

Violence against Women in Politics

Pakistan's Perspective



SOUTH ASIA PARTNERSHIP-PAKISTAN

Violence **A**gainst **W**omen in **P**olitics

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1 About the Research Program

1-1 Research Background

“Violence Against Women in Politics” is a national level research that SAP-PK conducted in 2006. OXFAM and NOVIB provided financial assistance for this. It appeared under one of the SAP-PK’s programmatic themes, namely, Human Security and Safe Environment. This theme, like others, is also underlined by advocacy, research, capacity building and partnerships on and around issues concerning human rights, especially violence.

“Violence Against Women in Politics” is principally a part of 5-year regional program on good governance and democracy in South Asia, i.e., “**South Asia Regional Governance with People Program (SARGPP)**”. SAP-International developed this program in consultation with all wings of SAP. These wings of SAP are autonomously working in Bangladesh, Nepal, Pakistan Sri Lanka, Canada and (through a group of 3 different NGOs) India. These members conducted the same research with the same purposes in their own countries and then fed their findings into one regional-information-body in order to be able to pin down a framework for national and regional advocacy initiatives and campaigns.

SARGPP is based on two central threads. *One* of these threads is that democracy in South Asia needs major reforms in policies, institutions and political cultures partially because of their being non-transparent, centralized and oppressive, and partially because of their inability to translate aspirations of the people in line with the SAARC Social Charter. The *second* of its threads is that violence against women is pervasive across multiple spheres and that unless policies and practices are engendered, governance will remain jaundiced, oppressive and ineffective. This research thus provides for the intellectual support base in the same struggle for democracy, through presenting analysis on violence against women in politics.

SAP-Pk takes its share of pride in attributing the success of this publication to many organizations and individuals who worked very hard to make it a reality. It is in fact a detailed study while taking several social, political, and administrative aspects into account. Its scope, objectives and specific objectives have been mentioned hereunder:

1-1-1 Scope of the Study

- Identify the number of constraints, problems and issues towards violence against women in politics and articulate the need to upgrade the knowledge and information base
- Facilitate the process in enhancing the capabilities by providing information, skills and access to position of power with the aim of ending violence against women in politics.
- Co-relate the national situation analysis on violence against women in politics, by giving statistical information on nature and types of issues and cases of violence against women in politics
- Provide the information on coping mechanism adopted by women in politics to deal with violence in politics at various levels
- Create and distribute it in a regional body of knowledge on the issue and problems of violence against women in politics through sharing the constitutional provisions, laws and

policies set towards women in the electoral sectors by the political parties as well as the electoral commission / relevant ministries towards violence against women in politics.

- Know the loopholes and weakness of current national electoral policies, mechanism and processes

1-1-2 Research Purposes

The main purposes of the regional research program are to:

- Promote greater qualitative participation of diverse group of women in politics at South Asia
- Promote inclusive participatory policies and process among political parties and election commissions/ respective ministries of the governments in South Asia
- Identity the perspective of violence against women in politics in South Asia
- Make recommendations on policy formation and action from a gender perspective towards addressing the issues of violence against women in politics at national and regional levels

1-1-3 Objectives of the Study

1-1-3-1 Overall Objectives

- Conduct national situational analysis to understand the status of violence against women in politics at National Level.
- Recommend policies, mechanism and actions to address the issues of violence against women in politics

1-1-3-2 Specific Objectives

- Critically review the existing problems, issues and nature of violence against women in politics
- Critically analyze policies, mechanism and actions of political parties and election commission/ relevant ministries on safeguarding women against violence against women in politics
- Analyze strategies and mechanism of relevant stakeholders such as donors, INGOs, networks working in the areas women in politics

1-2 Methodology of the Research

The Pakistan chapter of the research” Violence against Women in Politics”, employed combination of mainly two approaches, i.e., the secondary information and the primary information.

1-2-1 Secondary Information

1-2-1-1 Literature Review

SAP-PK reviewed literature on violence against women in politics and many other documents such the Constitution of Pakistan, laws, policies, manifestoes of the political parties and media reports in order to feed in the analytical part.

1-2-2 Primary Information

For collecting primary information, SAP-PK used the following methods:

- Mapping
- Survey
- Case Studies

This research is based on the responses of 240 lady councilors, general councilors and representatives of farmers, workers and religious minorities, who were elected (directly or on reserved seats) on the seats of local bodies¹, under the Local Government Ordinance 2001. These were representatives of the Union Councils. The reason of choosing the Union Council level elected representatives was primarily that it is the lowest of political rungs in Pakistan, is more community-based and therefore a very good source of highlighting dominant trends.

There were 22 questions asked from the mentioned categories of the respondents. Some of the survey-questions, which were originally in Urdu language, were:

- How did you enter politics?
- Who supported you the most when you decided to enter politics?
- Who opposed you the most when you planned to enter politics?
- What types of hurdles did you face while entering politics?
- Now when you are a member of district/tehsil/union council, how are you treated?
- What types of fears, dangers or difficulties do you face in politics?
- Why women become the victim of danger, injustice and sexual abuse?
- What kind of women easily become victim in your view?
- Who is responsible for injustices/sexual abuses of women in politics?
- How do you deal injustice/sexual abuse?
- Do any institutions help when women become victims of sexual abuse?
- What types of domestic problems/violence are you facing after you entered politics?
- How can environment be made friendly for women in politics?

SAP-PK developed 20 case-studies also for giving the readers a deeper insight into the general trends of violence against women in politics in Pakistan.

SAP-PK conducted this research with the valuable support of 22 individuals, from partner organizations and district resource centers, across 22 districts (Details: Annex 1). Most of the

¹ Local Government in Pakistan is based on three tiers, i.e., Union Council, Tehsil Council and District Council. Union Council is at the lowest rung whereas District Council is at the top; all with 33 % representation of women.

members of the survey team are already assisting SAP-Pk in implementing its four-year national level program, i.e., Strengthening Democratic Governance in Pakistan (SDGP).

2 Violence Against Women in Politics

2-1 Civil Society's Perspective About South Asia

In South Asia, feudal and traditional values and patriarchal practices hinder the capacity enhancement and utilization of opportunities for women, *Dalits*, tribal, ethnic and minority communities. As a result this has prevented the marginalized communities including women from participating in decision-making and politics.

Representation of Women in Parliament (2004)

Country	Total Seats in Lower Chamber	Seats held by Women	% Of Seats held by Women
Pakistan	342	74	21.64
India	543	48	8.84
Bangladesh	300	6	2.0
Sri Lanka	225	10	4.44
Nepal	205	12	5.85
Bhutan	150	14	9.33
Maldives	150	3	6.0
S.A. Total	1982	167	8.43

Source: Mumtaz, February 2005 in Women's Representation, Effectiveness and Leadership in South Asia For FIFTH SOUTH ASIA REGIONAL MINISTERIAL CONFERENCE, CELEBRATING BEIJING PLUS TEN ISLAMABAD, PAKISTAN, 3-5 MAY 2005

In some of the South Asian countries, with the adoption of quotas and reservation for women, especially in the field of local government, their participation has improved but their participation in the National level has not increased significantly. The states' interventions to protect women through effective implementation of legislation have been consistently impaired by the lack of support from dominant interests within the community, who legitimize violence against women through value system. This is why most of the women have to abide by the rules of a patriarchal social system.

There are several reasons that prevent women in participating qualitatively in politics. Political sphere of the region has evidenced strong muscle power politics amongst each other (This is apart from use or misuse of money and mafia power). Besides this, there are also various social and psychological tortures women have to deal with when they want to play critical role in politics. Rape, misconduct such as innuendoes and insinuations, and physical abuses are rampant for women participating in elections. Moreover, the community also considers the woman of a

Issues of Violence against Women in Politics, in South Asia

1. Character assassination, slander and violence discourage women entering into the politics
2. Lack of political awareness and women's rights to the women
3. The social and cultural norms of patriarchal system resulting in domination of males over women in decision making in social, political and economic areas
4. Inferior economic status and unequal access to education creates stumpy access to independent financial resources to women
5. Misperceptions about politics; politics is a dirty game of bribery, leg-pulling and deceit, and therefore it is not fit for women

bad character if she participates in politics and stand for elections. Underlying the acceptance of Violence Against Women (VAW) is the deep-rooted social belief that women are fundamentally of less value than men. This pervasive culture of patriarchy and VAW in the region affects women's lives, rights and their opportunities in almost every spheres of life

South Asia continues to have the worst indicators with regard to violence against women in the world. In addition to the common problems of violence against women, South Asia has particular cultural and religious practices that also accentuate the problem of VAW in the region. The general low status of women in the region and the entrenched nature of discriminatory structures have led to what is seen as a lifecycle of VAW. Even before birth women suffer from sex selective abortion, at infancy they may face female infanticide, as young children they will have to put up with incest and son preference, as adolescents they may be sexually abused or trafficked, as young women they may suffer rape, sexual harassment and acid attacks as wives they may experience domestic violence, dowry related violence, marital rape or honor killings and as widows they may be required to self immolate or be deprived of property and dignity. The vulnerability to violence at every stage of the life cycle makes VAW a terrible South Asian legacy that requires concerted regional, national and local level action.

The issues of violence against women and women's participation in political and civil life are closely linked. Violence against women acts as a barrier to women's participation in decision-making, whether it's in the home or in the community. Conversely, women's isolation from public and community life is known to contribute to increased violence, whereas increasing their participation in community groups and social networks has been shown to decrease their vulnerability to violence by helping them find support and solutions to the problem, such as legal protection, counseling and advice.

In many countries of South Asia special provisions have been made to increase women's political participation, yet the percentage of women in the higher levels of the political power structure has not risen. There are various factors that have discouraged women from taking an active part in politics. The main reasons are due to the amount of violence, corruption and manipulations, which are present. Also social customs and attitudes that support violence against women (VAW) are entrenched and institutionalized at all levels - home, family, community, society and the State. Many women who have excellent leadership qualities are unwilling to participate in politics because of these factors. Other factors, which contribute towards violence against women in politics in South Asia, are:

- *Armed conflict: Sexual violence by armed soldiers/ militants, internally-displaced women*
- *Trafficking: Trafficked by close friends and family, abused of the desire to migrate*
- *Domestic Violence: Violence by intimate family members; alcohol and drug use that also accentuate domestic violence*
- *Rape and Sexual Harassment: For example, in India, cases are often compounded in the rural areas of gang rape of Dalit women by upper caste men as an act of political violence*
- *Customary Practices: In most part these are male dominated societies where women have subordinate roles*
- *Inferior Economic Status: In most cases women depend on men on financial matters, women has no property rights*
- *Election Violence, Assault on Character/Reputation (Slander/Rumors)*
- *Low Literacy Rates and Educational Levels, Unequal Access to Education*

- Low Health Indices, including High Maternal and Infant Mortality
- Difficulty in Obtaining Nomination: *Preference given by parties to men, in nominations*
- Religious norms disabling women to break away from traditional roles
- Lack of encouragement from family members and women already in politics

2-2 Pakistan's Position

2-2-3 Constitutional and Legal Position vis-à-vis Women's Participation in Politics and Violence Against Them

To have an understanding about the issue of violence against women in politics, we actually need to explore two sides in the context of Pakistan. One, the social side of the issue. Two, the legal and constitutional side. As far as the legal and constitutional side is concerned, the Constitution of Pakistan, national laws and policies should be explored to analyze the issue of women's participation in politics and violence against them. The SAARC Social Charter also bears significance in this context. Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) are also very relevant documents. However, as far as the social side is concerned, manifestoes of the political parties, social and political behaviors will serve the purpose.

Let us first examine the legal and constitutional side. Before we present the case in the context of Pakistan, however, it would be pertinent to note that:

- No clause of the Constitution of Pakistan or any statutory provision 'disallows' women's participation in the political processes
- No clause of the Constitution of Pakistan or any statutory provision allows violence against women in Pakistan, under any circumstances, including if they are in politics
- The Constitution of Pakistan and laws of the land seek to promote equality among men and women in ever respect

Now 'equality' is differently interpreted in reality. 'Politics' is one of these realities where there is a lot of difference in perceptions. Violence too has various shades of its understandings in social and political paradigms.

To explore the issue first in the legal and constitutional terms, we find that UDHR and SAARC Social Charter have immense moral value to be honored in the spirit. CEDAW is one step ahead with its legal binding on Pakistan. This binding urges Pakistan to fully ensure the rights of the women as enshrined in the agreement (Pakistan signed CEDAW with condition that it will not draft any policy and/or law which is repugnant to Islamic principles). Generally, all these agreements underline the values of equality between men and women, to be pursued for affecting the social, economic and political status of the citizens and the concerned states. These documents have special provisions seeking cooperation of the states to ensure that women are part of the political process and violence against them and brought to an end through formulation and effective implementation of laws. Taking the political participation first, the SAARC Social Charter, the Constitution of Pakistan, and the national legal framework of peoples' representation comprehensively support the women's participation in the political processes and ending violence against them.

There are six clauses of the Article 7 of SAARC Social Charter, for example, that assert firmly the position of the South Asian states, including Pakistan, *about* equality between women and men in ‘every respect’, and seek active support of the states *against* violence and discrimination against them. Following are three of those six clauses, for instance:

Clause 1: State Parties reaffirm their belief that discrimination against women is incompatible with human rights, dignity and with welfare of the family and society, that it prevents women realizing their social and economic potential and their participation on equal terms with men, in the political, social, economic and cultural life of the country, and is a serious obstacle to the full development of their personality and in their contribution to the social and economic development of their countries.

Clause 3: State Parties agree that all appropriate measures shall be taken to educate public opinion and to direct national aspirations towards the eradication of prejudice and the abolition of customary and all other practices, which are based on discrimination against women. State Parties further declare that all forms of discrimination and violence against women are offences against human rights and dignity and that such offences must be prohibited through legislative, administrative and judicial actions.

Clause 6: State Parties are of the firm view that at the regional level, mechanisms and institutions to promote the advancement of women as an internal part of mainstream political, economic, social and cultural development be established.

The Constitution of Pakistan holds the same spirit. A quick glance of the Constitution’s evolution enables us to understand its position about women’s participation in the political process. For example, the 1956, 1962 and 1973 Constitutions of Pakistan:

- Include reservation of seats for women at National & Provincial Assemblies
- These clearly support equality between women and men

The Constitution of 1973 adheres to the same belief, while guaranteeing the provision of fundamental human rights to all citizens in the Preamble, in the following words:

“Therein shall be guaranteed fundamental rights, including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship and association, subject to law and public morality;

Article 17 of the 1973 Constitution explains more about the political freedom of ‘every citizen’, and essentially women too, in the following terms:

1. Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of [13] [sovereignty or integrity of Pakistan, public order or morality.

2. Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party, subject to any reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan ...

The 1973 Constitution then sets the following tone about equality between men and women, in the Article 25 (1 and 2):

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 alone.

Similarly, Article 34 of the Constitution succinctly maintains:

Steps shall be taken to ensure full participation of women in all spheres of national life.

Women’s Participation in Politics: Constitutional Position in the Past

- The 1956, 1962 and 1973 Constitutions of Pakistan included reservation of seats for women at National & Provincial Assemblies As the result of the reservation, the participation of women varied from 3% to 10%
- The Constitution of 1956 offered a 3% quota under Article 44(2), which translated into 10 seats for women for a decade
- The Constitution of 1973 provided for 10 seats for 10 years or 3 elections whichever occurred later. These seats were increased to 20 in 1985. This reservation lapsed in 1988 after three elections, which further reduced women’s existence in Parliament to a negligible level i.e. 3.2% in National Assembly, 2.4% in Senate and 0.4% in all 4 Provincial Assemblies in 1997-1999

‘Full participation’ in ‘all spheres of life’, non-discrimination and ‘right to association’ are wider domains in the Constitution of Pakistan allowing women to exercise their political right of acting both as voters and contestants, at all levels. Now it is the question of the ‘materialization’ of the constitutional provisions. This questions is differently understood and answered in practical terms.

There have been certain important developments in Pakistan with regards to the participation of women in politics and the issue of violence especially since the last decade. The first and the foremost development appeared in General Musharraf’s time in his Legal Framework Order 2002 and the subsequent Election 2002 Rules. These rules - which now have constitutional cover in terms of 17th amendment - increased women’s representation in politics from gross 5 % to above 30 %, from top to the lowest of the political rungs. The following tables give us some understanding on this:

National Assembly – Number Of Seats: Elections 2002				
Province / Area	General Seats	Seats reserved for		Total
		Non-Muslims	Women	
Federal Capital	2	10		2
Punjab	148		35	183

Sindh	61		14	75
NWFP	35		8	43
FATAs	12		--	12
Balochistan	14		3	17
Total:	272	10	60	332+10=342

Provincial Assemblies - Number Of Seats: Elections 2002				
Province / Area	General Seats	Seats reserved for		Total
		Non-Muslims	Women	
Punjab	297	8	66	371
Sindh	130	9	29	168
NWFP	99	3	22	124
Balochistan	51	3	11	65
Total:	577	23	128	728

Senate: Number Of Seats: Elections 2002				
Province / Area	General Seats	Seats reserved for		Total
		Women	Technocrats and Ulema	
Federal Capital	2	1	1	4
Punjab	14	4	4	22
Sindh	14	4	4	22
NWFP	14	4	4	22
FATAs	8	-	-	8
Balochistan	14	4	4	22
Total:	66	17	17	100

Women's Protection Bill is another development in the field of women's rights in Pakistan. This bill was passed by General Musharraf's government amidst lot of clamor and resistance from the religious zealots. No opposition party, with the exception of Pakistan Peoples' Party, supported the passage of this bill. Most of the parties opposed it partially because they stood against Musharraf or they were, or are, retrogressive forces.

Women's Protection Bill: Perception and Realities

Prof. Farooq Hassan; (International Law Expert-Pakistan)

The label "Women's Protection Bill" is patently misleading. All it does is change the forum and modalities of making accusations only in rape cases; it is nevertheless a state action that has been noticed internationally in respect of Pakistan. It does not directly or indirectly protect or advance the case of women at all. This contention is amply proved and established: From the very next day, November 16, the government introduced another draft bill which aims to obtain for women other forms of "relief" from the seemingly oppressive nature of the prevalent laws as well as from the machinations of a corrupt police establishment that apparently flourishes in this country.

The political head of the ruling alliance, Shujahat Hussain, while depositing the draft of the new proposed legislation on November 16 with the Assembly Speaker, said that The National Assembly of Pakistan would do away with "evil customs like vani (giving the hand of women to settle murder disputes), swara (forcibly marrying young girls to members of different clans in order to resolve blood feuds) and honor-killings" in the remainder of its tenure. This is a follow-up move on the Women Protection Rights Bill which was passed by the National Assembly on Wednesday. The bill seeks to not only empower women, but also give them their due rights. The bill that we passed on Wednesday is the first step of our government towards protection of women's rights, and the new bill is part of our agenda to ensure that their full rights are given to them.

Since Women's Development Bill has been a major development, it would be pertinent to explore it a little more. The first and the foremost question is whether this bill protects women from violence. The shortest answer is NO. It does not protect women from domestic violence or other forms of violence perpetrated under the customary laws. It only protects them, which is though significant, from a legal form of exploitation rendered by the *Zina* (adultery and fornication) section of the *Hadood Ordinances*.

Hadood Ordinances were a set of laws enacted in the name of Sharia by a rightwing military dictator Zia-ul-Haq in 1979. The *Zina* section of those ordinances was aimed to suppress the women's voice especially in their struggle for the revival of democracy in Pakistan. It provided weapons to men against women by virtue of making *Zina* crimes against the state, cognizable offences for which the police could take action. Previously that was not the case, for then adultery was a matter of personal offence against the husband by the male party to adultery and extra-marital sex was not a penal offence at all. But after the enactment of Hadood Ordinances, where a wife left her husband, it had become all too easy for the husband to go to the police and file a complaint against her for committing *Zina* whereupon the wife could have been arrested and jailed. And then it was wife who had to prove her innocence. And in case of fornication, a woman was bound to produce four Muslim male (also pious) witnesses in her favor or else she had to go to the jail for acknowledging her involvement (which police interpreted as willingness) in the crime.

The national and global civil society², Pakistan Peoples' Party - a leading political party of the country - and the National Commission on the Status of Women³ have been demanding the full repeal of the Hadood Ordinances. But the government has responded positively partially in 2006. The women in Pakistan took a sigh of relief since at least on one of the beastly laws of their exploitation was finally made toothless.

Musharraf's government did many good as well as bad things in the realm of governance and rights. For its bad things, it has been of course in hot waters. It has been badly criticized for its unconstitutional formation, its leniency towards religious extremists in contrast with its role as a partner in the war against terror and its being coercive with regards to tackling of the political dissent in Balochistan and Waziristan where women also become soft target of attacks and the subsequent misfortune. However, the credit of the good things that his government undertook should be not be taken away. For example, like women's representation, the role of the originators of the Gender Reform Action Plan (GRAP) should be given its share of credit.

Pakistan had ratified CEDAW and formally endorsed Platform of Actions, adopted at the 4th World Conference for Women in Beijing in 1995. GOP's national commitments are stated through its National Plan of Action (NPA) for women launched in 1999, which includes promoting women's political empowerment.
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² Women Action Forum, comprising of several human rights organizations, activists and scholars, was founder of the campaign for repeal of the Hadood Ordinances. Later many other organizations, like Aurat Foundation, Shirkat, Gah, AGHS, HRCP, South Asia Partnership-Pakistan, etc., collectively formed a broader campaign across Pakistan with the same demand. Media and Lawyers community too played a very significant role in this campaign.

³ The National Commission on the Status of Women is a body constituted under the National Plan of Action 1999. It is mandated to review and suggest laws for the betterment of women.

GRAP is also a very productive development to further the interests of women in Pakistan. It has a tremendous significance with respect to the participation of women in politics in Pakistan, along with other areas. It was launched in August 2002, by the Government. This program undertook analytical studies in different fields and on the basis of these studies reform proposals were developed, and compiled into an Action Plans to mainstream gender at the level of federal, provincial and local governments. There are five GRAPS one for each of federal and four provincial with guidelines of materializing its recommendations also the district, tehsil and union council level, leading ultimately to the goal of gender equality. Its target areas with respect to the women's participation are as following:

- Political participation (Annex 3)
- Institutional structures
- Women employment in public sector
- Policy making and fiscal processes in the government
- Capacity Development

National Plan of Action (NPA)

The MoWD, SW&SE in collaboration with UNDP under Gender Equality Umbrella Project (GEUP) reviewed the implementation of Beijing Declaration and Platform of Action. The review attempted to collate and synthesize all official reviews of the National Plan of Action (NPA) for implementation process through an analysis of the government approach and efforts since the Beijing Conference 1995. The review, inter-alia, took into account the inputs received from the concerned Ministries / Divisions, provincial Women Development Departments and Planning and Development Department, Northern Areas.

The NPA for Women set out in twelve (12) areas of concern, establishes a set of priority action formulated to help achieve the agenda for the empowerment of women in Pakistan. Prepared on the basis of national participatory process, involving Federal and Provincial Governments, NGOs, Women Organizations and individual experts the NPA aims to facilitate women's participation in all spheres of life besides ensuring protection of women's rights within the family and the society. NPA twelve (12) areas of concern are as under:

- Women and Poverty
- Education and Training of Women
- Women and Health
- Violence Against Women
- Women and Armed Conflict
- Women and Economy
- Women in Power and Decision making
- Institutional mechanisms for the Advancement of women
- Human Rights of Women
- Women and Media
- Women and Environment
- The Girl Child

As far as the 'Political Participation of Women' is concerned, the GRAP (Punjab province, for instance) seeks to strengthen women's participation in the elected/representative arena. Some of its recommendations in this regard have been noted hereunder:

- Law must declare null and void any poll where any segment of the electorate has been prevented from exercising its right of franchise.
- Increase in the number of women's polling stations.

- Amendment in the law of Election Commission is proposed such that half of its members should be women.
- Amendments in the Punjab Local Government Ordinance should be made to ensure induction of women in Local Government Committees in proportion to their representation
- Amendments in parliamentary proceedings must be made to ensure that all parliamentary committees have a minimum of 20 percent representation of women
- A cross-party women's caucus must be developed in each of five assemblies (and the Senate)
- Provisions must be made to ensure that at least 20 percent of ministers and advisors from women legislators
- Political parties should contain a section explaining how they view women's issue and how they intend to address them
- To enhance the participation of women as members of a political party by reserving a quota of 33 percent for them in general membership and council membership
- Government-supported electronic and print media campaign should be launched on gender issues and women's participation in politics to foster favorable attitudes in the society
- Women Development Department (WDD) must be actively involved in enhancing women's political representation and participation

It is about five years since GRAPs appeared on the development milieu in Pakistan. But its implementation is ignored. Main reason of putting it the cold storage is obviously the lack of will on the part of the government as well as the administration, and the very fact that there is no provision in the legal system to declare any elections null and void if women don't vote in them. Such a constitutional provision has been demanded in the GRAPS. So, this one important point is still needed to be taken up in the national assembly.

2-2-4 Social and Political Behaviors

Principally, women's role in politics has been acknowledged in the national and regional legal instruments and Constitution of Pakistan as vital for the socio-political and economic development of the country and progress of the women themselves.

On practical political side, Pakistan has also done slightly better since some very recent years. Pakistan has created a broader base for women to be the part of the electoral process through elections.

One of the most significant developments with regards to women vis-à-vis politics has been the local government system in Pakistan that carried 28528 women into the Union, Tehsil and District Councils in 2005. However, elected women face many problems because of their identity as women, and subject of the discriminatory social behaviors.

There is a vast majority of elected women councilors, mostly at the Union Council level, in Pakistan, who complain about being sidelined during meetings of their councils on issues such as budget planning, approval of development schemes, passing of resolutions and taking up agendas for discussion. Similarly, some women councilors complain that Nazims of their Councils hold meetings at their residences or at such places where it becomes difficult for

them to attend them. They noted they feel ‘very unsafe’ in ‘hostile’ environment of such private places. So, they prefer to stay away.

Other than sidelining, there are also insinuations and innuendoes that elected women councilors frequently face while they are part of the proceedings. Insinuations and innuendoes are highly cumbersome. These are hindrance in smooth performance of their work, especially when ‘honor’ and the subsequent responses of the males of their households are involved. Since the concept of ‘honor’ is linked with ‘women’ and their being a ‘private property’ in societies like Pakistan, and these women don’t receive any remuneration or salary in reward of their services, they do without the support of even their own family members. If it not been a legal binding for constituencies to elect 33 % women on reserved seats in order to have funds for development, it would have been all males in the houses today. One of the manifestations of this callous viewpoint is that in some councils, it is the brother, father or the husband who attends the session of the council instead of the women councilors. Women councilors are only asked to put impressions of their thumbs on ‘important papers’.

One must understand that the present situation of women in politics in Pakistan is predominantly based on a conflict of interest. One segment of society in Pakistan does not want women to be part of the political process and the other makes it a legal binding for women to be part of this process. While this conflict should not stop women from coming into politics, it however translates into violence and more often in exchange of abusive language.

Violence against the women in politics is usually perpetrated by the *males* of the households to register that *they* are still powerful and to restrict mobility of those who resist the system and want to do something. It is also perpetuated by the facts that elected women (at the UC and Tehsil level) often come from the poor families and their staying away affects their traditional role as ‘mothers, sisters and wives’.

Other than the physical abuse, the Union Council level women councilors are often subject to abusive language because of their being a fairly easy target. In Pakistani society, the women don’t have say in the councils and they end up without success in having any or lesser development schemes in number approved for their constituencies. Communities, on the other hand, fail to comprehend ‘how a councilor can be so powerless’ When a conflict of understanding arises as why the lady councilor *failed* while the male councilor of the other community *succeeded*, it overshadows the honesty and abilities of the women councilors. As the consequence, communities become impatient. They fire back at the women councilors too harshly than they could have done in the case of male councilors. The language to express true sentiments is of course full of invectives and not presentable here.

But this is not the end of it. There are also other kinds of violence in the ‘social paradigm’ of ‘political representation’ in Pakistan. Some women councilors are even virtually gagged and made ineffective ‘by force’ by their own family members. For instance, in the present structure of the Union Council, there are thirteen seats, in which reserved seats for women are four. The No-Confidence move against Nazim is bound to fail when four women don’t add in the required nine votes for No-Confidence move. Therefore, Nazims ‘pressurize’ elected women councilors to remain away from No-Confidence moves against them. They use ‘all means’ including threats for bad consequences. Some of them approach the male family members of the women councilors so that they ‘influence’ them and ‘keep them home on the

day'. In one of such cases, which took place very recently, a husband thrashed her wife (who was UC councilor) very badly, dragged her to the *Daera* (private place where males chit chat) and threw her on his foot, demanding from her to seek the forgiveness of the Lord, the Nazim, because she had displeased him while trying to be part of the No-Confidence move against His Excellency.

The local government system is no doubt a great opening for women with all difficulties that imperil one of the roads to women's emancipation. Its misuse, under-utilization and fondling however should not diminish the spirit of women at all in the struggle to have their voices heard. Its viewing through the prism of the new global political realities and the struggle of the military government for obtaining legitimacy in eyes of the international community, does not limit its importance in the live of women in Pakistan. We agree that the political will to 'empower' women is lacking, but the political participation is the only way forward.

The political process of the engagement of women is incomplete without discussing the role of political parties. There are a number of political parties in Pakistan that have a plan (however much good or bad), but not all of them any plan for women's social, political and economic empowerment at such a wider scale as the local government has in its 'state-prescribed' make. Similarly, there are yet fewer that raise voice even for ending violence against women. Most of the political parties - especially religious parties and the ones from tribal or deprived regions – don't discuss the issue of violence against women because they consider women to be the 'torch bearers of culture, honor and dignity of the nation' and they deem it justified to keep the 'culture' on a 'right track' through 'every means'.

There is one party, i.e., Pakistan Peoples Party, in Pakistan however that seems to have a better political stance on the question of the women's empowerment through their political representation and ending violence and discrimination against them.

Pakistan Peoples Party (PPP) is important in this debate for two reasons. One reason is that it is chaired by a woman and it has a comparatively a better approach towards the issues of women especially political participation and violence. The second reason of its being important is that it has a plan to involve women on multiple fronts. Some relevant excerpts from its program⁴ have been quoted for readers in the following paragraph. These excerpts illustrate, in turn, also the challenges that woman otherwise beset in Pakistan:

a) Political Participation & Representation

To ensure women's political participation and representation, measures will be taken to:

- Restore the reserved seats for women in the National Assembly, Senate and Provincial Assemblies and in the local bodies;
- Establish a Permanent Commission on the Status of Women as an autonomous statutory body comprising government representatives, NGOs, human rights organizations, and experts in different fields to review, recommend, oversee and monitor the implementation of laws, policies and programmes in development, rights and political participation;
- Ensure minimum 20% women's representation and participation in local government institutions and advisory committees established for developmental programmes e.g. the Social Action Program and the Rural Support Programs;

⁴ Program 1997-2002

- Enhance the minimum quota for women in the civil services to 10% in all sectors and grades including all government, semi-government and autonomous bodies;
- Formulate a well-defined policy for women's development by the Government;
- Include the MoWD as a permanent member of important policy-making fora, like the National Economic Council (NEC), Executive Committee of the NEC (ECNEC), Central Development Working Party (CDWP), Agricultural Credit Advisory Committee (ACAC);
- Ensure equal representation of women in all committees instituted at the local level for maintenance and monitoring of public programs such as school management committees, rural water supply and sanitation groups;

b) Violence

To combat all forms of violence against women (including domestic violence, custodial violence, sexual harassment, public humiliations and prostitution and trafficking of women):

- Undertake stronger legislative action to create a safe social and physical environment for women;
- Establish support structures (e.g. legal aid and counseling centers) and shelters all over the country for female victims of violence and forced prostitution.
- Set up citizen-police liaison committees at the mohalla and village level to provide protection for women and register cases of domestic violence as criminal offense.
- Expand and upgrade the women's police force and improve the conditions in women's prisons. Provide state counseling for women prisoners;
- Enact legislation to ensure that doctors in hospitals immediately report female burn cases and alleged/suspected domestic violence cases to the police. Establish special units in hospitals, clinics and dispensaries for medico-legal support to victims of such violence;
- Establish committees at sub-divisional and district levels with women's adequate representation, to perform the following functions:
 - to liaise with patient care societies to arrange for legal, psychiatric and financial help to victims of violence.
 - visit women confined to police lock-ups and prisons.
 - maintain records on the conditions of the victims/prisoners, and collect data on cases of rape.
- Organize training programmes on violence against women for members of law-enforcement agencies, the judiciary and legislatures;
- Strictly monitor and severely deal with violence against women by state agencies

c) Legal Rights

To ensure the human rights of women and to eradicate all forms of discrimination against them, affirmative action will be taken by:

- Repealing/amending blatantly discriminatory and derogatory laws e.g. the Hudood Ordinances, the Citizenship Act⁵, etc.;
- Reforming the personal laws to meet the demand of current socio-economic realities, and expediting the process of justice in the family courts;
- Legislating to make sexual harassment specifically a crime;
- Amending laws on prostitution and trafficking of women to provide harsher punishments to the offender;

⁵ According to the Citizenship Act, Pakistani citizenship can be granted to a foreigner female if she marries a Pakistani male, but NOT to a foreigner male under any circumstances if he marries a Pakistani female.

d) Control And Ownership Of Resources

Recognizing that legal ownership of assets and control over incomes is a vital factor in women's economic independence at all levels, steps will be taken to ensure that:

- Female-headed poor households will be given priority in allotment of all land-sites and housing schemes.
- The property inherited by women, particularly in the rural areas will be registered in their names.
- Increasing women's access to ownership and control of assets, particularly government-distributed land and property through the registration of title-deeds of all state-lands allotted for lease or home sites, jointly in the names of husband and wife, and in case of female-headed households, to the primary earner.

e) Integration

As the over all policy, guideline, gender concerning will be fully integrated into all social, economic and political activities of the nation, with the special emphasis of removing all disparities based on sex.

The above mentioned provisions of the program of PPP underline some understanding within the ranks of the party about women's issues in Pakistan. The manifestoes and programs of other political parties are however in a generalized form. Most of them very loosely indicate just about the 'improvement of the status of women' - and that too in a welfare-based orientation. Because most of these parties have a very limited view about women's issues, it is very unlikely for women to have any significant position in their structures too. This is why the heads of the women's wings of these parties are from elite circles and are basically responsible for increasing women's general membership alone and for carrying out welfare activities for widows, illiterate and unskilled women.

The religious rightwing Pakistani political parties are a very different case. These parties remain mostly concerned about the 'licentious practices of society'. They preach society about woman's ideal role as an individual within the four walls of the house who acts upon every say of her husband, father or brother. They openly condemn women's emancipation declaring it as anti-Islam agenda. Some of them are in favor of women's education (but not emancipation) though. The others implicitly support such actions that bar girl children even from receiving education. Most of them avoid to favor the call for ending violence against women. This is why their alliance, MMA⁶, has been very much critical of the National Assembly's debate on the proposed bill on domestic violence, women's participation in politics, 33 % increase in their political representation and Women's Protection Bill. They staged protests across the country against the 'designs' of the government in making Pakistan a 'secular' state (which according to them is an anti-Islam viewpoint). One religious militant party started even a signature campaign to pressurize the government to fold back the Women's Protection Bill. And to fire back, the MMA's government in NWFP⁷ passed Hasba Bill in 2006. The NWFP government passed it to assert its rightwing position about 'social evils'. But it was to prove too fatal for women.

⁶ Muthidda Majlas-e-Amal (MMA): electoral alliance of religious parties in Pakistan for the general elections 2002; the alliance has its government in NWFP province and a partner of the government in Balochistan province.

⁷ North West Frontier Province; bordering Afghanistan

The Hasba Bill (Annex 3) was very widely criticized not within the Provincial Assembly, but also nationally and internationally. Many would argue that this bill was the attempt of the federal government in 'threatening' the west that if it tries to fail the government of General Musharaf, then it is the MM type which it will eventually have to deal with.

On the whole, however Hasba Bill was very horrible attempt of Taliban-camp to curtail civil liberties and push women even down in the social, political and economic order. It had such a loose text that easily served the purposes of retrogressive elements in bereaving women and religious minorities of their rights and creating terror among those who differed in their interpretation of faith, religious rituals and social relationships. It laid out a plan to establish a parallel force and judicial structure (appointment of *Qazis*, from provincial to the district council level) which should grab people who disrespect parents or do not perform their prayers, etc., and punish them. Also, it held its proposed judicial structures above any other competent court, including the High Court. It 'promised', in its first version, to 'restore' women their 'dignity' as 10th agenda, just lower in order from the clause of 'protection of animals'.

The Governor of NWFP did not endorse Hasba Bill. MMA alleged the Center for using its influence in this regard. Later, the MMA made another attempt and presented an abridged version of the bill in view of the criticism the content of the bill had invited. It then had it passed amidst the complete boycott of the opposition. Meanwhile the Supreme Court of Pakistan had taken action and 'pulverized' the bill. The SC noted that the bill was not in consonance with the Constitution of Pakistan. The women and religious minorities thanked their stars after this judgment.

The Hasba Bill did not succeed however it had done a great damage already. The militant youth spoiled the billboards that carried images of females. They instructed people what to wear and how to look like in the new 'Islamic' set-up. Their groups pulled tape-recorders out of public vehicles, and broke them with a sense of religious accomplishment. They 'warned' women of bad consequences if did not veil themselves. They advised them to stay indoors. They afterwards threw letters in girls schools threatening them of acid throwing on them if they failed to comply with their orders about veiling or wearing *Burqa*. They publicly criticized their participation in politics and promised to roll back the system. In this alarming situation, it is easy for anyone to imagine what women have been feeling, especially those who wanted to be part of the political process or those who were already its part.

As Hisba Bill opened floodgates of violence against women despite its being ruled out, there are many social examples in Pakistan which bear political and economic implications for women. And when we talk about such implications, it is NWFP that is in hot waters.

NWFP is one of the most conservative areas in Pakistan, with religious rightwing in the driving seat. In one of its part, Malakund, women did not cast vote in any of the local, provincial or national elections, held during 2001 and 2002. The tribal elders of this area declared casting of votes by women repugnant to their values and declared punishment and announced imposition of fine on those who tried to 'intervene'. The pathetic part of the story is however that all political parties, even those which explicitly stand for the women's empowerment, endorsed this decision of the tribal elderly. The parties endorsed it because of the electoral interests. These, in so doing, however set the worst example in history of by becoming a party in bereaving women of their right to vote.

The case of Malakund is not exception. At Dir, male members of the community kept the women councilors virtually hostage in order to ensure that they don't appear in the session of the councils. While these are unique examples of geographically larger areas, there are hundreds of small pockets across the country which considers voting by women equally an unholy activity. Males don't let their women get registered as voters even. The statistical difference in the total male-female population in different parts of Pakistan, the number of male-female voters and the number of votes polled during different elections support this argument. Following tables throw some light on this aspect:

Joint Electorate for the Month of September 2003

Name of Province/Area	Total Number of Registered Voters		
	Male	Female	Total
Islamabad	203,601	180,321	383,922
Punjab	21,891,429	19,397,230	41,288,659
Sindh	8,786,891	7,423,877	1,621,078
NWFP	4,937,055	3,920,276	8,857,331
Balochistan	2,137,750	1,800,310	3,938,060
Federally Administrated Tribal Areas (FATAs)	815,030	469,197	1,284,227
	38,771,756	33,191,211	71,962,967

General Elections 2002: Turnout in Respect of National Assembly

Province/Area	Number of Seats Excluding Reserved Seats	Total Polls Polled	Turnout
Islamabad	2	196,719	51.28
Punjab	148	198,036,657	46.46
Sindh	61	6,177,962	38.22
NWFP	35	3,097,448	34.22
FATAs	12	327,778	25.53
Balochistan	14	1,175,069	29.74
	272	30,011,633	41.74

Population and Voters

Year	Population	Muslim & Non-Muslim Voters		Total
		Male	Female	
1970	42,880,378	1,447,264	11,257,016	12,704,280
1977	65,369,340	17,155,201	14,013,445	31,168,646
1985	84,253,644	18,992,850	15,403,811	34,396,661
1988	84,253,644	25,769,507	22,134,752	47,904,259
1990	84,253,644	26,212,582	22,436,378	48,648,960
1993	84,253,644	28,514,081	23,811,940	52,326,021
1997	84,253,644	31,448,093	25,167,574	56,615,667
2002	132,344,546	38,707,729	33,155,551	71,863,280

Barriers to Women Voter Registration

In 1996, the Assistant Commissioner of Thatta (Sindh) was reported in the Dawn newspaper as stating that as many as 50,000 women in Thatta could lose their right to vote because of the opposition of their male family members to entering their names on the voters' list. (Women in Politics: Shirkat Gah, 1998)

In the tribal area of FATA, where the right of universal adult franchise was granted for the first time in 1997, several groups, including religious leaders, opposed the registration of Women. Announcements were made at some mosques in Khyber Agency that registering them under their own names as a great evil. A tribal jirga (Council) issued an edict threatening that houses from which women were registered would be burnt down and they would have to pay a fine of Rs. 10,000. The registration which did take place was largely due to the efforts of two advocacy NGOs, supported by local groups. (Aurat Foundation's Election Reports/Newsletter 1997)

Pakistan Report: In Ghungh village (Punjab near Lahore), during a bye-election held in 1990, there was not a single woman registered as a voter as against 700 registered male voters, because of a directive given by the 'spiritual mentor' of the village debarring them from registering. The males claimed that no regime could force them to register their women, and that they would beat their women with shoes if they insisted on their right to vote. (Moving Towards Change: Dr. Inayatullah)

The above cited figures, of National Commission of Pakistan, calculate women voters to be around 60 % as compared to the male registered voters in Pakistan. Though logically, with 52 % population of women in Pakistan, their number as registered voters should be higher. Here, lots of thanks are due to the National Commission of Pakistan which saved Government of Pakistan from further embarrassment while not presenting statistics on male-female voters who voted in different elections. The following pages contain information around some of the concerned considerations in Pakistan which are linked with women in politics and their general standing in society.

Men holding female councillors hostage in Upper Dir

- Female councillors barred from attending council meetings
- Represented by male family members ■ EC impotent unless district council reports matter to commission

By Akhtar Amin

PESHAWAR: Having succeeded in overturning a jirga-decision last year that sought to prevent them from filing their nomination papers for the local bodies polls, Upper Dir's elected female councillors now face a new political battle: the right to attend their respective council meetings.

As the situation currently stands, female councillors are barred from council meetings, with male relatives attending the sessions on their behalf.

"This practice, which deliberately deprives women of their political rights, is encouraged and supported by the leaders of the District, Tehsil and Union Councils," a spokesperson of Individualland, a group of political analysts, told Daily Times on Wednesday.

Requesting not to be named, the spokesperson said that, according to Individualland researchers, the majority of elected female councillors were being represented at meetings by male family members.

"The male members regularly attend the district assembly sessions on their behalf, sign in for them, speak for them, vote for them and of course, needless to say, also collect their honorariums," she said.

In Upper Dir, she said, sons, brothers, husbands and fathers were representing female councillors on reserved seats. So, for all

practical purposes, the men in Upper Dir were occupying seats reserved for women while the elected women were forced to sit at home, she added.

The spokesperson stressed that the move was part of a male-dominated strategy designed to exclude women from the political process. Indeed, according to Individualland's researchers, both nazims and district councillors had established a formal alliance to actively prevent women from fulfilling their elected political roles.

Moreover, she said, relevant government officials and agencies had failed to take action against this illegal practice and had not even reported it to the Election Commission (EC).

The spokesperson charged that the heads of all councils were complicit in the strategy since they did not prevent non-elected male representatives from entering council premises, signing the attendance register and participating in discussions.

While union council representatives have acknowledged that the bar against women was illegal, they nevertheless insisted that women could not sit in the assembly since "serious debates on this issue take place during the sessions". Instead, they suggested that any female councillor wishing to participate in session proceedings accompany her respective male representative.

Nine women have been elected to the post of councillor at the

district level - six in Dir's Tehsil council and three in Wari's town council. However, only two female councillors are currently attending in person the District Council meetings.

"We advise them (female councillors) not to attend the meetings, while guaranteeing that they will be marked present on the attendance roll", said an official on condition of anonymity.

The Individualland spokesperson said that when the group's researchers had contacted the Dir Upper assistant election commissioner, Khushhal Khan, he pointed out that the EC was unable to take suo moto action against the practice since no district council had reported the matter to the commission.

Even more worrying for the barred female councillors was Khan's confirmation that, in accordance with council rules, any councillor failing to attend three consecutive sessions without prior notice could face disqualification once the matter was reported to the EC.

Thus the efforts by female councillors in Dir and the subsequent intervention of Nilofar Bakhtiar, then adviser to the prime minister on women's development, to secure the right of women to file councillor nomination papers appears to have been in vain.

For while 87 women were elected to union councils - their election will remain meaningless while they are repeatedly barred from attending council meetings.

Lady councillor killed a day after protest

STAFF REPORTER

LAHORE: A general councillor, Ulfat Munawwar, was gunned down in City Saturday while her daughter-in-law, grand daughter, sister and nephew sustained severe injuries only one day after she protested against members of a qabza group in front of the Lahore Press Club on Friday.

Ulfat, a resident of Singhpura and a PPP councillor, had a dispute with a local land-grabber -- Rasheed alias Billa -- over possession of a house and she was allegedly killed by him when she was sitting in his house along with her family members. Those injured by the attackers include Ulfat's sister Shaheen, nephew Imran, daughter-in-law Sadia and her granddaughter, 3-year-old Tayyba. According to family members, Rasheed alias Billa and his three unidentified accomplices, stormed into her house and opened indiscriminate fire on them with sophisticated weapons. All of them received serious injuries while the attackers fled the scene safely. Some locals rushed the injured to Mayo Hospital Lahore where Ulfat succumbed to her injuries. Other four



Protesting in front of the Press Club a day earlier.

persons were stated to be in critical condition by the doctors.

The police later registered a case against the culprits on a complaint of the deceased's husband, Allah Rakha.

The ill-fated woman had been running a dispute with Rasheed alias Billa for the last nine months. On Friday she, along with her other family members, staged a protest demonstration in front of the LPC

against high-handedness of the land-grabbers and draw attention of the police high-ups towards her plight.

A family member said Ulfat Munawwar had given token money for a house about nine months ago and she was living in that house. However, she had not got registered that house in her name yet. A proclaimed offender, Amir, and a local goon, Rasheed alias Billa, wanted to

grab that house. They had been harassing her for the last several months after preparing fake ownership documents of the house. They had also been hurling threats on her time to time. Some month ago, they attacked Ulfat and her son Shahid with assault weapons. She survived the attempt luckily, but her son received bullet injuries and his both legs were damaged. She was again attacked by the qabza group members three months back when she was returning home after appearing in a court in Cantt Kutchery. She was lucky to survive this attempt also. Later on, her younger son, Shakeel, was stabbed injured by Amir and his accomplice and a case was registered with the Islampura Police Station. She had been knocking at every door for the last three months to seek justice and protection against the qabza group. During Friday protest, she told journalists she could be killed by the qabza group any time. She requested the police high-ups and the government to arrest the culprits and provide her protection, but all her efforts went in vain. The family of the deceased said they were fearful of their lives if the killers are not arrested immediately.

Lady councillors complain of being sidelined

From Our Correspondent

MULTAN: Women councillors at a workshop of women political school have complained they are not invited or even informed about the meetings held at different levels and when they are invited, they are not provided with any programme or agenda.

The workshop is being held at government Civil Lines College to equip the councillors to play an effective role as political representative and to provide them a level playing field at all stages.

The workshop's researchers and trainers, Moazama Husnain and Munaza Hashmi, said women representatives would emerge as a power as a result of such capacity building moots.

The discussion with women councillors revealed that security and mobility are two major traditional areas of concern for them.

Furthermore, women are unable to get due respect from the community as local leaders since owing to strong patriarchal system of our society, some people are not ready to accept women as

leaders while family and social problems do not only handicap women councillors but their lack of basic education also plays a part in this. Women councillors also complained that nazims often ask them to remain silent during council sessions and their male colleagues consciously ignore them because they do not want them to be involved in decision-making. Women are teased with irrelevant questions and remarks during the sessions such as issues of 'Purdah' (veil) and wearing make-up. Men councillors try to make fun of women councillors when they raise demand for TA/DA, funds and transport facility.

They also ridicule them for their lack of knowledge about the assembly decorum.

Talking to The News during a short break of the workshop's session on Wednesday, women councillors, Mehk Butt, Azra Lodhi, Fatima Shah Nawaz, Asiya, Farzana and Saeeda Bashir, said nazims and other male colleagues treat women sympathetically but not as their equal counterparts.

They are not involved in committee work including health and education committees and are given very limited opportunities to speak during the council sessions or meetings and in other programs. Women councillors are not asked to prepare their schemes and if they do, the schemes are not accepted.

When nazims and male colleagues need support from women councillors and their input is required, they then treat them altogether differently and offer due respect and cooperation, it was added. Women councillors complained they are not provided with any guidelines for the preparation of the schemes besides no conveyance facility is being provided for monitoring work but such workshops would provide them better guidelines. "We wait for hours outside offices of government officials or nazims if we want to meet them whereas male councillors meet them without any prior appointment," they also said and held there is no proper place for women to sit outside the offices.

MMA regrets PPP's support to women protection bill

By Our Staff Reporter

ISLAMABAD, Sept 4: Leaders of the Muttahida Majlis-i-Amal (MMA) on Monday termed the People's Party Parliamentarians (PPP) support to the women protection bill "regrettable" and "ill-timed," saying that it would strengthen Gen Musharraf's position during his visit to the United States.

Speaking at a news conference at the Parliament House cafeteria after staging a walkout from the National Assembly against the presentation of the Select Committee's report on the bill seeking changes in Hudood laws, the MMA members said that they respected the right of the PPP members to follow their manifesto and ideology, but the party had chosen a wrong time to use this right.

"The PPP's decision to support a bill, introduced by a military dictator, could be harmful for the whole opposition," said MMA MNA Liaqat Baloch. He, however, said the opposition parties were united and they would continue their struggle to end the role of army in politics and to restore the constitution to the position of October 12, 1999, when Gen Musharraf took over the control after dismissing the democratically-elected government of Nawaz Sharif.

Mr Baloch said Gen Musharraf

had been illegally occupying both the offices of the president and the army chief as he had deceived the whole nation by not separating the two offices on December 31, 2004, as announced by him in his televised address to the nation after reaching an agreement with the MMA on the controversial Legal Framework Order.

The MMA leader claimed that through the proposed bill, the government was changing 12 clauses of Hudood laws, out of total 22, while amendments were being made in six others to make them ineffective. Under the new law, he said, a rape victim woman would not be able to even register a case. He said the bill was being introduced in violation of the constitution which stated that no law could be introduced in the country which was against the teachings of Islam and Quran.

The MMA, he said, would continue its protest against the bill to change Hudood laws inside and outside the parliament with full force. He said the women protection bill was actually a cancellation of Hudood laws and it would not provide any protection to women. He said through the bill, Pakistan was being westernised. He said Gen Musharraf was targeting the Islamic ideology,

the two-nation theory and the sovereignty of Quranic laws in the name of so-called enlightened moderation only to please the US. He said Gen Musharraf wanted to get this bill approved from the parliament before his visit to Afghanistan and the US.

Mr Baloch said the MMA had rejected the bill when it was introduced in the National Assembly on August 21 and today they were rejecting the report of the Select Committee. He said the list of the crimes, being committed by the military rulers, had become very long with the introduction of this bill.

Mr Baloch said the government had changed the agenda of the National Assembly session and there was no mention of the women protection bill in the orders of the day, provided to the members at their houses on Sunday evening and placed on their tables on Monday. He criticized the speaker for allowing the presentation of the report of the Select Committee through a supplementary orders of the day.

Prominent among those present in the press conference were Samia Raheel Qazi, Dr Farida Ahmed, Mohammad Laeeq Khan, Shah Abdul Aziz, Farid Ahmed Piracha, Jamila Ahmed, Razia Aziz, Ayesha Munawar and Ambreen Naeem.

Dawn: September 9, 2006

Most women unaware of Women's Protection Act

By Lamia Zia

ISLAMABAD: Many women participants at an event held to celebrate the Women's Protection Act, 2006, at the Convention Centre on Tuesday were found ignorant about the background of the bill and a number of government employees said that they knew nothing about the issue.

The government celebrated the passage of the bill and brought a number of women from rural areas, including students, local government councilors, women health workers, teachers and government employees, to attend the function.

They had mixed opinions about the event and women health workers on the occasion demanded President General Pervez Musharraf increase their salaries. Farhat Yasmeen, a woman health worker, tried to send a written appeal to the president during the function, but could not reach him. "We are getting Rs 1,800 per month and we wrote about our problems in a message, but the officials caught it and we now know that it cannot reach the president," she said.

"We don't know what is going on in here, we were earlier told that some colourful function had been organised for women." She said that she was eager to attend the function, but had no idea or information about the bill. She said that along with passing laws, the government

should take other practical steps to resolve the problems being faced by the country's women, including lack of education, healthcare and job security.

Girl students from the National University of Modern Languages (NUML) also were unaware of the bill. "We are not interested in the bill, as we know it is another political 'drama'," they said.

Ayesha, a student, said that the government should raise awareness among women about the laws it had passed, adding that the government should train police to deal with victims of violence and improve support services, such as shelters and burn units for women. She said that women empowerment through education and skill development for economic independence was more important for countering gender-based violence than "these laws and acts".

Teachers attending the event said that women in Pakistan had been consistently complaining of being isolated from the mainstream of society. Teachers from government colleges said that instead of organising such events, the government ought to focus on problems being faced by women living in rural areas.

Yasmeen Shahab of Margalla College said that the real issue facing women was education, adding that if there were a 100 percent literacy rate among women, they would be in a better position to protect their interests and rights. "If they are given a fair chance, they can

contribute more to the development of society," she said. She said that illiteracy was the "root cause" of women's problems, adding that an illiterate woman was helpless against domestic violence and discrimination. She said that Pakistani society was "male dominated" and had a hostile attitude towards women. She said that the development of women had been hindered by a number of factors. She said that rural women had to undergo "unbearable" dominance by men.

Another teacher said that lack of education and moral values was the root cause of injustices meted out to women, adding "society encouraged men to subdue women".

"I don't find any viable solution for eliminating the problem of violence against women in this bill," she said. She said that the government should launch a programme to increase awareness among women about domestic violence, adding that men should also be informed of the issues. Praising the Women's Protection Act, one councilor said that it was a timely measure to address the problems of more than half of the country's population, adding that opposition to the bill was unjustified.

"I think the government's efforts to encourage people to talk about such issues will increase understanding about the issue," she said. She said that the act would benefit the country's women and help provide justice to them, adding that violence against women was a crime against humanity.

Laws on women's inheritance, divorce rights soon, says Aziz

■ Prime minister says report on attempted attack on NWFP CM's House to be made public

Staff Report

LAHORE: The government will legislate soon to safeguard women's inheritance and divorce rights, said Prime Minister Shaukat Aziz at an international conference on 'The Other Self: Conflict, Confusion or Compromise' on Friday.

Addressing the inaugural session of the conference organised by the National Commission on the Status of Women, Aziz said that women should unite against those opposing their rights. "Speak up — we will speak with you," he said, adding that the government wanted to provide women justice.

He said the government had always wanted to address gender issues and bring women in the national mainstream. He said that the Women's Protection Bill was "only the beginning — a lot more has to be done".

He said that gender discrimination had its roots in deeply entrenched systems of patriarchy, which limited and confined women to subordinate roles.

Lack of women's participation in the economy, a biased legal system that victimised women

instead of protecting them, inhuman customs, acute gender imbalances in access to education and health and lack of women's representation in the governance structure — all these issues were a result of gender discrimination, he said.

"We are determined to stamp out exploitation of women, and six new legislations are being made to deal with forced marriage, inheritance, vani, women's marriages with the Quran, vatta satta and divorce."

"It is gratifying that parliamentarians rose above the political divide and supported the Women's Protection Act," he added. Praising the theme of the conference, he said, "To live in a complex world, to deal with new challenges and to realise potential opportunities, women the world over and in our country need to be confident and resilient."

The prime minister told reporters after the session that a solution to the Kashmir issue was not possible without the involvement of Kashmiris. "The Kashmir issue will be resolved in accordance with the wishes of Kashmiris," he said. APP quoted Aziz as saying that the ruling party and its allies would contest the

next general elections with the assurance that voters wanted stability in the country's policies.

About allegations by the NWFP government that the Intelligence Bureau was involved in blasts in that province, he said that a joint investigation team was looking into the matter, and the inquiry report would be made public. However, he said initial investigation had suggested that the latest incident at NWFP Chief Minister's House was "not that serious". About reports of differences within the Pakistan Muslim League and between the ruling party and its allies, Aziz said, "We are trying for patch ups. The PML will remain united as a party and with its allies."

Online adds: At separate meeting with Punjab Chief Minister Chaudhry Pervaiz Elahi and Governor Lt Gen (r) Khalid Maqbool, Aziz said he was pleased with the steps taken by the Punjab government to improve the law and order situation in the province.

The chief minister said that the decision to lower the price of liquefied petroleum gas (LPG) has been widely acknowledged.

'Women should not have the right to divorce'

ASMA RAZAQ

ISLAMABAD: The women should not have the right to divorce as it can disturb the family set-up. The women MNAs from MMA expressed this view while talking to 'The Post' Sunday.

Samiya Raheel Qazi, MNA and the representative of MMA, said: "The women should not be granted the right to divorce because it can upset our social system". She said only the male should be the head of family and if the women were granted the right to divorce their husbands, then it would lead to conflicts between the married couples.

According to Nayer Sultana, MNA and the representatives of MMA, the women's right to divorce should not be encouraged as in Pakistan's social set-up that could lead to chaos within the family life of a married couple. She argued that the divorce rate was higher in the West than in the East only because of the fact that the women there enjoyed the right to divorce.

"In our society, the life of a woman is governed by her parents and if there arises some sort of con-

flict between her and her husband, her elders can settle the problem," Bilqees Saif said.

On the other hand Qazi Hussain Ahmed, the president of MMA, stressed that the government of Ayub Khan had conferred this right of divorce to the women in Nikah Nama but after the 8th amendment in the constitution brought about by General Ziaul Haq, this right to the women was taken away. He said: "I cannot support this right for the women as Islam has already given a right in the form of 'Khula' to the women."

While another representative of MMA and MNA, M.Laeque Khan said: "In our society the women have already been deprived of most of their rights. And if we give this right to the women, I think, nothing would go wrong with our social set-up.

Fouzia Wahab and Fouzia Habib, MNAs and the representatives of PPP, said in the Nikah Nama, the clause about the women's right to divorce has already been crossed. "It should be made a rule that the Nikah Nama would not be received by the government until all of its clauses are filled out without crossing any one of them," Fouzia Wahab said.

Mullahs tell aid groups to fire women

ISLAMABAD: Muslim clerics in earthquake-hit Azad Kashmir have told aid agencies to fire all local women employees or face violent protests, officials and religious leaders said on Thursday.

The threat, given to district officials and non-governmental organisations (NGOs) in Bagh on Tuesday, will dent hopes that the October 8 quake could have a positive effect on women's rights in the conservative region. "We have told the administration that we will not allow NGOs to exploit our women and asked them to give a date suitable to them for removal of all female workers," Syed Atta Ullah Shah, prayer leader of the Bagh central mosque, told Agence France Presse.

"If our demand is not met then we will take direct action and extreme steps. There will be demonstrations and damage may be caused to public property and a law and order situation would be created in the area," he added.

The religious leader said locals were angered by "obscene" activities at NGOs. "They hire beautiful girls and take them to Islamabad for enjoyment. They keep women in offices as decoration pieces because we know that women have no work and there is no such work that men cannot do," Shah said. Aid groups say female workers are vital to ensure that religious and social conventions are respected when dealing with women in the devastated region, especially for health matters.

The United Nations, which has coordinated aid efforts after the quake, said it was aware of the issue. "Discussions are going on with the government and clergy. Things are not finalised yet," Raabya Amjad, public information officer for the UN Office for the Coordination of Humanitarian Affairs, told AFP. AFP

Daily Times:
August 25, 2006



LAHORE: Women prisoners celebrate their release from a Lahore jail on Monday.—PPI See also Page 5

Women prisoners celebrate their release from Jail in Lahore, on Presidential Order
Dawn: July 11, 2006

Speaking Through the Barrel

I became elected councilor in 2005. My success however did not go well with the opposition camp. One day their men shot at my sons with guns to satisfy their grudge. My sons had no choice but to fire back. Meanwhile, someone hit my head with a club. I received severe injuries on my head. The worst part is that the 'opposition' maneuvered the situation somehow and got my sons behind the bars charging them with the attempt of murder. I am now left with the task to attend the never-ending court hearings only. (*Bhagaan Bibi, Sahiwal, Pakistan*)

Higher Cost

I faced a lot of problems in having my documents attested to be able to submit them in the election commission for contesting the local bodies' elections. I somehow managed to get the job done. However, when I returned after submitting my documents, my in-laws, including my brother-in-law and father-in-law abused and beat me, and turned me out of the house for the 'sin' I had committed. My husband, who new later about the story, sided with me but very unconvincingly. Consequently, I was not allowed to even attend the training course. My in-laws and husband feared I might get my character blotted if I happen to go away. He complained that I had drawn him and his family in a worse situation by deciding to participate in politics...My son is cooperating with me. He drops me at the Council on his bicycle. (*Shenhnaz Kausar, Chicha Watni, Pakistan*)

Solitary Soldier

The political that I represent now helped me in submitting my documents to the election commission that otherwise was really a hard nut to crack. One day when I went to examine the voters' list for working on my constituency, the men of the opposition party attacked me. One of them smashed my head with a heavy log. I got several stitches for that. The matter however remained unreported because of several social pressures. Now I am an elected councilor. But to tell you the truth, it is not worth it. My husband and family members taunt me every moment for not coming upto their domestic expectations. I don't have any funds even to spend on the community. They don't support me either. (*Nasreen Kausar, Chicha Watni, Pakistan*)

Between Fire and the Frying Pan

I have had a very cordial relationship with community members. My family members advised me to participate in politics seeing my natural talent. My brothers however opposed the idea. But I decided to go with the family's advice. I contested elections as a free candidate (not on ticket of any political party) and got elected. Eventually, when leader of the house was to be elected, two different but opposite political groups approached me and asked to support their respective candidate. One of these groups got the impression that I was going to choose the other one, and then I started receiving threats of my life. This situation worried my family and myself a lot for it was a very first and certainly a horrifying experience for me. Then I decided to involve all the elected members in the matter. All of them got together, including both groups, and the matter was discussed in detail. Finally, both groups agreed that it was my decision to choose any of the two groups and none of them could threat me for that. That is how I got the matter solved and took a sigh of relief. (*Ghulam Fiza Awan, Multan*)

Unsuccessful Enterprise

I had had a dream of becoming a politician since my childhood. My husband supported to his best seeing my passion. With his support I then contested elections of the local bodies. The feudal of our area despised the idea that a women should participate in politics. Days after my election, I noticed that a group of three people was constantly on my back. Sensing the danger, I kept myself away from such deserted places. One day, however, I returned late from my routine work, and it was dark when I walked down to my village. On my way, I found the same group behind me. They, taking advantage of darkness, caught me at one point and tried to pull me in the adjoining patch of the crop. I was bit prepared for a mishap so the moment they touched me, I started shrieking to the full of my might. In a second, people poured out of the houses from the far end. The men immediately decided to flee. Meanwhile I had recognized one of the men. Within an hour, my family and I managed to gather almost all members of the community and put the matter before them. I revealed identity of one of the abductors I had already recognized. Soon the rest were traced and all of them were hauled up in front of the sores of people. Since there were lot many people than usually expected at that time and a matter like this, the culprits had lost their color. Upon receiving assurance that no one will touch them if they truly unveil the person behind this, they readily told that actually the local feudal had commissioned them to abduct me. This public statement was enough to take a legal action. The community called the police and the men were handed up to them. The feudal was also taken to the task days after because of the pressure of the human rights organizations working in my district. (*Gulshan Araa, Multan*)

3 Pakistan at a Glance

The research “Violence Against Women in Politics” was a yearlong initiative in Pakistan, taken by SAP-Pk in order to explore the issue around the content presented in the previous pages. Essentially, this research covers issues such women’s participation in politics, violence, social and legal support mechanisms and socio-political hurdles, violence in politics, etc. These areas were explored on the basis of a questionnaire of 22 questions. The questionnaire was in Urdu language and then translated to be used in this publication.

3-1 General Introduction of the Respondents

This research is based on 240 samples, from 22 districts of Pakistan. There were 20 % respondents from Baluchistan, 40 % from Punjab, 19 % from Sindh and the remaining 21 % respondents were from NWFP. Punjab therefore has a larger share of respondents because of its population size. Essentially, however, all respondents were elected women councilors (union councils), aging between 25 and 50 years. They were elected under the categories of Lady Councilor, General Councilor, *Kissan* (peasant), *Mazdoor* (Laborer) and Religious Minority. Table # 1 illustrates their division:

Category	%
Lady Councilor ⁸	46
General Councilor ⁹	27
<i>Kissan</i>	16
<i>Mazdoor</i>	6
Religious Minority	2
Unknown	3

It is perhaps the most surprisingly fact in the electoral history of any country in this world that 3 % respondents of the survey did not know which constituency they represented. They were in the system just ‘accidentally’. Who else can be blamed if it is not the electoral system for this? Pakistani electoral system should admit its inability in providing background information to the people, especially women, a majority of which is illiterate or barely literate.

In the case of this research, the status of education of the respondents has been explained, in the following table:

Status	%
Illiterate	33
Primary – Middle	25
Matriculate/Above	37
No response	5

The rural-urban distribution of all the respondents was almost equal with 43 % from rural and 45 % from urban areas. The rest 12 % respondents were from semi-urban areas.

⁸ Lady Councilor: Woman elected on a reserved seat (for which a male cannot contest)

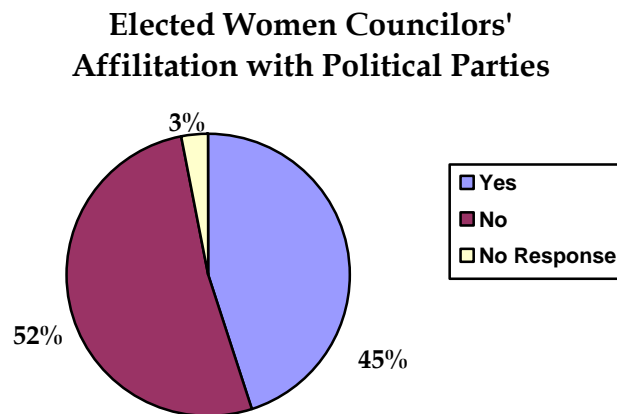
⁹ General Councilor: Woman elected on an open seat (for which both male and female can contest)

There were only 2 % respondents (on reserved seats) who were non-Muslim. Majority of women, as much as 67 %, were Muslim. About 31 % respondents however chose not to reveal their religious identity. This situation implies partially that the elected women are concerned about their own ‘safety’ with regards to the identification of the their religious background and partially that they are shyness enough.

Among those who were interviewed, nearly 84 % women councilors were married, 6 % were unmarried and 6 % women were widows. About 4 % women did not tell about their marital status.

3-2 Being in Politics

The number of women in politics, in Pakistan, is the highest in any country of the world. A majority of these women are in the politics at the local level. The survey illustrates that slightly less than half of these women are associated with different political parties whereas the rest are not.



A majority of women in Pakistan don’t decide their matters on their own. The women in politics are also not exception. Women in politics seek assistance of their family members in making most of the decisions on their behalf.

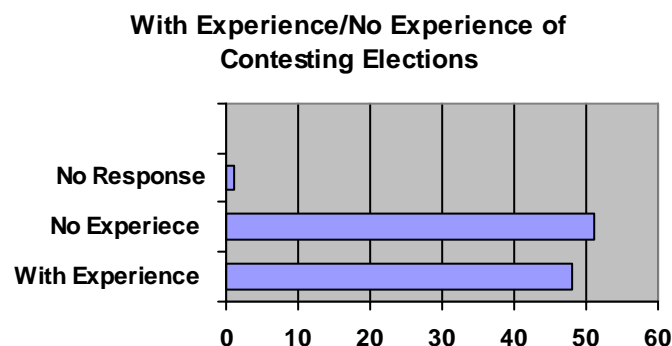
The political inclination of the majority of the women who came in politics after 2001 also speaks about the existing power structure not within the family circles as women seek their advice or family members. This is why the survey tells us that majority of the women contested elections on the seats of Pakistan Muslim League (Quaid-e-Azam: PML Q). Why these women choose PLM (Q) or were made to choose it was because it is a Kings Party. It was carved by the military establishment in Pakistan after the ouster of Prime Minister Nawaz Sharif, on October 12, 1999, to seek political legitimacy.

The following table gives us a view of the trends of political affiliation of the elected women councilors, during the local bodies’ elections, 2005:

Party	Percentage of the Elected Women Councilors who are Members of the Party
Pakistan Peoples Party Parliamentary (PPPP) ¹⁰	29
Pakistan Muslim League (Nawaz Sharif)	8
Pakistan Muslim League (Quaid-e-Azam)	49
Muthidda Qaumi Movement (MQM)	2
Awami National Party	3
Balochistan National Party	2
Muslim League Functional	5
Jamiat Ulema-e-Islam (JUI)	2
Pushtoon Khwah Milli Awami Party	1

This is however an encouraging indicator that a vast majority of the elected women councilors are from families which don't have a history of having many women in politics. In this sense, regardless of the question which party these women represent, the local government system has been an opening. The study reveals that about 80 % women's elected councilors came from families in which no other women contested any elections at all. A little chunk of 14 % women noted that they had had women of their families in politics before they themselves joined it. The rest 3 % did not say anything.

Related to the political experience was another question if the elected women councilors contested any elections in the past. The following graph shows the existing trends:



A total of 69 % of those elected women councilors who had experience of contesting elections previously, contested at least once (2001), whereas 31 % of the interviewed women contested twice or for more times (2001 and before, in general Zia-ul-Haq's time: 1979-1988). These women contested elections at various levels of the local government, including Union Council, Tehsil Council or District Council. A vast majority however contested for the

¹⁰ Pakistan Peoples Party Parliamentary (PPPP) is an 'interim party' constituted from within Pakistan Peoples Party (headed by Benazir Bhutto) to contest elections after General Musharraf announced that Benazir Bhutto cannot participate in elections. Benazir Bhutto has been in self-exile since her government was sacked in 1996. Her party then decided to create a wing to at least remain in the ring of elections. Benazir Bhutto has lifetime Chair of PPP.

seats at the Union Councils level. The following table illustrates the various levels on which these women councilors (who have history as elected members) contested elections:

Levels	Percentage with Past Experience
District Council	16
Tehsil Council	11
Union Council	67
District & Union Councils	2
District & Tehsil Councils	1
No Response	3

The survey reveals is that there were grossly 40 % new entrants and 60 % those elected women councilors who have had any past experience of contesting elections. But, it is an interesting question as to how they actually entered. Was it their own decision, or of any other family member asked them to join politics? Or was it the husband, brother or the feudal lord who gave them the idea to embark upon this course? The following table gives us insight:

How Did the Idea to Enter Politics Cross my Mind?	%
I decided myself	32
A politician gave me hint	5
My immediate family members asked me so	15
Other members of the caste gave the idea	8
General community gave the idea	12
My husband indicated the possibility	18
My brother(s) indicated the possibility	2
My parents indicated the possibility	1
Feudal/Landlords asked	5
No response	2

These statistic present a very interesting case. For example:

- A total of 32 % women decided on their own, which means that many women want to join politics
- Slightly more, as much as 35 %, joined politics because family members, community and members of the clan indicated the possibility; the women found the idea worthwhile
- 10 % came in politics since politicians and feudal lords wanted them to do so; and entreties often also work
- Only 18 % husbands (of 84 % married women¹¹) and just 3 % brothers and parents gave such a hint that they can join politics.

3-3 Available Support

The question arises whether any practical support available to the elected women councilors when they were not yet 'elected'. The equation in the above given table show that majority of women did not have idea from their husbands, brothers or parents that they should join politics. It proves that males (as husbands or brothers) generally don't treat politics to be a

¹¹ It is an assumption that husbands are alive.

right choice for women. Of course there are issues of indecency in the context of Pakistani culture that hardly allows women's mobility. Also, there is an issue of power as people don't easily buy the idea that women should be 'politically empowered'. So, even if a larger proportion of women got the idea themselves, they still had to have endorsement from their families before taking action. The following table shows us the fact that it is actually husbands, family members and friends who count the most in the 'approval'. The percentage of this approval from husband, family members and friends is 71 % accumulatively.

Who Approved The Idea of My Joining Politics The Most?	%
Husband	45
Father	3
Brother(s)	5
Sister/Mother	1
Relatives	13
Friends	2
Husband and Friends	4
<i>Lumber Daar</i> ¹² /Feudal/Landlord	4
Husband, <i>Lumber Daar</i> /Feudal/Landlord	1
Civil Society Organization	2
Community	10
Organization and Community	3
Political Party	1
Everybody	2
None	2
No Response	2

When it is 'support' on the one side, it would 'opposition' on the other side as Pakistani society is not unequivocally in favor of women's joining the politics. Estimated 25 % women noted when interviewed that the idea of their joining politics was opposed more vehemently by the 'opposition parties'. This should not surprise us. In Pakistan, most of the political parties want their nominees to be elected without 'opposition'.

The following table gives some details about the trends of broader opposition to the women's participation in politics:

Opposition	%
Husband	3
Father	2
Brothers	6
Neighbors/Relatives	9
<i>Lumber Daar</i> /Feudal/Landlord	3
Civil Society Organization	1
Opposition Party	25
Everybody	1
Nobody	47
No Response	3

Opposition bears different connotations for different people. In Pakistani society also, it runs a very broad range between simple 'disagreement' and hurdles and from hurdles to the 'threat of one's life'. SAP-PK also tried to explore the possible dimensions of the term 'hurdles'

¹² Revenue Collector at the village level

with a set of questions. The findings are specific about the respondents though, yet are equally relevant in the case of other women who are interested to join politics. The following has more on this:

Type of Hurdle/Opposition	%
Family was extremely unhappy	3
No cooperation in submitting documents	2
No cooperation in canvassing	7
No resources provided by the family	1
Life threats/Threats of burning	2
Taunting/Mocking/Sarcasm	31
Suspected of doing something 'wrong'	2
Condemning (the idea of women in politics)	17
Non-cooperation from election commission	2
Unclear information from election commission	1
Difficult access to election commission's staff	2
Unclear voters' list	1
Unclear information from election commission, Unclear Voters' List, Lack of cooperation from election commission	4
No hurdles	20
Almost all mentioned hurdles	2
No Response	7

This table illustrates that once there is a broader consensus within the family (which is of course not easy and not essentially absolute) that a woman should join politics, there are still about 13 % women who fail to acquire the require support.

The response of the community is quite gruesome in any case. Since people have to interact and operate under the overarching 'community' or the 'value system', it is not possible to stand against the tide. This is why as much as 52 % women elected councilors who were interviewed noted to have faced sarcasm, taunting and threats including killing during their election-campaign. These threats usually come from opposition political parties, feudal or religious groups.

Another hurdle in the way of women's participation in politics appears in the form of lack or inefficiency of the services, especially those of the Election Commission of Pakistan. Accumulatively, 10 % elected women councilors complained of the hurdles created, or perpetuated, by the Election Commission. Primarily, it is the job of an election commission to:

- Educate masses about the processes involved in contesting in elections and voting
- Educate masses about the criteria of the contesting individuals
- Encourage masses to vote and sensitize them about the significance of voting
- Prepare voters' lists and demarcate constituencies
- Make arrangements for polling (keeping in view the population and its divide)
- Train the staff to oversee the polling, counting, data compilation, etc.

It is therefore important that the ‘base’ - where people turn out to vote or a few of them plan to contest elections, should be women friendly. The services should be clear and sufficient to feed the curiosity and information base of the communities so that voting turnout improves and people know about the administrative functioning of the Election Commission.

3-4 Response and Behavior

Once elected, a new world opens for women. This is a world of both opportunities and threats, working within and outside of the political structure wherein a Pakistani woman is entitled to represent her constituency and is exposed to people she is not essentially introduced with, before. In this paradigm of politics, many fears, threats and difficulties accumulate to keep her from performing her duties to the best of her potentials. Of course, there are opportunities as well. But these opportunities are generally very limited.

SAP-PK collected responses of the elected women councilors about their experience in the councils as ‘elected women councilors’. To a question of how did the respondents feel when they attended the very first session of the council¹³:

- 43 % noted they were happy
- 27 % were worried, confused and ‘fearful’
- 23 % hesitated and were uncomfortable in the presence of males,
- 2 % did not like to be in the council, and 1 % did not attend the council.

The functioning environment of the councils/assemblies is of course an important domain in order to evaluate how women-in-politics are generally treated. Unfortunately, in-house environment at the lowest of the political rungs is very uncivil. The nature and depth of the experience of incivility has been illustrated in the following table:

Response	%
Fellow members (males) don't listen to me	12
Nazim(s) - males - ignore women's issues	9
Fellow members (males) make fun of me	4
Try to make us repeatedly ashamed as if we are weak and incompetent	2
Nazims ignore, members make fun of women's issues and don't treat my proposals seriously	3
My political party overrides my position	2
I am kept unaware about development schemes and budget	6
I am not invited in the meetings	6
Keep me unaware about development schemes, lesser resource allocation, unequal privileges and honorarium	24
Lesser funds are allocated to the projects proposed by me than the ones proposed by the males	7
I have lesser privileges and face more problems in having honorarium than males do	4
All problems	8

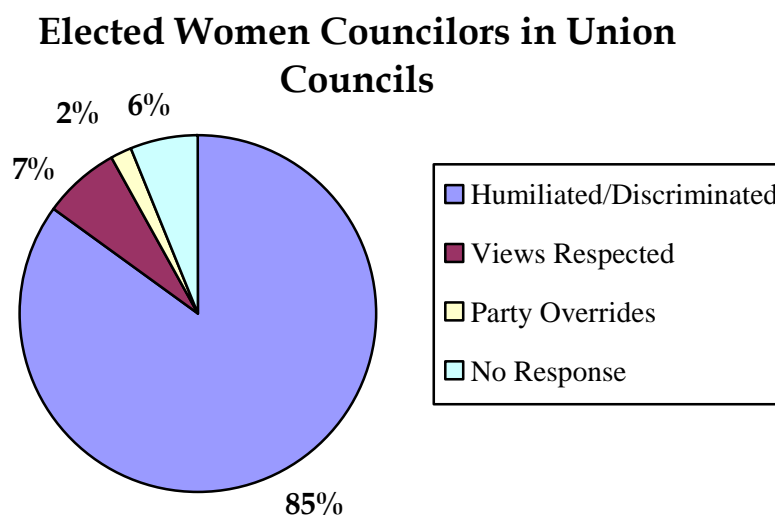
¹³ There were several types of responses. Here, only more significant ones have been presented.

Members respect my opinion	7
No response	6

The above states responses should be distributed in four main categories for having a compact view:

1. Lack of respect towards the elected women councilors in attitude, lack of seriousness by the male members / nazims, and discrimination in allocation of resources / privileges / honoraria, Male nazims and general male members keep the women members unaware of the proceedings, Women members are not invited in the meetings: Elected Women Councilors with these responses fall in the category 'Humiliated and Discriminated'
2. The responses of those women whose point of view is respected can be tackled under 'Views Respected'
3. 'No Response': It is self evident
4. 'Party Overrides' (party overrides the opinion of the elected women councilors)

As we cumulate responses, we would see how even very minor things turn into a stumbling block in the development of a given section of society. As in this case, the following graph indicates the strength of those elected women councilors who are able to perform in dignified manner in comparison with those who are humiliated and discriminated for their being 'women' and therefore 'of lesser value':



Is not it alarming for a country where 85 % women elected representatives complain about discrimination and humiliation while performing their duties? This is of course the blatant violation of human rights. It speaks volumes about the fact that state of Pakistan has bitterly failed in complying with the Constitution of Pakistan as well as the CEDAW. The increase in women's seats in representative bodies to more than 30 % is tremendous and very much welcome, but it is not enough. It is basically an attitude that makes this important step worthwhile. It is a law that is required to be enacted to mete out those individuals with punishment rigorous who "insult, mock at and/or discriminate women for being their sexually different and inferior". Only such a law, and its effective implementation, would yield the actual empowerment to women in politics, in Pakistan.

3-5 Politics of Fear and Molestation

This segment, 'Politics of Fear and Molestation', takes account of those behaviors and conditions that bereave the elected women representatives of their mental comfort, strike fear among them and prevent them from working smoothly. It involves harassment and sexual abuse. In the case of sexual molestation, however, it is not easy for a woman in Pakistani society to admit her being a target of sexual abuse very bravely and then get away with the worst form of social stigmatization and insulting procedures of the law-enforcing agencies. So, when you ask about sexual molestation, it is always 'others' who are involved, or the 'general trends'. To solicit 'very close' information, one has to replace the term 'sexual abuse' with 'trouble'. This 'otherness' and 'closeness' don't reflect the picture completely, but these are significant indicators of the existence of the certain crime and the prevalent fears.

There are a few dimensions of the fear-factor explored in this study. Following table gives us some details about various types of fears:

Fears, Dangers and Difficulties	%
Character assassination and staring	34
Uncomfortable and stressed	7
Suspicious looks by the people	9
Fearful of traveling alone	6
Fear of being kidnapped	1
Males poke their noses in my personal life	20
Nazims call meetings on their private places	1
Threatened of life/Threats of burning	2
Vulgar language	1
Don't know / No Response	6
Not Fearful / No Problem	7
All the Mentioned Problems	6

The statistics reveal that:

- Only 7 % of the elected women councilors feel comfortable in fulfilling their duties;
- A majority - 40 % - complained of being stared and target of indecent remarks;
- Similarly, 7 % perform with fear of being kidnapped or some unwelcome surprises while traveling alone;
- As much as 21 % women elected councilors complained they were uncomfortable with advances of the males to become 'friendlier';
- About 3 % women received threats of their life and continued to do their job amidst threats of being burnt;
- And 6 % lived with almost all the mentioned problems.

To explore the issue of sexual harassment and the coping mechanisms, there were six exclusive questions included in the survey. These questions were:

1. Why women become victims of sexual abuse?
2. Which women are softer targets of sexual abuse in politics?
3. At which level of politics women are sexually abused more than at any other level?
4. Who is responsible for sexually abusing women in politics?
5. How do you handle if you feel you are in 'trouble'?
6. Which departments do you approach to seek assistance for a sexually-abused woman?

Why women in politics are sexually abused	%
They are considered 'bad' because they move out of their homes	21
They are not literate and fully conversant with situation	23
Males aim to prove their domination	20
Males aim to manipulate the political situation in their favor	4
Poverty	2
They move out of their homes and are barely literate to handle	10
Difference of Religion	1
I am unaware why women are sexually abused	2
No response	3
All mentioned reasons	14

The findings indicate that most of the reasons of elected women's sexual abuse are concerned with their image of being 'bad', their literacy level and male chauvinism. In every sense, women's vulnerability features at the center on account of their image, i.e.,

1. If a woman moves out, she is bad, and when she is bad, it is justifiable to abuse her sexually.
2. If a woman is barely literate, she does not probably know how to deal with the case of sexual assault.
3. Being male, I am superior and I can manipulate the situation easily. The woman cannot handle it.

Softer Targets of Sexual Abuse	%
Women from religious minorities	8
Barely literate women	24
Poor women	10
Barely literate and poor women	14
Married women	1
Unmarried women	2
Divorcees	2
Widows	1
Religious minorities and unmarried women	1
I don't know	4
No response	9
All women	24

The table illustrates that those women are softer targets of sexual abuse more than any other who are:

- Barely literate
- Religious minorities
- Poor

Since majority of the women at the union council level are from poor income areas, they are barely literate, and patriarchal system is in its extremely crude form at that level, it is fairly

easy to understand the level of their vulnerability and the frequency of their exploitation. As women upper in political hierarchy, chances of their sexual exploitation tend to reduce. The views of the elected women about women's sexual abuse at different levels of political rungs, as expressed in the following table, sufficiently reinforce this common viewpoint (which obviously does not exist in a vacuum: it is based on 'experiences' or knowledge about the cases).

Levels vis-à-vis Sexual Harassment	%
Union Council	19
Tehsil Council	2
District Council	7
Provincial Assembly	1
National Assembly	1
Women in Monitoring Committees	1
I don't know	54
On every level	8
No response	7

If about 20 % of those women who are in politics at the UC level are sexually potentially vulnerable and/or already victims, then comes the question as to who was/is the culprit. There were many culprits. To top them all are the government officials, political representatives of higher rungs, and the law enforcing agencies.

Who were the Culprits?	%
Government officials	18
Representatives from higher rungs	14
Law enforcing agencies (police)	15
Party colleagues	6
Elected representatives in the council	3
Members of the family/caste	2
I don't know	21
Rep. from higher rungs and law-enforcing agencies	15
Rep. from higher rungs and Govt. officials	3
No response	3

Handling of the Cases of Molestation	%
I sought assistance from Nazim	32
I sought support from other members of the council	5
I went to the district election commission	1
I approached the local <i>Insaaf Committee</i> ¹⁴	2
I took my case to civil society organizations	13
I approached local, provincial and national level politicians	4
I sought assistance from journalist(s)	2
I went to a lawyer(s)	1
I went to police	4
I took my case up with Public Safety Commission ¹⁵	4

¹⁴ One of the committees operating at the union councils' level, constituted of the elected members to develop a local system to deal cases locally, and monitor its functions

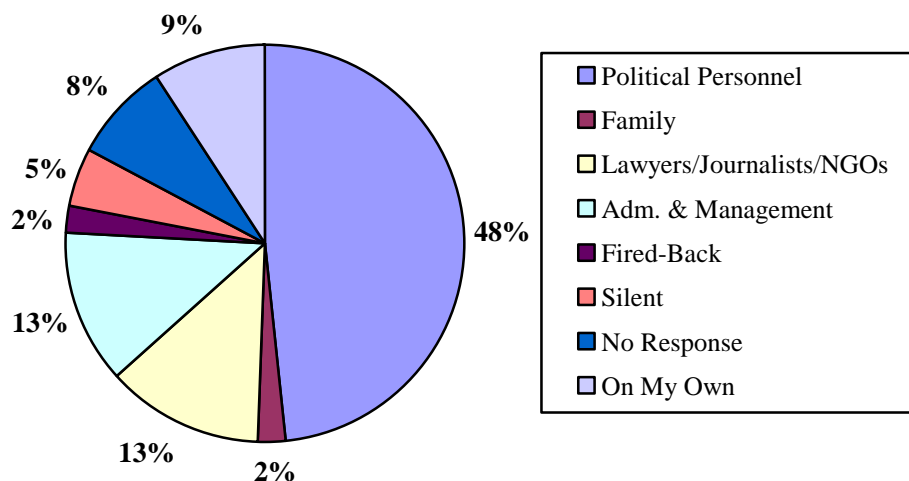
¹⁵ A Commission working at the district level to monitor if police and concerned bodies at the district level are functioning properly

I fired back	2
I remained silent to avoid more adverse consequences	4
I sought advice of my family members	2
No one came to help me	8
I went to civil society organization, journalist and lawyer	8
I tried every possible option	1
No response	7

The responses to the question as to how the elected women councilors did react when they found themselves in a deep trouble draw our attention to power relationship and expectations pinned at various channels. These responses can be distributed in the following categories to view a graphic analysis of the situation:

1. Political Personnel: (women went to Nazim, colleagues, higher political leaders, etc.)
2. Family Members (talked to family members and sought their help)
3. Lawyers/Journalists/NGOs
4. Administration and Management (police, insaaf Committee, election commission, etc.)
5. Fired-back
6. Silence (women did not talk to anybody)
7. No response (women did not reply)
8. Left on my Own

We see in the following graph that “Fire-back” type of response is only 2 %. It means the rest of the elected women councilors did not fire-back due to various reasons. This situation manifests vulnerability among women, including those who are in politics.



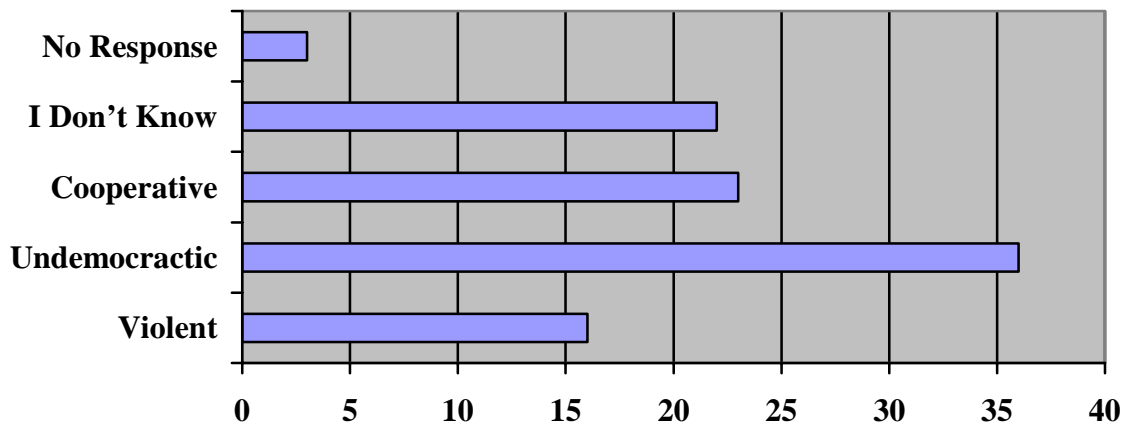
The graph shows us that the elected women councilors who resorted to the “Family” to seek assistance from them rank the lowest. It means that majority of them were fearful of facing more adverse consequences in case they shared their story with them. This response is not very unexpected in Pakistan because parents, brothers and/or sisters ‘strongly advise’ the victims not to stand in the face of the ‘trouble’ and share anything with anybody. Often times,

they even physically abuse the victim for ‘blemishing their honor’. This is why the victims prefer to choose “Silence”. And if they refuse to be silent somehow, they refer to “Power” for seeking justice, at the first place. Their resorting to Power is because of their belief in its ability to dispense quick justice and exert pressure to obtain desired results. This is why those women who went to the Administration and Management as well as the Lawyers & Civil Society, to seek their assistance, are far less even in cumulative percentage than those who resorted to the “Power Factor” alone, as this study highlights. The statistics inversely show the lack of trust, especially among women, in the institutions, because of corruption and fear of their further exploitation, including harassment. An auxiliary question was also asked from the participants if there was any complaint cell working at the concerned offices of the election commission to hear cases of injustices, harassment and discrimination against women elected councilors. About 70 % women told there was no such office to hear such complaints, 16 % told there was an office in the commission and 22 % did not know if such an office exist or not. The rest did not respond to the question.

3-6 Political Parties and Environment

We have so far explored the existing trends of local bodies in this study. It is also important that we review the status of the political parties which claim to struggle for restoration of democracy. But what sort of environment they have within themselves? Is that friendly and respectful towards women? Are they democratic in that sense? With this crux in mind, SAP-Pk asked a question from the elected women representatives. The responses coming under this question tell us about the pattern of behaviors and the structures upon which parties perform. The following graph illustrates these existing trends:

Environment within Political Parties



The findings clearly illustrate that more than 35 % elected women who were interviewed believed that the political culture within their political party was highly centralized. More than 15 % even termed that as violent, which includes open abusive language and general harassment. Slightly more than 20 % women have cooperation from males while working as political worker. Almost the same percentage is that who didn't know about the nature of the environment, which shows their disinterestedness in party matters, level of their participation or the lack of courage among them to express their views openly.

4 Conclusion

As we finger through this study on elected women representatives in Pakistan, we come across several types of crass attitudes and methods of violence against them. These attitudes and acts of violence are perpetuated on the basis of women's identity as women and the patriarchal perception that they are weak and they lack knowledge and skills. We also visibly witness larger gaps between the provisions of the Constitution of Pakistan, political parties' culture and preferences and the general socio-political manifestations wherein women elected representatives particularly and women political worker general performs their duties. There many areas which need to be seriously considered as we see alarming percentages of women who feel threatened, are virtually hostage to the social values, who are gazed at, who face abusive behavior and indecent approaches of male counter parts, who are jeered at or who are simply asked to keep quite even during the proceedings of the assemblies/councils.

Let us also acknowledge the fact that Pakistani elected women have now increased knowledge about their potentials. They are very active and digging their heals against all odds very courageously. They are uncomfortable, but they have a will to serve. They want to change the culture of politics though. It is a very justified call.

Every democratic political system has its own social recommendations for improvement of its environment. Parties and assemblies also sometimes have such considerations and mechanisms to deal with such issues. But as we know that the political system is largely dominated by males and parties are not exception, then all considerations and mechanisms are usually very mechanical and developed through the patriarchal prism. Therefore, what women generally perceive from an environment to be friendly in a political system logically differs from the one held by the males. The answer to 'what women think how environment within politics can be improved' has more relevance to the subject when women themselves come up with their views, especially when we talk about 'violence against women in politics'. In view of this consideration, SAP-Pk thought it pertinent that elected women should speak for themselves rather than SAP-Pk should speak on their behalf.

SAP-PK gave a set of options to respondents to solicit their views on how the environment of politics can be made women friendly. Following table gives us a reflection of their responses:

How Environment Can be Suitable for Women in Politics?	%
Through Policies	12
Through Code of Conduct	3
Policy and Code of Conduct	6
By Making Women Special Desk (for complaints)	5
By Watchdog Committees at the district level	5
Through District Committees and Training Programs	3
Through Training Programs	16
Through Enforcing Gender Justice and Human Rights	14
Through Increasing Funds for Women's Development	8
Through Enforcing Gender Justice & Human Rights and Increasing Funds for Women's Development	8

Through Media Monitoring	1
Through all means as mentioned above	14
I don't know	2
No response	3

- The table shows that 21 % elected women representatives believed that policies and code of conduct was must to improve the environment.
- A chunk of 13 % thought that Desk/Watchdog committee(s) could be the best solution in making environment in politics women's friendly.
- To 16 %, women's capacities should be enhanced if environment in politics was needed to be improved.
- A many as 30 % women elected representatives voiced for implementation of rights-based charter and gender-justice should the environment in politics improve, from women's perspective.

The above stated recommendations cover the entire domain from orientation to implementation of the charter of human rights. Its time that to tackle the issue of violence against women in politics, the political parties should rise up from their petty positions and categorically devise policies within themselves and propose certain measures at the legal level which should address the issue adequately and comprehensively. This study can illuminate some positive directions in this regard.

Annex 1

Survey Team					
No.	Districts	Surveyors	No.	Districts	Surveyors
1	Bhakkar	DRC*	12	Swabi	DRC
2	Sahiwal	Anjuman Falah-e-Niswan	13	Haripur	DRC
3	Sialkot	DRC	14	Swat	DRC
4	Rajanpur	DRC	15	Kohat	DRC
5	Bahawalpur	DRC	16	Bolan	DRC
6	Mirpur Khas	DRC	17	Loralai	DRC
7	Ghotki	DRC	18	Zhob	DRC
8	Jacobabad	DRC	19	Sibbi	DRC
9	Matiari	DRC	20	Noshki	DRC
10	Umar Kot	DRC	21	Multan	Women's Rights Association
11	Peshawar	DRC	22	Lahore	SAP-PK

* District Resource Center: There are 40 district resource centers working under the SAP-Pk's national program, "Strengthening Democratic Governance in Pakistan"

Annex 2

Gender Reform Action Plan

1.1 Political Participation

It can be argued that when speaking of improved governance, the political functions of the state are as important (if not more) than the administrative functions. The political process and the political institutions of the country should provide leadership in both law making and policymaking. The recent electoral reforms have provided unprecedented space for women in the formal political structures of the country. This space includes 33 percent of local government seats reserved for women, 17 percent in provincial and national assemblies on seats reserved for women, plus women elected on general seats and women members of the Senate.

There is thus a window of opportunity to consolidate, strengthen and support women in provincial assembly and local government, so they can be proactive on gender issues and ensure that the problems faced by Pakistani women across the board are brought on the agenda of the assemblies and local government. They should also be able to initiate and push through gender-supportive law making and policy-making, become active on parliamentary committees and debates. Women also need support as political actors, members of political parties, and voters.

The issues relating to women's effective participation in politics can be grouped into four: electoral (as voters and candidates), participative (as members of parliament, Senate and local government), democratic (the internal culture of political parties that renders them under-represented and ineffective) and societal (women's role in politics).

Note: Most of the reforms suggested in the following sections, for enhancing and strengthening the political participation of women, come under the ambit of the federal government and require only perusal and concurrence by the provincial governments.

1.1.1 Electoral Reforms

These reforms should strengthen and ensure women's right to franchise, their access to polling stations and their candidature.

1.1.1.1 Exercising Right to Franchise

The following groups of proposed electoral reforms address the causes that have served to curtail women's franchise rights:

Prevention from Voting

The Election Commission to declare null and void any poll where it has reason to believe that any segment of the electorate has been deprived of, or prevented from, exercising franchise against their will.

Provincial law enforcing agencies to be given special instructions to ensure that no body is prevented from voting against his/her will. PPO will submit a comprehensive plan in this regard to Home Secretary before each election.

Registration as Voters

Given that there was significant disparity between the number of men and women registered as voters for the 2002 elections (and the proportion of registered women voters far lower than their share in the population, currently estimated to be 48.1 percent), the following actions are suggested:

Registration of women in their own names, rather than registration under husband or father's names

(Federal intervention, provincial action not required)

Streamlining of issue of NIC cards to all women voters

Should the condition of NIC cards for voting be revived in the next general election, the issuance of NIC to women voters will need to be streamlined, under regular NIC procedures. Proposed actions include mobile units used by NADRA for completing formalities of NICs and a reduced fee for the service (especially for rural women).

(Federal intervention, provincial action not required)

1.1.1.2 Access to Polling Stations

Many women do not vote for the simple reason of not being able to reach polling stations. The proposed action to address this situation is the increase in the number of women's polling stations, especially in rural areas, such that women have shorter distances to travel in order to vote. Sites for these additional polling stations to be determined by the Election Commission. Although an expensive option, the Election Commission could also arrange for transport of women to and from polling stations in remote areas.

(Federal intervention, provincial action not required)

1.1.1.3 Women Candidature

The proactive measures of 33 percent women in local government and 17 percent in national and provincial assemblies need to be built upon to move toward complete equality: i.e. fifty percent seats for women in all houses. There is, however considerable debate on whether reservation is the most suitable option, and how the move is to be made towards representation. The challenge is to define a feasible system whereby women can have complete equality in terms of legislative representation.

Proposed action for this option at the current stage is to debate and build consensus around one of the options available i.e. (i) continued Reservation, (ii) mixture of Reservation and Representation, and (iii) double member constituency, mechanism to do it, development of a timetable for this action, and its related amendments in laws. WDD would facilitate Ministry of Women Development in arranging these consensus-building events.

1.1.1.4 Participation of Women in Election Commission

At the moment there is only one member of the Election Commission is a woman. The proposed action under GRAPs is the amendment of the rules of the Election Commission such that half the members of the Commission are women.

(Federal intervention, provincial action not required)

1.1.2 Making Women in Provincial Assembly and Local Government More Effective

Given that a majority of women in parliament and local government at present have little previous political experience, they need support to become proactive on women's issues.

1.1.2.1 Women in Local Government

Experience of the functioning of the current local government since its inception indicates that women are unable to play their role for a combination of reasons: non-familiarity of work in public fora, understanding of their own roles, shyness, patriarchal attitudes of male colleagues, lack of organization, few opportunities for developing joint strategies. The following actions are needed to be taken to enable the councilors to play an effective role.

Capacity Building of Women Councilors

The proposed action for supporting women councilors to become more active is a capacity building programmes to cover all local councilors over a three-year period. Should include profiling, mentoring on gender and activist issues, mutual support actions in sessions, how to debate and raise issues, how to prepare bills and proposals, how to obtain allocations. GRAP supports the interventions currently underway through W3P program.

Induction of Women Local Councilors in Council Committees

Women are left out of the thematic committees operating at District level. The proposed action is to make the required amendments in the Punjab Local Government Ordinances to ensure their induction in proportion to their representation – i.e. 33 percent.

Draft amendments in Local Government Ordinance and Guidelines are given at Annexure 1.

1.1.2.2 Women in Provincial Assemblies

Measures are needed to promote actions by MPAs on gender issues, and develop both formal and informal institutional arrangements within the assembly to help women be more effective. While some women in these assemblies are political veterans, majority are novices and need support in understanding how the system works, how they can propose bills and how they can generate debates.

Parliamentary Committees

Amendments in parliamentary proceedings to ensure that all parliamentary committees have a minimum of 20 percent representation of women, and that at least one-fifth of the committees are headed by women. (Amendment in the relevant Rules of Procedures of Provincial Assembly is given at Annexure - 2.)

Women's Caucus

A cross-party women's caucus in each of five assemblies (and the Senate) would be a strong lobbying instrument and a key action in bringing forth gender concerns in laws and government policies. However, such a caucus may not be brought about by

decree, as it will have to be built on consensus. The development of this caucus may be supported through the capacity building program.

Capacity Building of Women Parliamentarians

Capacity building should address not only gender issues but also ALL matters pertaining to law making.

A required action would be comprehensive capacity building programmes to cover all women parliamentarians over a one-year period. Should include profiling, mentoring on gender and activist issues, mutual support actions in sessions, how to debate and raise issues, how to prepare bills and proposals, how to obtain allocations, how to build a women's caucus. GRAP supports the interventions currently underway through W3p Program.

Women Ministers

The proposed action is to ensure that women should be appointed as ministers and advisors, at the very least, in rough proportion to the seats occupied by women in the provincial assembly. A commitment by the provincial cabinet to have women in the cabinet, at least, in rough proportion to the seats occupied by women in the provincial assembly.

1.1.3 Political Party Reforms

Some of the biggest hurdles faced by women are within the political parties themselves. These include patriarchal political culture, requirement of funds to get party tickets and contest elections, security and independence required for canvassing, perfunctory and/or disorganized women wings, lack of gender mainstreaming in leadership and lack of internal democratic norms. Under these circumstances the induction of women in mainstream politics is hazardous at best. While the electoral reforms have brought forth women into politics in a big way, some of these issues have prevented the most active political women from coming to the fore.

While the norms of democracy mean changes brought about through consensus and debate within the political parties, some proactive measures may be necessary to redress the situation. Political party reforms should aim at making women a viable and visible force within the party.

1.1.3.1 Party Position on Gender

Like the conditions of candidature, the Election Commission may require certain actions on party basis. The manifestos of political parties should contain a section explaining how they view women's issue and how they intend to address them. This may be the responsibility of the Election Commission, in time for the next elections.

WDD would undertake an advocacy campaign before the next election to encourage and support political parties to give due space to women issues in their manifestos. This could be taken up as a project.

1.1.3.2 Party Membership

There are three aspects of party membership of women: general membership, council membership and women's wings.

General Party Membership

Suggested action to enhance the participation of women as members of a political party is to reserve a quota of 33 percent for women by decree.

(Federal intervention, provincial action not required)

Council Membership

Suggested action is to enhance the participation of women as members of the elected councils of political parties at various levels.

(Federal intervention, provincial action not required)

Women's Wings in Political Parties

There are different points of view and different experiences about women's wings in political parties, in terms of whether they marginalize women further in the Pakistani context.

Given the suggested amendments for political parties developing 33 percent women membership, this option may become obsolete. However, if that option is not considered sufficient, then necessary amendments may be required in addition to (but not instead of) that option.

1.1.3.3 Conditions for Nominations against Reserved Seats

Many women elected against reserved seats in the national and provincial parliaments have come through rather ad hoc processes that have bypassed the active political workers.

The proposed action is additional rules and regulations in the Political Parties Order 2002, Political Parties Rules 2002, and the Election Commission Order 2002, to ensure that the nominated candidates meet certain criteria of previous political record, positions held in the party.

(Federal intervention, provincial action not required)

1.1.4 Women's Role in Politics

Changes in attitudes within society as a whole cannot be brought about by direct action and institutional changes undertaken by the government. Mass campaign for general awareness regarding women's role in politics and its impact on national development can be supported by the government, as has been the case with the local elections, to promote the participation of women in every aspect and every level of politics.

The proposed action is a government-supported electronic and print media campaign on gender issues and women's participation in politics. The Ministry of Information can be responsible for this over a three-year period and up to the next elections.

(Federal intervention, provincial action not required)

1.1.5 Locus of Government Engagement with Political Parties and Political Actors

WDD is actively involved with W3P to enhancing women's political representation and participation. The current NPA Implementation Unit should, in addition to other functions, take on the responsibility of the followings:

- Mapping of political parties in terms of its gender commitments and reporting on what they have done to move towards gender equality
- Profiles of women public representatives at all levels (including database with addresses and contacts)
- Databases of civil society organisations involved in political work with women
- Support to women public representatives at all levels to promote the 12 critical areas as identified in the NPA
- Support to women public representatives in all actions as identified in this section
- Identification and implementation of capacity and training program for women representatives at all levels (already initiated under the Gender Support Program components, including the W3P program)

Annex 3

Hasba Bill

PESHAWAR, July 15: The following is the full text of the Hisba bill passed on July 14 by the NWFP Assembly:

Preamble:

Whereas sovereignty over the entire universe belongs to Almighty Allah alone and the authority to be exercised by the people of Pakistan through their chosen representatives within the limits prescribed by him is a sacred trust;

And whereas implementation of Islamic way of life revolves around Amer-Bil-Marroof and Nahi-Anil-Munkir and to achieve this objective it is necessary, apart from other steps, to establish an institution of accountability, which could keep a watch on securing legitimate rights of various classes of the society, including females, minorities and children and to protect them from emerging evils and injustices in the society;

And whereas it is further necessary from the accountability point of view to extend the authority of Mohtasib to government's administration and offices in order to have a check upon injustices, abuse of powers and other similar excesses;

It is hereby enacted as follows:

1: Short title, extent and commencement—(1) This Act may be called the North-West Frontier Province Hisba Act, 2005.

(2) It shall extend to whole of the North-West Frontier Province.

(3) It shall come into force at once.

2: Definitions.—In this Act, unless the context otherwise requires,—

(a) “Agency” means a department, commission or any office of Provincial Government, a corporation or similar other institution which the Provincial Government may have established or which may be working under its control, but does not include the high courts and the courts working under its administrative control.

(b) “Amer-Bil-Marroof” means fulfilling the obligations of enjoining the good as laid down in Holy Quran and the Sunnah;

(c) Competent Court: Competent court means court established under CPC 198.

(d) “Expert Lawyer” means a lawyer having at least ten years experience in the profession of advocacy;

(e) “Government” means the Government of the North-West Frontier Province;

- (f) Governor means governor of NWFP.
- (g) High Court means the Peshawar High Court, Peshawar,
- (h) “Hisba Police” means the police force deputed to work for the purposes of this Act from time to time;
- (i) “maladministration” includes all such decisions, processes, recommendations, acts and deficiencies which-
- (j) is contrary to law, rules or regulations or is a departure from established practice or procedure, unless it is bonafide and for valid reasons; or
- (k) is perverse, arbitrary, unreasonable, unjust, biased, oppressive or discriminatory; or
- (l) is based on irrelevant grounds; or
- (m) involves the exercise of powers or the failure or refusal to do so, for corrupt or improper motives, such as bribery, jobbery, favouritism, nepotism and administrative excesses; or
- (o) amounts to negligence, inattention, delay, incompetence, inefficiency and inaptitude in the administration or discharge of duties and responsibilities;
- (p) “Mohtasib” means the mohtasib of the province or, as the case may be, the mohtasib of a district, appointed under this Act;
- (q) “Nahi-Anil-Mukir” means fulfilling the obligations of forbidding the evil as required by the Holy Quran and Sunnah and all other matters which the mohtasib, in the light of the Holy Quran and Sunnah, determines in consultation with the Council of Advisors;
- (r) “Office” means the office of mohtasib of the North-West Frontier Province;
- (s) “Prescribed” means prescribed by rules made under this act;
- (t) “Province” or “Province of Sarhad” means the North-West Frontier Province;
- (u) “Provincial Advisory Council” means the Council established under this Act;
- (v) “Public servant” shall mean the person defined in section 21 of the Pakistan Penal Code, 1860;
- (s) “Religious scholar” means the holder of the certificate of Shahadat-ul-Aalmliah from any institute recognized by government, who has also passed the Secondary School Certificate Examination from a Board of Intermediate and Secondary Education recognised by government;
- (t) “Staff” means an employee or office commissioner, elected/nominated co-worker, advisor, expert, subordinate, officer, liaison officer, etc, of an Agency.

3. Appointment of Mohtasib.—(1) There shall be a Mohtasib for the North-West Frontier Province, who shall be appointed by the Governor of the North-West Frontier Province in consultation with the chief minister of the province. (2) A mohtasib shall be a person who is a qualified religious scholar and is eligible to be appointed as judge of the Federal Shariat Court. (3) Before entering upon office, the mohtasib shall take an oath before the chief minister in the form set out in the Schedule. (4) The mohtasib shall, in all matters, perform his functions and exercise his powers independently, honestly and diligently and all executive authorities throughout the province shall act in aid of the mohtasib.

4. Tenure.—(1) The tenure of the office of the mohtasib shall be four years but the competent authority may extend the term of his tenure.

(2) The Mohtasib may, at any time, resign from his office by tendering resignation in writing.

5. Mohtasib not to hold office of profit, etc — (1) The Mohtasib during his appointment shall not hold any office of profit or enter into any profession carrying the right to remuneration.

(2) The Mohtasib, during a period of two years after his retirement, shall not be eligible to contest election of the National or a Provincial Assembly.

6. Terms and conditions of service.— (1) The provincial Mohtasib shall be entitled to the same privileges, allowances and pay as are admissible to a Judge of the Federal Shariat Court.

(2) A District Mohtasib shall be entitled to the privileges, pay and allowances as are admissible to a Sessions Judge.

(3) A Mohtasib may be removed from office on the ground of misconduct or of being incapable of properly performing the duties of his office by reason of physical or mental incapacity and in this context will be served with a notice in advance. If in the opinion of the Mohtasib the reasons of his removal are not based on facts, he shall be entitled to challenge the bona fide of the notice before the Peshawar High Court, which shall be heard by a Division Bench of the said Court; provided that if no hearing date is fixed for ninety days from the date of approaching the Court, then it shall be deemed that the notice of removal has become effective.

(4) In case a Mohtasib applies for hearing of his case under sub-section (3), he shall forthwith cease to function as Mohtasib.

(5) Where a Mohtasib has been removed on the ground of misconduct, he shall not be eligible, for a period of four years from the date of his removal, to be appointed in any government Department or to become a member of National Assembly or a Provincial Assembly.

7. Acting Mohtasib — (1) If the Provincial Mohtasib, for any reason such as leave, etc. is unable to attend his office, the competent authority shall direct any District Mohtasib to act as Provincial Mohtasib.

(2) if the office of the Provincial Mohtasib becomes vacant for any other reason, Government

shall appoint an acting Provincial Mohtasib.

8. Delegation of Powers to District Mohtasib.—The Provincial Mohtasib shall, in the prescribed manner, be competent to delegate his power to a District Mohtasib in writing.

9. Appointment of staff and terms of employment—(1) Government shall determine the terms and conditions of service and pay and allowances in respect of the staff members of the Mohtasib.

(2) A district Mohtasib shall take oath of office before the Provincial Mohtasib in the form set forth in schedule 'B'.

10. Power and duties of Mohtasib—The Mohtasib shall, on a written or oral complaint of any person, or on reference from the High Court, the Supreme Court or the Provincial Assembly, or suo moto, shall have the authority to- (a) Enquiries into the allegations of maladministration against any agency or its employees; (b) Protect/watch the Islamic values and etiquettes; (c) Watch the media established by Government or working under the administrative control of Government to ensure that its publications are useful to the purpose of upholding Islamic values; (d) Forbid persons, agencies and authorities working under the administrative control of government to act against Shariah and to guide them to good governance; (e) Formulate such directives and principles which may help in making the conduct of authorities working under this section to be effective and purposeful; and (f) Extend to the provincial administration in discharging its functions smoothly and effectively; provided that the Mohtasib shall not interfere in any matter which is sub-judice before a court of competent jurisdiction or which relates to external affairs of Pakistan or the relations or dealings of Pakistan with any foreign state or Government or relates to or is connected with the defence of Pakistan or any part thereof, the Military, Naval and Air Forces of Pakistan or the matters covered by laws relating to these forces.

11: Procedure and evidence—(1) A complaint shall be made in writing or orally by the person aggrieved or, in case of his death, by his legal heirs, to the Mohtasib, which may be delivered personally to the Mohtasib himself or his concerned member of staff or by post, Email or Fax, etc.

(2) Where the Mohtasib proposes to conduct an investigation, he shall issue to the principal or subordinate office of the Agency concerned a notice calling upon it to make reply to the allegations made. If no reply is received within a reasonable time from the concerned Agency or the officer under its control competent to give reply, the Mohtasib shall initiate investigation proceedings, which will be informal, but in special circumstances, the Mohtasib may adopt such procedure as he considers appropriate for such investigation. The Mohtasib shall, in accordance with the rules made under this Act, pay expenses and allowances to the affected parties or the witnesses produced by them. The Mohtasib shall be empowered to check or cause to be checked through his employees the official records of the concerned Agency; provided that such documents do not pertain to state secret documents. Where the Mohtasib, with respect to any complaint, does not consider it appropriate to take any action, he shall inform the complainant. The Mohtasib shall regulate the procedure for the conduct of business under, or the exercise of powers conferred by, this Act.

12. Implementation of orders, etc—(1) On completion of the action in relation to a complaint, the Mohtasib shall have the power to issue directive to the competent officer of

the Department concerned for its implementation and may, at the same time, take up such steps as considers expedient. The concerned Agency within the time limit mentioned in the directive, inform the Mohtasib about the action taken in that behalf, failing which the concerned Agency or competent officer will render itself or himself, as the case may be, to the following actions:

(a) One or more actions under the North-West Frontier Province Removal from Service (Special Powers) Act, 2000.

(b) In case of non-cooperation with the Mohtasib or his staff during investigation, action for interference in smooth functioning of Government.

(2) The Mohtasib shall, for the purpose of this Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (V of 1908), in respect of the following matters, namely:

(a) Summoning and enforcing the attendance of parties and examining him on oath;

(b) Compelling the production of documents; and

(c) Receiving evidence on affidavits.

(3) Where the Mohtasib is satisfied in respect of a complaint under consideration that any functionary of Government has committed a cognizable offence or a civil suit can be instituted against him, he shall direct the concerned Agency to initiate action as aforesaid in accordance with law.

13. Access to documents.— The Mohtasib, any member of his staff or a member of Hisba Force, authorised in this behalf, shall have the right to enter into any office of Government for investigation and examine and take copies of documents during such investigation; provided that if any document is taken into possession from the records, he shall give a receipt thereof as a token of such possession.

14. Contempt of Mohtasib.— (1) In respect of contempt of Court, the Mohtasib shall have the same powers as are vested, under Contempt of Court, 1976, in the High Court;

(a) Hinders or become a source of hindrance in the smooth proceedings before the Mohtasib or does anything causing difficulties in the completion of such proceedings;

(b) Give such statement which defames Mohtasib, or any of his officer or representative;

(c) Acts in a manner which, in relations to proceedings before the Mohtasib, influence the mind of the Mohtasib to take a partial decision; or

(d) Acts in a manner which, any law for the time being in force, falls within the definition of contempt; provided that any comments made in good faith and in the public interest on any act or on report of the Mohtasib or his staff or representative shall not be treated as contempt.

(2) The aggrieved against any order of the Mohtasib under section (1) may, within 30 days of such order, appeal in the High Court which shall be heard by a Division Bench of the said

court.

15. Provincial Advisory Council.— The Provincial Mohtasib, under his chairmanship, shall establish a Provincial Advisory Council, consisting of –

- (a) two Ulema of repute;
- (b) two senior advocates from Bar;
- (c) two representatives of Government in PBS-20.

16. Meetings of Provincial Advisory Council.—The Provincial Advisory Council shall, for purpose of consultations, meet at such times and at such places as the Provincial Mohtasib may, from time to time, direct.

(2) Unofficial members of the Advisory Council shall be entitled to such honoraria as the Mohtasib may, with the approval of government, determine.

17. District Mohtasib.—

(1) The Provincial Mohtasib may, for a district or for more than one district, appoint a District Mohtasib.

(2) A person qualified to become a non-official member of the Provincial Advisory Council shall be eligible for appointment as a District Mohtasib.

(3) The tenure of a District Mohtasib shall be four years.

(4) In case of appointment of a District Mohtasib for more than one district, the Provincial Mohtasib shall determine the district where central office of such District Mohtasib shall take place.

(5) A district Mohtasib, before entering his office, shall take oath in the Form in Schedule B before the Provincial Mohtasib.

(6) A District Mohtasib shall be entitled to the same pay, allowances and privileges as are admissible to a District and Session Judge.

(7) A District Mohtasib may be removed from the office by the Provincial Mohtasib on the ground of corruption or of being incapable of properly performing his duties of office by reason of physical or mental ability. In such case he shall be served with a show-cause notice, which will be replied to by the District Mohtasib within seven days from the date of service.

(8) On failure of the District Mohtasib to reply within the stipulated period or the reply being found un-satisfactory, the order of removal of the District Mohtasib may be issued by the Provincial Mohtasib.

(9) The District Mohtasib, on his removal from office under sub-section (8), may, within 30 days of the order, appeal in the High Court.

(10) When a District Mohtasib has been removed on the ground of corruption, he shall not be eligible, for a period of four years from the date of his removal, to be appointed in any Government Department or to become a member of the Parliament or a Provincial Assembly or a Local Government.

18. Delegation of Powers.—The Provincial Mohtasib may, in writing, delegate his powers to a District Mohtasib for a period of three months and subject to such restriction as may be specified therein.

19. District Advisory Council.—

(1) As soon as may be after appointment of a District Mohtasib, he shall establish a District Advisory Council, consisting of at least five members under his chairmanship, of whom one shall be a religious scholar, one a law graduate, one a respectable resident of district concerned and one a district officer of Provincial Government.

(2) The District Advisory Council shall advise on matters which are referred to it, from time to time, by the District Mohtasib concerned.

20. Tehsil Mohtasib.—

(1) A District Mohtasib, with the permission of the Provincial Mohtasib, may appoint as many Tehsil Mohtasib as the need may be.

(2) A person qualified to become a District Mohtasib shall be eligible for appointment as Tehsil Mohtasib.

(3) The tenure of the Tehsil Mohtasib shall be four years.

(4) In case of appointment of a Tehsil Mohtasib for more than one Tehsil, the District Mohtasib concerned shall determine the Tehsil where central office of such Tehsil Mohtasib shall take place.

(5) A Tehsil Mohtasib shall be entitled to the same pay, allowances and privileges as are admissible to a Civil Judge.

(6) A Tehsil Mohtasib may be removed from office by the District Mohtasib concerned on the ground of corruption or being incapable of properly performing his duties of office by reason of physical or mental inability. In such a case he shall be served with a show-cause notice, which shall be replied to by the Tehsil Mohtasib within seven days from the date of service.

(7) On failure of the Tehsil Mohtasib to reply within the stipulated period or the reply being found unsatisfactory, the order of removal of the Tehsil Mohtasib may be issued by the District Mohtasib concerned.

(8) The Tehsil Mohtasib, on his removal from office under sub-section (7), may within 30 days of the order, appeal to the Provincial Mohtasib, whose decision thereon shall be final.

(9) Where a Tehsil Mohtasib has been removed on the ground of corruption, he shall not be

eligible, for a period of three years from the date of his removal, to be appointed in Government Department or to become a member of Parliament or a Provincial Assembly or a Local Government.

21. Acting Tehsil Mohtasib.—

(1) If a Tehsil Mohtasib, for any reason, is unable to attend his office temporarily, the District Mohtasib concerned shall direct any other Tehsil Mohtasib to act as Tehsil Mohtasib to perform his duties in addition to his own duties.

(2) If the office of a Tehsil Mohtasib becomes vacant for any reason, the District Mohtasib concerned shall direct any Tehsil Mohtasib to act as Tehsil Mohtasib of the Tehsil concerned till appointment of new Tehsil Mohtasib for the Tehsil.

(3) No Acting Tehsil Mohtasib shall, in any case, be appointed for a period of more than three months.

22. Delegation of Power to a Tehsil Mohtasib.—A District Mohtasib shall, in the prescribed manner, be competent to delegate his powers to a Tehsil Mohtasib of his District in writing.

23. Special Powers of Mohtasib.—Without prejudice to the powers conferred by section 10, the Mohtasib shall have the following powers:

- (i) To monitor adherence of moral values of Islam at public places;
- (ii) To discourage exhibition of extravagance, particularly at the time of marriages and other family functions;
- (iii) To follow code of Islam in giving dowry;
- (iv) To discourage beggary;
- (v) To monitor adherence of Islamic values and its respect and regard at the times of iftar and traveh;
- (vi) To discourage entertainment shows and business transaction at the time of Eids and Friday prayers around mosques where such prayers are being held;
- (vii) To remove causes of dereliction in performance and proper arrangement of Eid and Friday prayers;
- (viii) To discourage employment of under-age children;
- (ix) To remove unnecessary delay in discharge of civil liability which is not disputed between the parties;
- (x) To prevent cruelty to animals;
- (xi) To remove causes of negligence in maintenance of mosques;

- (xii) To observe decorum of Islam at the time of Azan and Fardh prayers;
- (xiii) To prevent misuse of loud-speakers and sectarian speeches;
- (xiv) To discourage un-Islamic and inhuman customs;
- (xv) To check the tendency of indecent behaviour at public places including harassment of women;
- (xvi) To eradicate the deal as profession in Taweez, palmistry, magic, etc;
- (xvii) To protect the rights of minorities, particularly to regard the sanctity of their religious places and sites where they perform their religious ceremonies;
- (xviii) To eliminate un-Islamic traditions, which affect the rights of women, particularly taking measures against their murders in the name of Honour, to remove the tendency of depriving them of their right of inheritance, to eliminate the tradition of Cirri, and to protect their rights guaranteed by Sharia and law;
- (xix) To monitor weight and measures and eliminate adulteration;
- (xx) To eliminate artificial price hike;
- (xxi) To protect government properties;
- (xxii) To eliminate bribery from government offices;
- (xxiii) To incite feeling of service to people at large amongst government functionaries;
- (xxiv) To advise those who are found to be disobedient to their parents;
- (xxv) To perform any other functions which the Provincial Mohtasib determines from time to time in consultation with the Advisory Council;
- (xxvi) To mediate amongst parties and tribes in matters pertaining to murders, attempts to murder and similar other crimes threatening to law and order situation.

24. Public Servant.—The Mohtasib and all his staff including Hisba Force shall be deemed to be public servant within meaning of section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

25. Restriction.—

(1) No court or authority shall be competent to question the legal status of the proceedings before a Mohtasib.

(2) No court or authority shall have the power to pass any injunction or any interim or a stay order with regard to any matter under consideration of the Mohtasib.

(3) No suit or legal proceeding shall lie against the Mohtasib or his staff for anything in good

faith done or intended to be done.

26. Hisba Police.—A mohtasib will be provided with requisite police force to enable him to conduct his affairs under this Act.

27. Conciliation Committee.—

(1) The Provincial Mohtasib in consultation with the District Advisory Council, shall establish a conciliation committee, at police station level, that consists of

- (i) Two religious scholars of repute,
- (ii) A local lawyer,
- (iii) A minority representative from the area,
- (iv) A respectable local resident, and
- (v) Station House Officer or his nominee

(2) A District Mohtasib may terminate the membership of any committee member, after consultation with the Advisory Council.

28. Offences to be Non-Cognizable.— Defiance of the order of the concerned Mohtasib in the performance of his duties under section 23 of this Act shall be non-cognizable offence punishable with imprisonment for a term of six month and a fine up to 2000 rupees.

29. Power to Make Rules.—Government from time to time makes rules for carrying into effect the provision of this Act.

30. Over-riding effect.—The provisions of this Act, to the extent provided hereunder, shall have over-riding effect vis-à-vis any other law for the time being in force.

31. Removal of Difficulties.—Government may, by notification in the official Gazette, remove any difficulty or hindrance in connection with the implementation of the Act.



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