

## **WOMEN IN PARLIAMENT: INVESTIGATING THE ROLE OF WOMEN PARLIAMENTARIANS IN PAKISTAN (2008-2013)**

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### **Abstract**

*The primary focus of this study is to investigate if the women parliamentarians of the 13th National Assembly have played a substantive role in the promotion of women rights in Pakistan. Based on the analysis of parliamentary debates and the legislative business of the house, this study argues that the women parliamentarians have adequately contributed to raising the gender-sensitive issues in the lower house of the parliament. The findings demonstrate that women legislators proved exceptionally progressive members of the House owing to their relative contribution to the legislative interventions regarding the women's concerns. The paper contends that the 13th National Assembly period (2008-13) has witnessed important contribution of female parliamentarians.*

**Keywords:** *Women Parliamentarian, Women Rights, Legislative Business, Gender Sensitive Issues & Parliamentary Debts.*

### **Introduction**

Historically, the role of women parliamentarians in Pakistan has remained trivial. However, the 13th National Assembly has witnessed much more vigorous participation and substantive role in the House by the women parliamentarian to highlight the women issues. The women parliamentarians forcefully raised gender-sensitive issues and continued engagement in the discussions on legislation and laws related to women rights. They also retained the credit for endorsing several pro-women bills such as, Domestic Violence Bill, the Criminal Law Act, Protection of women against Harassment and Prevention of Anti-Women Practices etc. (Zaka, 2012). The role of women parliamentarian is imperative as the laws which prohibited rape, violence, honor killing and odd social practices against women can be better addressed after the substantive involvement of women in the legislature (Bari, 2009). According to the Inter Parliamentary Union (2017), Pakistan stands at the 45th ranking with aggregating

76 women representatives with proportion of 22.5% in the 13th National Assembly of Pakistan (2008-13). As the House has the highest women representation in the history of Pakistan, it would be appropriate to determine the role of women parliamentarian through the analysis of this period. The paper is based on a qualitative analysis of the proceedings of five years (2008-2013) of National Assembly. The record of National Assembly Debates (63 Assembly Sessions) that covered a period of five years (2008-2013) is examined to investigate the women MPs' role.

#### Women Representation in Pakistani Parliament (1947-2008)

Pakistan adopted the India Act 1935 as an interim constitution in 1947. Subsequently, a constituent assembly was designed to enact the constitution. The assembly passed first constitution of Pakistan in 1956. According to this constitution, the Pakistani legislature was unicameral, having a National Assembly. The constitution was abrogated in 1958 due to martial law. The second constitution was adopted in 1962 that lasted for only 7 years. Another martial law was imposed in 1969 and the constitution was once again abrogated. After the separation of Bengal in 1971, the Pakistani federation adopted the third constitution in 1973. For the first time, the legislature was consisting of two Houses – The National Assembly and The Senate of Pakistan. owing to the parliamentary nature of the system, the directly elected lower house – The National Assembly – was provided greater role in the constitution. The constitution provided reserved seats for the women in the parliament.

Since 1947 the parliament has witnessed lower representation of women. For almost eleven years there was no legislature at all and for another fourteen years the political process functioned under the shadow of military rule. Between the era of 1955 and 1999 which consists of eleven constituent Assemblies, the proportion of women parliamentarians never increased more than 11.1% percent (Naima; Tabassum; Mzal, 2013). In 2000, General Musharraf took the most decisive step in Pakistan's history in terms of women's political representation in legislatures by reserving 17% of seats through the women's quota at provincial and national and 33% at local level (Saiyid, 2001). Currently, the National Assembly (lower house) has a total of 342 seats. The general seats are 272 (80%) and reserved seats are 60 (17%) for women and 10 are (3%) reserved for non-Muslims/minorities.

Table 1: Representation of Women in National Assembly (1947-2008)

Years	General Seats	Reserved Seats	Overall Percentage
1947 to 1954	0	2	2.5%
1955 to 1958	0	0	0
1962 to 1965	6	0	3.8%
1965 to 1969	6	0	3.8%
1972 to 1977	6	0	4.2%
1985 to 1988	1	21	10.1%
1988 to 1990	4	20	11.1%
1993 to 1996	6	0	1.8%
1997 to 1999	6	0	2.8%
2002 to 2007	13	60	21.3%
2008 to 2013	16	60	22.5%

<http://www.Qildat.ori!/Publications/Qublication/Women/WomenReQresentationInPak.istanParliament.Odfl>

#### Role of Women Parliamentarians of 13th National Assembly (2008-2013)

Primarily, the role of women parliamentarians has been determined through quantitative and qualitative analysis of their participation in the parliamentary proceedings. women parliamentarians in this specified period (2008-2013) showed a high level of concern for women issues in comparison to prior assemblies. Many women members actively participated in the debates and put forward their persuasive stances to the parliament and government on the issues related to women rights. This section describes some important issues that were contested by the women parliamentarians on floor of the House.

#### Violence Against Women and Girls

The prevalent gender-based violence that is against women is categorized as domestic violence, honor killing, anti-women practices, acid throwing, burning, sexual onslaught and harassment at workplace and rape or gang rapes. In Pakistan, the most common among various forms of violence is the domestic violence. The statistics reveals that the incidences of domestic violence against

the women reported during the study period were alarming. The reported cases were 7571 in 2008, 8548 in 2009, 8000 in 2010, 8539 in 2011 and 7516 in 2012 (Perveen, 2013). The reports of domestic violence attracted the attention of women parliamentarians. Most of the women MPs emphasized the issue of violence against women and condemn it strongly. Debating on the floor of the House, women MP Psargued that "Violence against women should be curtailed. There should be abolition of those discriminatory women laws which hindered women's basic rights. The government should take adequate measures to safeguard women and girls from exploitations along with rape, honor killings, acid attacks, domestic violence, and also forced marriages"(Pakistan. National Assembly. Parliamentary Debates(2008, March 29) Vol2, p.14, Bushra Gohar).

Similarly, another member parliamentarian strongly condemns the violence against women and demanded to take effective measures to curtail it. She suggested that government should amend and enforce existing laws to prevent all forms of violence against women, especially the domestic violence (Pakistan. National Assembly. Parliamentary Debates (2008, June 24) Vol2, p.76, Nosheen Saeed). Mrs. Fouzia Ejaz, another MP emphasized the government's incapability to implement the policies that prohibit women from domestic violence. She asserted that the government should overcome the shortcomings in the laws related to domestic violence (NA Deb. 29 March 2008, p.47). Afterward, Nafeesa Shah, another MP, during discussion on issue of crime against women demanded for separate women police stations. She recommended that as the crime rate against women is increasing gradually, the government should recruit more female police officers to facilitate the women victims. (NA Deb. 22 Dec 2008 P.13). The women MPs continued debating the issues in the next parliamentary years as well. Ms. Khalida Mansoor agitated against the increase in the number of registered cases of violence against women during 2008-09. She criticized the government for being a passive actor in curbing the crimes against women (NA Deb. 9 April 2009 p.28). Another women MP, Nissar Tanveer also blamed the government for violence against women. She inquired the government, the ministry and the women development institutions about the measures taken for curbing violence against women (NA Deb. 24 Jan 2011 p. 9-10). It is noteworthy that while female legislators were protesting the domestic violence, the male parliamentarians mostly remained passive and casually participated in the debate. The women MPs noticed this sluggish attitude of the Male MPs and the government. Shugufta Sadiq condemned this behavior. She was skeptic about the government conduct and doubtful in terms of not providing exact facts and figures about total number of crimes against women. She reprimanded government's stance on minor increase in domestic violence while elucidating media's reports that there is an alarming exaggeration in the cases of domestic violence (NA Deb.

24 Jan 2011, p. 22). On the other hand, she also criticized government's policies for elimination of domestic violence against women. She pleaded government to enact new laws and most importantly amends the previous one so we could intercept these incidents which repeatedly took place. Lately an important political figure and member parliament Kashmala Tariq also joined this discussion and utterly supported the argument of Shagufta Sadiq and stated that we should coherently and practically formulate some policies on National level for elimination of violence against women. She also stated that we should not rely on only speeches. There is a dire need to enact and implement domestic violence bill and it should not be delayed anymore (NA Deb. 16 Dec 2011 p.34). In addition, further prolonging the argument of Kashmala Tariq another member Shagufta Jamani also approached government to elaborate strategies in this regard. While stating about domestic violence she manifested that the passing of the bill is inadequate till its implementation. There should be some institutions or organizations which grant protection to victims of domestic violence till the implementation of such bills. Another woman MP Dr Atia Anayat Ullah vigorously criticized government and suggested that 'Government should make welfare and conciliatory committees at district level through which women can resolve issues related to domestic violence independently (NA Deb. 6 June 2008, p.14).

These above-mentioned statements, deliberations, critiques and arguments on the issue of domestic violence by female parliamentarians have demonstrated their knowledge, commitment and engagement regarding discriminatory laws against women. Through whole five years women legislators continued to perform impressively and as far as legislation is concerned the passing of Domestic Violence bill along with other pro-women legislation are a major milestone.

### **Impact**

Undeniably, women parliamentarian's substantive role on assembly's role and their vigorous performance in legislative business of the house in regard to introducing private member bills in accordance with women rights, authoring or co-authoring the government bills and moving bills by women legislators regarding women is one of the major steps to working together towards safeguarding general women of Pakistan. Consequently, the substantive role of women parliamentarians has been worthwhile as the National Assembly has passed bills on domestic violence against women, harassment at workplace, acid throwing and bill on anti-women practices. Following are some details and overview of the bills which clearly are the outcome of women legislator's remarkable participation in highlighting issues and promoting women rights in the lower house and these bills evidently prove that women legislators have assured rights for women in Pakistan.

A historic bill probing to incarcerate the domestic abuse and impels to outlaw the domestic violence from Pakistan. The passage of this bill is highly crucial as it was initially dismissed by the National Assembly in 2005. Later this bill was re-introduced in 2008 and passed by lower house but withdrawn by Senate. This bill somehow apprehended mixed reactions within Parliament as many parliamentarians and religious parties along with Islamic Council were opposed and reluctant to discuss this bill but above mentioned provoked outburst from female parliamentarians and their relentlessly debates and engagement in process of passing this bill is no doubt a great leap forward for women of Pakistan.

#### Domestic Violence Prevention and Protection Act, 2012

On 20th February the Domestic Violence Prevention and Protection Act 2012 was sanctioned. This law regarded as a step which is forwarded to increment of the women's empowerment economically and socially in Pakistan. This law also stated that, it is the no doubt a radical and progressive act which is associated to the violence confined in the four walls of the house and contemplating as private property. Noticeably, before this law domestic violence was not accounted as violence at all (Gazette of Pakistan, 2012). The domestic violence prevailed as a matter of concern for a longer period of time. This Domestic Violence Prevention Act contrived violence in the char diwari {four walls of the house} as a breach or misdemeanor which would be prohibited by incarceration and charged with heavy fines. Later this law was also presented in the Senate by Senator Nilofar Bakhtiar. Further this law is a well drafted bill which manifested a deliberate and serious attempt to seize or minimize the domestic violence against women of Pakistan (Shamreeza; Zaheer, 2012). The central characteristic of the Act is that it conceded the domestic violence as an offence or crime. Besides this Act also subscribed that it would no more be overlooked or lives on disguised (Gazette of Pakistan, 2012). This law accredited victims for feasible approach through the courts.

#### Issue: Anti Women Practices in Pakistan

Presumably, in Pakistani society there are certain practices and social taboos that lead to ill-treatment and exploitation of common women. Since colonial period these customary practices are prevailing in Pakistani society. Fundamentally, these types of practices are gender-based which makes women vulnerable in Pakistan. On the other hand, women legislators of 13th National Assembly from the first day have been continuously contending the issue of anti-women practices on the floor of Assembly. As Dr. Donya said that there are disparate practices and customs which are not only contrary to human virtue but also disregard women rights (Zia, 2011). While debating within Parliament, Marvi Memon raised an

important issue regarding a general customary practice namely Honor killing. She drew the attention of lower house to the loopholes in laws and made Jirgas responsible in accrediting criminals to inhibit prosecution as victim's families provide amnesty to culprits due to the pressure of tribal Jirgas (NA Deb .21 Dec 2010 p.19-24).

On the other hand, Yasmeen Rehman strongly denounced the act of Honor killing along with conspicuous accustomed practices prevailing in other provinces especially in Balochistan. She also contemplated that as a matter of fact women do not engage in matters of Jirgas but passed down as an artifact to victim's families (NA Deb.23 Dec 2011 p.24). While analyzing this situation Ms. Nafisa Shah explicitly argued that in practice, many political representatives fortify Jirgas to uphold their social and political power over their constituencies. This is a malignant trend. She further informed that politically influential people control Jirgas, abuse women and dismally exploit government machinery to impose their arbitration against women. Another women parliamentarian Justice (Retd) Fakhar un Nisa also told that, although holding up Jirgas and exchanging girls and women like commodities to settle local disputes are prescribed illegal by government but this practice is still lingering throughout Pakistan (NA Deb. 23 Dec 2011 p.32).

However, during the parliamentary proceedings while women legislators are raising and debating issue regarding honor killing and practices of Jirgas. A male member of National Assembly holding a feudal background held a Jirga in his constituency to resolve community discontent to countervail the victim's family. This conduct from a male parliamentarian rose turbulence not only within Parliament but media also highlighted and reported this issue (Kamran, 2012). Women parliamentarians on the other hand fully supported each other's stances and demanded from government to make a law for elimination of Jirgas, honor killings and forced marriages. Women parliamentarians through Caucus gathered on the same agenda despite challenging misdemeanor of male parliamentarians experienced by women legislators regarding this critical issue. Grievously, the whole situation became more complicated and worse when Ms. Yasmeen Shah reprehended the incident confronted by certain male MNAs and one from Balochistan stood up and supported honor killing and stated that, 'I will continue to exculpate the Honor Killings as this custom is centuries old and I will advocate it and those who are indulging in this matter should be indisposed'. Subsequently, only three male members advocated Ms. Yasmeen Shah. After that a contemplative debate rise on the Assembly floor despite strong atrocity by numerous male parliamentarians and women parliamentarians opted a much more arduous terrain by highlighting issue of honor killing, forced marriages and



holding of Jirgas by powerful feudal/tribal elite who overshadow legislature and proudly defend crimes against women. Notwithstanding, these women parliamentarians vigorously participated in the assembly proceeding and put forward recommendations before government to make a law or pass the bill.

### Impact

Due to the undertakings of women legislators, government passed a bill in 2011 namely "The Prevention of Anti Women Practices Bill". This showed collective fight of these female members against communal taboos contrary to general women of Pakistan. Also render issues of disinherit women from their lineage and oblige them to marry Quran. During debates over bill assembly was confronted with pungent opposition from Religious parties and the bill was rejected twice. Besides, the Prevention of Anti-Women Practices Act 2011, which was authored by Dr Donya Aziz, had remained stuck for three years. However, eventually, it was passed by the lower house unanimously. passed the bill.

### The Prevention of And Women Practices Bill2011

This bill was endorsed in assembly by Dr Doniya Aziz. Remarkably thus bill made illegitimate three offences, (1) making woman devoid the right of inheritance by the means of deceitfulness, (2) bargaining of the girls for resolving the dispute as a "badl e sulha" (3) according to the customs force the women to marriage with Quran. A person cannot deliberately deprive any woman from the right of property (Shamreeza & Zaheer, 2012). This would be punishable with imprisonment of seven years in jail and he has to pay heavy fine which is one lac rupees. Likewise, this law also specified the prohibition of marriage with the Holy Quran. It states that who enforce any women to marriage with Quran, the convict must face imprisonment not less than three years and fine of fifty lac rupees for him (Gazette of Pakistan, 2011). In Pakistan there are unfortunately many prevailing traditional values which are opposite to the prestigious status of human rights on the other hand specifically for the dignity of the women as well as there are customs also violate the conviction of human rights. This bill also defined marriage to Quran as an oath taken by a woman enduring that she'll be remained unmarried all her life and would not demand her share in property. Rationale of this bill was to terminate all indecent practices against women which are prevailing in our society.

### Issue: Acid throwing and Acid Crime in Pakistan

In Pakistan acid throwing offense was often elicited on women. This onslaught was utterly volatile as the executioner seeks to exhibit austere physical and mental desolation to their victims. Mostly, the communal contemplation behind such assaults was domestic violence, dowry issue, rejection of marriage proposal by girl's families, rebuttal of sexual favors etc. (The Dawn, 2014). Albeit, many



parliamentarians were concerned about acid attacks and manifested that the increment in such cases is an alarming situation and that is absolutely disturbing to assault a woman for a divergent purpose. Various women legislators congregate the issue of acid throwing before lower house. As, Nosheen Saeed said due to the presence of loopholes in existing law approximately 90 percent of cases regarding acid attack could never be filed. There should be a mechanism through which awareness among common people of society and medical professionals including police should be accustomed in response to perilous of this crime (NA Deb. 1st February 2011, p. 9). While Ms. Khalida Mansoor stated that, Medical proclamations are crucial in investigation but sometimes acid hirelings wind up hospitals very late and because of that cases are not recounted at all (NA Deb. 13 April 2011, p.16).

Every year in Pakistan approximately 100 cases of acid attacks are narrated but the number of unreported cases is higher in numbers (Coleman, 2012). Over 800 incidences of violence against women in different categories including acid attack were recorded and reported by Aurat Foundation in 2009 and in 2010, 48 of which were acid attacks cases. Due to these alarming conditions female parliamentarians raised serious questioning about how to tackle this issue and started working to introduce a comprehensive law which prohibits this issue. Apart from debating the issue in Assembly another unfortunate incidence turned up mainstream media when a 13 years old school girl Naila Farhat disfigured by acid assault. Although Naila was ambushed in 2003, miserably she pursued her case for next six years despite her torment condition and despite absence of any specified bill or law she suffered so long. She dauntlessly with the backing of Acid Survivors Foundation (ASF) approached Supreme Court in November 2009 where the endemic verdict was reinstated against culprits. Supreme Court transcribed her case as first and foremost woman to accomplish a case in terms of acid-attack in Pakistan (Abouzeid, 2010). The milestone adjudication urged female legislators to introduce a national legislation to safeguard and sentenced the acid attackers by seizing the sale and production of acid on any level.

Throughout the discussion which was prevailing within the Assembly at that time several members highlighted distinct issues regarding acid violence. As Bushra Gohar said that, 'there lies a discrepancy in facilitations which is imparted to rural areas. Lack of proper equipment and scarcity of hospitals in remote areas are a major concern. Moreover, the selling and buying of acid is merely an issue which is provisioned by district government. So, there must be an adequate district government systematization to control the sale of acid (NA Deb. 25 October 2011, p.22-23). While Shakeela .Khanam informed that, 'in mostly areas, women MLOs (Medical Laboratory Observer) are not reachable or accessible. So, there

must be a formation of a disjoined burn unit only for women and girls and doctors should eventuated medication promptly (NA Deb. 6 September 2012, p.46). On similar basis Yasmeen Rehman appertained to the postponement in the redemption of justice. She recommended fast track courts for all cases of acid attack violence against women (NA Deb. 19 Dec 2012, p.14).

### **Impact**

If there could be a situation that precisely depict without a nuance of astringency more dreadful than death, it would be the existence of acid attack victims. This crime has far-reaching, disastrous and permanent consequences in the physical semblance of a person. When due to the efforts and aspirations of the women parliamentarian's government legislated acid control and acid crime prevention act in 2011 this initiative was acclaimed as a significant step forward in the pugnacity opposed to this kind of violence. Nevertheless, no triumph against acid violence can certainly vindicated as passing of long-awaited below mentioned comprehensive bill.

### **Acid Control and Acid Crime Prevention Bill 2011**

In Pakistani society, the rights related to women often disregarded by hateful and hideous transgression called as "acid throwing". This course of action is the lowest form of humiliation of women of any society either developed or not. This delinquency gravely happened on public places and in homes. Misconduct of acid throwing is commonly executed by the ex-husbands of wives and on the other hand by those boys whose proposals are refused by the girl or girl's families (Naheed, 2008). In response they perpetrate this crime for vengeance. Because of these apprehensions female members of the Parliament often considerably criticized government. Consequently, Government substantially took a concrete initiative to confront this crime by pronouncement of the Acid Control and Acid Crime Prevention Act in Pakistan. On the other hand, this law advocated sentence of imprisonment to the person for fourteen years and fine up to one million rupees (Gazette of Pakistan, 2011).

### **Issue: Women behind Bars in Distressed and Decaying Position**

In Pakistan, another issue is faced by women specially those women inmates who are languishing in prison often stay trapped behind bars for the simple reason that they do not have the financial resources to arrange a lawyer or donot have expenses to reimburse bail. Their cases are thus not indicted in courts and they abide enslave in jails without any court hearing.

In first parliamentary year of 13th National Assembly, Shagufta Jumani was the first member who raised the issue of women prisoners on the floor of Assembly

and asked for governments to allocate funds for welfare of female prisoners (NA Deb. 29 March 2008, p.24).

In addition, Begum Naseem Akhtar drew attention of House to the issue of women prisoners in jails of foreign countries. She also informed that only in Middle East there are approximately 3 to 4 thousand women prisoners. She also demanded the authentic percentage of women and asked for several mandatory steps to be taken for these women for their release (NA Deb. 31st Dec 2010 p.11). Similarly, Miss Shaheen Ishfaq finally blamed government's policies for imprisoned women. She forcefully argued that government must take effective measures for the welfare of imprisoned women (NA Deb. 27 April 2009 p.43).

According to a report by Human Rights Commission of Pakistan there are approximately 1,100 female prisoners in jails of Pakistan and the most shocking fact is they are in deplorable condition. Similarly, there is neither any separate building nor cell for Juvenile girls or separate jails for those women who involved in grave crimes. Another issue faced by female convicts is combine jails for men and women. This was pointed by Dr. Naheed Shahid Ali as she stated that there is no disentangle prison in Balochistan province and women must accommodate in men's dungeon (NA Deb 30 Jan 2013, p.19). Several parliamentarians' appeals to government to build separate lockups throughout Pakistan and suggested that jails should equip facilities like sports, education, health and nurseries for children along with their mothers. Somehow, there is increment in female prisoners efficaciously and they undergo physical and mental distress and helplessness due to the ill-treatment of jail staff. Exceedingly, more than 70% of women in jails encounter physical exploitation in conjunction with sexual abuse by police office holders (Ali & Shah, 2011). Although, the afflictive situation has changed after the passage of women protection Act in 2006 but it was not ample. Before the enactment of Women in Distress and Detention Fund Act there was minimal assurance for women against false allegation (Qazt) and in cases of (Diyat). In fact, courts while articulating sentence the incriminated with hefty forfeit and therefore many women languished in jails because of incapability to pay such huge sum (Ali & Shah, 2011).

### **Impact**

Nonetheless, women parliamentarians put forward their endeavors to make such a bill which granted the legal and fiscal endorsement to women in jails. After the passage of below mentioned bill, this avows upto Rs. 10,000 for legal assistance likewise bails and other compensation to those deserving women which are in confinement, conviction or residing in shelters (Hayat, 2011). It further lends funds to those women who are in rehabilitation centers. Also, to handicapped women, women in discomfort due to severe ailment, mental disorders and women

deprived of medical sustenance. Its provisions stretched out to the legal assistance to desolate women and their children to provide shelters and women fervently harmed and tormented by their spouses.

#### **The Women in Distress and Detention Fund 2011**

This bill endorsed for enhancement and protection of women rights. This law will on the other hand confer financial and legal assistance to those women who are distressed and decaying in different jails of the country. Basically, this ordinance was to redraft women in Distress and Detention Fund Act of 1996 (Gazette of Pakistan, 2012). On the other hand, this bill was disseminated by an ordinance earlier on 18th April 2010. The purpose was to assist the Ministry of Human Rights to cater compensations in legal and financial funds for providing compensations to women in desolation and confinement. To get the funds operational for women's facilitation made a new law ordained under the ministry.

This bill proposed two objectives to assist women prisoners whom are under probations or in the Dar-ul-Aman. This bill transpires to arrange books, jobs and medical assistance to distraught women along with their children. In these way women parliamentarians sustained endorsements to female hostages so their tendency concerning women empowerment and reclamation should not be interrupted (Naveeda, 2013).

#### **Issue: Harassment Against Women and Girls at Workplace**

In Pakistan, harassment of women and girls at work places is a matter of grave concern because if women encounter any hostility or malice at workplaces or public places they will be surely stumbling to come out from their houses (Patel, 2010). In Pakistan, the provoked situation of women in response to harassing at public places is becoming worse day by day. Whereas, harassment is one of the menacing, illegitimate and culpable demeanors which are routinely consummate at many workplaces throughout Pakistan. Notably, Women parliamentarians highly endorsed this issue in Assembly and criticized viciously their male counterparts and government policies.

According to a research carried out by UNISON in 2008, in Pakistan more than 50% working women endure sexual harassment. Every day in Pakistan an accession number of cases reported and unreported cases are even in big number. A total of 520 cases regarding harassment at workplace were recorded between years of 2008 and 2010. These worsening statistics brought together female parliamentarians to emphasize this issue before assembly.

Ms. Khalida Mansoor was the first to hoist this issue in Assembly and blamed men to request sexual favors through verbal and written means and intimidates women and girls at workplaces. In response, several male parliamentarians

criticized the stance of Ms. Khalida Mansoor and an array of debates and accusation started within the Assembly. While counterfeiting deliberations from male members Ms. Khalida Mansoor radically castigated some of the male members who harassed women within Parliament she also narrated the incidence of suspension of male MPA from Sindh Assembly who was adjourned by speaker due to the complaint of harassing a female member by transcribing notes (NA Deb. 5 June 2008, p.16). Many women parliamentarians stated that the harassment of women at workplace is becoming a day to day unceasing and we should take serious measures to deter it.

Simultaneously, after the participation of Mrs. Khush Bakht Shujaat in continuing debate within parliament triggered the whole situation, she forcibly criticized certain male parliamentarian's misbehavior with the PIA female staff including air hostesses. She strongly condemned the misconduct by fellow members on harassing staff. Further, she stated this act as a shameful malpractice by male parliamentarians and it is a criminal offense (NA Deb. 23 Dec 2008 p.18).

In Pakistan the tendency of gender inequality is very probable and due to it women are highly emasculated in procedure of decision making. When female parliamentarians entered Parliaments they as a matter of fact entered male-domains, where they remain subordinate to their fellow male members. Despite these factors it is cardinal to acknowledge their plights and consensus on women issues.

Furthermore Mrs. Shakeela Khanam while participating in debate implied that government must revise the ordinances of employment for current working women to secure them in government offices and companies (NA Deb. 5 June 2008 p. 71). Regarding safety of women Ms. Tasneem Siddiqui suggested that, 'Government should initiate several projects under Ministry of Women to provide them not only employment but there must be a strict mechanism which immune women from harassment' (NA Deb. 14th June 2008, p. 8). Imperatively, Mrs. Nisar Tanveer connoted on the safety and accommodation of working women. As there is increase in number of working women many women come from other smaller cities for job, these women highly concerned about their accommodation. So, in this respect government must build up working hostels for them to facilitate them (NA Deb. 18 Dec 2008 p.71).

Another issue which emerged at that time was attack on female anti-polio vaccinators in Peshawar. In regard to this offense Yasmeen Rehman strongly denounced the attack on these female polio vaccinators. She accused the government for this mishap and summoned that its Government's responsibility to make some arrangements for their security (NA Deb. 19 Dec 2012, p.14).

## Impact

One of the remarkable pro-women laws initiated in Pakistan is protection against harassment of women at the workplace. Inauguration of this law is far-reaching due to the growing number of working women in the country. It is imperative to safeguard working women and pertinently it is a step forward obliging gender-equality. This bill is relevant to the right of prestige of women in given society. Most importantly, civil society and advocates of women hailed this bill and greeted the efforts of women parliamentarians in this regard. On National level this bill overlooked as a first bill in history of Pakistan implemented safekeeping of women contrary to sexual harassment. It is the basic right of women to savor the security in public and private sphere. So, this bill affirms a major milestone towards the safeguard of general women of Pakistan (Naveeda, 2013).

## Protection Against Harassment of Women at the Workplace Act 2010

This bill was passed in January 2010. To make a code of conduct which would sanction a policy formulation of anti-sexual practices and this must be the part of every registered organization and companies either private or multinational. The law comprehensively explains the rationale behind this step to reduce the harassment in any forms. This law forces every organization to establish a committee which will be consisting of three members and one of the members must be a woman. On the other hand, this committee will take strict actions against the culprits on the complaints women employees. Furthermore "Sexual harassment" stated in Gazette of Pakistan as "to any extent unwelcome sexual advance, demanding sexual favors or other verbal or written communication or physical exploitation or sexually humiliating attitudes, causing intervention with work performance or creating a torment, vicious or offensive work environment or the strive to punish the complainant for refusal to assent to such a request was made a condition for workers". The aim is to ensure a working environment which is free of any intimidation and sexual harassment.

## Issue: Sexual Harassment Against Women in Pakistan

In Pakistan a considerable number of women consistently confront sexual harassment at public places, in public transports, in streets and even in private functions at their homes. Sexual harassment has transformed into a frequent and familiar issue of in Pakistani society. Notably, Sexual harassments have been brought into the public realm by aspirations of women parliamentarians of 13th National Assembly; through their relentless effort women of Pakistan now have the upright to concede a complaint against wrongdoers.

Pertinently, Ms. Bushra Gohar mentioned on the Assembly floor that, 'women are negligible as regard to their safety; the reason is that they are unaware of their



basic rights. They don't have awareness of such protective laws this make them vulnerable. So, government should initiate certain awareness programs on priority basis for general women to educate them' (NA Deb. 29 March 2009, p. 22). On the other hand, Ms. Shagufta Jumani highlighted another problem related to incompetence of police department, she acquainted House that, majority of police officers don't have ample information about sexual harassment is considered as a crime and they feel inconvenient when such cases are being lodged (NA Deb. 29 March 2009, p. 24).

Similarly, Ms. Ishrat Ashraf articulated that, 'the issue of sexual harassment has been lingered in Pakistan a long time ago. This problem has widely proliferated throughout the country. Peculiarly, sexual harassment has been eminent amid domestic workers, students, nurses and female employee whether government or private sector. They often abuse or harass by their male colleagues' (NA Deb, 18 June 2008, p. 148). In this regard, Ms. Nisar Tanveer narrated an incident of sexual harassment of a female patient at gyne department of a renowned hospital in Islamabad. The ultrasound was carried out by a male staff member. She further stated that, this was highly unacceptable and government should act against it and must ensure the availability of female staff at gyne section (NA Deb. 10 Nov 2008, p.58).

### **Impact**

This is the first time that sexual harassment has been illustrated a misdeed and crime in Pakistan through legislation. Before this proclamation, there was as such no coherent definition of sexual harassment presented. The term assimilates sexual overtures rather verbal or written, physical demeanor of sexual nature, sexually derogated predilection as well as hampering an abusive or abhorrent environment against women at workplace, public places, in parks, home as well as in streets is now contemplated as a crime and reprehensible by law.

Nevertheless, the implementation of this law is far-reaching as couple of incidents turned up into mainstream media and social media on suspension of provokers of sexual harassment. In May 2011, only a year has been passed after the Criminal Law Act, a leading organization of Pakistan "The Aurat Foundation", prorogued a senior member over accusation of sexual harassment of a female staff member. Another relevant case of harassment underwent in the University of Peshawar in July 2011 when a male teacher was fired over incrimination of a female student on the issue of marking. Later, in August 2011 Quaid-e-Azam University by force retired a controller examination and fired a lecturer on allegations of sexual harassment filed by certain female students.



### **The Criminal Law Amendment Act, 2010 (On Sexual Harassment)**

This law is a breakthrough in the sense that the protection of women safeguarded in Pakistan through this legislation. In our social set-up majority thinks that women should reside or stay at their homes. As a result, the women who want to attain something in life in any terms they must face oppressions in every walk of life. Sherry Rehman was the prime mover of this Amendment. For the first time in the history of Pakistan this law proclaimed Sexual harassment as a serious crime. The convict must be punished according to this law. This is undoubtedly a significant and astounding law aiming to prevent women in Pakistan. It is vindicated in this law that anyone who aspires to insult any woman regarding any situation or by any gestures shows his inclination of harassment will be punished. It also refers to those persons who demand any sexual favors from any women especially to those women who are working under them as their employees. These actions of a person called an offence should be heavily punished by court or reciprocated by compensating heavy fine.

### **Conclusion**

This paper has highlighted the aspects of women parliamentarian's substantive role in 13th National Assembly regarding women issues and women rights. The analysis suggests that the women parliamentarians have adequately contributed to raising the gender-sensitive issues in the lower house of the parliament. The findings demonstrate that women legislators proved exceptionally progressive members of the House owing to their relative contribution to the legislative interventions (e.g. Questions, Calling Attention Notices, Bills, and Resolutions etc.) regarding the women's concerns. A gender-wise analysis places women parliamentarian ahead of their male counterparts in terms of participation in legislative businesses of the house. 86% of women parliamentarians accounted more than half of the agenda conducted during these five years in comparison to male members, who constitute 77% agenda of the National Assembly (Pildat, 2013). Women legislators throughout these five years continued to perform impressively and asserted themselves in lawmaking. As, legislation which is a core function of a legislature, female parliamentarians were quite active in bringing up Private Member's Bills individually and jointly. In short, women legislators have showed great enthusiasm during House debates on women related issues and their significant performance in the legislative business of the house shows their greater involvement, commitment and determination towards women issues.

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