

International IDEA, 2002, Women in Parliament, Stockholm (<http://www.idea.int>). This is an English translation of Socorro Reyes, Wan Azizah, "Kuota Kursi Legislatif Tingkat Lokal bagi Kaum Perempuan di Pakistan," in International IDEA, 2002, *Perempuan di Parlemen: Bukan Sekedar Jumlah*, Stockholm: International IDEA. (This translation may vary slightly from the original text. If there are discrepancies in the meaning, the original Bahasa-Indonesia version is the definitive text).

CASE STUDY

## Quotas for Women for Legislative Seats at the Local Level in Pakistan

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Democracy requires the equal access and full participation of both women and men, on the basis of equality, in all areas and at all levels of public life, especially in decision-making positions. Both the Beijing Platform for Action (PFA) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) recommend that governments adopt quotas as temporary special measures to increase the number of women in both appointive and elective positions in local and national levels of government. A review of countries that have a critical mass (30 percent) of women in their parliaments, local legislative councils and bureaucracies, reveals that quotas, either by voluntary action of political parties or mandates of law, are used.

Pakistan provides an interesting example of the use of quotas at the local level. This case study will investigate the kind of quotas in use in Pakistan, and provide some examples of the difficulties and challenges confronting their implementation. The use of quotas at the local level provides interesting insights into their proposed implementation at the provincial and national levels. Finally, some strategic methods for ensuring the full citizenship of women will be explored.

### ***Pakistan's National Context***

The government of General Pervez Musharraf took over from the civilian government of Nawaz Sharif on 12 October 1999. The Supreme Court of Pakistan gave the Musharraf government three years to restore democracy. As a first step, local government elections were held in five phases starting on 31 December 2000 and completed in August 2001. This action was part of the Devolution of Power Plan announced in August 2000 which, among other things, allotted 33 percent of the local legislative seats to women sitting in legislative councils at the union, *tehsil* (municipality) and district level. In April 2001, a national referendum granted General Musharraf another five years in office as president. Elections to the Provincial and National Assemblies are scheduled to be held in October 2002.

Pakistan's efforts to fulfill its commitments in international treaties and conventions to promote women's free, equal and full political participation are summed up in the National Plan for Action (NPA) announced in September 1998, the National Policy for Development and Empowerment of Women (March 2002) and the Ten Year Perspective Plan (2001-2011). The NPA recommended 33 percent reserved seats for women for local as well as national elective bodies through direct and joint elections. It also suggested the simplification of rules and the adoption of measures to ensure that women can exercise their right to vote. The National Policy mandated the adoption of "affirmative action to ensure a desirable level of representation of women in the Senate and the National and Provincial Assemblies." The Ten Year Perspective Plan included women's political representation as one of its priority areas and capacity-building of women councilors and other elected women representatives as one of its strategies.

Quotas are not new to Pakistan. Popularly known as "reservations", the 1956, 1962, 1970, 1973 and 1985 constitutions all provided for reserved seats for women at both the Provincial and National Assemblies. This allotment however was quite small, only being from five to ten percent, and only through indirect elections by the members of the assemblies themselves. Reservations lapsed in 1988 after three general elections (in 1977, 1985 and 1988) as provided for in the 1985 Constitution. In the last general elections of 1997, women's representation hovered between 0.4 percent in the Provincial Assemblies (2 seats out of 460) to 2 percent in the Senate (2 seats out of 87) and 4 percent in the National Assembly (7 seats out of 217).<sup>1</sup> At the local level, where between 5 and 12 percent of the seats were reserved for women

through indirect elections by council members, the total number of women legislators was only 10 percent of the membership in 1993 (8,246 out of 75,556).<sup>2</sup>

### **Local Level Quotas in Pakistan**

As part of the democratization process, the Musharraf government adopted a Devolution of Power Plan in March 2000 based on five fundamentals: devolution of political power, decentralization of administrative authority, de-concentration of management function, diffusion of the power-authority nexus, and distribution of resources at the district level.<sup>3</sup> The new system provides a three-tier local government structure where there is only one line of authority in the district and the district bureaucracy is responsible to the elected representatives. More operational autonomy is ensured to the district level offices. Administrative and financial powers have been, by and large, delegated to officials at the district level.

**One important feature of the Devolution of Power Plan is the provision of a 33 percent quota for women in district, tehsil and union councils.**

An important feature of the Local Government Plan is the provision of a 33 percent quota for women at the district, municipality (*tehsil*) and union councils, the local legislative bodies mandated to approve by-laws, taxes, long-term and short-term development plans and annual budgets. The union councils in addition facilitate the formation and functioning of citizen community boards and cooperatives to reduce poverty, the overriding development goal of Pakistan.

The union council is composed of 21 members: *Union Nazim, Naib Nazim*,<sup>4</sup> one member elected from the minority communities, twelve Muslim representatives elected to general seats and six elected for peasants and workers. The one-third reservation is applied to the Muslim seats (four women) and the six seats for peasants and workers (two for women). Each union council has thus six seats for women.

The middle tier, the *tehsil* council is composed of *Naib Nazim* from all the union councils and representatives elected from reserved seats for women (one-third of the number of unions), peasants and workers (five percent of the total number of unions), and minority communities (five percent). At the top tier, the Zila Council<sup>5</sup> consists of all Union Nazim in the district and like the *tehsil* councils, by members elected through quotas: 33 percent women, 5 percent peasants and workers and 5 percent from the minority communities.

The number of seats reserved for women in the different councils are as follows:

**Table 1: Seats Reserved for Women at the Local Level in Pakistan**

Type of Council (Total number of councils)	Seats Reserved for Women
Union Councils (6,022)	36,066
Tehsil Councils (305)	1,749
Town Councils (30)	161
District Councils (96)	1,988
Total	39,964

Except for the Union Councils, the members of all the other councils are indirectly elected by the elected councilors at the union level who form the electoral college for all elections to the *tehsil* town and district councils.

### **Election Results**

In the local elections held between December 2000 and August 2001, women contested not only the reserved seats but also the open seats in the union, *tehsil* and district councils and the posts of *Nazim* and *Naib Nazim*. However, in the province bordering on India (Northwest Frontier Province or NWFP)<sup>6</sup> women were not allowed to vote or run for office because of pressure from religious groups and political parties, which resulted in the loss of approximately 650 seats for this region. Therefore, women were elected to 36,187<sup>7</sup> seats out of the total 40,049 seats reserved for women in the local councils, 11 were elected as union council *Nazim*, one as *Naib Nazim* and two as district *Nazim*.<sup>8</sup>

**Table 2: Women Elected at the Local Level through Reserved Seats in Pakistan**

Province	Union Councils	Tehsil Councils	Town Councils	District Councils	Minority Group Women	Total
Punjab	20,007	1,074	50	1,115	27	22,273
Sindh	5,878	297	59	360	87	6,681
NWFP	3,963	175	30	278	6	4,452
Balukhistan	2,374	129	22	152	60	2,737
TOTAL	32,222	1675	161	1,905	180	36,143

**Difficulties and Challenges**

The unprecedented number of women<sup>9</sup> elected to district, *tehsil* and union councils in these elections following the adoption of a 33 percent quota by government opened up not only an enormous political space but also a strategic opportunity for women to make a difference in setting and implementing the agenda of local governments. With the devolution process, this level of government is expected to have the most impact on people's lives and offers the greatest hope for social change. But the basic question is how women can use their critical mass to affect public policy, particularly those related to poverty reduction, the biggest challenge in Pakistan.

*The quota system opened up political space for women, and also strategic opportunities for them to make a difference in drafting and implementing the agenda of local governments.*

To determine their readiness and competence in playing the role of movers and shakers in the local councils, it is important to examine where the women are coming from: their age, education, socio-economic status, and political background. While there is very limited information on this subject, existing studies show that most are under the age of 45 (57 percent); more than half are illiterate (53 percent); the majority are housewives (73.7 percent); very few own land; and an overwhelming majority have never contested elections (79 percent); nor have their families (64 percent).<sup>10</sup>

What are the implications of the socio-economic, political and demographic profile of the women council members?

**First**, it shows that the quota system has opened doors for socially disadvantaged and marginalized groups that otherwise stand no chance to win positions of formal political authority traditionally obtained through the politics of money, family influence and party patronage.

**Second**, the relative youth of the women councilors indicate that younger women have placed enormous faith in the ability of the political system to address existing social ills and institute reforms. Being young, they are expected to be more open to innovation and creative change.

**Third**, the fact that younger housewives contested and won electoral seats reflects their willingness to go beyond their reproductive roles as bearers and nurturers of life and assume the task of community leadership as active social change agents. But this also has serious implications on gender-based assignment of household roles and responsibilities, as well as the way local councils will schedule the conduct of their business. Men have to share in household work to provide women the time to perform their legislative duties. In addition, council schedules and activities have to be adjusted to allow women to combine their double roles.

**Fourth**, that the majority of women councilors are illiterate reflects the general tendency for women to be denied their rights to have an education, and this fact should be a major factor to consider in designing not only the curriculum but in the choice of mentoring approaches as well. Participatory popular education methods certainly are most appropriate under these circumstances.

**Finally**, the newness of these women to politics is both an asset and a liability. On the one hand, their freshness brings the insights, vision and perspective that political veterans may have lost through time. On the other hand, their being neophytes means that training must start from zero. Their capacity to learn however can never be underestimated and the skill with which they can use their lived realities in setting their agenda and using their life experiences in developing

pragmatic, workable solutions to concrete socio-economic problems might far exceed ordinary expectations.

To ascertain their training needs, several organizations<sup>11</sup> conducted surveys, dialogues, and interviews with women councilors. In all these consultations, the women disclosed their lack of understanding as to their rights, roles and responsibilities as councilors. The women councilors also complained about being ignored by their male counterparts and the *Nazim*. In addition, they do not have offices, tables and chairs. Neither do they have stipends to cover their meals and transportation. The women were not given the opportunity to participate in council deliberations. Nor were the projects they proposed allocated budgetary resources.

### **Responding to Existing Needs: Women Learning from Women**

Government agencies and non-governmental organizations are currently involved in building the skills and capacities of elected councilors, both women and men, to do their jobs well. The National Reconstruction Bureau (NRB) is the leading government agency in developing the capacity of both elected representatives and government functionaries to implement the devolution process envisioned in the Local Government Plan 2000.

One of the NGOs involved in training of women councilors is the Aurat Foundation, a national NGO with chapters all over the country and convener of the Citizens' Campaign for Women's Representation in Local Government. At the local level, *Sarsabz* (an Urdu term for green), a local NGO based at Faisalbad in Punjab province, is actively involved in the training of a select group of 30-50 women union, *tehsil* and district councilors on legal rights and processes as well as leadership skills.

***The Ministry of Women and Development has developed a two-year program to train and educate women councilors.***

The Ministry of Women and Development (MOWD) has developed a two-year program to train women councilors using the "mentoring and nurturing" approach where women teach and learn from each other. The first phase of the project is mentoring a select group of women councilors from the districts. In the process of training them, the lead mentors will identify who can assist them as team trainers/mentors in the next phase of the process, training women councilors at the *tehsil* and union levels. Nearly 2,000 women are anticipated to be trained by 64 mentors.

**Table 3. Master Trainers/Lead Mentors in Councils in Pakistan**

Province	Number of Women District Councilors	No. of Master Trainers/Lead Mentors
Punjab	1,195	37
Sindh	360	12
NWFP	278	10
Baluchistan	152	5
Total	1,905	64

In the second phase, the lead mentors and their team will

share their skills, knowledge and insights with women from the *tehsil* and union councils. Because of limited resources and within the framework of "women learning from women", only one-third of the women in each *tehsil* and union council will be trained or mentored but a select group in turn will transfer their knowledge to the remaining two-thirds of the council as peer trainers/mentors.

The relay method will build the blocks of mutual support, solidarity and collaboration among women elected officials. This will be a kind of "Women's Political School" run by, of and for, women where they open doors for each other, and bring their peers along to higher levels of decision-making, and work together to make a difference. The aim is to foster solidarity, cooperation and consensus between and among women from different local councils by addressing each other's needs and complementing their respective strengths. The objectives are to maximize the use of available local and indigenous capacities and promote continuing and sustainable training for women political leaders.

### **National and Provincial Level Quotas**

While the government has been supportive in reserving one-third of the seats in local councils for women, the same did not hold true for its policy towards women's representation at the provincial and national assemblies. After much speculation and debate about what percentage the government would endorse, the cabinet announced in early 2002 that

60 of the 357 seats (17 percent) will be allocated for women in the national assembly. The government argued this is three times more than the previous 20 seats. The seats will be distributed to the four provinces as shown in Table 4.

**Table 4: Women’s Representation in the National Assembly in Pakistan, 2002**

Province/Territory	General Seats	Reserved Seats for Women	Reserved Seats for Technocrats	Total
Punjab	148	35	15	198
Sindh	61	14	6	81
NWFP	35	8	3	46
Baluchistan	14	3	1	18
Federally-Administered Territory (FATA)	12	N/A	N/A	12
Islamabad	2	N/A	N/A	2
TOTAL	272	60	25	357

For these provinces, the same 17 percent quota will be applied for women’s seats. Like the national assembly, there will be seats reserved for technocrats and as well as seats to be contested in open, general elections:

**Table 5: Women’s Representation in Provincial Assemblies in Pakistan, 2002**

Province	General	Women	Technocrats	Total
Punjab	297	66	27	390
Sindh	130	29	12	171
NWFP	99	22	9	130
Baluchistan	51	11	5	67

Women’s groups argued that the government ignored the collective voice of women for 30 percent reservation expressed in the national consultation conducted by the Ministry of Women and Development in May 2001 and the National Campaign for Restoration of Women’s Reserved Seats in 1998. It also failed to reflect the same recommendation of the Report of the Commission of Inquiry for Women and the National Plan for Action. Eleven political parties endorsed the 30 percent quota for women in the provincial and national assemblies.<sup>12</sup>

### **Quotas and the Electoral System**

The issues raised about women’s political participation have focused not only on the 30 percent quota for women but on Pakistan’s electoral system as well. According to the present policy on reservations, the 60 seats for women will be filled through proportional representation, i.e. based on the number of popular votes received by political parties in the elections.

While proportional representation is considered the most “friendly” to women of all electoral systems and is used by all ten countries with the highest representation of women in parliament, there was vigorous opposition to this system by women activists in Pakistan. They contended that women would be beholden to political parties whose structures, processes and agendas are generally patriarchal. The men who would be directly elected would most likely treat women in reserved seats in the provincial and national assemblies as second-class members. With their own constituencies as a mass base, the men would be able to hold their own and follow their own agendas very effectively.

The women demanded direct election by a joint electorate of women and men in enlarged constituencies created through the fusion of two regular-sized constituencies. For the general seats, the standard-sized constituency was proposed. All eligible voters would have two votes: one for the reserved seat in the enlarged constituency and another for the general seat in their normal constituency. This system has unfortunately not been adopted.<sup>13</sup>

## **Some Conclusions**

For women's full and equal participation in decision-making structures and processes at all levels of governance to be attained, a strategic framework is needed which explores ways of overcoming the cultural and structural barriers to gender balance in political representation. Advocacy for policy reform in political parties, electoral systems and campaign finance is recommended as the best possible way to overcome structural obstacles. Other strategic methods are also suggested to address the cultural barriers in the full exercise of women's citizenship: awareness-raising, capacity-building and research and documentation.

**Awareness-Raising:** A nationwide information campaign highlighting the importance of women's representation and participation in decision-making; the transformational politics that women can create; and women's political participation as a basic human right is proposed.

**Capacity-Building:** It would be wise to consider a three-phased training programme encompassing the whole range of women's citizenship as voters, candidates and elected officials. This training could also include messages about voter rights; young women's leadership training; how to run and win as candidates; and skill-building for women elected in the local councils, and the provincial and national assembly. The skills covered should include developing a policy agenda; how to articulate social aspirations and the art of negotiation; influencing and shaping policy decisions, and how to allocate financial resources.

**Research and Documentation:** To show that women make a difference, their hard work in building an institution's rules, practices, and norms as well as policy decisions should be documented.

**Policy Analysis and Advocacy:** Three important areas for policy advocacy to enhance women's political participation are democratization of political parties; quotas as temporary special measures to achieve gender balance; and campaign finance reform.

In conclusion, women's political participation is not only about increasing their numbers but also their effectiveness and impact. Women should be able to participate in open, transparent, accountable decision-making processes of policy-making institutions and mechanisms not as beneficiaries and objects of development programs but as agents or subjects of developmental change. Their effectiveness is indicated by the extent to which they are able to influence institutional rules, norms and practices and consequently shape the policy agenda and decisions about the use and allocation of resources. Their impact on the other hand will be seen in the entitlements, capabilities and rights they are able to secure for women to redress gender disparities and change their lives, especially for women living in poverty.

## **Endnotes**

1. Legislative Watch. 2001. *History of Women's Reserved Seats in Legislatures in Pakistan*. Islamabad, November - December.
2. AURAT. Oct. 2001. *Citizens' Campaign for Women's Representation in Local Government*. Islamabad: Aurat Publications and Information Service Foundation. p. 7.
3. Government of Pakistan, Local Government Plan. 2000. August 1. p. 1.
4. The Union Nazim and Naib Nazim are the mayor and vice-mayor, respectively.
5. The Zila Council is the District Council.
6. Women were not allowed to run in 21 union councils in Swabi and Mardan districts and in 34 union councils in Dir district. See *Citizens' Campaign for Women's Representation in Local Government*. October 2001. p. 40.
7. This included seats reserved for minorities.
8. *Citizens' Campaign for Women's Representation in Local Government*. pp. 24-25.
9. A total of 36,049 women were elected to the councils. The elections were in five phases and took place from December 2000 to August 2001.
10. Farzana Bari, 2000. *Local Government Elections*. Islamabad: MOWD (Ministry of Women and Development). December. pp. xiii-xiv.
11. The Ministry of Women and Development (MOWD) commissioned Sarwar Bari of PATTAN to conduct a

- 
- training needs assessment for its women's political participation project.
12. Farzana Bari. 2002. *Women's Representation in Legislatures: The Way Forward*. Islamabad: Ministry of Women and Development. January. p. 11.
  13. "Possible Election Modalities," *Legislative Watch*. No. 15 and 16. November-December, 2001.