

**The Impact of Globalization on Women Political Participation  
(A Case Study of Pakistan 1999-2010)**

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*Received 8 September 2014*

*Revised 12 October 2014*

*Accepted 26 December 2014*

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**Abstract:** *Globalization is a multi-dimensional process of economic, political, cultural, and ideological change. It has had a mixed impact on women's rights. On the one hand, it has led to increasing violations of women's economic, political, and cultural rights in large measure due to the withering away of the welfare-developmental state, the feminization of poverty, the expansion of religious fundamentalisms, and new forms of militarism and conflict. On the other hand, aspects of globalization have provided women with increasing opportunities to work in solidarity at national, regional, and international levels to demand their rights. Our objective is to advance and share knowledge about the gendered aspects of globalization and help promote mechanisms that strengthen the positive aspects and consequences of globalization, especially with respect to women's human rights and gender equality. In my paper the role of UNO for women rights has been discussed. Then I tried to analyze the status of women in Islam. Then I discuss the rights of women given in Pakistan by different governments. In last political participation of women in Musharraf regime has been analyzed.*

**Keywords:** *Globalization, cultural rights, women, political participation.*

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## **Introduction**

“Globalization” has become a very familiar term in recent years and almost a byword for both the right and the left in their analyses of the international economy and polity. Globalization as a process introduces competition in the international spectrum and key players of business entities are primarily driven by profit motives. As a result, socio-cultural aspects are often neglected which results exploitation of both people and resources in any way to ensure financial gain. It is assumed that the least developing countries are suffering from these negative consequences and women as backward portion of the entire population of those countries remain as most vulnerable. In these contexts, I will try to focus specially on the social and political consequences of globalization for women in the Pakistan.

## **Literature Review**

Dr. Jamal A Badawi's essay, *The Status of Women in Islam*, starts with a brief survey of the status of women in the pre-Islamic era. It then focuses on the position of Islam regarding the status of woman in society and compare with the "rights" which were finally gained by woman in recent decades. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

Shaheen Sardar Ali In her book *A comparative study of convention on the Elimination of all Forms of Discrimination Against Women with Islamic law and laws of Pakistan* describes that the women's convention(CEDAW) is a major breakthrough in International Human Rights Law as it recognizes the need to go

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beyond the legal documents to address factors which will eradicate de facto inequality between men and women's by the adoption of the Women's Convention the separate concepts of "women rights" were recast in a global perspective and a positive effort was made to integrate women's human rights into the main stream of human rights framework.(1)

Mahdi Mahriza in its book Woman points out that according to an Islamic perspective, the woman is human being, having all development talents, with being devoid of any defect or fault in the essence of her entity. And despite her owing all factors of perfection and development, like men, but she has an independent character and never be parasite on others. Because Allah has created man and divided the human beings into two classes: man and woman for the sake of his/her eternity. And classifying the creatures into male and female is in fact a general rule, in this material world. (2)

Zarina Salamat in her essay The Status of Muslim Women points out that in Pakistan the Muslim women has been domesticated, less educated and psychologically dependent in a male dominated society. Seen in the historical perspective female Muslim education first received serious attention at the Muslim educational conference at the turn of the century. During the Khilafat movement women entered the political arena under Bi Amma.

### **Gender and Human Rights**

It has been rightly stated that the test of every civilization is the estimate in which the woman is held in society, and for this reason she has always remained in the limelight of human history. Religion has been the driving force in human life and acts as a basic source of information and enlightenment about women. Islam has dealt in depth with the status of woman in society and it is an undeniable fact of history that no other religious doctrine has accorded more rights and better status to women in an organization of human affairs than Islam.

Women had full legal capacity to contract marriage, received divorce and certain as well as inherit her own property as affirmed by the Quran. Furthermore the Quran never tired of counseling men to treat their wives with fairness and kindness. The right of women to work can elaborate the equality of sexes. This has been there ever since the time of Hazrat Khadijah the Prophet's first wife, who was a trader and business woman in her own right. From then till now the right of women has existed as a principle.

### **The United Nations and women's rights**

The United Nations its specialized and regional agencies have adopted a number of international treaties and instruments on Human Rights. These international treaties and instruments suggest that all Human Rights norms embrace both men and women and are equally applicable to both sexes. The issue of women rights has been part and parcel of all international treaties and even a cursory look at the history of development of International Human Rights Law suggest that women rights were being realized from the very beginning.

The UN Charter was the first international treaty to spell out the principle of equality in specific terms, right up to the International Bill of Human Rights. The goal of achieving equality between the sexes has been reiterated in each of them. Since 1975 the UN has held a series of world conferences on women's issues. . These conferences created an international forum for women's rights, but also illustrated divisions between women of different cultures and the difficulties of attempting to apply principles universally.

Four World Conferences have been held, the first in Mexico City (International Women's Year, 1975), the second in Copenhagen (1980) and the third in Nairobi (1985). At the Fourth World Conference on Women in Beijing (1995), The Platform for Action was signed. This included a commitment to achieve "gender equality and the empowerment of women.

### **The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

The pursuit of equal rights for women through international law has been a slow process. The principle that everyone is entitled to rights "without distinction of any kind, such as race, color, sex..." was given voice in Article 2 of the 1948 Universal Declaration of Human Rights. However, the Declaration was non-binding and it took campaigners over 30 years to cajole the international community into concrete legal action against gender injustice. This commitment came in the shape of the Convention to Eliminate All Forms of Discrimination against Women (CEDAW), which was adopted by the UN General Assembly in 1979. CEDAW has been described as a bill of rights for women; Consisting of a preamble and 30 articles.

The Convention defines discrimination against women in the following terms: Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

By accepting the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

To incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women; to establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises. The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.

The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. States parties also agree to take appropriate measures against all forms of traffic in women and exploitation of women.

Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations.

The women's convention is the outcome of efforts of the UN commission on the status of women. It is a single international instrument which carries in its legislative ambit the provisions of various international instruments on women's rights as well as includes many of the recommendations of the commission adopted since the commission's inception in 1946. Thus it unites in a single document not only the existing documents for improving rights of women but also contains new rules. To put it in brief the women's convention (CEDAW) is a major breakthrough in International Human Rights Law as it recognizes the need to go beyond the legal documents to address factors which will eradicate de facto inequality between men and women's by the adoption of the Women's Convention the separate concepts of "women rights" were recast in a global perspective and a positive effort was made to integrate women's human rights into the main stream of human rights framework. (19)

### **Gender Equality in the Holy Quran and Sunnah**

There is absolutely no difference in Islam between men and women as far as their relationship to Allah is concerned as both of them are promised the same reward for good conduct and the same punishment for evil conduct. The Holy Quran says, "And for women the rights over men similar to those of men over women." (2.226), often uses the expression believing men and women to emphasize the equality of men and women in regard to their respective duties rights virtues and merits. The Holy Quran admonishes those men who oppress or ill-treat women. "Oh you who believe you are forbidden to inherit women against their will. Nor should you treat them with hardness, that you may take away part of the dowry you have given them except when they become guilty of open lewdness on the contrary live with them on a footing of kindness and equality, if you take a dislike to them, it may be that you dislike something and Allah will bring about through it a great deal of good." (4.19)

Techniques of the Noble Quran were revolutionary as regard to the fact that before advent of Islam the Pagan Arabs- used to bury their daughters alive, forced women to dance naked in the victory of Holy Kaaba during their annual fairs and treat them as mere chattels and objects of sexual pleasure, possessing no right of position whatsoever, Islam regards men and women as being of the same essence created from a single soul, Islam does not consider women "an instrument of the devil," but rather the Holy Quran calls her "Muhsana" a fortress against Satan because a good woman by marrying a man, help him keep to the path of the rectitude in his life.

Prophet Muhammad (SAW) was full of praise for virtuous and chaste women. He said, "The world and all things in the world are precious but the most precious thing in the world is a virtuous woman". Before the advent of Islam women were often treated worse than animals. The Holy Prophet (PBUH) wanted to put as top to all cruelties to women. He preached kindness towards them. He told the Muslims, "Fear Allah in respect of women."

The Qur'an provides clear-cut evidence that woman is completely equated with man in the sight of God in terms of her rights and responsibilities. The Quran states:

"Every soul will be (held) in pledge for its deeds" (Quran 74:38). It also states:

So their Lord accepted their prayers, (saying): I will not suffer to be lost the work of any of you whether male or female. You proceed one from another ... (Quran 3: 195).

Whoever works righteousness, man or woman, and has faith, verily to him will we give a new life that is good and pure, and we will bestow on such their reward according to their actions. (Quran 16:97)

In terms of religious obligations, such as the Daily Prayers, Fasting, Poor-due, and Pilgrimage, woman is no different from man. In some cases indeed, woman has certain advantages over man. For example, the woman is exempted from the daily prayers and from fasting during her menstrual periods and forty days after childbirth. She is also exempted from fasting during her pregnancy and when she is nursing her baby if there is any threat to her health or her baby's. If the missed fasting is obligatory (during the month of Ramadan), she can make up for the missed days whenever she can. She does not have to make up for the prayers missed for any of the above reasons. Although women can and did go into the mosque during the days of the prophet and thereafter attendance in the Friday congregational prayers is optional for them while it is mandatory for men (on Friday).

This is clearly a tender touch of the Islamic teachings for they are considerate of the fact that a woman may be nursing her baby or caring for him, and thus may be unable to go out to the mosque at the time of the prayers. They also take into account the physiological and psychological changes associated with her natural female functions.

In Islam women is a completely independence personality. She can make any contract or bequest in her own name she is entitled to inherit in her position as mother as wife as sister and as daughter. She has perfect liberty to choose her husband. The Prophet's followers accepted his techniques and brought about a revolution in their social attitude towards women. They no longer considered women as mere chattels but as an integral part of society. In the new social climate, women rediscovered themselves and became highly active member of society. It became a common right to see women helping their husbands in the fields, carrying on trade and business independently and going out of their homes to satisfy their needs. (20)

The status of a woman has of necessary to be judged in the context of social order to which she belongs, the social attitudes and values prevalent in the society in which she lives, the influences of social customs prevalent in such societies and the historical and sociological background in which the society itself has developed. But it would be a mistake to think that this necessarily also represents the Islamic ideal derivable from the precepts of the Holy Quran and the traditions of the Holy prophet (PBUH). The Holy Quran declares that, "I have created you from one male and from one female and divided you into tribes and nations just to know and identify each other" Al Quran, Al-Hujurat, 49; 13. This would seem to indicate that the male and female are really complementary to each other and form the base of mankind. Indeed from nature itself it will be evident that Allah has created all things in pairs so that the continuity of the species is preserved. Islam really gives important position of near equality with man. She was clothed with a legal personality of her own and made an equal partner in life.

### **The Economical rights of women**

Islam recognizes the importance of the economic strength of women by conferring an Independent ownership of economic resources and wealth.

Independent ownership of economic aspects. From the early days Muslim woman is permitted to own property and wealth and is free to spend it any way she wishes. Her work inside and outside her house is regarded as valuable because she can even charge her husband for nursing her own babies on the other hand she has no obligation in regard to supporting another member of the family of the society.(21)

Islam decreed a right of which woman was deprived both before Islam and after it (even as late as this century), the right of independent ownership. According to Islamic Law, woman's right to her money, real estate, or other properties is fully acknowledged. This right undergoes no change whether she is single or married. She retains her full rights to buy, sell, mortgage or lease any or all her properties. It is nowhere suggested in the Law that a woman is a minor simply because she is a female. It is also noteworthy that such right applies to her properties before marriage as well as to whatever she acquires thereafter. In 1870, it was the first time in England that the

West recognized the rights of the married woman when she was allowed to own or dispose any of her property without consultation.

According to Islamic jurisprudence a woman is competent to own property and dispose of it in any manner. The Sharia generally provides for an equitable and fair role for women in the economic life of Muslim society. Just as much as they share in the management of family affairs, they can contribute to the support of the family, although they are not legally bound to provide maintenance. A woman can share outdoor work with the man to earn a common living. Islam has acknowledged the absolute competence of women in respect of their properties and has allowed her full rights of disposition over the properties. To be a woman is not therefore a ground in Islam for taking over her property for management by a court of law, as was the case under the Germanic law or under the French law up to the year 1928. Even in this modern era. (22)

With regard to the woman's right to seek employment it should be stated first that Islam regards her role in society as a mother and a wife as the most sacred and essential one. Neither maids nor baby-sitters can possibly take the mother's place as the educator of an upright, complex free, and carefully-reared children. Such a noble and vital role, which largely shapes the future of nations, cannot be regarded as "idleness".

However, there is no decree in Islam which forbids woman from seeking employment whenever there is a necessity for it, especially in positions which fit her nature and in which society needs her most. Examples of these professions are nursing, teaching (especially for children), and medicine. Moreover, there is no restriction on benefiting from woman's exceptional talent in any field. Even for the position of a judge, where there may be a tendency to doubt the woman's fitness for the post due to her more emotional nature, we find early Muslim scholars such as Abu-Hanifa and Al-Tabary holding there is nothing wrong with it. In addition, Islam restored to woman the right of inheritance, after she herself was an object of inheritance in some cultures. Her share is completely hers and no one can make any claim on it, including her father and her husband.

According to Islam just as a man has a right to honest earned wealth so has a woman right to own and use her lawful earning.

To men is allotted what they earn and to women what they earn [4.32]. Whatever a woman gets from his parents, husband or the off spring under the law of the Islamic Sharia or whatever she obtains through her own of it all and is entitled to spend it has she liked? She can spend on her own person, her husband and children, parents and other members of the family of her own free will. She can also invest it in charitable acts. She has also the right to the sale and purchase of property, forming trusts, gift it to others and can bequeath it at her own discretion. Nobody can interfere in these matters. (23)

"Unto men (of the family) belongs a share of that which Parents and near kindred leave, and unto women a share of that which parents and near kindred leave, whether it be a little or much - a determinate share." ((Qur'an 4:7).

Woman, on the other hand, is far more secure financially and is far less burdened with any claims on her possessions. Her possessions before marriage do not transfer to her husband and she even keeps her maiden name. She has no obligation to spend on her family out of such properties or out of her income after marriage.

### **The Political Rights of Women**

In an Islamic Society women also take part in the appointment of counselling and control officers responsible for the public affairs of society. This may be done either through the process of election or consultation. Any fair investigation of the teachings of Islam on the history of the Islamic civilization will surely find a clear evidence of woman's equality with man in what we call today "political rights".

The Holy Quran contains clear injunction for the political rights of the believers as, "Those who, if we establish them in the land will keep up prayers and pay zakat and enjoin good and forbid evil." (22.41).

In another place the Holy Quran clarifies that those duties which are political in nature are the joint responsibility of both the sexes. It says, "And the believers, men and women are friends, one of the other. They enjoin good and forbid evil and keep up prayers and pay zakat and obey Allah and His Messenger. As for them Allah will have mercy on them. Surely Allah is Mighty, wise. (9.71).

The Quran says, "The men and the women are supporters of each other." (9.71) Supporters not only socially – even politically. Politically, men and women should support each other. This includes the right of election as well

as the nomination to political offices. It also includes woman's right to participate in public affairs. The Holy Quran and the Sunnah of the Holy Prophet are the two basic source of Islamic Law. There is nothing in these sources which may debar a woman from becoming the head of an Islamic state. Allama Al Mawardi who has discussed the qualifications of the Muslim ruler in the famous book Ahkam al Sultania did not mention any discrimination on account of sex.

Although not mentioned in the Qur'an, one Hadeeth of the Prophet is interpreted to make woman ineligible for the position of head of state. The Hadeeth referred to is roughly translated: "A people will not prosper if they let a woman be their leader." This limitation, however, has nothing to do with the dignity of woman or with her rights. It is rather, related to the natural differences in the biological and psychological make-up of men and women.

According to Islam, the head of the state is no mere figurehead. He leads people in the prayers, especially on Fridays and festivities; he is continuously engaged in the process of decision-making pertaining to the security and well-being of his people. This demanding position, or any similar one, such as the Commander of the Army, is generally inconsistent with the physiological and psychological make-up of woman in general. It is a medical fact that during their monthly periods and during their pregnancies, women undergo various physiological and psychological changes. Such changes may occur during an emergency situation, thus affecting her decision, without considering the excessive strain which is produced. Moreover, some decisions require a maximum of rationality and a minimum of emotionality - a requirement which does not coincide with the instinctive nature of women.

Even in modern times, and in the most developed countries, it is rare to find a woman in the position of a head of state acting as more than a figurehead, a woman commander of the armed services, or even a proportionate number of women representatives in parliaments, or similar bodies. One cannot possibly ascribe this to backwardness of various nations or to any constitutional limitation on woman's right to be in such a position as a head of state or as a member of the parliament. It is more logical to explain the present situation in terms of the natural and indisputable differences between man and woman, a difference which does not imply any "supremacy" of one over the other. The difference implies rather the "complementary" roles of both the sexes in life.

### **The Legal rights of women**

According to the Islamic law men and women are equal. The Shariah protects the life property of a man and woman both. If a man murders a woman he too will receive the same capital punishment or 'Qisas' as in the case if a man murders another man. The Quran says, "O you who believe Al-Qisas (the law of equality in punishment) is prescribed for you in case of murder: the free for the free, the slave for the slave, and the female for the female, But if the killer is forgiven by the brother (or the relatives) of the killed against blood money, then adhering to it with fairness and payment of the blood money to the heir should be made in fairness. This is an alleviation and a mercy from your Lord. So after this whoever transgresses the limits (i.e. kills the killer after taking the blood money), he shall have a painful torment. (2.178) According to this verse, 'He too shall be killed' likewise if a woman murders, she too will be killed.

According to the Islamic law of 'Qisas' men and women, irrespective the injury be of the eye, nose, ear of the body, both receive equal punishment. And if the guardian of the murdered, though be a woman, forgives the murderer and accepts 'Dia', the compensation, her opinion cannot be rejected.

Quran says, "As to the thief, either be a man or a woman, cut off his or her hand as a punishment for their crime, an example from Allah (SWT)." (5.38) it means, if a person robs, irrespective whether he is a man or a woman his or her hands should be chopped and the punishment is equal and the same. The punishment for fornication in Islam irrespective whether it is a man or a woman is the same – flogging with 100 stripes. "If a man or woman commits fornication, flog them with 100 stripes." (24.2)

In Islam a woman is allowed to give witness. "Those who put a charge against the chastity of a woman, produce not 4 witnesses, flog them with 80 stripes and reject their testimony forever" (24.4) In Islam for a small crime require 2 witnesses but for a big crime require 4 witnesses. Accusing a woman falsely is a big crime in Islam, therefore require 4 witnesses.

### **Impact of Globalization on Women in Pakistan**

Historically, in the 19th century, feminist-sympathetic movements within the South Asian Muslim community tried to counter social evils against Muslim women through the custom of purdah (where women were forcibly isolated from social contact, primarily with men). Other Muslim reformers such as Syed Ahmad Khan tried to

bring education to women, limit polygamy, and empower women in other ways through education. The founder of Pakistan, Muhammad Ali Jinnah was known to have a positive attitude towards women. After the formation of Pakistan, women's groups and feminist organizations started by prominent leaders like Fatima Jinnah to form that worked to eliminate social injustices against women in Pakistan.

The Pakistani women were granted the suffrage in 1947. The provision of reservation of seats for women in the Parliament existed throughout the constitutional history of Pakistan from 1956 to 1973.

Pakistani women are trapped in a web of dependency and subordination due to their low social, economic, and political status in society. The majority of women suffer from all forms of poverty. In order to change women's position and societal view of their inferiority, structural changes need to be brought about in the social and economic order that shape our social world.

Women are totally absent from the state structures and decision-making bodies that could introduce such structural changes. Women's inclusion in governance structures is critical to bring about substantive changes in the development policies and program that would lead to a shift in gender relations in the society.

Presently, in order to maintain the status quo, institutionalized violence against women at family, community, and state levels is used as a mechanism to ensure their compliance with gender norms. This serves to prevent any attempt leading to the subversion of the male order.

Ironically, at the same time, a great deal of rhetorical attention has been paid to gender issues at the national level. Pakistan has made several commitments at national and international forums to ensure gender equality at home. However, there is a wide gap between commitment and implementation. The persuasion of the State to translate its commitment to gender equality into concrete reality is major challenge faced women in Pakistan.

### **Zulfiqar Ali Bhutto Government**

The democratic regime of Zulfiqar Ali Bhutto (1970–1977) was a period of liberal attitudes towards women. All government services were opened to women including the district management group and the foreign service (in the civil service), which had been denied to them earlier. About 10 % of the seats in the National Assembly and 5% in the provincial assemblies were reserved for women. However, the implementation of these policies was poor as the Government faced a financial crisis due to the war with India and consequent split of the country. Bhutto was not about to risk his political survival by harping on peripheral issues such as women's emancipation. Yet despite the renewed social emphasis on Islam, through 1970s continue to see more and more women taking their place alongside men in the public domain.(24)

Gender equality was specifically guaranteed in the Constitution of Pakistan adopted in 1973. The constitution stipulates that "there shall be no discrimination on the basis of sex alone."(25) The Constitution additionally affords the protection of marriage, family, the mother and the child as well as ensuring "full participation of women in all spheres of national life." However, many judges upheld the "laws of Islam", often misinterpreted, over the Constitution's guarantee of non-discrimination and equality under the law. In 1975, an official delegation from Pakistan participated in the First World Conference on Women in Mexico, which led to the constitution of the first Pakistan Women's Rights Committee.

### **Zia-ul-haq's Military Regime**

General Zia ul-Haq, then Army chief of staff, overthrew the Zulfiqar Ali Bhutto government in a military coup in July 1977. The Sixth Plan during the martial law regime of General Zia-ul-Haq (1977–1986) was full of policy contradictions. The regime took many steps toward institutional building for women's development, such as the establishment of the Women's Division in the Cabinet Secretariat, and the appointment of another commission on the Status of Women. In 1981, General Zia-ul-Haq nominated the Majlis-e-Shoora (Federal Advisory Council) and inducted 20 women as members, however Majlis-e-Shoora had no power over the executive branch. In 1985, the National Assembly elected through nonparty elections doubled women's reserved quota (20 percent).

However, Zial-ul-Haq initiated a process of Islamization by introducing discriminatory legislation against women such as the set of Hudood Ordinances and the Qanun-e-Shahadat Order (Law of Evidence Order). He banned women from participating and from being spectators of sports and promoted purdah. He suspended all fundamental rights guaranteed in the Constitution that had been adopted in 1973, including the right to be free of discrimination on the basis of sex. He also proposed laws regarding Qisas and Diyat,

There is considerable evidence that legislations during this period have negatively impacted Pakistani women's lives and made them more vulnerable to extreme violence.

### **Benazir Bhutto Government**

After Zia-ul-Haq's regime, there was a visible change in the policy context in favor of women. The Seventh, Eighth, and Ninth plans formulated under various democratically elected regimes have clearly made efforts to include women's concerns in the planning process. However, planned development failed to address gender inequalities due to the gap between policy intent and implementation.

In 1988, Benazir Bhutto (Zulfikar Ali Bhutto's daughter) became the first female Prime Minister of Pakistan, and the first woman elected to head a Muslim country. During her election campaigns, she voiced concerns over social issues of women, health and discrimination against women. She also announced plans to set up women's police stations, courts and women's development banks. She also promised to repeal controversial Hudood laws that curtailed the rights of women. However, during her two incomplete terms in office (1988–90 and 1993–96), Benazir Bhutto did not propose any legislation to improve welfare services for women. She was not able to repeal a single one of Zia-ul-Haq's Islamization laws. By virtue of the eighth constitutional amendment imposed by Zia-ul-Haq, these laws were protected both from ordinary legislative modification and from judicial review.

Pakistan acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on February 29, 1996. The Ministry of Women Development (MWD) is the designated national focal machinery for its implementation. However MWD has been facing lack of adequate resources for the implementation. Pakistan failed to submit its initial report that was due in 1997. Also, Pakistan neither signed nor ratified the Optional Protocol of the Women's Convention, which has led to non-availability of avenues for filing grievances by individuals or groups against Pakistan under CEDAW.

### **Nawaz Sharif Government**

In 1997, Nawaz Sharif, a political protégé of Zia-ul-Haq, was elected as the Prime Minister. He had also held office for a truncated term (1990–1993), during which he had promised to adopt Islamic law as the supreme law of Pakistan.

In 1997, the Nawaz Sharif government formally enacted the Qisas and Diyat Ordinance, which institutes shariah-based changes in Pakistan's criminal law. The ordinance had earlier been kept in force by invoking the president's power to re-issue it every four months.

Sharif then proposed a fifteenth amendment to the Constitution that would entirely replace the existing legal system with a comprehensive Islamic one and would override the "constitution and any law or judgment of any court." [The proposal was approved in the National Assembly (lower house), where Sharif's party has a commanding majority, but, it remained stalled in the Senate after facing strong opposition from women's groups, human rights activists, and opposition political parties.

The report of the Inquiry of the Commission for Women (1997) clearly stated that the Hudood legislation must be repealed as it discriminates against women and is in conflict with their fundamental rights. A similar commission during Benazir Bhutto's regime had also recommended amending certain aspects of Hudood ordinance. However, neither Benazir Bhutto nor Nawaz Sharif implemented these recommendations.(26)

The enhancement of women's status was stated as one of the 16 goals listed in the Pakistan 2010 Program (1997), a critical policy document. However, the document omits women while listing 21 major areas of interests. Similarly, another major policy document, the "Human Development and Poverty Reduction Strategy" (1999), mentioned women as a target group for poverty reduction but lacks gender framework.

### **Musharraf Regime**

The Musharraf government has made a number of impressive efforts to change situation. The reforms in this respect certainly constitute some of the major achievements of the government in office between 1999 and 2002, a particular positive role in the promotion of women's rights was played by Mr. Shahida Jamil Minister of Justice, when drafting these reform laws.



### **Revision of Laws:**

As part of the ongoing efforts to bring our laws in conformity with international obligations including convention on the Elimination of all forms of Discrimination against Woman (CEDAW). The government has established a committee comprising leading jurists, member of Islamic ideology council and human rights activists to address discriminatory aspect of Hudood law. The government has also introduced necessary amendments in criminal laws to ensure that in all cases where family “honour” has been invoked as the mitigating factor the perpetrators are tried on charges of premeditated murder. This single action is expected to go a long way in addressing the abhorrent cultural tradition of ‘Karo Kari’ honour killing from the society.

### **Commission on the Status of Women**

The government established the Permanent National Commission on the status of women in July 2000 to examine the policy, programs and other measures for women development and gender equality in the country and to assess their implementation and make suitable recommendations for effective’s impact of those policies. An important role of the commission is to review all laws, rules and regulations effecting the status and rights of women and to suggest repeal amendment or new legislation necessary to eliminate discrimination against women including violence against women, honor killings, employment and health issues to formulate its recommendations for remedial measures.

### **Devolution Plan**

One of the most important innovations was the women’s quota for the local election in 2000. On 14th August 2000. The president announced the devolution plan for district governments. The plan envisaged reservation of 33 percent seats for women at all tries (Union Council, Tehsil Council and District Assembly) of the local government. As a result of this unprecedented affirmative action 22,000 women councilors have elected to local councils throughout the Punjab. However, elected female councilors became increasingly successful in defending themselves. They reported such incidents to the press staged demonstrations or even went to court if there was no other option. On the whole though the newly elected women councilors have been admitted and integrated in to daily municipal councils work .Despite some initial obstruction in certain districts the presence of women in political bodies that wield a certain degree of power at local level will gradually change mind sets and behavior patterns, women participation in these decisive questions is an admirable step forward.

The government has also received reserved seats for women in the senate, National and the provincial assemblies. In addition to these reserve seats women can also contest on general seats 50 of the 345 mandates in the federal parliament were reserved for women. The 60 seats reserved for women were allocated to each political party according to the percentage they had they reached in the elections. In addition the parties could also nominate women on their Pakistani parliament has now over 80 women parliamentarians. (27)

Musharraf, while simultaneously announcing his regime’s decision to smash the control of militant Islamic groups in Pakistanis framed this decision yet again in development terms. To date he has not removed those laws that discriminate against women and minorities (although he made a feeble attempts and dismantling the Blasphemy laws introduced by Nawaz Sharif ).The relationship between a militarized Pakistan anti-democratic measures remains in place ,and daily being spored up as Musharraf’s regime tries to garner popular supported internally and externally. In this regard initiatives by human rights groups in Pakistan including various women’s organization and those struggling democratic rights are significant step forward. Since 2002,the anti-democratic character of the Musharraf regime has become over more apparent, even at it claims to be returning the state to democracy this is seen in the referendum of 2002,the constitutional amendments that were introduced in the same years giving the military a shadow presence in government and ensuring its hold over political power.

In July 2006, General Pervez Musharraf asked his Government to begin work on amendments to the controversial 1979 Hudood Ordinances introduced under Zia-ul-Haq's regime. He asked the Law Ministry and the Council of Islamic Ideology (under Ministry of Religious Affairs) to build a consensus for the amendments to the laws. On July 7, 2006 General Musharaff signed an ordinance for the immediate release on bail of around 1300 women who are currently languishing in jails on charges other than terrorism and murder.

In late 2006, the Pakistani parliament passed the Women's Protection Bill, repealing some of the Hudood Ordinances. The bill allowed for DNA and other scientific evidence to be used in prosecuting rape cases. The passing of the Bill and the consequent signing of it into law by President General Pervez Musharraf invoked

protests from hard-liner Islamist leaders and organizations. Some experts also stated that the reforms will be impossible to enforce.

The Cabinet has approved reservation of 10% quota for women in Central Superior Services in its meeting held on 12 July 2006. Earlier, there was a 10% quota for women across the board in all Government departments. In December 2006, Prime Minister Shaukat Aziz approved the proposal by Ministry of Women Development, to extend this quota to 10%.

In 2006, The Protection of Women (Criminal Laws Amendment) Act was also passed. In December 2006, for the first time, women cadets from the Military Academy Kukul assumed guard duty at the mausoleum of Muhammad Ali Jinnah.

The Women's Protection bill, however, has been criticized by many including human rights and women's rights activists for only paying lip service and failing to repeal the Hudood Ordinances. President Asif Ali Zardari on January 29, 2010 signed the 'Protection against Harassment of Women at Workplace Bill 2009' which the parliament adopted on January 21, 2010

### **Conclusion**

Pakistan is one of those countries that has appropriated the gender discourse and has reflected it adequately in its national level policies and programs. It is a signatory to numerous international conventions, including the convention on the Elimination of all Forms of Discrimination against Women (CEDAW). The gap between commitment and reality is too wide. Policy commitments have hardly been delivered in practice. No substantial efforts in terms of financial allocation, implementation plans, or machinery appear to be in place to translate the vision reflected in policy documents into operational reality in the country.

The translation of de jure rights of women into de facto rights will substantially improve the position of women. This is not to say that the policy environment in Pakistan is ideal for women. Antiwomen legislation such as the Hudood Ordinance and the laws of evidence, Qisas and Diyat, are still part of the Constitution. Other legislation such as family and labor laws also discriminate against women.

Women in Pakistan are now confronted with the challenge of how to ensure that the state will fulfill its commitment towards gender equality. International conventions require Pakistan to create a favorable social, legal, and political policy environment for women by introducing necessary changes. However no substantive initiative has been taken by the government to meet its international commitments. Therefore, it is important that the international community and social movements at the national level assume a stronger role in this regard.

### **References:**

1. Abdul Hakim Khalifa Dr.,(1952), Fundamental Human Rights, The Institute of Islamic Culture, Lahore, PP.1-27.
2. Baqai M Sabihuddin,(1976), Changes in the Status and Roles of Women in Pakistan, University of Karachi, P.24.
3. Boyd Gavin and Pentland Charles,(1998), Issue in Global Politics, The Free Press, London, PP.6-8.
4. Government of Pakistan,(1973), Constitution Act of 1973, Government of Pakistan Press, Islamabad, Article, 25(A).
5. Hussain Mr. Justice Aftab,(1987), Status of Women in Islam, Law Publishing Company, Lahore, P.222.
6. International The News, March 21, 2005.
7. Kandiyoti Deniz,(1991), Women Islam and State, Macmillan Press Ltd. London. PP.30-32.
8. Komeili Mahadi Dr.,(2004), The Rights of Minorities in Islam, , Kanishka Publishers, New Delhi, PP.62-66.
9. Kopsten Jeffry,(2000), Comparative Politics(Interests Identities and Institutions in a Changing Global Order), Cambridge University Press, London, PP.3-4.
10. Lipson Leslie,(1970), The Great Issues of Politics, Prentice-Hall, Inc, London,PP.119-130.
11. Mahriza Mahdi ,(2000), Woman, Ansariyan publications, Iran, PP.10-15.
12. O'Byrne Darren J.,(2004), Human Rights An Introduction, Pearson Education, Singapore, PP.368-374.
13. Paul RC Paul,(2000) Protection of Human Rights, Efficient Offset Printers, New Delhi, PP.85-110.

14. Pollis Adamantia and Schwab Peter,(2002), Human Rights New Perspectives, New Realities, Viva Books Private Limited, New Delhi, PP.215-216.
15. Ramcharan Bertrand G.,(2008), Contemporary Human Rights Ideas, , Routledge Taylor & Francis Group, London, P.34-35.
16. Riaz Ahmad SayedDr.,(1976)), Maulana Maududi and the Islamic State, People's Publishing House, Lahore, PP.145-156.
17. Rosenau James N,(1975), The Study of Global System, Free Press, New York, PP.599-600.
18. Salamat Zarina, op.cit., p. 111-112.
19. Salamat Zarina,(1980), The Status of Muslim Women, Pakistan Journal of History and Culture Vol.1- Punjab University, Lahore, PP. 110-120.
20. Sardar Ali Shaheen, op.cit., p.6.
21. Sardar Ali Shaheen,(1995), A comparative study of convention on the Elimination of all Forms of Discrimination Against Women with Islamic law and laws of Pakistan, Shaheen Publishers, Peshawar, PP.5-10.
22. Spounier Join,(1981), Games Nations Play, , Hot and Winston, New York, PP.562-566.
23. Talbott William J.,(2005), Which Rights should be Universal, Oxford University Press, Inc, PP.87-110.
24. Tomuschat Christian,(2003), Human Rights between Idealism and Realism, Oxford University Press, Inc, PP.28-35.
25. Umri Sayyid Jalah Dddin,(1996), The Rights of Muslim Women an Appraisal, Markazi Maktaba Islami, Dehli, PP.43-44.