¹⁴ Political participation of women is also not encouraged and men degrade their female competitors, as did the Maulana Fazlur Rehman against Mussarrat Shaheen when she contested elections against him in the conservative area of Dera Ismail Khan. Maulana remarked,

“We used to contest against Zulfiqar Ali Bhutto and we enjoyed the fight. Now look at our hard luck! Look at the kind of creature which has landed here to challenge us!”¹⁵

Such attitudes are responsible for the low participation of women and also imposes serious threats to their freedom. The voting rights have also been time and again limited or snatched by the males of the society. The survey conducted also revealed that women are in many cases not allowed to exercise suffrage rights freely and have to cast as dictated by the males. The registration of female voters is not considered important and always less number of women are registered as voters.¹⁶ There are reports indicating the reluctance of male members to enter their women in the electoral rolls.¹⁷

¹⁴ Cassandra Balchin, ed., *Women, Law, and Society: An Action Manual for NGOs* (Lahore: Shirkat Gah, 1996), 206.

¹⁵ Fazila Gulrez and Sohail Warraich, “Women In Politics: Update 1993-1997”, *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women’s Resource Centre, 2009), 80.

¹⁶ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives* (Pakistan: UNDP, 2005), 11. Available online at: <<http://www.mumkinalliance.org/wp-content/uploads/2012/06/POL-legislative-OF-Women-UN-Report.pdf>> (last accessed: 20.1.2014).

¹⁷ Tahir Mehdi, “The Curious Case of Pakistani Women Voter”, *DAWN*, April 3, 2012. Available online at: <<http://www.dawn.com/news/707628/the-curious-case-of-pakistani-women-voters>> (last accessed: 9.2.2014).

In many cases, Jirgas have been reported to pass on the verdicts to disable women to use their voting rights and women polling stations being closed and female booths are not setup specially in FATA and Balochistan.¹⁸ In 2002 elections, tribal jirga in Bajur-Mohmand and Khyber Agency decided to not allow women to cast vote and also threatened to demolish the houses of those disobeying the verdict.¹⁹ Lower participation of women also emerged due to the lack of possession of their National Identity Cards.²⁰

The political repression of women can be largely associated with the male-dominance and the great influence exerted by the male family members and society.

4.2.1.4 Education:

Education is the key factor towards the development of any nation, society or an individual. With the education comes the awareness and only well-aware individuals can strive for the attainment of their fundamental rights. The poor status of women is also due to the lower literacy rate and lack of opportunities to get education. The survey also revealed that more the woman is educated the more she is aware of her rights and struggle to enjoy her rights.

¹⁸ *Ibid.*

¹⁹ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 14.

²⁰ UNDP, *Women Development*, 3.

Female enrollment in the schools is far behind than boys and this than determine the future.²¹ The gender gap in education is directly linked to the lower status of women in society and existence of social norms discouraging the women empowerment.²²

Giving education to daughter is not felt necessary and also there is a fear to give her education as she will leave the protection of home and giving her education means equipping her with the modern trends and thoughts resulting in complete disobedience, demand for her rights and finally arranging a groom matching her capabilities.²³ The lower literacy level of females is not only due to the patriarchal society rather also due to less number of schools and teachers for the girls. Mobility is also one of the causes for such deprivation.²⁴

Participation is limited due to the lack of awareness and information to the electoral process and voting procedures and access to such information ensures equity and effectiveness.²⁵ An experiment by Xavier Gine and Ghazala Mansuri shows that 12% voter turnout increased when women voters were educated and provided the visual aids.²⁶

²¹ Iram Naz et al., "Women Empowerment and Youth Perception in Pakistan", *European Journal of Scientific Research*, 39:1 (2010), 7.

²² Saira Bano, "Women in Parliament in Pakistan: Problems and Potential Solutions", *Women's Studies Journal*, 23:1 (Nov., 2009), 29. Available online at: <http://www.wsanz.org.nz/journal/docs/WSJNZ231Bano19-35.pdf> (last accessed: 1.4.2014).

²³ Ahmad Raza and Hasan Sohaib Murad, "Gender Gap in Pakistan: A Socio-Demographic Analysis", *International Journal of Social Economics*, 37:7 (2010), 545. Available online at: <http://www.emeraldinsight.com/journals.htm?articleid=1863312> (last accessed: 9.2.2014).

²⁴ Farida Shaheed, *Women in politics*, 11.

²⁵ Xavier Giné and Ghazala Mansuri, "Together We Will: Experimental Evidence on Female Voting Behavior in Pakistan" *World Bank Policy Research Working Paper Series* (June 1, 2011), 3. Available online at: <http://ssrn.com/abstract=1871588> (last accessed: 9.2.2014).

²⁶ Xavier Giné, *Together We Will*, 4.

4.2.1.5 Family Background:

Our social setup always favors the one with prominent backgrounds. In such situation, an ordinary woman finds it very difficult to come to the mainstream politics. Women²⁷ deemed it very necessary to hail from elite or powerful family to come in politics and those possessing such politically influential background often face problems with the male heirs of the family.

4.2.2 Structural Factors:

The structural, procedural, and institutional difficulties and discriminations have also contributed to the limited women's access to the political rights. Such barriers are the tiring and inadequate electoral processes, political parties: their structure and policies and the security concerns in disturbed areas of the country.

4.2.2.1 Electoral Process:

The electoral procedures and the institutional reasons have also been limiting the women's rights. Malfunctioning in handling the voters list, registration process and poorly managed polling stations are the reasons being disenfranchising of many specially the marginalized citizens such as women and religious minorities. Procedural difficulties also arise in making the ID cards and enrolling in the electoral lists.²⁸ The poor management and lack of resources

²⁷ Those interviewed for the thesis purpose but this is common perception too.

²⁸ Saba Ansari, *Policy Brief*, 2.

with Election Commission of Pakistan (ECP), it has failed to carry out proper research, analyze past elections, and highlight important electoral issues. ECP is regarded insensitive towards the needs of women voters and is criticized with lower number of women employees to address the women issues.²⁹

Reports indicated that in by-elections in Balochistan no female staff was appointed resulting in very less women voters at the polling stations and in majority polling booths no women voter turnout.³⁰ In addition, the setting up of female booths at a long distance and shortage of female staff is an issue.

4.2.2.2 Political Parties:

Political parties does include the women empowerment clauses in their manifestos and also encourages their political participation but practically issues arises of various natures. Gender biasness is very much found in the political parties and usually women remain at the lowest ebb of the politics because the structure and organization of political parties is not in their favor.³¹ Women need strong backing of the parties to succeed in politics which they

And

Farida Shaheed, *Women in politics*, 25.

²⁹ Saba Ansari, *Policy Brief*, 2.

³⁰ Tahir Mehdi, "The Curious Case of Pakistani Women Voter".

³¹ Zafeer ud Din, *Women in Electoral Politics 1985-1997*, 3.

rarely get and often women candidates are given tickets to not waste the male candidate in such area.³² Some political parties such as JUI do not have their separate women's wings.³³

The recent trends have changed and parties have been supportive to the female candidates and political parties like PPP works largely for the women political empowerment. Despite of all this generally the political parties have been reluctant to give party ticket to women. Political parties have also been indulged in few cases to usurp the women rights as in some constituencies of Balochistan and Khyber Pakhtunkhwa political parties and rival candidate agreed unanimously to not let women vote.³⁴ In 2012, the political parties rejected the proposal by Election Commission of Pakistan to make it compulsory a minimum of 10% women voter turnout at each polling station.³⁵

The absence of party elections is also indicator of lack of transparency within the political parties organization and this may be the reason that no significant number of women are appointed to the central positions in the party.³⁶

³² Farida Shaheed, *Women in politics*, 18.

³³ Henrich Boll Stiftung et al., *Strengthening Women's Representation in Political and Legislative Process: A Report on the National Roundtable Conference of Women Legislators* (Islamabad, 2011), 11.

³⁴ Saba Ansari, *Policy Brief*, 4.

³⁵ Irfan Ghauri, "Parties Shoot Down Pro-Women Voters Proposal", *The Express Tribune*, September 28, 2012. Available online at: <<http://tribune.com.pk/story/443774/parties-shoot-down-pro-women-voters-proposal/>> (last accessed: 10.2.2014).

³⁶ Saira Bano, *Women in Parliament in Pakistan*, 29-30.

4.2.2.3 Security Concerns:

Less number of women voters is also attributed to the security problems and elections related violence.³⁷ In the general elections, a young female voter remarked that people are afraid to come out and vote due to fear of suicide attacks. The female voters were stopped in the areas of Khyber Pakhtunkhwa by the families to go to the polls out of fear that the militants³⁸ may attack them.³⁹

4.2.3 Economic Factors:

The economic empowerment is basis of the social, political, and psychological strengths. Women's worse situation in economic sphere places them at disadvantaged position while being dependent on men, denial to material resources, lack of decision-making process and less access to the health, education, and mobility. The economic factor places them to be economic liabilities and are ignored not socially but also politically.⁴⁰

³⁷ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 12.

³⁸ The religious militants warned women to vote and declare their act of voting as against Islamic traditions.

³⁹ David Rohde, "Many Women Avoided Polls in Troubled Pakistan Province", *The New York Times*, November 9, 2008. Available online at: <http://www.nytimes.com/2008/02/19/world/asia/19int-women.1.10178620.html?_r=0> (last accessed: 10.2.2014).

⁴⁰ Muhammad Farooq, "Structural transformation and Gender Empowerment in Pakistan" (PhD diss., Bahauddin Zakariya University Multan, 2003), 231-232.

And

UNDP, *Women Development*, 1.

Globalization effects the political construction of woman and she has to survive in the global economy phenomenon to be empowered politically.⁴¹ The more economically independent woman is the more she is free to make her decisions. The women of rural Sindh are economically independent as they do the harvesting and cultivation work so they are bold and confident and express their political opinions freely.

Politics is being commercialized as all other aspects of the globalized world are. This increased commercializing hinders the political way of women with no access to economic ownership of resources.⁴² The Pakistani politics is accustomed to accommodate women from wealthy family capable to bear heavy findings during the political campaign. However, 2013 elections witnessed contesting of three women candidates⁴³ breaking this custom but lamentably they could not make it to the parliament.⁴⁴

Women being unpaid workers at the house and with less opportunities to do paid jobs outside the home are at weak position as compared to the male members of the society and thus being dependent on them for their every single need giving away their rights to think independently and express themselves.

⁴¹ Barbara Stark, "Women, Globalization, and Law: A Change of World", *Peace International Law Review*, (Fall 2005), 2. Available online at: <<http://ssrn.com/abstract=743387>> (last accessed: 10.2.2014).

⁴² Farzana Bari, *Women's Political Participation*, 6.

⁴³ Veero Kohli, former Hundu Slave, and two tribal women Badam Zari and Nusrat Begum.

⁴⁴ Areej Elahi-Siddiqui, "Pakistan Elections 2013: 3 Women Who Are Changing Pakistani Politics", *Policy Mic*, April 14, 2013. Available online at: <<http://www.policymic.com/articles/34837/pakistan-elections-2013-3-women-who-are-changing-pakistani-politics>> (last accessed: 10.4.2014).

4.2.4 Religious Factors:

The religious factor also limits the mobility and representation of women in public spheres. But this is noteworthy to mention that such barriers are faced by women not due to the religion rather due to the misinterpretation of religion by various segments to serve their own interests. Like, in 2008 elections were barred from voting in areas of Dir, Chitral and Swat by dominant religious forces.⁴⁵

Purdah (veil), sex segregation, and female seclusion also limits the women mobility and development.⁴⁶ Purdah is not only about covering oneself but religious segments also used it as against the women movement and discourages there any activity in public sphere. The concepts such as of Chadar and Chardiwari (women veiled and within the confines of the home) further pose as serious obstacle to women's mobilization).⁴⁷

Due to Purdah no women is allowed to talk in Jirga. Jirga is responsible for all the key decisions related to the life and no matter how much educated a woman is she has no right to express her opinion. In some areas of rural KPK women are allowed to go outside their homes only from Maghrib to Isha and during this time men are not allowed to go out.⁴⁸

⁴⁵ UNDP, *Women Development*, 3.

⁴⁶ Farida Shaheed, *Women in politics*, 18.

⁴⁷ Siobhan Mullally, *As Nearly as May be: Debating Women's Human Rights in Pakistan*, 342.

⁴⁸ Khan, Naheed. Personal Interview. 11.12.2013.
Naheed Khan is teacher in KPK.

The custom of issuing Fatwas against women is also very much in practice. One such example is of Maulana Abdul Haleem⁴⁹ launched a fatwa that receiving formal education for girls in un-Islamic and stressed that according to Islamic tradition it is forbidden for girls to receive secular education.⁵⁰

Such restraints in the name of religion undermined the ability and strength of women to have a say in political matters and restricts them to have public appearances. Although these stance and fatwas have no place in true Islamic teachings but the twisted version of religion by such people are viable hindrances to the women political empowerment.

4.3 Representative Dilemmas:

The struggle of a woman does not end up by just entering the politics or acquiring a position in the parliament. Women parliamentarians and party workers have to face discriminations and issues at the higher levels too. Issues prevalent with legislators, 'first and foremost voice of the people',⁵¹ can be summarized as following;

⁴⁹ Former Parliamentarian, elected in 2002 on an MMA ticket.

⁵⁰ Tazeen Javed, "Our Stunted Society", *The Express Tribune*, May 11, 2012. Available Online at: <<http://tribune.com.pk/story/377452/our-stunted-society/>> (last accessed: 10.2.2014).

⁵¹ Pakistan Institute of Legislative Development and Transparency, Dialogue on First Year of Increased Women Representation in the Parliament: Lessons, reflections and the Way Forward (Islamabad: PILdAT, February 9, 2004), 14. Available online at: <http://www.pildat.org/Publications/publication/Women/FirstYearOfIncreasedWomenRepresentationInTheParliament_Proceedings.pdf> (last accessed: 11.2.2014).

4.3.1 Quota: Representation without Participation:

Quotas in political participation are justified as it ensures the representation of women in all tiers of government but it does not provide for their participation in the parliament and decision-making process.⁵² Despite women's presence in the parliament and their active role in few cases has not yet been translated into the political power.⁵³ Quota system is a temporary measure to ensure gender-balance and does not facilitate the genuine political empowerment and women's democratic participation.⁵⁴

Women parliamentarians have been reported to not utter a single word during their whole tenure in the parliament, this is the reason reserve seats have been widely criticized and challenged in the courts by describing the reserve seats as an extra burden on the national exchequer.⁵⁵ Although women have raised some very important issues in the legislature but still women exercise less freedom in the decision-making process because those elected on reserve seats, an indirect system, they remain loyal to the male party leaders⁵⁶ and those coming on general seats are highly influenced by the male family members⁵⁷ and behave like 'surrogate men'.⁵⁸

⁵² Shirin M. Rai et al., "Gender Quotas and the Politics of Empowerment - A Comparative Study", *Women Quota and Politics*, ed. Drude Dahlerup (London: Routledge), 235-236.

⁵³ Henrich Boll Stiftung et al., *Strengthening Women's Representation*, 4.

⁵⁴ Saira Bano, *Women in Parliament in Pakistan*, 30.

⁵⁵ Alizeh Kohari, "Running on Reserve", *Herald Beta*, June 21, 2013. Available online at: <<http://herald.dawn.com/2013/06/21/running-on-reserve.html>> (last accessed: 11.2.2014).

⁵⁶ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 77.

⁵⁷ Women elected on general seats in 2002 and 2008 were largely replacements of their male family members when the condition was applied for parliamentarians to be graduates. One such example is of Hina Rabbani Khar, she represented Pakistan on important platforms being Foreign Minister and was the first woman to

In addition, the authoritarian nature of the political parties provide less opportunities to the female members to be part of policy and decision-making within the party,⁵⁹ they are ‘subordinate participants’.⁶⁰ The less participation can also be attributed to the limited knowledge of women legislators in terms of parliamentary procedures, political systems, international and national legislation concerning women, the constitutional rights and absence of any capacity-building measures and efforts to educate or train them.

4.3.2 Discrimination:

Women in parliament faces discrimination within the parliament as well and ‘nominated members are treated unequally as compared to their elected counterparts.’⁶¹ Women elected on reserve seats are allotted with fewer budgets as compared to the other members of the parliament.⁶² They are also discriminated in terms of time and opportunity to speak and raise their concerns. Incidents are reported where they were not allowed by the chair to intervene and delay is made in their questions, calling attention notices and resolutions.⁶³ Ms. Sherry

represent budget in the National Assembly. She did not contest for 2013 elections because condition for being graduate was lifted and her father contested elections who cannot contest earlier as he was not a graduate.

And the criminal cases is another reason for males to bring forward their female members.

⁵⁸ Shaheena Ashraf Shah, “Women’s Role in Legislation”, *DAWN*, September 18, 2011.

⁵⁹ Henrich Boll Stiftung et al., *Strengthening Women’s Representation*, 14.

⁶⁰ Syed Farooq Hasnat and Tahmina Rashid, “Politics in Pakistan: Problems of Active Participation and Political Process”, *Nepali Journal of Contemporary Studies*, IV:1 (March., 2004), 48. Available online at: <<http://ssrn.com/abstract=2046395>> (last accessed: 20.1.2014).

⁶¹ Pakistan Institute of Legislative Development and Transparency, *Dialogue on First Year of Increased Representation*, 20.

⁶² Danish, Sadia. Telephonic Interview. 23. 12. 2013.

Sadia Danish is Advisor to Chief Minister of Gilgit-Baltistan for Culture, Youth and Terrorism.

⁶³ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 77.

Rehman pointed that it is very difficult for women members to get access to the microphone in the assemblies.⁶⁴

Lack of constituency by the women on reserve seats is taunted frequently that they do not have constituency why they want the development fund and do they want to contest on general seat.⁶⁵

4.3.3 Objectification of Women:

One of the key representative dilemmas of women in politics in their objectification. Women are judged on their appearances and the brands to accessorize. Such attitude towards the women politicians hampered their way in doing productive work and contributing positively. Hina Rabbani Khar in an answer to the question that how she feels when she is told to be one of the most gorgeous politicians of the world was, 'Women politicians are trivialized when you drag them in things like gorgeous woman politician.'⁶⁶

Both national and international have done much harm to the women legislators by highlighting their clothes, sunglasses, ranking them as most stylish or beautiful women in politics and playing songs to highlight their looks instead of highlighting the work done by them or areas of improvement.

⁶⁴ Pakistan Institute of Legislative Development and Transparency, *Dialogue on First Year of Increased Representation*, 22.

⁶⁵ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 77.

⁶⁶ Hina Rabbani Khar, Interview at Duniya News, March 16, 2013.

4.3.4 Lack of Unity:

The absence of any structured or regular interaction between the women public representatives is a serious hazard in their way. Efforts have been made by some prominent women leaders to bring the women at one platform or create unity among them so that they can address their issues forcefully and positively. Here, the issue arises in getting cross-party consensus, as the political culture of the country does not endorse such acts.⁶⁷ Civil society initiatives have also been very less in this aspect.

The problem of their unity is the reason behind the failure to represent women interest in the parliament and women representative in the pro-women legislation plays passive role.⁶⁸

4.4 Effective Measures:

Women face issues and barriers at every step whether it comes to the struggle to use political rights freely, come in politics or after coming in the politics. The state and non-state actors have been playing consistent efforts to meet the challenges and acquire gender balance.

4.4.1 Quota Systems:

The landmark steps towards the empowerment of women in Pakistan is the introduction of quotas for them at every level of the government. As it is difficult for women to be elected

⁶⁷ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 78.

⁶⁸ Saira Bano, *Women in Parliament in Pakistan*, 31.

on general seats due to the dominance of men in politics, the quota provides with 33% representation of women in the Local, Provincial and National Assemblies and Senate.⁶⁹ Quotas are widely criticized in the country but it serves as best means to provide opportunity to be public representatives and participate in the legislative procedures, decision-making process and influenced the national policy to serve the women interests. The presence of women in the parliament does make a difference and their say is counted.

4.4.2 Legal Instruments:

The ratification of international legal instruments and introduction of pro-women legislation is a very concrete measure to develop women. The constitution of the country is not at all hurdle in the women empowerment, advocates the equality, and provides penalty for the violation.⁷⁰ The adoption of pro-women bills and acts⁷¹ is also very significant in overcoming the issues faced by women.

Pakistan is party to the International Covenant on Civil and Political Rights (ICCPR) and Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and follows the Millennium Development Goals (MDGs).⁷² All these

⁶⁹ *Local Bodies System and Its Impact on Women*: National Commission on the Status of Women, Print. And

Asma Afzal Shami, "Empowering Women Through LG", *DAWN*, September 24, 2013. Available online at: <http://www.dawn.com/news/1044973/empowering-women-through-lg> (last accessed: 12.2.2014).

⁷⁰ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 13.

⁷¹ i) Prevention of Domestic Violence Act, 2008
ii) Harassment of women at workplaces Act, 2010
iii) Prevention of the Anti-women Practices Bill, 2011
iv) Domestic Violence (Prevention and Protection) Act 2012

⁷² Saba Ansari, *Policy Brief*, 5.

international documents provide for the gender equality, protection, and promotion of women rights and aims at the active role of women in public spheres.

Gender Reforms Action Plan was introduced for the purpose in 2002 and concluded in 2010 and it worked on the political empowerment of women.

4.4.3 Political Parties:

Political parties have been playing prominent role to promote women and empower them. Manifestos of nearly all the political parties include the women empowerment through education, health, and opportunities. The women wings of political parties and the sub-committees are established to give women more chance to contribute. The parliamentary groups and standing committees gave a chance to women to raise their concerns collectively and exert pressure.⁷³

In the recent elections of 2013, political parties agree jointly to provide women with their voting rights. In the conservative areas of Khyber Pakhtunkhwa, the political parties have directed their workers and candidates to stay away from prohibiting the women to vote.⁷⁴

⁷³ UNDP, *Political and Legislative Participation of Women in Pakistan: Issues and Perspectives*, 72.

⁷⁴ Intikhab Amir, "Orthodoxy Giving Way to KP Women's Right to Vote", *DAWN*, May 2, 2013. Available online at: <<http://www.dawn.com/news/795126/orthodoxy-giving-way-to-kp-womens-right-to-vote>> (last accessed: 12.4.2014).

4.4.4 Role of State Institutions:

Various state intuitions have been set up to facilitate women and protect their rights. The three main institutions in this regard are Election Commission of Pakistan, Women's Parliamentary Caucus (WPC) and National Commission on the Status of Women (NCSW).

Election Commission of Pakistan (ECP) launched a heavy campaign in recent elections regarding the voting rights and the banners displayed that woman has all the rights to vote. ECP also forwarded the plan to ensure 10% women voter turnout in each polling station but the political parties put down the idea, during election campaign ECP distributed a large amount of data regarding the equal voting rights and training voters how to caste vote with pictorial representation in their pamphlets and hand-outs.⁷⁵ Appendix I displays the efforts by ECP to guarantee suffrage rights. ECP also decided to set up a gender affairs wing to empower women politically by creating awareness among women about the voting rights and encourage them to register as voters.⁷⁶

Women's Parliamentary Caucus (WPC) established in 2008 to provide a platform to women legislatures and boos the women rights. WPC play its role in uniting the women representatives and get collective consensus on women related issues and communication

⁷⁵ The observation was made of ECP efforts by visiting the ECP and noticing the banners and material there.

⁷⁶ Iftikhar A. Khan, "ECP's New Move for Greater Participation in Elections", *DAWN*, October 26, 2013. Available online at: <<http://www.dawn.com/news/1051902/ecps-new-move-for-greater-women-participation-in-elections>> (last accessed: 12.2.2014).

with the women organizations in public and sphere sector.⁷⁷ WPC members carry out the outreach activities such as visit to the troubled areas and camps, fund-raising, security and health facilities for women and children. Despite conducting national conventions and conferences, WPC also conducts research on women issues and highlights women police stations, registration of women, burn victims, and plight of women and children in Swat.⁷⁸

National Commission on the Status of Women (NCSW) to promote gender equality and women's empowerment has significant position in its field. NCSW not only monitors the rights of women but also facilitates the measures for women empowerment. Promotion of political rights of women is one of its main agenda and area to work on. The Commission helps in arranging dialogues and consultation at national and provincial level to serve the cause. NCSW also facilitates the lobbying and advocacy to achieve its mission.⁷⁹

4.4.5 Civil Society and Media:

The civil society and media of the country are very influential and helps in spreading the message quickly. Women NGOs and Human Rights Commission of Pakistan are playing the lead role in creating awareness and mobilizing women. Research based organizations are carrying out heavy research indicating the factors responsible for under-representation of women and recommendations for the improvement and development of women status.

⁷⁷ Women's Parliamentary Caucus, An Introduction to Women's Parliamentary Caucus: Parliament of the Islamic Republic of Pakistan (Islamabad: Women's Parliamentary Caucus, 2010) , 5 and 7.

⁷⁸ *Ibid.*, 15-17.

⁷⁹ National Commission on the Status of Women, *Annual Report March 2010 to March 2012* (Islamabad: NCSW, 2012), 1, 3, 20, 25 and 35.

The Ulemas and religious clerics declare fatwa before elections of May 2013 that casting vote is a religious obligation in response to the Ehsanullah Ehsan, Tehreek-i-Taliban Pakistan's spokesperson, declaring the democratic system un-Islamic.⁸⁰ Earlier in 2008 elections, fatwa was given by Maulana Abdul Haleem prohibiting the women to vote.

Media, both print and electronic, highlights the incidents of violation usurping the women rights and helps in creating awareness among the citizens. It is significant in bringing the issue to limelight and let them be addressed.

4.5 Conclusion:

Women in Pakistan face various challenges within and outside their homes. The issues in their way to enhance their abilities, participate, and contribute in public sphere are of social, cultural, economic, institutional and religious nature. The socio-cultural barriers are most deep-rooted one and religious comes as a hindrance when it is misinterpreted and implemented in a wrong way. Economic empowerment is linked directly with the political empowerment from many aspects and institutional hurdles pop up due to the flaws in the system and procedural difficulties.

Woman emancipation does not end with acquiring a position in legislation; she has to struggle again to promote her agenda. Women representatives are discriminated largely in various forms such as budget, time, opportunities, decision-making roles, and securing a

⁸⁰ Tahir Khan, "Pakistan Clerics' Fatwa Declares Casting Vote 'Religious Obligation'", *The Express Tribune*, April 25, 2013. Available online at: <<http://tribune.com.pk/story/540424/pakistan-clerics-fatwa-declares-casting-vote-religious-obligation/>> (last accessed: 12.2.2014).

place in party hierarchy. The Pakistani politics is still a man's world and women who manage to become the public representatives still struggle to achieve a respectable position and raise their voices. Women also find it thorny to get the pro-women bills and acts passed. The issue does not always lay with the outside factors rather sometimes the women themselves and their lack of knowledge and training are a reason for such suppression.

Different segments of the society have adopted measures to meet international standards and ensure gender equity but the problem lies in the implementation of such actions due to the unbarred obstacles in achieving political empowerment of the more than half population of the country i.e., women. The situation is improving with the passage of time but concrete, consistent, and honest measures are required to address all the challenges and combat the limitations.

CHAPTER 5

CONCLUSION AND RECOMMENDATIONS

5.1 Conclusion:

Political rights are one of the fundamental human rights of any individual and the 21st century has witnessed its importance. When it comes towards provision of such rights without any discrimination to women, an account of legal instruments is taken. The analysis of related international, regional, and national laws clearly shows that everyone is entitled to such rights with no distinction. Historically, women have attained the political freedoms on equality basis through extensive efforts in various regions of the globe and suffrage movements are significant in such struggle. However, the issue still lies with the implementation and enforcement of legal provisions.

Women of Pakistan, one of the subjugated groups of society, are striving hard to enjoy their political rights and play their plausible role in the development of society. To understand the role of women in Pakistani politics and level of political participation, an examination of pre-independence and post-independence eras revealed that women played a significant role in Khilafat movement, Pakistan freedom movements and later in framing the political history of the state. However, such role was limited both in terms of extent of political participation and period. The ten general elections so far conducted in the country do not give a satisfactory ratio of women participation from both rural and urban sectors. The electoral history of Pakistan also indicates that it is not easy for women to enjoy her political rights independently and coming to the mainstream politics is an uphill struggle.

Women faces distinctions at all levels and forms of political freedoms as voters, party workers, campaigners, election contestants, decision-makers and then at large as legislators. The hurdles faced by women vary from individual to individual and area to area. Generally, the urban women are vigilant as compared to rural women but again it varies from one province to other. In Sindh, the rural women are more active, aware of their rights as compared to urban women, women of Balochistan seems to have very little access to political rights, and women from rural Balochistan are experiencing the worst suppression and repression. Khyber Pakhtunkhawa women also enjoy less political freedoms and rural women of KPK are facing more hurdles as to the urban women. Punjabi women of urban sector are much independent and aware of their rights however, the rural women of the area do not have access to that extent. Women from Gilgit Baltistan face hurdles too but the situation is not as grieve as in Balochistan, urban Sindh and KPK.

Rural and urban women face pressures and limitations of different natures and extents. Education is one of the prominent factors, educated women were found to be more aware of their rights and cautious in getting access to them but they also face hurdles in having full independent access to their political rights and at times seem helpless in harnessing their potentials in bringing out a positive social change. Economic independence is very pertinent determinant in this regard as more the economically independent a woman is the more independent she is in her other matters of life including the political rights. Women of rural Sindh are politically independent because they have economic

independence. Male dominance is also hampering the way of political empowerment of women in Pakistan.

Women of Pakistan face limitations in their ways to enhance their abilities, effective political participation, and protection of their political rights along with other basic human rights. Such obstructions are of socio-cultural, structural, economic, and religious natures. Socio-cultural are deep-rooted ones and very difficult to eradicate until the deliberate and consistent efforts are made. Socio-cultural factors include the male-child preference, specific roles assigned to genders socially, male-dominance, weak representation of women through fiction, family backgrounds which always promote male and most importantly the education.

Structural constraints include the procedural and institutional flaws such as the difficult electoral process, attributes of political parties, and security concerns throughout the country. Economic liberty is crucial factor too; economic empowerment is basis of the social, political, and psychological strengths of an individual. Religious barriers limit the representation and freedom and largely it is due to the misinterpretation of religion in a wrong way to create hurdles for women. Particular segments use the religion as a tool against women mobility and development for their own motives and interests.

Lamentably, the struggle and discrimination does not end up by acquiring the political power or a seat in the parliament. The struggle continues even being the political workers and legislators. The representative dilemmas can be representation in the parliament without any effective and strong participation due to the discriminatory practices, lesser number of women parliamentarians and note worthily the objectification of women.

The present situation cannot be attributed towards the external impediments only; women themselves are also to be blamed. The lack of knowledge on their side, very less motivation to come forward, no urge to learn about their rights and protect them, contentment to live in present scenario and reluctant to raise their voices are major constraints in guaranteeing them their fundamental human and constitutional rights.

Both state and non-state actors for increased women political empowerment and effective role have also made some concrete efforts. To meet the challenges and acquire gender equality, striking steps are the quota systems ensuring the women representation at all levels and in all fields of society, national laws and commitment to international documents for the provision of women rights, a very strong role of state institutions and their deliberate efforts to endow with opportunities and indicating the obstacles. Civil society and media have been active in highlighting the issues and grabbing the attention of all concerned parties.

The situation and condition of women is improving and developing gradually but consistent, concrete, and effective measures are needed at large to achieve political empowerment of Pakistani women. There is not only need to educate women about their rights, opportunities available and importance of their role in the society but men also need such awareness so that women can be truly active agents of society. The protections available to women of their rights by both national and religious laws and true interpretation of religion are very necessary.

Women cannot be active agents until they realize their own worth, sacredness of their ballot paper, critical opinions, and familiarity with legal and religious protections and guarantees provided to them. There is a crucial need to motivate women to come forward, overcome their limitations and prove to be a strong vehicle in bringing about the social change.

5.2 Recommendations:

The above conclusion suggests that women political rights are a widely recognized over the world and women have achieved the equal political status through the suffrage movements. In Pakistan, the women have been granted equal rights through constitution but the issue lies with the implementation and deep-rooted hurdles. The following recommendations/suggestions may be helpful in improving the women status and making possible their access to their rights in a practical manner and serve as agent of change in the society. The recommendations are as follows:

5.2.1 Education and Awareness:

The first and foremost step to achieve gender empowerment and meet the challenge of gender-gap in the country, the education, access to information and awareness is very necessary. It is important note here that such education and awareness is not only needed for the women but also the men of society. Educating women only is not the solution but all the

genders should be aware of their rights and duties at individual as well as collective level. The basic education should be compulsory for all citizens and human rights should be taught at all levels of education.

The educated and well-informed citizens will not only refrain from usurping the rights of others but also will help in the development and promote each other's rights. Violation of the rights occurs mostly in cases when an individual is not aware of the rights, it is the case in Pakistan, and women are not familiar with their rights guaranteed by the religion and law. The educational curricula can be modified to accommodate the women rights sections, significance, and urgent need of women to be part of social change and represent politically.

Women empowerment can be achieved through not only the general education of common citizens but also the human rights awareness campaigns for the people in decision-making process. The budget for education should be increased to overcome the illiteracy problem and separate budget for women education and their training should be fixed. An effective legislation should be done which should make it compulsory to send child to the school and the violation of such rule should be fine or imprisonment.

5.2.2 Economic Empowerment:

The survey reveals that more the woman is economically independent the more she is free to enjoy the political freedoms. Economic factor plays a very significant role in empowering role, woman with access to the economic and productive resources are more expressive and

strong to get their rights. There is a need for more opportunities to give them access to the resources and help in generating their own resources.

The first step is to train the women, those with lower level of education or no education should be trained to be skilled laborers and educated women should be bring forward to the mainstream through consistent and sincere efforts. First woman bank should come forward for the loans for small industries.

All the public and private sectors should be directed by the government to ensure women representation at all hierarchies. The less economic dependence will lessen the undue pressure and influence on her political choices, priorities, and aims to be part of politics.

5.2.3 Amendments in Electoral Process:

The electoral process should be women-friendly and the prevailing process is itself a hazard to women. The electoral frauds have led to the gnarled democratic system, rule of law and the political stability. This affects everybody but mainly the marginalized groups such as religious minorities and women. The inefficient maintenance of voters list and irresponsible attitude towards upholding a proper data of women voters cause the trouble. Increased registration of women voters should be considered seriously.

The polling stations on election days are poorly managed, inadequate staff and moreover, the setting up of polling booths far away hinders the way of women to exercise

their suffrage rights. High level of corruption at the polling stations does not allow women to cast the vote independently as the male members stand right there and the security concerns does not allow them to step out of their homes. Transport should be arranged for women and elders to facilitate them on the election days and polling staff should be given clear directives to report any incident hindering the women from using their voting rights independently.

5.2.4 Election Commission of Pakistan:

Election Commission of Pakistan (ECP) should constitute a separate body to deal with issues of women voters. A senior woman experienced in women rights and capable of strong leadership qualities should head the body. This women body should also be responsible to carry out research on electoral politics of Pakistan with reference to women participation and representation. The researchers should highlight the issues and nature of hurdles faced by women in exercising their political rights and recommend solutions applicable to the needs of society and women in Pakistan.

5.2.5 Governments Key Responsibility:

Government is the key stakeholder for the provision of rights to the women and is largely responsible for the present poor status of women. Besides many other roles and responsibilities, the key responsibilities of the government are to increase budget for the women development and strengthen the Ministry of Women Development. Ministry of

Women Development needs to be active and work for the welfare of women in all spheres of life, a proper check on this ministry and its working should be maintained.

The other urgent need of hour is the implementation of the enacted legislation.¹ No country laws are discriminatory towards women thus government should focus on proper implementation of such laws and bills. Moreover, Pakistan is party to international instruments as well so the government should fulfill its duty by abiding by the provisions of such conventions and declarations. Regular reports should come forward in compliance with the international commitments made and monitory bodies should be established for the purpose. And to bring changes in cultural norms and social customs, affirmative educational, cultural and informational policies should be devised.²

5.2.6 Bridge the Gap between Voters and Non-Voters:

The voter turnout throughout the electoral history is not satisfactory and when it comes to the women voter turnout the percentage is very low. Concrete measures and steps should be taken to bridge the gap between voters and non-voters from all rural and urban areas of the country. Voting should be made compulsory at all polling stations and it has been proved that the policies of governments elected by more number of people enjoy higher legitimacy,

¹ Pranab Kumar Panday, "Representation without Participation: Quotas for Women in Bangladesh", *International Political Science Review*, 29:4 (Sep., 2008), 507. Available online at:

<<http://www.jstor.org/stable/pdfplus/20445157.pdf>> (last accessed: 3.4.2014).

² *Ibid.*

a requisite for the smooth functioning of a democratic system.³ Those reported to violate the rule or becoming an obstacle in others way to cast the votes should be dealt with severe penalties. The training of voters on how to cast vote should be held specially for women to remove the barrier to cast vote on the grounds of ignorance about the voting process.

5.2.7 Political Parties:

All the political parties should clearly mention their agendas for the women empowerment and a proper check and balance should be on their compliance with the manifesto starting from their own political parties. Women NGO's and advocacy groups can keep a check on the women positions in the parties and highlight the discrepancies. Political parties should adopt a clear policy to award political party membership to the women generously and make sure their participation in the central working committees.⁴ Women voters and workers need special attention of the political parties, their issues should be separately addressed, and women in top hierarchies within the party structures can exert the pressure for such acts.

There should be a fixed quota for political parties to give party tickets to women candidates from all rural and urban areas of the country to contest elections on general seats as well not just the reserve seats. This will help in removing the barrier of contesting elections on general seats.

³ The case for compulsory voting.

⁴ Saira Bano, "Women in Parliament in Pakistan: Problems and Potential Solutions", *Women's Studies Journal*, 23:1 (Nov., 2009), 33. Available online at: <http://www.wsanz.org.nz/journal/docs/WSJNZ231Bano19-35.pdf> (last accessed: 1.4.2014).

5.2.8 Women Caucuses:

Pakistani women parliamentarians failed to meet the expectancy level to help improving the women status and emerge as strong factor in the social change. Women legislators' contribution cannot be ignored but the efforts by them are not sufficient. Strong policies by them are in need to be adopted and implemented regarding the women political empowerment. Cross-party communication and agreement on agendas is not appreciated in the political culture of Pakistan so Women's Parliamentary Caucus is a very effective platform for the public representatives to gather and bring unity and harmony among themselves. The unity, which they will show in adopting pro-women measures in the parliament and highlighting the women issues, will directly affect the women at large. WPC should be further facilitated and strengthened to serve the cause.

Similar to WPC in the National Assembly, women's caucuses should be established for all provincial assemblies and in each district for the local governments. The establishment of cross-party forums outside the legislative bodies will further enhance the communication level and chances to raise the concerns. Such initiations will help in lessening the limitations of women politicians in their plausible roles.

5.2.9 Training:

Training programmes and workshops are essential for every woman whether she is a voter, a legislator, party worker, or women activists. Proper training is compulsory for voters to be aware of the significance of their independent choice and familiarity with voting process. For politicians of all levels to increase women mobilization and their increased role in political processes, party workers and women wings to understand the women issues and members of advocacy or lobbying groups to devise strategies and act forcefully in the rights direction.

5.2.10 Joint Efforts by Women Organizations:

Women governmental and non-governmental organizations must put in joint efforts and energies to achieve gender balance, improved status of women, effective participation at all levels of the state and be active agents of the process of social change. The women organizations and commissions should conduct discussion sessions with the international women organizations and learn from their experience and strategies they opt to achieve the goal of women empowerment. However, it is to keep in mind that the foreign policies and strategies cannot be adopted fully due to nature of hurdles and barriers different in each society amendments should be made as per the needs of women here. Women in these organizations to let people know the real issues and then the consistent and joint practical steps to help women must carry out quality research work.

5.2.11 Improved Advocacy and Networking:

Women's political empowerment and active involvement in political matters can be achieved through strong advocacy and networking. At the policy level consistent, influential, and exeritive advocacy is needed to facilitate women in their political emancipation. Women should lobby to serve their interest and let women be part of decision-making process. Women wings of political parties should also lobby for the political participation and representation at all forums. A substantial and vocal support for the issue can be brought about by overcoming lack of communication among women advocacy works, their strong networking and lobbying. Such lobbying should be at national, regional, and international level. An umbrella platform should be provided to the advocacy groups to evolve consensus and present common agenda and goals.⁵

5.2.12 Condemnation of Discrimination against Women:

All forms of discrimination against women should be widely and publicly criticized and all state and non-state actors should condemn such acts. Civil society can best play the role by uniting and raising a strong voice against all incidents of discrimination. A vivid stance on no tolerance for discrimination should come forward and high importance is to be laid on the merits of non-discrimination against the subjugated groups of the society.

⁵Farida Shaheed, Asma Zia and Sohail Warraich, *Women in Politics: Participation and Representation in Pakistan*, compiled by Shahina Hanif (Lahore: Shirkat Gah- Women's Resource Centre, 2009), 39-41.

5.2.13 Religious Lobby:

Religion is widely misinterpreted and misused by few segments to suppress and repress women and limit their political freedoms along with other basic human rights. A body with both male and female religious scholars should be constituted representing all sects and elucidate the concept of women rights in Islam to refrain people from misusing the religion. Steps like joint fatwa before 2013 elections declaring voting a sacred duty are to be appreciated and such declarations should be frequently made to enhance women development.

5.2.14 Role of Media:

Media, the weapon of mass communication, should be used carefully and positively to disseminate the barriers for women's empowerment. Both electronic and print media should launch a wide spread campaign to bring the discriminations faced by women in limelight and mould public opinion to accept the women rights in religious and legal context. Women of this society need reformations of different kinds as compared to women of other societies due to distinct traits every society of this nation-state system possess.

Print media can create awareness through the power of pen, elucidate the concept of women empowerment, its significance, and leave impact in the readers to ensure the

provision of such rights. Television channels, state owned and private, should follow the uniform policy to protect women rights and give them equal chance to use their rights and play their role in the societal betterment. Pakistan Electronic Media Regulatory Authority (PEMRA) should devise a plan to launch political awareness and human rights campaigns. Programmes on women empowerment should be made compulsory for all the channels. This feeling should be developed that the improved status of women and increased participation is not only beneficial to women but also for men also and in the development and progress of nation.⁶

5.2.15 Literature and Fictional Writers to Set New Trends:

The fictional representation of women has done much harm to the women and their emancipation movements. The present literature and fiction portrays women as always weak, dependent and vulnerable, this sets the mind of women to be so. The gender-assigned roles are much adopted from the literature present. Thus, the writers should set new trends to represent women as strong and attributing the female roles to those of leadership and skilful. Fairy tales should not be biased and stories are to be told to inculcate the message of importance of all genders in the societal development and inter-dependent on each other not just the women being suppressed and always waiting for a 'prince'⁷ to come and help her out.

⁶ Saira Bano, *Women in Parliament in Pakistan*, 33.

⁷ The prince in every other children story is symbolic for males to be powerful, leader and strong.

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APPENDIX I

UNIVERSAL DECLARATION OF HUMAN RIGHTS

(December 10, 1948).

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

- All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

- Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

- Everyone has the right to life, liberty and security of person.

Article 4.

- No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

- Everyone has the right to recognition everywhere as a person before the law.

Article 7.

- All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

- Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

- No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

- Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

- (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- (2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

- No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18.

- Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

- Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Article 21.

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

- Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

- Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

- Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

- Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

APPENDIX II

عورت کا ووٹ - تکمیل جمہوریت

نتیجی فہرست میں

ایکشن کمیشن آف پاکستان