

Placement of Pakistani Women during Democratic Regimes: 1988-2018

Shehzadi Zamurrad Awan

Forman Christian College, Lahore, Pakistan.

ABSTRACT

On women issues, the response of democratically elected governments of Pakistan Peoples Party Parliamentary (PPPP) and Pakistan Muslim League Nawaz (PML-N), remained vague and non-committal. Both parties in their manifestos for general elections, vowed to take steps for women socio-economic and political empowerment. However, after assuming power, these parties could not fulfill their promises. They could neither enact appropriate legislation on women issues nor they repealed or amended gender discriminatory Hudood Ordinance of Zia-ul-Haq. More so, these two leading parties failed to restore the expired women quota in National and Provincial Assemblies, resulting in insufficient representation in the legislative bodies. Nevertheless, in comparison with conservative PML (N), the expectations from a liberal Benazir Bhutto to enforce pro-women policies was more promising. Both parties formed coalition governments, thus remained incapacitated to enact women related laws. Furthermore, they were confronted with orthodoxy within and outside the legislative bodies, posing challenges to their political agendas. Nonetheless, the last two tenures of both parties marked a little difference in their approach towards women issues, resulting in some serious legislation, targeting women problems in socio-economic and political domains. It is imperative to say that the effectiveness of these newly in-placed women related laws and policies has yet to bring change in society as their proper implementation and required institutionalization is in its infancy stage.

Key Words: Women issues, Orthodoxy, Pakistan Peoples Party, Pakistan Muslim League Nawaz, Benazir Bhutto

Introduction

Women are nearly half of an over-all Pakistan's population, thus their placement in society in-terms of socio-economic and political empowerment has always been a matter of concern for civil society, media and women rights groups. In last ten years (2008-2018), some legislations, addressing centuries old gender biased cultural norms (Prevention of Anti-Women Practices Bill, 2011), issue of female work place harassment (Sexual Harassment Bill, 2010), women safety in domestic environment (Domestic Violence Prevention and Protection Act 2012) and heinous crime of acid attack on women (Acid Control and Acid Crime Prevention Bill, 2012) at least theoretically reflected state seriousness towards women problems. However, the strict implementation of these laws is yet in its infancy stage. These

mentioned laws were proposed and passed during at least one phase of democratic government of Pakistan Peoples Party Parliamentary (PPPP), in its first uninterrupted term of five years (2008-2013). Although, majority of pro-women legislation has been proposed by democratically elected National and Provincial governments but restoration/increase of women quota in national, provincial local set-up to 33%, through Legal Framework Order (LFO) 2002 and significant amendment in women discriminatory Hudood laws in shape of Women Protection Bill 2006 was enacted by a military ruler General Pervez Musharraf.¹

Thus, it is relevant to assess that till 1999, women related laws were on the back burner. From 1988 to 2018, Peoples Party and PML (N), formed government at Center thrice, but except few exceptions, gender issues were set-aside during these complete and incomplete terms of democracy. It was expected at least from Benazir Bhutto, who became the first female Prime-Minister of not only Pakistan but also of any Islamic country that she would introduce drastic reforms in notorious anti-women laws of General Zia's rule, either by repealing or emending them. This expectation was further reinforced by the fact that she represented a liberal party with an agenda to safeguard the rights of under-privileged and oppressed sections of population. In comparative terms, the Punjab based Prime Minister; Nawaz Sharif had a weak agenda on women related issues. A point to remember here is that Nawaz Sharif was a product of Zia-ul-Haq as he was appointed as Finance Minister in the Punjab government during the Martial law regime and later as Chief Minister under the second half of Zia's rule.

As Prime Ministers, neither Benazir Bhutto nor Nawaz Sharif's government, due to various reasons, could make any serious effort to introduce a meaningful legislation, or to chalk-out any concrete step, for the up-gradation of the female population of the Punjab. Though, both rulers were compelled to revisit Zia-ul-Haq's *Hudood* ordinance by establishing review bodies, but their reports were ignored and consequently no concrete step was taken, either for the repeal or amendment in the *Hudood* laws. Despite pressure by human and women rights organizations for the repeal or amendment, during the election campaigns of both parties, only passing references were made regarding the controversial laws of Zia.

There are two segments of this paper. First would comprehend the women related stance of various PPPP governments (1988-1990: 1993-1996: 2008-2013). The second would incorporate the response of PML-N (1990-1993:1996-1999:2013-2018) towards women problems. Despite extensive rule, the rationale behind their insensitivity towards women concerns would also be taken into account. Alongside, reasons of their inaction would be identified. However, it is essential to point out that during these years; low literacy rate, limited state-controlled media, few civil society forums and inactive legislative behavior was the dominant factor to fathom the placement of Pakistani women. This exclusive study would provide a viable opportunity to understand the policy position of relevant democratic governments on women concerns.

Peoples party and women's issues

As a result of 1988 elections, Benazir became the Prime Minister of Pakistan after her party received 38.52 percent of the total votes and secured 93 seats out of 207, in the National Assembly. PPP formed a coalition government at the Centre. There was an impression that since 1988 elections were a landmark in Pakistan's political history, therefore it provided a ray of hope to female population, in the shape of Benazir Bhutto, the first elected woman Prime Minister of Pakistan. Nevertheless, it is a wrong conception that if a woman takes a leadership position, the female population as such will gain in stature and be empowered. The reality is that unless comprehensive measures are not in place for the uplift of women, it cannot become a rule and remain an exception. No doubt, Benazir gained the highest executive position in the country but it was not re-enforced by other dynamics. First, the women representation in the National Assembly was negligible as only total 24 women members (4 directly elected, 20 on reserved seats) could manage to represent female representation. Similarly, in the largest Provincial Assembly, the number of total women members was 14. Second, during Benazir's rule, any conscious effort by the women representatives in even the provincial assemblies to legislate laws for the uplift of women or a minimum effort to increase the dismal ratio of female literacy, poor health facilities and high mortality rate during childbirth has been observed. Third, it was expected that Benazir government would repeal or at least amend those laws of Zia-ul-Haq, which was considered harmful for the development of female population in various ways, but no concrete effort was made in this direction. Additionally, to the disappointment of the women organizations and pressure groups; her government adopted a rather different approach. While assessing the direction of her policies, Charles H. Kennedy, an expert on South Asian Politics, remarks:

... Once Benazir came to power the focus of her interest shifted from gaining political advantage *Vis-a-Vis* the government in regard to the reforms to dealing with the complexities of implementing the reforms (i.e., from gaining to exercising power). Accordingly, Benazir's government has done little to hinder the operation of the *Nizam-i-Mustapha* as implemented by Zia. Her administration has not dismantled the Federal Shariat Court nor the Shariat Appellate Bench of the Supreme Court. Neither has it rescinded the *huddood ordinance*, nor challenged the implementation of the *Ramazan Ordinance*, nor curbed the activities of the Council of Islamic Ideology (Kennedy 1990, 76).

A number of reasons are cited which impeded the government as well as the National and Provincial Assemblies to repeal the mentioned laws and to introduce

new pro-women legislation or executive measures. Although, her Party's manifesto in 1988 mentioned its resolve to repeal the discriminatory laws of Zia-ul-Haq and to provide equal opportunities for education and employment of women, as spelled in Chapter 9 of the party's manifesto, entitled 'Rights of Women Elimination of Discrimination'. Nevertheless, the absence of Benazir's required 2/3rd majority in the Federal legislature was the first impediment to make any constitutional law (Ziring 1991, 182).

Therefore, her proponents claim that she was not in a position to amend or repeal Zia-ul-Haq's laws. Nevertheless, the 'excuse' of weak coalition government of Peoples Party, resulted in inability of government to emend such laws, is not accepted by some experts of socio-political affairs like Shahnaz Rouse, as she states, "this is too simple an explanation. Her regime did not even take a symbolic public position against that amendment. Further, by undertaking an arranged marriage, by covering her head with a *dupatta* in public, Ms. Bhutto conceded the ideological battle to the Islamists insignificant ways. These are not trivial issues in the context of a Muslim country where Islamists seek to control every aspect of women's bodies and lives." (Rouse 2006, 31). Rouse might be overstressing her argument by linking the attire of Benazir, which is regarded as a cultural-religious norm and does not reflect a certain mind-set towards a much bigger and real issue like the women related unjust laws. The reality remains that no serious efforts were made to address the Pakistani women's status in the society.

Second obstacle, which she confronted throughout her short rule, was unbalanced civil-military relationship. Most of her energies were directed towards this quandary that restrained her abilities to take actions, reflecting her convictions. She had to compromise and could not take bold steps, challenging the well-established institutions, created by a long spell of Zia's dictatorial rule. (Lodhi, 1991). Some commentators attribute the effective opposition by PMLN and IJI in Punjab as a third reason for Benazir's inaction, resulted in her defensive approach, both at National and Provincial levels. These factors indicate that though 1988 elections clearly exhibited the restoration of democracy in Pakistan, but the polarized political environment in country created multiple problems for the new government to implement its agenda, even when she might have desired to fulfill her commitments. This fact is even endorsed by the critics of Benazir government, Lawrence Ziring as he admits that her government "was too weak politically to seek the repeal of the fundamentalist-inspired laws considered degrading to women, she could not attack the causes for a slumping economy, and she was unable to address the problem of Pakistan's poor" (Ziring 1991,182). The cleavages and marked differences between the ideologies of these two political parties created a continuous conflicting situation for the federal leadership, as described by the editor of a newspaper, Arif Nizami:

Another dilemma for the PPP government is its failure to evolve a viable Punjab strategy. The virtual state of confrontation between the party in power at the centre and the one in the biggest province of the

Placement of Pakistani Women during Democratic Regimes: 1988-2018

country has virtually bogged down the whole system. The term 'broad based government' can only have a real meaning if some kind of a genuine effort is made to have an understanding with the opposition parties, especially with those which are in power in the provinces (Nizami, 1989).

A verified fact deducted from the above reference and elsewhere, it can be stated that Prime Minister Benazir could not implement her plan of action because of her pre-occupation with the opposition, which had formed the government at the Punjab provincial level. Because of the population and vast resources, Punjab had the capacity to create obstacles for the normal functioning of federal government. In reality, the political challenges were accompanied by lack of sensitivity and serious commitment to resolve the plight of the Pakistani women. A main reason can be subscribed to the fact that she along with the members of party came from the privileged class, whose interests and sensitivities were not focused towards the unjust laws of previous government but rather to enjoy the perks and privileges of their offices. It is important to mention here that no matter how non-committed she was towards the women issues, the under-privileged Pakistani women saw in her a hope for themselves in a number of ways. Being a woman, Ms. Bhutto inspired the female population, who expected that she could take extraordinary steps at some stage of her rule, to make dents in the socio-cultural mind-set of the said society. On the contrary, during Benazir premiership, her lack of enthusiasm to include more women as legislators and administrators is reflected in Weiss's observation:

Aside from herself and her mother, only one other woman was given a PPP ticket to run for a National Assembly seat and few women were given provincial assembly tickets. No women were initially given ministerial portfolios, although this was reversed on March 23, 1989, when Benazir expanded the federal cabinet to 43 members, including five women. Of the 24 ministers, only one-her mother who is a minister without portfolio-is a woman. Of the 19 ministers of state, four are women (Weiss 1990, 437).

However, she took some trivial measures to address women related issues, which were incapable and under-equipped to bring any kind of meaningful transformation in comprehensive condition of women in the society. These trivial steps for the improvement of women included the up-gradation of Zia's *Women Division* to a level of a *Ministry of Women's Development*, which had two important functions. First, to identify the women related discriminatory laws under Zia's government. Second, to design a strategy, providing better opportunities for employment, both in private and public sector (Weiss 1990, 443-444). Ultimately, the Ministry prepared a report, recommending an immediate

reversal of gender biased laws, however there was no follow up by her government. Similarly, a *Women's Development Bank* was established, which was considered by her as an important opportunity for women, providing them financial resources and to empower them economically (The Nation, December 01, 1989). Nevertheless, this bank was limited in nature as it was confined to limited urban centres, thus a large percentage of rural Punjabi women could not take advantage of the facilities, provided by the bank. Secondly, without providing any infrastructure of entrepreneurship for the women, the functions of bank by themselves remained confined. It would have been better, if the bank could provide loan facilities for the poor women, to start their own business with easy installments, on the pattern of *Grameen Bank* in Bangladesh (Khandker, Baqui & Zahed 1995).

In addition to this, during her first term as Prime Minister, she relaxed the prison sentences of the under-privileged female prisoners. She further encouraged women to become member of trade unions after their revival during her term, which could affect positively on the status of women in Punjabi society. These efforts are perceived as "a symbolic gesture of releasing women-most of them very poor-from the "social prisons" that had been built up during the previous government. The new government allowed for the revival of trade unions, which soon seemed to be including a sizeable number of women in their ranks and lifted press censorship, resulting in a marked difference in the media's portrayal of women" (Weiss 1990, 435). However, by keeping in view the unchanged situation of Pakistani women and lack of changes in the patriarchal mind-set, these measures were not enough to bring even a small impact on the conditions of low-middle class and poor women.

The style and sensitivities for addressing the women issues was nearly the same, when PPP won elections and Benazir became Prime Minister for second term (1993-1996). Although even this time, PPP manifesto promised steps for women empowerment by reserving 5% quota for women in all government and semi-government organizations, restoring special seats for women in National and Provincial Assemblies and by constructing a special women police force, along with the appointment of women lawyers in superior judiciary. Third, once again the party committed to repeal all discriminatory laws against women. Unlike 1988 elections, PPP could not get an absolute majority in National Assembly and secured 37.85 percent votes, securing 89 out of 217 seats in the National Assembly and formed a coalition government with the splinter group of PML (Junejo group), with a narrow majority (Amin 1994, 195). In the national legislature, only 4 women were directly elected. As mentioned before, no additional woman could become member of the legislatures, as the deferred reserved quota was not yet restored. Because of politicking and delicate coalition, due attention on women issues was missed.

Placement of Pakistani Women during Democratic Regimes: 1988-2018

Like her previous premiership, this time also, she faced various challenges for example “domestic political strife, an economic recession described by some economists as the worst in 30 years, international terrorism, and international flashpoints on both its eastern and western border”(La Porte 1996,179). In this situation, Benazir government was unable to spare any time and energy to focus women related issues, with an exception of an allocation of meager amount for women in health/education sector, under the program of *Primary Health Care and Family Planning*. The budget allocation was increased “for health from Rs. 1.539 million in 1993-94 to Rs.2, 430 billion in 1994-95, representing an over-all increase of 58%. The important fact is that the development allocation has been enhanced by about 15%” (Ilyas, 1996). As expected, such measures could not bring even minimum alterations, what to say of changing the landscape for the benefit of the Pakistani female population. The already insignificant progress of Benazir government, in socio-economic sector further faced serious set-back, when the “absence of an agreement on power-sharing between the Mohajir Qaumi Movement (MQM) and the PPP, internecine civil war between the two factions of the MQM further fueled by the covert role of civil and military intelligence agencies, and sectarian conflict between extremist Shia and Sunni organizations worked together to create a proverbial Hobbesian condition of ‘war of all against all’ in Karachi”³ (Amin 1995,143-144; Bengali, 1996). These internal and external hindrances put together, during her second term in office, provided once again an excuse to ignore important assignment of the reversal of *Hudood* laws. This continuous neglect on the part of Benazir’s government dissuaded women voters during 1993 elections as they “voted in higher percentages than men for the PML (N) than for the PPP in 1993, which also indicates that many voted independently of their male family member (and) the failure of the PPP government between 1988 and 1990 to take any concrete steps to improve the status of women in Pakistan” (Wilder 1995, 379-380). Kashmiri Khan examines her deficiencies as follows:

Bhutto could not challenge many laws that existed under the name of Islam. Apologists have argued that her regime had no choices since it governed through fragile coalition.... Despite the fact that women’s issues found a place in the manifesto of the PPP, gender issues did not become a priority for the new government, in the absence of a broadly based alliance between women’s organisations as well as due to political currents that derived strength from the support of the marginalised strata of society (Khan, 2010).

However, former Prime Minister provides same rationale for her performance in second term in her autobiography, stating that she took a number of steps to improve the status of women. The first step she took was the endorsement of the United Nations ‘*Convention on the Elimination of Discrimination against Women*’. The second effort as she mentioned was the establishment of *Women’s*

Development Ministry. Moreover, she boasts to have hosted *Muslim Women's Olympics* in Pakistan. Fourth was to establish special women's police stations and fifth was to induct women judges in high court, which was first time in Pakistan's history, accompanied by the establishment of family courts led by women judges. She further explains that she set-up separate police stations for women. In her own words, "(Her) ...government established special women's police stations to give confidence to women to report crimes committed against them, as well as appointed women judges for the first time to the high courts of the country, we established family courts headed by women judges to hear issues related to child custody and family issues"(Bhutto 2007, 414-415). Moreover, her proclamation to enforce social action program, effecting women education and health by training "100,000 women to work in the towns and villages of Pakistan in Health and family planning... (Building) 30,000 new primary and secondary schools" (Bhutto 2008, 206). In real, it could not bring any far-reaching impact on women status, especially those belonging to low-middle and poor classes. Moreover, by not repealing unabated and discriminatory legislation against women, Ms. Bhutto confirmed the continuity of unjust laws against women of Pakistan. The defenders of Benazir's inaction argued that she was limited in her action by the circumstances and secondly a strong opposition, both at federal and provincial levels created obstacles to implement her promises. Though, through her speeches and statements on various occasions, she indicated that she was aware of the problems of women in general and had a definite agenda in her mind to address them. For example, during one of her speech to 1995 World Conference on Women in Beijing, where CEADAW was also signed, Benazir recognized the commonality of women challenges (Panhwar 2009, 24-25).

Despite this acknowledgement on intentional forum, she was incapacitated to translate theory into practice and could not attempt to address a variety of such societal issues, which were not though exclusively women related, but might have benefitted them as part of larger society. The biggest flaw being that she was "...slow to devise a systematic privatization policy. Unemployment, inflation, and stagnation in the industrial enterprises, particularly in the public sector, demanded immediate attention and policy action, which the Bhutto government did not seem able to provide" (Shafqat 1996, 665). Therefore, by the time her government was dismissed in 1997, a large number of people welcomed the decision, as they were disillusioned by her performance.

Contrary to the previous two terms, for the third time, PPPP formed a federal government in 2008, in the absence of Benazir Bhutto who was assassinated in 2007. According to the results of these elections, total 76 women were elected in National Assembly (15 on general seats, 60 on reserved and 1 on minority). In Punjab Assembly, 74 women managed to be elected (8 on general seats, 65 on reserved seats and 1 on minority). Between 2008 to 2013 number of bills relating to the safeguard of women rights was passed at the federal level.

Placement of Pakistani Women during Democratic Regimes: 1988-2018

Table 1
Important Legislation on Women Issues: 2008-2013

Name of Legislation	Salient Features	Supporters	Opposition
Protection Against Harassment of Women at Workplace Act, 2010	<ul style="list-style-type: none"> -Provided a detailed definition of harassment. -Ensured working women a safe environment. -Specified punishments, maximum of three years of imprisonment and a fine of up to Rs500,000. 	<ul style="list-style-type: none"> -Civil society, including women rights groups, like <i>Alliance against Sexual Harassment (AASHA)</i>. -A women right activist Fouzia Saeed lobbied for the bill in parliament. 	<ul style="list-style-type: none"> -JUI's Senators criticized the bill, citing the bill being contradictory to Islamic norms. -They demanded an amendment regarding 'Islamic dress code' for women at workplaces, perceiving the dress code as the only reason of women harassment.
Prevention of Anti-Women Practices, 2011	<ul style="list-style-type: none"> - Targeted gender biased socio-cultural practices like Wannai, Swara, marriage with Quran, forced marriage and inheritance deprivation. -Specified strong punishments for the offenders. 	<ul style="list-style-type: none"> -Pakistan Muslim League (Q) MNA Dr. Donya Aziz, proposed the bill -bill was strongly supported by civil society and women groups. The prominent was <i>Aurat Foundation</i>. 	<ul style="list-style-type: none"> -Most of the PPPP members from rural Sindh opposed this bill as these practices are widespread in their constituencies. The intention was to get votes from their electorate.
Acid Control and Acid Crime Prevention Bill, 2011.	<ul style="list-style-type: none"> -Specified punishment of 14 years life sentence and a fine of up to Rs.one million. 	<ul style="list-style-type: none"> -PML (N) MNA, Marvi Memon (who was formerly a member of PML-Q), proposed the bill. -Apart from the support of various civil society groups, this bill was supported by mainly <i>Acid Survivors Foundation, Depilex Smile Again Foundation and the Bakhtawar Amin Memorial Trust Hospital</i>. 	<ul style="list-style-type: none"> No reaction from Orthodoxy.

Shehzadi Zamurrad Awan

Women in Distress and Detention Funds (amendment) Act, 2011	-provided financial and legal assistance to the under-privileged prisoner women to defend themselves.	PPPP's <i>Syed Nayyar Hussain Bokhari</i> Proposed this bill.	No reaction from Orthodoxy.
Domestic Violence (Prevention and Protection) Act 2012	-aim to protect women against any kind of abuse by Family member (including husband and in-laws) in domestic environment. First time economic and psychological abuse were also included as a type of violence in legislation.	-The bill was proposed by Yasmeen Rehman of the Pakistan People's Party in 2009. -The bill received overwhelming support by different NGOs in Pakistan, like <i>Aurat foundation, Bedari (funded by United Nations Development Programme), White Ribbon Campaign Pakistan, War Against Rape Pakistan, Acid Survivors Foundation Pakistan.</i>	-JUI-F, PML(N) and Council of Islamic Ideology (CCI) opposed the bill on following grounds: *legislation will increase divorce rate. *The prescribed punishments in ill are already enacted by other laws. *Bill is "anti-Islamic", which will promote "Western cultural values" in country.

Source: Compiled by the Author from various sources

All these legislations as mentioned in Table 1, proved to be landmark, addressing basic challenges faced by Pakistani women. Despite criticism of some members of parliament, representing orthodox views, these bills at large were supported not only in legislative chambers but also by civil society, including women rights groups. Apart from mentioned legislations, another important measure taken by PPPP in 2008 was to launch *Benazir Income Support Programme (BISP)*, with an objective to provide economic assistance on a bi-monthly cash basis, assisting the families with low income. The BISP operates in all provinces of Pakistan. Despite heavy aid from international donor agencies like Asian Development Bank, USAID and the British DFID; and support of the Parliamentarians, the BISP faced serious criticism from experts like Dr. Hafeez Sheikh, the former Finance Minister, who argued that the distribution of money through such programs is not a long-term solution for the endemic poverty amongst women. While giving a reference of the views of Dr. Sheikh in Cabinet meeting, *The Friday Times* writes:

Dr. Sheikh said the economy would not improve when it was not going in the right direction, and

Placement of Pakistani Women during Democratic Regimes: 1988-2018

when the government was offering billions of rupees in cash to the people. Dr Sheikh was not a politician and could not develop the slightest compatibility with the rest of his colleagues on the issue of BISP. Official documents reveal that by now the BISP has doled out more than Rs. 139 billion among the poor, or among potential voters (Raza, 2013).

Similar views have been expressed by Farakh Shahzad with a different dimension as he identified various loopholes in the BISP. First, instead of providing needy women adequate training to cope with poverty, the program encourages begging, which would ultimately restrain their own capabilities and skills. Second, BISP was a politically motivated scheme under the members of Provincial Assemblies (MPAs), who used funds for political maneuvering in their respective constituencies. Shahzad assesses this program, within the context of Pakistani culture, which according to his opinion is not conducive within the objective conditions of the society, as he believes that “the dilemma of Pakistan’s socio-political culture is the arbitrary policy formulation based on personal likes and dislikes coupled with political convenience” (Shahzad, 2011).

Nawaz government and women’s issues

Like Peoples Party, Pakistan Muslim League Nawaz thrice won the opportunity to govern. Nawaz Sharif is the only leader, who has been provided a chance to become a Prime Minister third time. In 1990 elections, PML (N) led coalition Islamic Jamhoori Ittehad (IJI) won 105 out of 217 seats in the National Assembly, fairly ahead of PPP and its partners Pakistan Democratic Alliance (PDA) with 45 seats. In the National Legislature, only 2 women were able to elect themselves on general seats, namely Benazir Bhutto and her mother Nusrat Bhutto. In the largest provincial Assembly, PML (N) was able to form a government with comfortable majority. In this assembly, there were 2 women, 1 on general seats and 1 on minority quota named, Fauzia Bahram and Begum Raj Gill, respectively. There was no woman on reserved seats for National and Provincial Assemblies, as the women quota was not restored in these elections. These results provided Nawaz Sharif a comfortable majority to form governments, both at the center and the most populated province.

These elections determined two important factors; first it proved that people voted on the basis of performance and the fulfillment of agenda, as promised during election campaign. Second, the representation of the Islamic parties in the main-stream politics, after 1990 elections brought a new dimension in the governance meaning that Nawaz Sharif had to carry the burden of orthodoxy. Nawaz Sharif was a protégé of Zia, as he was appointed on various important positions during his regime. Thus, an impression was created from the beginning that there was a meager possibility that Zia’s women related laws in particular would be either amended or repealed. In other words, Nawaz Sharif’s coalition

partners remained indifferent to the idea of change and transformation, hence status quo and conservative policies continued.

Though, since the formation of IJI in 1988, their manifesto stressed on providing equal rights to women but some political parties like *Jamat-i-Islami* and *Jamiat Ulema-e-Islam* had their own exclusive interpretation, which did not coincide with the requirements and expectations of the large majority of Pakistani women? In past, these parties had been a driving force behind the Islamisation program of Zia-ul-Haq's military government. The IJI manifesto in 1988 included a portion, containing the socio- economic and political women rights under Chapter VIII, entitled 'Women' (Manifesto of Islami Jamhoori Ittehad 2012,17).

This manifesto promised the right of inheritance for women, as provided by Islamic laws, but it was never put in practice. Second, the manifesto ensured the provision of education and training of women, to get better chances of employment. This manifesto ignored the demand of civil society, to repeal the *Hudood* laws. This omission was conceived as an endorsement of the orthodox part of the coalition. This was further confirmed in 1992, when during the Senate proceeding to mark the 'Women Day', Senator Dr. Muhammad Rehan showed concern over the discriminatory laws against women which was refuted by members of religious parties, who "drew on often repeated arguments to claim that the existing laws did not discriminate against the women folk" (Yasin, 1992). This stance of religious parties was not endorsed by many Senators. However, the debate in this session revealed the lack of sensitivity of the religious elements in Nawaz Sharif's government towards women issues, which remained a reason of the low socio-economic condition of female population. This apprehension was confirmed when Nawaz Sharif's government tabled the 'Enforcement of Shariah bill' in 1991. This bill in the name of Quran and *Sunnah*, aimed to establish a theocratic system, in which the authority of Premier would have been above the normal law (Khan 1992, 199). Some political scientists consider that Nawaz Sharif went along with the religious parties in the Parliament to compensate his weakening position by supporting such bills, which could satisfy the religious part of IJI. However, even an attempt of Nawaz government to satisfy IJI through *Shariah* bill, could not produce any visible result. Apart from coalition partners, the bill received strong criticism from the opposition alliance of PDA and women rights activists. While considering this bill a cause of 'dispute and division', PDA states in one of its resolution that, "the 1973 constitution...guarantees that no laws repugnant to Quran and *Sunnah* can be enacted, has once for all settled the question of enforcement of *Shariah* in the country. As such, the present scheme amounts to undermining the revolutionary spirit of our golden religion" (Dawn, May 04, 1991). Supporting the same idea, a Professor of Law, while discussing the various clauses of this bill, when it was in committee stage, writes that "the Shariat bill in its present form, however, cannot be taken to better Islamise the systems and institutions than they are now as it brings no novel ideas or proposals.... (And the) contents of the proposed Bill are rhetorical, redundant, repetitive and

Placement of Pakistani Women during Democratic Regimes: 1988-2018

declaratory in nature” (Naseem, 1991). Though this bill was not women specific but the past experience of Pakistani women after Zia’s Islamisation, once again raised suspicion and questions over this proposed legislation, fearing that it could indirectly undermine the status of women still further. A commentator is of the view that there is nothing wrong with the law as such, rather when it comes to its application stage, the condition of a particular society has to be considered. If the society has been inducted a number of variables, which were not present during the time of its inception, this particular law would not contribute in letter and spirit (Ahmad, 1991). Ultimately, both houses of Parliament adopted the bill, with a simple majority. The intention of Nawaz government in supporting this bill was not by conviction but rather to prolong his rule. However, soon Nawaz government was dismissed by the President on charges of corruption and misuse of power, therefore the full implications of this particular bill cannot be assessed in its entirety (Pakistan Observer, 23rd&26th April 1993). The comprehensive analysis of Nawaz Sharif’s politics depicts that he and his party men were engaged in business interest and had little sensitivity towards the uplift of the Pakistani women. At times, he casually mentioned the problems faced by the Pakistani women and made comments that the women should be provided with their due rights, as according to the injunctions of the Quran. Acknowledging his shortcomings, reflected in the message on Women’s Day 1992, he admitted that his government had failed to provide much deserved and required facilities and opportunities for women by stating, “My government, remains conscious of the fact that women’s potential for the self-enhancement has not been fully exploited. Many of them continue to suffer from illiteracy, malnutrition, unemployment and inadequate housing” (The Muslim, March 09, 1992). However, this realization of Nawaz government remained restricted to words and no practical steps were taken to solve the problems of women. The women legislators of his party, both at National and Punjab Assemblies also posed themselves more as representatives of their elite class rather than that of the disadvantaged Pakistani women.

Nawaz Sharif became Prime Minister for the second time in 1997, as his party Pakistan Muslim League “took nearly two-thirds of the seats in the National Assembly, three-fourths of the seats in the Punjab assembly” (Syed 1998, 117). There were total 6 women on general seats in National Assembly and women quota was not restored as yet. A disappointing factor is that not a single woman won any general seat and because of quota lapse, there was no woman on reserved seats as well. The results of this election manifest a declining position of religious parties, which in the past had a fairly strong representation at National legislative bodies. For example, this time Jamat-e-Islami boycotted the elections and other significant orthodox party like Jamiat-ul-Ulema-e-Islam (JUI) could get only 2 seats in the National Assembly. However, the reason provided by the religious parties for acquiring fewer seats was that they were not serious to operate in the present representative system and would rather strive for a ‘genuine Islamic government’. It is mentioned that these “Islamic parties have not been willing to accept the people’s verdict. Maulana Hussain Ahmad, head of the Jamat-e-Islami,

and Maulana Fazl-ur-Rehman, head of the JUI, declared that they would launch mass movements to overthrow the present parliamentary system and replace it with a true Islamic government” (Syed 1998, 118). These threats and demands along with various other factors exerted a pressure on Nawaz government. It was further compounded by the tensions of his government with higher judiciary and military leadership (Rizvi 1999, 181). In the prevalent tensions towards all stakeholders, the social issues especially those of women were not even on the agenda of Nawaz government, and it “appears to have blocked all opportunities for the advancement of women’s rights” (Mittra & Bachchan 2004, 87). Once again continuing his pending agenda from his first term, in 1998, Nawaz Sharif introduced Sharia bill through constitutional 15th amendment in the constitution, which aimed to delegate maximum powers to the Prime Minister. Although, the above bill is silent on women issues, however, it gave an impression that Nawaz Sharif was following the strategy of Zia’s Islamisation program. It was assumed that women under the pretext of religion could suffer in a self-proclaimed ‘bigoted’ Zia’s style era. The bill was passed by the National Assembly with 2/3rd majority, however, due to weak party position of PML (N) in Senate, the bill could not get enough votes to be passed. Despite 2/3 majority in the National Assembly, during his second term as Prime Minister, no serious effort was made to recognize and resolve scores of obstacles which the Pakistani women faced. Nevertheless, Sharif made passing references at times, mentioning about the protection of women rights but such commitments were restricted to just statements. For example, while addressing the Parliament on 9th October 1998, after the acceptance of *Shariah Bill*, his statement was reported as, “women’s rights were also fully protected and he (Nawaz Sharif) wanted to see the society where women were free to move without any fear” (Dawn, October 10, 1998).

Nawaz Sharif became a third time Prime Minister in 2013, as his party Pakistan Muslim League Nawaz secured 187 seats out of 342 in National Assembly. This time the orthodox parties like, Jamiat Ulema-e-Islam (F) and Jamaat-e-Islami won only 13 and 4 seats respectively in the National Assembly. If compared with past, these elections became an exception for the women as they not only fully participated in electioneering but also contested with full vigor. They managed to be a part of national and provincial legislatures. Currently, there are “total 228 women in National and Provincial Assemblies: 70 in the National Assembly, 141 in all four of the Provincial Assemblies, whereas 17 are in the Senate. Their over- all proportion of representation is 19.5 % i.e. 228 out of 1170 members” (Aurat Publication, 2016). The over-whelming participation of women as candidates, enthusiastic followers and electorates, particularly in urban areas during general elections of 2013 and local bodies elections of 2015, determines their will and courage. This development raised the expectations of female population for some meaningful legislation-from Nawaz’s third time tenure. During its five years term, PMLN at Federal level amended the Criminal Law Act in 2016, 2017 and 2018. In 2016, responding to PPP Senator Farhatullah

Placement of Pakistani Women during Democratic Regimes: 1988-2018

Babar's proposed amendment, clauses dealing with rape and honour killing crimes were included. Such amended laws are also known as "Anti-Honor Killings Laws (Criminal Laws Amendment) Bill" and "Anti-Rape Laws (Criminal Laws Amendment) Bill". The first amendment was to make out-side court settlement for honor killing, through blood money impossible. Here, it is important to point out that the proposed amendment was due to tremendous civil society pressure on government due to a model Qandeel Baloch murder by her brother, which highlighted once again the socio-cultural evil of women killing under the name of 'honour'. This practice was also highlighted in Sharmeen Obaid's price winner, documentary "A Girl in the River: The Price of Forgiveness", in which a Pakistani journalist, filmmaker and an activist raised the issue of 'Honour' killing. She particularly focused on the legal weaknesses the law has, resulting in escape of culprit from punishment. In second amendment, for the first time, DNA evidence was made mandatory in rape cases. Moreover, the time of six months was suggested for courts to settle such cases and the punishments had been increased, including imprisonment and fines. These amendments faced opposition from a senator as well as Chairman of Council of Islamic Ideology (CII), Maulana Muhammad Khan Sherani, who criticized DNA testing for rape as primary evidence. In another instance, he presented strong reservations against increasing the girl's marriageable age from 16 to eighteen years, resulted in stalemate over such proposal. These views of Sheerani were severely criticized by the national media and rejected by the legislators. It should be mentioned that CCI is an advisory body. Although its dissenting comments can not bar legislature from law-making or amendment but it reflects orthodox and conservative mind-set, which believe in providing no legal liberties to women even on paper, what to say about practice.

Apart from these two significant instances, at federal level, some amendments were introduced in 2017-18, titled "The National Commission on the Status of Women (Amendment) Act, 2017", "The Women in Distress and Detention Fund (Amendment) Act, 2017". These amendments stressed on financial and legal relief for under-privileged female population by further expanding its scope and structure in detail. Apart from these, in 2018, the most significant amendment after six year old girl Zainab Ansari's rape and murder was "Criminal Law (Amendment) Bill, 2018". This bill specified strict punishment and monetary fines for the accused of a child abuse. After Zainab murder case, the debate also started about the ineffectiveness of National Commission on the Rights of the Child, which was enacted in 2015. From the above mentioned activities of federal legislation, it can be derived that during the third term of PMLN, there was hardly a proactive initiative taken for the betterment of women, rather whatever little we observe was in fact a reactionary measures to pacify the growing pressure of civil society.

Conclusion

While concluding, it is assessed that after a considerable gap, comprehensive debate on discriminatory laws has not only become an important part of legislative discourse but also a discussion point in socio-political columns, editorials and talk shows on media. Previously, such kind of dialogue, to a lesser extent was witnessed during General Zia-ul-Haq's rule, after an enactment of Hudood laws in 1979. Though pro-women policies at time confronted serious criticism by orthodoxy, however one fact remains that at least awareness and discussion started at all levels, targeting socio-economic and political issues of women. As observed from above comprehensive analysis of women related federal level executive and legislative measures, it can be said that in comparison with PPPP, the approach of PML (N) towards gender issues remained reactive, as whatever the enactments took place during Nawaz government were the result of civil society tremendous pressure, generated by some incident of gross women rights violation. Nevertheless, the reactive policy posture of PML (N) on women issues was even observed during its third-time rule (2013-2018). Many observers believe that during this term, there have been various instances, where PMLN representatives in Federal legislature passed misogynist remarks against their female fellows. One of such instances was of Khawaja Asif's (ex-defense minister) derogatory comments on Pakistan Tehreek-i-Insaf (PTI) Member National Assembly, Shireen Mazari during National Assembly session, when she protested and opposed Asif's speech on load shedding during Ramzan⁴ (Dawn, June 08, 2016). Keeping in view the disrespectful remarks by PMLN leadership against female co-workers and its weak legislation on gender issues; PMLN's lack of conviction to improve the status of women becomes obvious. On the other hand, when it comes to PPPP performance and seriousness towards women issues, it was much more proactive, during its third term. Another important aspect cannot be neglected here that merely the legislation can make no difference unless accompanied by firm implementation, which has yet to be witnessed in years to come.

References

- Ahmad, Mushtaq. (1991). "Spirit of the Shariat Law." Dawn. May 07.
- Amin, Tahir. (1994). "Pakistan in 1993: Some Dramatic Changes." Asian Survey, 34:02, 195.
- Amin, Tahir. (1995). "Pakistan in 1994: The Politics of Confrontation." Asian Survey, 35:02, 143-144.
- Bengali, Kaiser. (1996). "Defining Mohajir Grievances." Dawn, February 13.
- Bhutto, Benazir. (2007). *Daughter of the East-An Autobiography*. London: Simon & Schuster, 414-415.
- Bhutto, Benazir. (2008). *Reconciliation-Islam, Democracy and the West*. London: Simon & Schuster, 206.

Placement of Pakistani Women during Democratic Regimes: 1988-2018

- Dawn (1991). May 04.
- Dawn (2016). June 08.
- Dawn (2013). September 23.
- Dawn (1998). October 10.
- Ilyas, Tehmina. (1996). "Social Sector under Benazir Government." *The Muslim*, May 23.
- "Islam Forbids Injustice Against People, Nations and Women: Address at the Fourth World Conference on Women – Beijing, 4 September 04, 1995." In Panhwar, Sani H. (2009). *Benazir Bhutto Selected Speeches from 1989-2007*, 24-25.
- Kennedy, Charles H. (1990). "Islamization and legal Reforms in Pakistan 1979-1989." *Pacific Affairs*, 63:01, 76.
- Khandker, Shahidur R., Baqui Khalily and Zahed Khan. (1995). "Garmeen Bank: Performance and Sustainability." Washington, D.C: The International Bank for Reconstruction and Development/ The World Bank.
- Khan, Rais A. (1992). "Pakistan in 1991: Light and Shadows." *Asian Survey*. 32:02. 199.
- Khan, Kashmali. (2010). "What Benazir did (not do) for Women." *The Express Tribune*, June 30.
- La Porte, Jr., Robert. (1996). "Pakistan in 1995: The Continuing Crises. *Asian Survey*." 36:02, 179.
- "Legislative Watch, Quarterly Newsletter." (2013). 41. Islamabad: Aurat Publication and Information Service Foundation.
<http://www.af.org.pk/news/1390295273.pdf>
- Lodhi, Maleeha. (1991). "Hakumat ki bar-tarfi ky Asbab." *Jang*, August 16.
Translated from Urdu by the author.
- "Manifesto of Islami Jamhoori Ittehad." (2012).
<http://kurzman.unc.edu/files/2011/06/IJI-1988.pdf>
- Mitra, Sangh & Bachchan Kumar (Eds.). (2004). *Encyclopedia of Women in South Asia: Pakistan*. 08. Delhi: Kalpaz Publications, 87.
- Naseem, Farogh. (1991). "Shariat Bill: Can it Better the System?." *Dawn*. May 10.
- Nizami, Arif. (1989). "A Balance Sheet in the Deficit Benazir Bhutto's first year in Office." *The Nation*, December 02.
- Pakistan Observer* (1993). April 23 & 26.
- Raza, Shahzad. (2013). "Politics and Poverty." *The Friday Times*. XXV:12, May 03.
<http://www.thefridaytimes.com/beta3/tft/article.php?issue=20130503&page=8>
- Rizvi, Hasan Askari. (1991). "Pakistan in 1998: The Polity under Pressure." *Asian Survey*, 39:01, 181.
- Shafqat, Saeed. (1996). "Pakistan under Benazir Bhutto. *Asian Survey*." 36:07, 665.
- Shahnaz Rouse. (2006). *Gender, Nation, State in Pakistan- Shifting Body Politics*. Lahore: Vanguard Book, 31.

Shehzadi Zamurrad Awan

- Shahzad, Farakh. (2011). "BISP-A Commitment Falling Short." *Pakistan Today*, June 25.
- Syed, Anwar H. (1998). "Pakistan in 1997: Nawaz Sharif's Second Chance to Govern." *Asian Survey*, 38:02, 117.
- The Express Tribune (2012). April 06.
- The Muslim (1992). March 09.
- The Nation (1989). December 01.
- Wilder Andrew R. (1995). "Changing Patterns of Punjab Politics in Pakistan: National Assembly Election Results, 1988 and 1993." *Asian Survey*, 35:04, 379-380.
- Weiss, Anita. (1990). "Benazir Bhutto and the Future of Women in Pakistan." *Asian Survey*, 30:05, 437.
- Yasin, Mohammad. (1992). "Women's Rights-a Story of Painful Discrimination." *The Muslim*. March 09.
- Ziring, Lawrence. (1991). "Benazir Bhutto: A Political Portrait." *Asian Affairs*, 18:03, 182.

Notes

1. From 1999-2008, he assumed powers first as an Army Chief after proclaiming coup d'etate, overthrowing Democratic Government of Nawaz Sharif and later became President.
2. PPP under Benazir Bhutto ruled from 1988 to 1990 and from 1993 to 1996. In 2007, Benazir Bhutto was assassinated. In 2008 elections, Peoples Party once again formed a government in centre and completed its five year term till 2013. PML (N) also ruled thrice (1990-1993:1996-1999: 2013-2018). During all mentioned terms, Nawaz Sharif became Prime Minister.
3. In 1995, because of these conflicts, 2,095 people lost their lives in Karachi.
4. Khawaja Asif stated, "Someone make this tractor trolley keep quiet".

Biographical Note

Dr. Shehzadi Zamurrad Awan is an Assistant Professor, Political Science Department, Forman Christian College (A Chartered University) Lahore, Pakistan.
