

**TA 4602-PAK:  
Institutional Strengthening of NCSW –  
Support to Implementation of GRAPs**

**Study on Local Bodies System and its Impact on Women**

**November 2010**



**National Commission on the Status of Women**

## **FOREWORD**

The National Commission on the Status of Women is a statutory body promulgated through NCSW Ordinance 2000 mandated to serve as a watchdog and oversight body with national authority to review policies, unjust practices and laws affecting women of Pakistan vis a vis international commitments to gender equality and equity and formulate policy recommendations as well as to advocate for changes in laws and policies that are not pro-women. It is authorized to make recommendations to amend, abolish or repeal such laws, policies and customary practices which undermine and deny the fundamental rights and dignified status to women and minorities in Pakistan.

The Military Government of Pakistan under General Pervez Musharraf announced the Devolution Plan in 2001 under which 33 % quota for women was introduced in local councils and 17 % quota for women in legislative assemblies. This measure was perceived as an elevation of the status of women within the political/ governance structure of Pakistan. However, in 2005 a gender negative policy reversal was witnessed when the size of the union council was reduced and as a result of that the number of total seats for women in union councils was cut down from 36,000 to 24,000, at the lowest tier of the local government system<sup>1</sup>. Currently one is seeing the process of reverting back to the DC system created by the colonial powers in the subcontinent. The provincial governments are in the process of curtailing the powers of the local bodies and the negotiations with the president are under way.

Taking into consideration these dynamics, The NCSW launched a comprehensive study to evaluate the success of the Devolution Plan in enhancing women's agency in decision making within the local government system. The research analyzed the change in status of women and their inclusion into decision making processes, in their capacities as female nazims and female councilors. The research also endeavors to unearth the gaps in the Local Government System which fail to address gender needs.

It is hoped that the NCSW recommendations will help to pave the way for removing social, cultural and political constraints experienced by the women, particularly on the basis of their gender and to facilitate the relevant agency by making opportunity available to do the advocacy for developing an enabling environment for women's empowerment and participatory democracy in Pakistan. The NCSW strongly recommends that quota allocated for women's political representation in local bodies neither should be reduced nor abolished, because it contributes towards political empowerment of women.

The NCSW also acknowledges the contributions made by ADB by financing these researches on very important topics. Dr. Farzana Bari has carried out this gender review with utmost dedication and keen interest. The commission appreciates her efforts as well.

Anis Haroon  
Chairperson

## ACRONYMS

ADB	Asian Development Bank
BPFA	Beijing Platform of Action
CCB.	Citizen Community Boards
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CIDA	Canadian International Development Agency
CIET	Community Information Empowerment & Training
DC	District Commissioner
DCs	District Councils
DFID	Department for International Development
DoPP	Devolution of Power Plan
DTC	Devolution Trust for Community Empowerment
DTW	District that Works
EMIS	Education Management Information System
GRAP	Gender Reform Action Plans
HMIS	Health Management Information System
JAICA	Japan International Cooperation Agency
KIG	Khawateen Ittihad Group
LFO	Legal Framework Order
LG	Local Government
LGO	Local Government Ordinance
MDGs	Millennium Development Goals
MNA	Member National Assembly
MoWD	Ministry of Women Development
MPA	Member Provincial Assembly
NGO	Non Governmental organization
NORAD	Norwegian Agency for Development Cooperation
NPA	National Plan of Action
NRB	National Reconstruction Bureau
NWFP	North-West Frontier Province
PSLM	Pakistan Social and Living Standards measurement Survey
RSPN	Rural Support Programmes Network
RSPs	Rural Support Programmes
SAP-PK	South Asia Partnership Pakistan
SDC	Swiss Agency for Development and Cooperation
SPDC	Social Policy and Development Centre
SPO	Strengthening Participatory Organization
UC	Union Councils
UN	United Nation
UNDP	United Nation Development Program
USAID	United States Agency for International Development.
WB	World Bank
WCN	Women Councilors Network

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## 1. Introduction

1. Women's historic exclusion from citizenship rights and governance structures is a global phenomenon. Women have a shared history of waging struggles to gain their political rights and entitlements all around the world. Today with the exception of Saudi Arabia, there is hardly any country where women are not granted equal rights of participation and representation in the formal arena of politics. Nevertheless, there is a persistent gender gap in politics with an average of only 18.4 percent women in the world parliaments (UNDP, 2010).

2. The International Community has responded to this global challenge by making a commitment in the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), Beijing Platform of Action (BPFA) and Millennium Development Goals (MDGs) to bridge the gender gap through the provision of gender quota in politics. Today nearly 99 countries have adopted some kind of an affirmative action measure in order to achieve the goal of gender equality in politics.

3. Women in Pakistan obtained the right to vote and representation with the independence of the country from British colonial rule in 1947. The Constitution of Pakistan (1973) guarantees full citizenship rights to women. There has been a legal provision for the reservation of seats for women in the national and provincial assemblies in the constitution of 1956 (10 seats), 1962 (6 seats) and 1973 (10 seats). At the Local Government level, in the first local bodies elections held in 1959 under the military dictatorship of General Ayub Khan, women were not given any representation. However, in the subsequent Local Government Ordinances of Punjab (1979), NWFP (1979), Sindh (1979) and Balochistan (1980) seats were reserved for women in local bodies<sup>1</sup>.

4. The Government of Pakistan is fully committed to the goal of gender equality. It has made several national and international commitments towards gender equality. It has ratified the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), Covenant on Civil and Political Rights, Millennium Development Goals (MDGs) and the Beijing Platform of Action (BPFA).

5. The national context is also favorable to women's participation in governance. There are several constitutional and policy provisions that exist in Pakistan that can be leveraged for greater participation of people in general and women in particular in local governance and the strengthening of local government system in the country.

6. Article 32 of the Constitutions of Pakistan stipulates that "The State shall encourage local Government institutions composed of elected representatives of the areas concerned and in such institutions special representation will be given to peasants, workers and women."

7. Article 37 "The State shall- (i) Decentralize the Government administration so as to facilitate expeditious disposal of its business to meet the convenience and requirement of the public".

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<sup>1</sup> Two seats were reserved for women at union council level and 10% percent or minimum of 2 seats in all other councils in all provinces with the exception of NWFP where no reservation for women was made at the union council/town committee level.

8. Article 140-A. “Local Government – Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local government”.

9. Local Government Ordinance 2001 guarantees the participation of marginalized sections of society through 33 percent reservation of seats for women and 20 percent for peasants and workers.

10. The National Policy on Women’s Empowerment aims to achieve the goal of gender equality in all social, economic and political spheres.

11. The Gender Reform Action Plans (GRAP) at the national and provincial level intends to put in place the essential institutional capacity for ensuring women’s participation and gender equality outcome in development planning and practice.

12. Gender Mainstreaming has been adopted officially as a strategy to address the issue of gender disparities at the institutional level and ensure the integration of a gender perspective in government policy planning and practice.

13. A landmark decision was taken by the military regime of General Pervez Musharraf in 2000 to reserve 33% seats for women in the Devolution of Power Plan (2000) that radically changed the political landscape of the country. The first local government election held under the Local Government Ordinance 2001 brought 36,105 women councilors in the local government system. Out of 36,066 seats reserved for women in 6,022 union councils, 32,222 were filled through direct election while 3,898 were at the tehsil and district level through indirect mode of election<sup>2</sup>. Through the amendment in the Local Government Ordinance (LGO), the overall number of local councilors at the union council was reduced from twenty one to thirteen which negatively impacted on women’s numerical strength in the system that came down from 36,066 to 24,528 (Pattan, 2006).

14. The high visibility of women in the local government system raised public interest and debate on the effectiveness of women’s representation. There is an increasing academic, public and policy interest to find out what has been the impact of women’s representation on local governance and in what way women’s representation in local government has impacted on women’s social and political status in the society.

15. The efforts to gauge the impact of local government system on service delivery has used departmental data system such as Health Management Information System (HMIS), Education Management Information System (EMIS), National survey Pakistan Social and Living Standards measurement Survey (PSLM) which shows a marked improvement in social indicators from 2001-2007. There are also several donor supported studies to evaluate the impact of Devolution on the access and quality of social services (ADB, DFID, 2005, NRB, 2002, Williamson 2004, CIET, 2004, DTC, SPDC, 2007). However, the data and information is not gender disaggregated. Therefore, it is difficult to find out whether there are any gender differentials in access to social services or in men and women’s perception on the performance of local government. Also it is difficult to

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<sup>2</sup> Elected councilors were the electoral collage

disentangle the factor of women's representation as an independent variable and assess its impact on local governance and service delivery. Thus the study will focus on the impact of Local Government on women councilors and the continuing challenges and impediments they face to perform their roles effectively as public representatives. The key research questions that the study aims to explore are as follows:

- What is the impact of the Local Government System on Women Councilors in the Local Government?
- What are the key challenges faced by them to perform their roles effectively?
- How will the coming back of DCs with their full powers impact local government, in particular the women?
- How the system can be improved to address women's needs?

16. The study endeavors to identify pathways to facilitate substantive representation of women in the local government through the analysis of the issues and challenges faced by women councilors in performing their role effectively. To capture the nuances in women's representation is indeed a daunting task as there is hardly any analytical work available on the subject. The paper relies primarily on the literature review, interviews with key informants, focus group discussion with women councilors and my own personal research and practical experience of working with women councilors to make an assessment of the impact of local government on women.

## **2. Literature Review**

17. The literature review is limited to the period from 2000-2009, starting from the time when Devolution of Power Plan was announced in 2000 by the military government as part of their seven point agenda that promised to devolve power to the grass root level.

18. The existing literature on Local Government System can be grouped into four categories produced by four different stakeholders: (i) Government; (ii) Donor Agencies; (iii) NGOs; and (iv) Academics / Researchers.

19. With the exception of the last category of the stakeholders, the literature produced on local government is mostly in the forms of reports. The content analysis of these reports/papers/research studies clearly indicates the distinct area of focus and interest by various stakeholders. Most the reports and research studies funded by donor agencies looked into technical aspects of Devolution – fiscal and administrative and also to conduct impact assessments on the service delivery. They appeared to be relatively less interested to explore the social and political aspects of the Devolution. However, they did support the research that explored the role and impact of women councilors in the Local Government. Gender equity in governance is core to development discourse of international development agencies. The NGOs and independent researchers were more inclined to explore political aspects of Devolution, issues of advocacy, participation, voice and agency etc.

### **2.1 The Government**

20. The literature on the Devolution and the Local Government by the Government of Pakistan was primarily produced by the National Reconstruction Bureau (NRB) which was established to undertake the task of political, administrative and financial devolution. Most of the publications/reports produced by the NRB are descriptive in nature and explain Devolution of Power Plan, Local Government Ordinance 2001, 2005 and briefs responding to issues that were emerging in public debates regarding the devolution and local government. The federal and provincial governments were partners to many donor supported projects/programs which were providing support to fiscal and administrative devolution, capacity building and improving service delivery at the local levels. Number of projects/programs related reports are available that are produced in collaboration with donor agencies by the provincial departments and federal ministries.

21. The Ministry of Local Government & Rural Development, National Center for Rural Development also produced modules for capacity development of local self governance and conducted training, workshops and seminars.

### **2.2 Donor Agencies**

22. Unprecedented support was extended to DoPP by the multilateral and bilateral agencies working in Pakistan. Various donors such as UNDP, DFID, CIDA, USAID, DTW, JICA, SDC, NORAD, WB, and ADB contributed substantial financial and technical support to the Devolution process. Asian Development Bank alone approved \$300 million DSP program in November, 2002. Various donor agencies provided technical and financial support to create fiscal space for the Government to meet the cost



of decentralization and also provided the capacity support to enhance local government performance with special focus on social sector service delivery.

23. The stocktaking of literature on LG produced by the donor agencies is also in the shape of project/program related reports. There is a rich capacity building material produced by various donor agencies under their projects supporting the reform processes in police, judiciary, civil service and devolution in the fiscal and administrative arrangement in the new local government system (UNDP, CIDA, NORAD). The Women's Political Participation Project (W3P) of the Ministry for Women's Development funded by UNDP produced several modules to build required capacity of women councilors.

24. Gender issues are mostly ignored in the technical support projects/programs of donor agencies. Gender concerns are often discussed only in relation to women's political participation and representation in governance. The gender perspective is found to be generally missing in donor supported institutional reform programs/projects. For example, the impact assessment of devolution on service delivery conducted by several donor agencies did not collect gender disaggregated data (ADB, DFID and WB, 200, DTW, 2008, USAID, 2006).

25. Some of the studies produced by donor agencies on women's political participation (ADB, 2004, UNDP, 2005) used gender as a unitary category. Women are projected as victim and helpless without agency and voice. Women's subordinate social status and lack of opportunities are exclusively attributed to local culture<sup>3</sup>. The larger political and economic context of neo-liberalism and globalization that is affecting the autonomy of not only individual citizen but also the nation states particularly in the developing world is also missing in the analysis offered in donor reports on gender and decentralization.

26. However, donor agencies generously funded several research, advocacy and capacity building projects of NGOs who were interested to work with the elected representatives of LG belonging to marginalized sections of the society – women, peasants, workers and minorities.

### **2.3 NGOs/Civil Society Organization**

27. The NGO sector of Pakistan is fairly vibrant and effective in raising issues of public interest, good governance and advocating the cause of the oppressed and the marginalized.

28. The tradition of philanthropy and voluntary welfare work is indigenous to our culture and prevalent all over the country. However, the growth of donor funded NGO is relatively a new phenomenon of 1980s in Pakistan. The donor funded NGOs sector in Pakistan has an interesting mix. It is dominated by two different categories of people. Some of the prominent NGOs such as AGHS, Shirkatgah, Pattan, Sungi, Aurat Foundation, SDPI, PIELER, Bedari, Rozan, Samorgh, ASR, SAP-PK, SPO, SAHE are

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<sup>3</sup> Saba Khattak made the same point in her unpublished paper on "Women in Local Government: The Pakistan Experience"

headed by those who are well known and committed for their work in human rights and social justice issues. The founder of these NGOs had a track record of working for human rights cause in Pakistan. There is another set of NGOs that are run by NGO 'entrepreneurs' who are not so much committed to the public interest issues at personal level but are familiar with the field of development, belong to upper middle or elite class and do their work quite professionally within liberal democratic framework. These NGOs are increasingly becoming more popular among donor community. The overall weakness of the NGO sector in Pakistan is that its outreach is limited and it suffered from credibility deficit in the public eye due to its dependency on donor funding.

29. The civil society organization got fully engaged with the Devolution of Power Plan 2000. They participated in the consultative process which was initiated by the Musharraf government. People's Assemblies led by Sungi Foundation were held all over Pakistan to seek public views on the Plan. Although many recommendations of CSO that came through these consultative process were not incorporated, (party based election, direct modality of election on all seats and land reforms etc), the plan still got the support from the CSO due to the provision of reservation of seats and the space created for people's participation in local governance through community based structured created in the LGO.

30. The NGOs sector got fully involved in multiple activities i.e. awareness raising, mobilization, facilitating voter's registration, advocacy, research, capacity building, voter's education and monitoring of election processes etc. The work of NGOs in LG can be classified into (i) Social Mobilization (ii) Capacity Building (iii) Research (iv) Advocacy (v) Networking and (vi) Election Monitoring<sup>4</sup>.

31. The NGO sector focus was more on exploring the social and political aspects of devolution than technical aspects of fiscal and administrative devolution. They produced awareness raising and training material for the capacity building of women councilors. There are several studies that explored the structural and functional barriers to women's political participation and representation. Some NGOs tried to document the success through case studies.

#### **2.4 Academics /Researchers**

32. There is a dearth of academic research work produced by individual researchers and academics on LG in Pakistan. Some of the papers/reports written on gender and local government appear to be more interested to find out the issues of voice and agency. The writers tried to test some theoretical assumption in feminist political theories against women's participation in local government.

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<sup>4</sup> This classification is borrowed from Hassan Asifa (2006) used in her study on "Role of Civil Society Organizations in the Local Government Election 2005" for Pattan Development Organization.

### **3. The Context of Women's Participation in Local Government**

#### **3.1 The Socio-Cultural and Political Context**

33. Prior to making an assessment of the impact of women representatives on the local governance, it is important to have an overview of the larger socio-cultural, political and Institutional context that impacts on women's political participation and representation in political structures.

34. The obstacle to women's political participation stems from the larger context of socio-cultural, economic, politics and the institutions and the discursive frameworks operating within these structures.

35. The ideology of sexual division of labor that defines women's roles in the private arena of home and men's role in the public sphere is the key structural barrier to women's participation in public life. The dichotomy of the public-private defines politics as a male prerogative. Despite the constitutional right, women are often not allowed to exercise their right to vote independently by the male members of their families. There are many reported incidents when the local communities together along with political parties decided not to allow women to come out to cast their votes as well as to contest election<sup>5</sup>.

36. Due to internalization of patriarchal ideologies, women themselves do not consider politics as their legitimate sphere. Politics is generally perceived by women as 'dirty'. The public-private divide not only shapes public perception of politics as a male arena, it also has a material implication for both men and women. Because of social perception of women's primary roles as mothers and wives in the reproductive sphere, the family and state invest fewer resources in developing women's human capital as compared to men. Women are not given equal access to opportunities and resources which results in their dependent social and economic status vis-à-vis men. Women's subordinate position in the family and society as a result of the discursive divide of the public-private is the key ideological barrier to women's political participation in local governance. Women in general do not have educational qualifications, independent financial means or social capital to enter into politics.

37. Another key barrier to women's political participation is the male domination and masculine nature of politics. Political parties are the gatekeepers to politics. The male leadership of political parties does not treat women workers as their equals. The culture of political parties is highly undemocratic and authoritarian. Most of the parties in Pakistan are run by political dynasties. There is weak inner-party democracy. Party elections are not held on a regular basis. Women are not given opportunities to work at decision-making positions within the party structures. At the time of election they are not granted party tickets to contest elections as they often have no financial resource to run their election campaigns. There are no opportunities within political parties for women to learn political skills. Women are not given any financial support by the political parties to run their election campaigns. Women's priorities and concerns are often not reflected in party manifestos. The attitudes of political leadership and the culture of political parties simply mirror the private patriarchy at home. Moreover, the increasing commercialization and criminalization of Pakistani politics over the last three decades is another structural barrier to women's political participation in government.

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<sup>5</sup> Dir, Batagram, Swabi

38. The ideological and political factors compounded with women's familial responsibilities leave no time and space for women to aspire for political roles. Women often lack confidence, knowledge, ambition and political skills to enter into politics. These are some of the personal and psychological factors that hinder women's participation in governance structures.

39. These are some of the key socio-cultural, economic, political and psychological obstacles that contribute to a wide gender gap in the formal arena of politics in Pakistan. Despite reservation of seats for women in the national and provincial legislatures and in the local government, women's representation at the national and local government level was never more than 10 percent until the Mawjood regime introduced 33 percent gender quota at local government level and 17 percent in the national, provincial assemblies and in the senate.

### **3.2 The Institutional Context of Local Government**

40. Devolution of Power and the principle of subsidiary is central to the concept of substantive democracy. The devolved system of governance opens up opportunities for citizen's participation and voices in local governance. The nature of the ruling classes in Pakistan is one that was traditionally dominated by the feudal, civil and military bureaucracy and systematically excluded people from governance processes and formal structures. It was not in the interest of a highly centralized post-colonial state of Pakistan to share and devolve political, administrative and financial power to provincial and local authorities.

41. Therefore, the history of local governments is a story of political maneuvering and manipulation by the ruling elite in Pakistan. Out of eight local government elections held in the electoral history of Pakistan (1959, 1979, 1983, 1987, 1998, 2001, 2005) all of them with the exception of one (1998) were held by military dictators. The reason behind military dictators' interest in the local government lied in their quest to find political legitimacy and to build a constituency base for themselves through local government elections. Whereas male and elite leadership of political parties were least interested in strengthening the local government because of the risk of losing control to the local leadership that may have emerged in this process.

42. The neglect of local government by the successive civil regimes and the manipulation of local government by the military dictatorships in Pakistan has seriously hampered democratic and institutional development of the country. Local government, as the backbone of a democratic system, serves as a political nursery and creates space for people to directly engage in determining local development priorities. People's participation in the local government system that directly impacts their day-to-day lives creates higher public stakes in the system of democracy. In the absence of strong and effective local governments, people's voices and concerns cannot be included in governance. The provincial and national tiers of government are fairly distanced and inaccessible to the general public to engage in legislative functions with their representatives. Local Government provides space and opportunities for people's participation in local governance. Absence or weak local government poses a high risk of political alienation among citizens.

43. It is important to keep in view the politics of local governments by the successive military and civil regimes while assessing its impact on women as it shapes the political space and the structures of opportunities for people in general and for women in particular at the local level. The willingness of authoritarian regimes to engage people in local governance while they actively stifle people's voices at the national and provincial level had its own inherent limitation for the democratic engagement of people in local governance.

44. This contradiction was fairly evident in the Local Government System introduced through the Local Government Ordinance 2001. The structural flaws in the local government system and the way political participation and representation were ensured in LGO clearly speak of the politics of Devolution.

45. The military regime of General Pervez Musharraf, like the previous military dictators (Ayub Khan and Zia-ul-Haq), introduced the new system of local government in the name of strengthening democracy and the inclusion of people's voices in governance at the local level. The basic principles employed by the DoPP were 'people-centric, rights and responsibility based, and service oriented'. The key features of the Local Government System established under the Local Government Ordinance (LGO 2001) were "(i) Devolution of Political Power (ii) Decentralization of Authority (iii) Decentralization of Management Functions (iv) Diffusion of the Power-Authority Nexus and (v) Distribution of Resources"<sup>6</sup>. The local government system made a radical shift from the colonial style of governance where all the executive, administrative, judicial and revenue functions were concentrated in the office of the District Commissioner (DC) who had absolute command and control. In the new local government system, these powers are transferred to elected representatives. The magisterial and legal powers were transferred to the district sessions judges while the police oversight role was given to the district Nazim.

46. The gender analysis of the LGO 2001 is conducted to show how the proposed institutional structures and systems in the local government create enabling and disabling environments for women's effective participation and representation in the local government. This is not within the scope of this paper to conduct a comprehensive gender analysis of the LGO, it points out only the key institutional and systemic aspects in the local government that positively or negatively affected women's participation and representation in local government.

47. The LGO 2001 opened windows of opportunity for women and marginalized sections of society to participate and represent their interest and concerns in local governance through the affirmative action of reserving 33 percent seats for women, 20 percent for peasants and workers and 1 seat for the minorities.

48. Joint electorate and reduction in voter's age from 21 years to 18 in the LGO 2001 also allowed many more people to participate in the local government system.

49. The LGO 2001 created several community based structures for greater participation and representation of marginalized section of society. Village Council, Citizen Community, Reconciliatory Boards (Mishalit Inhuman) were created at the lowest

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<sup>6</sup> Government of Pakistan (2000), Local Government Proposed Plan

tier of local government. Similarly, Public Safety Committee at the union, tensile, district and provincial level were created to monitor the performance of the police force. Women's representation was ensured through the reservation of seats in these bodies.

50. While LGO 2001 ensured women's numerical presence in local government structures through gender quota, it failed to create space for substantive representation because of the political reasons.

51. Both local government election under the LGO 2001 held in 2001 and 2005 were on a non-party basis. Contrary to the claim that LGO will strengthen democracy at the grass-root level, it actually undermined political parties that are the backbone of the system of democracy. In the absence of the political party in elections, only those are able to contest elections that have money, and social power. It become even more difficult for women and marginalized groups to contest elections in the absence of party support. Party-less elections resulted in strengthening the divisive forces of *barbarism* (clans), ethnicity and tribal affiliations in the country (Pattan, 2002, ICG, 2004).

52. Another disabling factor was the indirect modality of elections adopted for all tiers of local government except at the union council level. Union council members and the Nazim and Naib Nazim were directly elected through adult franchise. They became the Electoral College for the Tensile and District. This led to the elite capture of top slots of Nazim and Naib Nazim seats at the tehsil and district levels.

53. Similarly, the indirect mode of election was also adopted to fill reserved seats for women, peasants, workers and minorities at all levels except union council. This reinforced the dependency of women on male members and they were unable to build their own constituency base.

54. No seats were reserved for women in the category of Nazim and Naib Nazim. As a result only two women were elected as district nazim from Khairpur and Raheela Magsi from Tando Allah Yar. Both of them belonged to well known political families.

55. Another serious anomaly in the Local Government System relates to the fact that the Union Council, which is the only tier of government directly elected by people and closest to the electorate, has the least administrative and fiscal power to run its own affairs.

56. Instead of devolving power from the Federal Government to Provinces and from Provinces to Districts, the LGO by-passed the provincial tier and devolved power from the Center to the District. This led to further centralization in the name of decentralization and created the problem of legitimacy and ownership for the system.

#### **4. Impact of Local Government System on Women Councilors**

57. The preceding section deliberates on the social, cultural, economic, political, institutional and the personal context that determine women's political participation and representation in public life. When women as private citizens entered male dominated arena of politics, they continue to face structural and functional barriers to perform their political roles effectively. Their ability to impact on local governance varies according to their social positioning in the society and also in the LG system. There is a great deal of diversity among women's socio-cultural, economic and political status across the country. Women's social location along the lines of class, region, ethnicity, religion and rural/urban divide and their entry in lower (UC), middle (Tehsil) or upper level (District) in the LG determines their opportunities and challenges to perform their political role and impact on local governance.

58. There are few studies that evaluated the impact of Devolution and Local Government on service delivery that indicate improvement in service delivery (ADB, CIET). In its summary report *on Social Audit of Governance and Delivery of Services*, CIET observed that satisfaction with the local government institutions at Union Council increased in 2004 (54%) as compared to 2002 (48%). It however has been noticed that in the case of women councilors, the level of satisfaction is higher. Health and Education were mentioned as two areas where quality of service delivery was recorded as satisfactory particularly by women. Except for NWFP all provinces reported enhanced level of satisfaction at household level with health facilities from 23% in 2002 to 27% in 2004. During the same period there was 2% increase in enrolment in public schools particularly amongst girls from 2002 to 2004. According to CIET, on the whole 'there are encouraging signs from the social audit enquiry after two years or more of devolved local government'. However, it is difficult to disaggregate the impact of male and female councilors on the improved performance of local governance and attribute it directly to the women councilors' role and performance in the local government.

59. In the absence of gender disaggregated data on the performance of LG, the paper does not attempt to inquire how women councilors in the LG impacted on local governance, instead it focuses on to assess the contradictory impact of women's representation in LG on their voice and agency articulated in the local government institutions, socio-cultural, political and personal level.

60. As women councilors belonged to different social, economic and political background, thus, all of them did not share similar opportunities and challenges in the local government. Nevertheless, there are some structural and systemic issues which are commonly faced by women councilors despite the diversity in their status in the local government because of their gender identities. However, they do have different level of capabilities to negotiate and engage with these issues and create space for their own agendas in the local government system.

61. The demographic profile of women councilors in Local Government 2001 and 2005 shows that the majority of women who entered in the local government at the union council level belonged to low income strata of the society, whereas the majority of women who entered at the tehsil and district levels came from relatively well-off economic backgrounds (Pattan, 2001; ). Some of women councilors at the tehsil and district level belonged to well-known political families.

62. The majority of women councilors served in LG 2001, 2005 were first time entrants in politics. There were relatively more women in the LG 2005 who reported to had affiliation with political parties, women's rights groups or civil society organizations as compared to those who came in the LG 2001.

63. The majority of women councilors in the union councils were illiterate; whereas, women councilors at the tehsil and district had higher level of education (Bari, 2002, ADB, 2004, Ummer, 2008, Reyes, 2002). The variation in political participation of women councilors was very much dependent on their presence at different tiers of LG. As the union council had the least financial and administrative power within the LG system, therefore, union councilors in general and women councilors in particular were not able to play an active role. However, women who were working at the district and tehsil level who had relatively higher level of education, political exposure and economic background were more effective in performing their political roles and responsibilities.

#### **4.1 Impact of Women on Local Institutions and Development**

64. Gender disparities in society are often attributed to women's lack of power and participation in the decision-making bodies at all levels: family, community and the state. Women's exclusion in politics and government has been globally addressed through the provision of gender quotas in politics and the government. Women's inclusion in institutional structures has been argued through the use of instrumental and intrinsic rationale. Women's rights organizations and activists challenged the male domination and masculine culture of institutions within the human rights framework and argued for greater women's participation and representation is necessary for deepening democratic system and more equitable development outcomes. Whereas the other standpoint that used an instrumentalist rationale for women's inclusion believed that women had a distinct perspective in development and in legislative priorities. They argue that women's participation in politics will bring a difference to politics and institutions because of their caring nature. It is also argued that women have different needs, concerns and interests and only women representatives could aggregate and represent women's collective interests.

65. In line with its National (Article 32 of the Constitution, NPA, National Policy on Women's Empowerment) and the International Commitments (CEDAW, BPFA, MDGs), the military government of General Musharraf introduced 33 percent gender quota in all three tiers of local government in 2001. In view of historic exclusion of women in politics, the general perception among the public was that women will not come forward to take the opportunity offered by the affirmative action measure and reserved seats for women will not be filled. The civil society took the challenge and launched a national "Citizen Campaign for Women's Representation in Local Government" with the multi-donor support to ensure women's participation and representation in the local government. Contrary to public perception, only 9.6 percent seats reserved for women remained vacant in local government election 2001. A total of 36,105 women were elected, 23,222 came through constituency based direct election at the union council level, 3741 came at tehsil and district level, 16 of them were elected as Nazim and Naib Nazim at different levels of LG. Two of them were elected as Nazima from district Khairpur and Nawabshah in the province of Sindh. 126 women were elected on seats reserved for minorities.



66. Prior to the 2005 local government election, through an amendment in the LGO 2001, the total number of seats at the union council was reduced from 21 to 13. This decision negatively impacted women's political participation. The overall number of seats for women in different tiers of local government reduced from 42101 to 28577 in 2005.

67. Women's numerical strength in local bodies began to make an impact at the social, cultural, political, institutional and personal level despite a myriad of challenges and constraints. Women took keen interest in local politics, which is reflected in their regular attendance and active participation in meetings at district, tehsil and the union council levels. However, women continued to face a number of structural and functional barriers to perform their roles affectively.

68. The male domination in local bodies, especially at the positions of power such as at the position of Nazim, and the general patriarchal mindset of the public representatives was one of the key hurdles in allowing space to women councilors to play their role effectively. The institutional resistance of local bodies to women's political participation manifested itself in different ways to discourage women councilors and pushed them out of the local government system.

69. Firstly, it was a common complaint by women councilors working at all three tiers of the local government across provinces that they were denied physical space in district, tehsil and union councils offices where they could sit and perform their official duties. They were unable to stay around in local government offices after the meetings due to lack of physical space available to them. This was the functional constraint that was systemically created by the nazims at all three tiers of government in order to discourage women to play their role in local governance. The lack of infrastructural support to women councilors resulted into difficulties for women councilors to meet, to share their experiences and to network amongst themselves. Moreover, it also restricted people's access to reach their women representatives in the local government.

70. Another form of male resistance to women's political participation and representation was that women councilors were often not invited to the meetings. This was a frequent complaint of women councilors working especially at the union council level that they were not informed by their chairperson about the meeting. Women councilors at the district and tehsil level mentioned that they were often not allowed to speak in the meetings by the Nazims. There were a number of incidents where women councilors protested against the discriminatory behavior of male Nazim and staged walk outs.

71. In some of the districts, women councilors were also not given any honorarium (Azazia). Women councilors, serving at the union council level were not given honorarium across provinces while the majority of them belonged to low income group. They faced financial difficulties to spend money from their own pocket on transport in order to attend meetings or accompany women who approached them to solve their issues.

72. Women councilors were indirectly elected at all tiers of local government except union council, therefore, they did not have direct constituencies. The indirect modality of election did not allow women at the district and tehsil level to build their constituency

base. As they got the indirect vote from elected councilors of tehsil and district, they had the entire district and tehsil as their constituency. However, instead of giving them a larger share in development funds as they had large constituency, they were often discriminated by Nazims in allocating development fund on the ground that they had no direct constituency.

73. Similarly, the budget making process remained by and large as non-participatory, non-transparent and exclusive. Often Nazims did not even involve male councilors in budget making. Often Nazim will tell women councilors that there was no need for them to attend budget session, it will sent to them at home for the signature.

74. While allocating development budget, women specific development proposal were often not approved by the district and tehsil councils as male councilors were in majority. In those councils where women councilors were given development funds for their schemes, often they were not allowed to participate in monitoring of the civil work of their development schemes. At the end of the completion of the development scheme they were asked to sign.

75. Another reason for the neglect of women councilors in the decision-making processes in the local government was due to the provision in the PLGO that allowed decision-making with simple majority. Nazims were not under any pressure to involve women councilors as they could have carried on with their business even in the absence of women in the local government meetings.

76. However, the documentation of case studies of women councilors by various NGOs (Pattan 2006, Aurat Foundation, 2006 and RSPN,2008 ) show that women councilors did not accept the situation passively. They protested on these discriminatory attitudes of Nazims. They staged walk outs, held pubic protests and press conferences to condemn Nazims' discriminatory behavior in allocating development funds. Some of them who were vocal insisted on monitoring the implementation of their development projects.

77. Women councilors were also vocal in raising issues of public interest, asked questions regarding financial irregularities during the sessions, staged walk outs, held press conferences and organized protest rallies on the issues of their concerns.

78. Despite the patriarchal mindset and institutional constraints, some women councilors were able to play a significant role in local governance. Although there is a mix of women councilors experiences in the LG. Some of them expressed feelings of utter frustration for not being able to work effectively due to lack of power and authority, also mentioned the discriminatory attitudes of their male colleagues and local government functionaries towards them. Whereas there are number of stories of courage that women councilors were able to tell, how they fought for the political space and the financial resources in the local government. How they managed to mobilized resources for social welfare of their communities. Women councilors were particularly active in facilitating the poor to access safety nets such as Zakat and Bait-ul-Mal fund. They helped their community members in arranging funds for dowry, marriages, children's admission in schools, and getting identity cards. Also women councilors played a role in facilitating

local communities to interface with the line departments and were able to mediate needs of their constituents with the government (Pattan, 2006, Aurat Foundation, ADB, 2004).

79. Unlike the common perception that women representatives can not help them in Thana Katchery, women councilors were accompanying community members to police stations and were mediating their family disputes especially violence against women cases.

80. The review of literature shows that women's development priorities were no different than those of men. Women councilors, like their male counterparts, spent their development fund mostly on infrastructural development as they saw this as a priority of the entire community. Despite the fact that women councilors received far less development funds as compared to male councilors, they achieved a substantial amount of physical assets for their local communities. They spent their fund in building carpeted roads, brick lined streets and school buildings. There are many examples documented in which women councilors were able to mobilize financial resources from other sources such as Donor Agencies, Asian Development Funds, NGO and MNAs and MPAs (Pattan, 2006).

81. In few cases women spent their development budget on women specific projects such as establishing vocational centers in their areas or giving sewing machines to community women.

#### **4.2 Impact at the Social and Cultural Level**

82. Politics is traditionally viewed as a male arena. Thus, women are systematically excluded in the public life. The reservation of seats in the local government brought a substantive number of women into local politics. The visibility of women due to gender quota in local politics positively impacted on their social status and brought a subtle shift in public perception regarding women's role in politics and local governance. People started accepting women's public role in politics. The findings of the study conducted by the NGO Pattan Development Organization (2006) revealed that the majority of men interviewed were in favor of political quotas for women and supported the idea of women playing a role in politics.

83. Women councilors emerged as role models in society. They started to command respect and acceptability due to their active engagement with local communities. According to a study, on average 57% women approached women councilors to for help in solving various problems. Although there was a general complaint among women councilors that they did not have the power to resolve people's issues, they were still seen making an effort to accompany them to relevant institutions/officials to resolve their issues. The accessibility of women councilors and their supportive attitude towards their constituents earned them respect and social status. Consequently, there was an increased interest among women to contest local elections.

84. The gender analysis of the local government election 2005 shows that women showed a far greater interest in local politics. There was a higher rate of contestation per seat as compared to the election held in 2001. There was a contestation on 69 percent reserved seats for women in 2001 while in 2005 186.6 seats were contested by women.

Similarly, there was a sharp reduction in unopposed seats from 21 in 2001 local government election to 11 percent in 2005. Only 2 percent seats reserved for women remained vacant in 2005 election as compared to 9.6 percent in 2001. The highest percentage of vacant seats was in NWFP. The comparative analysis of the 2001 and 2005 election on women's reserved seats clearly shows an upward trend in women's interest to pursue a career in local politics.

### **4.3 Impact at the Political Level**

85. The local government elections in 2001 and 2005 were held on a non-party basis. Unlike men contesting for the seats of Nazim and Naib Nazim who clearly had political affiliations, the majority of women councilors in the first local government election 2001 did not belong to any political parties. They did not have any support or backing of political parties. However, it was observed that during the tenure of local government (2001-2004), political parties started approaching women councilors who were active in their areas and invited them to join the parties. There is no data to show the number of women councilors who joined political parties, however, it is observed that many women councilors started joining various political parties especially Pakistan Muslim League (Q), the ruling party at that time.

86. In the local government election 2005, a far greater number of women who got elected as councilors were already affiliated with political parties prior to contesting local government elections. Later in the national and provincial election held in 2008, six women councilors who were members of the Women Councilors Network (WCN) were elected on reserved seats for women in the provincial assembly of Punjab.

87. It was also noted that in the second tenure of local government (2005), women improved their political status by contesting election for a higher tier of local government. Many women councilors who served at the union council level moved up to the tehsil and those who served at tehsil moved up to the district level (Pattan, 2006).

88. Women's representation in community based organizations such as Village/Neighborhood Councils, Monitoring Committees (District, Tehsil and Union), and Mushalihati Anjuman also increased during the second tenure of local government (Pattan, 2006, SPDC 2006-2007).

89. In response to the common experience of male resistance in allowing women to perform their political roles effectively, women started networking among themselves across party lines with the help of various NGOs and civil society organizations.

90. The Women Councilor Network supported and facilitated by the NGO Pattan Development Organization is one the most unique and effective experience not only in Pakistan but also in South Asia. The Women Councilor's Network is working in 24 districts of Pakistan (Sindh, Punjab, and NWFP) comprising of 60 Tehsils. The total number of members of this network has now reached 2420. Currently the Network is working at the National level, 3 WCNs are working at the provincial (Punjab, Sindh & NWFP), 24 districts and 37 Tehsil level are fully active and functional. This is the only membership based, democratically elected Network of women councilors in the country.

91. The mission of the WCN is to politically empower women councilors to participate and represent in decision making bodies at all levels of local government to promote gender justice in society.

92. This Network played an extremely important role in articulating issues and concerns of women at the local and national level. The WCN members mobilized organized women councilors and started asserting their collective will to promote their agenda in the local government. They raised issues of public concerns, helped survivors of violence in their areas and supporting people whose rights were violated in their localities.

93. The WCN strongly resisted the decision of the previous government to reduce the number of seats at the UC level from 21 to 13 which meant reduction in reserved seats for women from 6 to 3. The WCN staged demonstrations at the district, provincial and national level. They lobbied with women parliamentarians and finally the government decided to allocate 4 seats for women instead of 3 in the local government.

94. In the local government election 2005, the WCN decided to form 'Khawateen Ittihad Group (KIG) (Women Unity Platform) as a common electoral platform to contest elections. They actively launched their election campaign, held 334 women corner meetings in their localities. Pattan trained 1,108 polling agents of women candidates. A total of 574 women candidates from 15 districts contested local government elections on the KIG platform for various categories of seats. This included 48 women candidates from Swat and Dir. Women formed panels with men and 60% of women that contested from KIG won their seats (Pattan, 2007). Fifty percent women among those who filed their nominations from Dir and Swat also won. This unique experience of women's electoral platform and the partial victory went a long way in raising women's political consciousness and confidence in collective power.

95. Interestingly, women councilors took a unique initiative to counter male perception and stereotypical attitudes that tend to confine women to reserved seats only. Women candidates from Faisalabad decided to send a strong message to the public that all seats in the local government belonged to women. They decided to form an All Women Panel to prove the point. Ms. Gulnar Naseem, a former labor councilor in the outgoing Union Council of Mansoorabad in Faisalabad put up her 13-member electoral group that was the only all-women panel in the country that was contesting on all UC seats. Her panel included a traditional birth assistant (Dai), a woman who was running her own PCO, a principal of a private school, a medical doctor, a senior politician, a domestic worker, a tailor amongst others. All the members of the panel were determined to give a tough fight to their male opponents. Although all the women panelists lost, the panel received a lot of media attention and boosted women's level of confidence.

96. It must be mentioned here that the initiatives taken by WCN and KIG were not without problems. Women had to counter tremendous pressure from local politicians and influential people in their areas. However, women's resolve to stay in politics, their interest in politics, maturity and steadfastness had already established them as political entities. Consequently, the legitimacy of the political roles of women is slowly seeping into the perception of the general public as well as in the leadership of political parties.

Women are clearly viewed now as a powerful constituency in politics that cannot be ignored any longer by the state and society.

97. Prior to national election 2008, WCN prepared a Women Manifesto and launched an advocacy campaign with political parties to include their agenda in their party manifesto.

98. The military operations against the militants in Malakand and FATA resulted in the displacement of three million people who were forced to leave their homes from the conflict ridden areas. The members of WCN set up health camps in IDP camps and went out of the way to help them. They made an impact on local communities through their dedication and devotion for the people.

99. The WCN also launched a unique campaign “Local Government Bachao Tehreek” last year when the elected governments in the federal and provinces stopped releasing funds and tried to roll back the system. This was a month of fasting. The WCN decided to hold protest rallies in front of the houses of politicians at the time of *Sehri* and *Iftari*. They were able to attract a lot of media attention. They demonstrated their ability and political will to become the vanguard to save the LG system.

#### **4.4 Impacts at the Personal Level**

100. Women councilors have made some personal gains by participating in local government. Their exposure and engagement in politics and local governance has given rise to gender and political consciousness amongst them. The impact at the personal level varies according to the woman councilor’s experience of the challenges, opportunities and successes that they were able to make during the first and second local government election.

101. In the first tenure, in addition to social and institutional constraints, women’s own lack of education, lack of political skill and confidence, lack of knowledge about the local government system and their own roles and responsibilities as elected representatives, the burden of familial responsibilities and limited political exposure were some of the personal and psychological factors that hindered women’s effective participation in local governance.

102. Lack of political experience, skills and knowledge about the local government among councilors in general and among women councilors in particular was identified as the priority area of intervention by the government, civil society and donor agencies. Several capacity support programs were initiated by the government and civil society organizations to build the capacity of women councilors through technical, leadership and gender sensitization training. The largest training program for women councilors “WP3” was initiated by the Ministry for Women’s Development with multi-donor support routed through UNDP. There were numerous NGOs, provided training to women councilors (Pattan, Aurat, SPO, Sungi, SAP-PK, RSPs, etc.) on the local government system, their own roles and responsibilities, gender sensitization etc. Women showed a keen interest in attending capacity building sessions. These training opportunities went a long way in building women’s confidence as they began to understand the LG system and their own roles and responsibilities as public representatives.

103. At the personal level women councilors felt their experience was empowering. They demonstrated skill and proved their ability to contribute to local governance. In the process they gained knowledge, status, respect and public recognition.

104. The majority of women councilors shared the experience of male resistance to their political participation in the local government. This also gave rise to an oppositional consciousness among them. They realized that men discriminate against them because of their gender and do not consider politics as a legitimate arena for women to participate in. So the patriarchal resistance in the local government gave rise to gender consciousness among women councilors.

105. Despite the fact that women councilors had no power, they were approached and expected by members of the community to solve their problems. Often women councilors were unable to solve people's problems or offer them any tangible help; however, they were greatly appreciated by the community members for making the effort to help. Women councilors created their own legitimacy in the political arena through sheer hard work and commitment towards uplifting their communities.

106. Women councilors were often invited by local communities to mediate in family matters and minor disputes at the community level. Female members of the communities were more willing to discuss their personal issues and family matters with women councilors. There was an expectation that women councilors would understand their issues better than male councilors. Women councilors started to command respect as public representatives because they were showing a concern and interest in solving local issues. In this process, women councilors acquired a social status which was highly valued by them. That is why, despite a general frustration expressed by the majority of women councilors because of the lack of power and authority, they were willing to contest the next local government election (Bari, 2002). The social capital, they acquired due to their status as councilors was highly valued by them. They went from being political non-entities to somebody, thus they aspired to play a greater role in public life in future.

107. Women's personal experience in the local government also varied depending on their position at the UC, tehsil and district level. Women councilors working at the union council level were far more aware of their powerlessness as compared to tehsil and district councilors who somehow managed to find a niche in the system. They have relatively more financial power as compared to union councilors.

108. Women's ability to work in public life has also impacted gender relations within families. Although familial responsibilities such as childcare and domestic work remained primarily women's responsibility and were not shared by the male members of their families, they got support and more respect from the men folk of their families. Some of the women councilors reported that they were given more respect by their families and they started to involve them in decision-making at the family level. This led to a change in women's self-image.

## **5. Key Challenges to Women's Representation in Local Bodies**

109. The experience of women councilors in local government in 2001 and 2005 is a story of a constant struggle, negotiation and interaction between the structure and the agency. Local government institutions while opened political space for women, at the same time, the countervailing forces operating within LG institutions stifled women's voices and agency. The rationale behind the state's decision to include women in governance rooted within the efficiency paradigm of development during 1980s (Moser, 1993. Kabeer, 1994) resulted in contradictory effects. The efficiency development policy approach recognized women's contribution as critical for an efficient development. Thus the women are treated in an instrumental manner. Their participation in development and governance was considered imperative for economic efficiency and equity. However, no efforts were made to transform or bring any changes in the patriarchal nature and culture of the mainstream institutions.

110. Similarly, the institutions of the family, community and political parties shaped by gender role ideology started to support women to contest on the reserved seats due to perceived tangible benefits for themselves. While women councilors reported to had receive tremendous support from their families who accepted their political roles, there was no evidence of any change that took place in gender relations within the families. Women were expected to perform their domestic roles and responsibilities as usual. Thus women are brought in governance by the state and the families on 'sex specific terms'.

111. Similarly, there were inherent difficulties in terms of implementation of democratic local government system within the larger non-democratic political context of the country at the national and provincial levels. Some of the important provision in the LGO 2001 to strengthen the accountability, oversight role, and the public participation in local governance were not fully implemented (DTW, 2008).

112. Women councilor who already entered the local government due to the provision of reserved seats had to counter institutional resistance. They were constantly strategizing individually and collectively to make use the symbolic political space that was created within the LG and to turn it into achieving concrete outcomes for their constituencies.

113. The case studies documented by various NGOs (Pattan, Aurat, SPDC, RSPN) celebrated the success stories of women councilors who successfully overcame the disabling institutional environment in the local government, voiced their concerns and mobilized resources for their constituencies. The common factors that appeared to be contributing towards the voice and agency of women councilors included their social work background, knowledge/capacity and the level of networking.

114. The key challenges to women's effective representation in the LG are identified as follows:

### **5.1 Patriarchal Institutions of Local Government**

115. The legislative reforms created political space through the provision of 33% reservation of seats for women in the local government was actively resisted by the male dominated and masculine institutions of local government.



116. Women's entry in politics is normally blocked by the public and private patriarchy operating in women's lives at multiple levels. However, the majority of women councilors who entered in the LG had full backing and support from the male members of their families (Bari, 2001; Yazdani, 2003). Nevertheless, women councilors had to face the institutional patriarchy of the local government because of the patriarchal mindset of the political representatives and the local bureaucracy (Pattan, 2006m SPDC, 2007, RSPN, 2008). Men are socialized in values of inequalities. There was an active and passive resistance from male colleagues including Nazims and Naib Nazims that was reported in various case studies documented by NGOs (Pattan, Aurat, SPDC, RSPN, 2008). Men were not ready to accept women at par with them in the LG.

117. There is also a wide gender gap the local bureaucracy. Gender imbalance in the workforce and also in the decision-making positions in local government was one of the reasons that the gender issues were not given priority in local governance. Also the lack of gender awareness and technical know-how for gender responsive governance within LG system was one of the key structural factors that blocked women's voices in the development planning, service delivery and the local governance.

118. Although there were variations, by and large, women representatives were not taken seriously by their male colleagues. They did not consider women's participation in the public domain as appropriate. Women councilors were not included in development planning, budget making, monitoring committees and program implementation processes. They were discouraged to speak in meetings, their resolutions were not implemented. They were not given development funds and were confined only to women's issues, the social welfare work and education and health committees (ADB, 2004). The male resistance of political leadership and local bureaucracy to women's political role was one of the main obstacles to women's effective participation and representation in the LG.

## **5.2 Lack of Capacity**

119. Lack of capacity of women councilors was another key challenge. They were unable to aggregate and articulate women's interests in an effective manner and did not succeed to make a radical shift in policy and development priorities in the local government. The majority of women councilors had a low level of educational qualifications, limited exposure to political and public life, lack of knowledge of LG system and their own roles and responsibilities. Although they received capacity building support from the government, donor agencies and NGOs, they lacked political skills, knowledge power and confidence to assert themselves and their voice and concerns.

## **5.3 Lack of Power Base**

120. Women councilors lacked a social and political power base to leverage in the process of agenda setting within the local government. Women councilors at the UC level contest direct election, however, they are not able to positively impact the LG due to lack of financial and administrative power at the UC level in the local government system. In the tehsil and district level, women are indirectly elected by the elected councilors; therefore, they did not have any direct constituency. Thus women councilors at the middle and higher level were accountable to a male councilor who was their electoral collage rather than the voters.

121. Similarly, many women councilors who were elected on the reserved seats for women did not have direct linkages with civil society organizations that had been working for women, peasants or workers rights. The disrupted history of democracy of the country resulted in the weak civil society organizations. When the DoPP announced the reservation of seats for the marginalized sections of society – women, workers, peasants and minorities, the civil society was not in the position to make full use of this opportunity. The civil society organizations – women’s rights groups, peasants and workers organizations did not have their base across the country. Therefore, they were unable to field their own candidates on these seats. Consequently, there were many proxies who contested and won on the seats reserved for peasants and workers. Local councilors who came on reserved seats in the LG did not have any connection with CS organizations. In the absence of any social base, it was difficult for them to push the agenda favoring the marginalized section of society. Because of this, they were also ignored by the Nazims and local bureaucracy.

## **6. Emerging Risks to Women’s Political Participation**

122. Devolution of Power Plan was one of the initiatives taken by the military regime of General Pervez Musharraf that got tremendous response from the civil society. Some of the aspects of LGO 2001, i.e. the principle of subsidiarity, representation of marginalized sections of the society - women, peasants, worker, minorities through the reservation of seats, joint electorate, establishment of community based structures (village, mohalla councils, Citizen Community Boards, Misahlit Anjuman) in local governance were the main reason for the civil society to support LG system. It was genuinely believed that the DoPP offered tremendous strategic opportunities for the marginalized sections of the society to impact on local government system and to shift development priorities in their favor through mobilizing and organizing themselves.

123. General Pervez Musharraf, like other military dictators (Ayub Khan, Zia-ul-Haq) introduced a new LG system because of his own political agenda. He was interested to create his own power base like his predecessors through the local government. That is why LG elections were held on non-party basis. Musharraf created his political base in the shape of 1,26,462 councilors in 2001 and 79703 in 2005 LG election who became ardent support of LG system irrespective of their political affiliation because of their own stakes in the system. This provided a solid political base to the Musharraf regime to rule the country for eight long years.

124. The Local Government System was highly resented by political parties as it undermined their engagement in local governance. Also the majority of district Nazim seats were captured by the ruling party of Pakistan Muslim League (Q) at that time. The opposition to the LGS came mainly from three quarters. The mainstream political parties vehemently opposed the LGS for obvious reasons. Provincial governments did not own it whole-heartedly as they were not part of the consultation process. According to the Constitution of Pakistan 1973, local government is a provincial subject; however, it was made a federal subject for 6 years till 2009 in the LFO. Civil Bureaucracy gave a tacit opposition because of the abolition of the offices of the Commissioners and Deputy Commissioners (DCs) and subordination of civil bureaucracy to elected politicians.

125. Following the national elections in February 2008, the local government system was brought to a standstill. The funds of LGs were stopped, administrative matters were taken over by the provincial governments and the LGs were practically paralyzed. With the expiry of the four year term of LGs on October 16, 2009, new elections of the LG was not announced in any of the province. In December the legal cover to make any changes in the LGS was expired and the, subject of local government was reverted to the provinces. All provincial governments have currently appointed administrators and started reviewing and reforming the Local Government System.

126. The analysis of the proposed Local Government Acts, 2009 by all four provincial governments indicates that certain changes that are proposed pose a serious risk to the issue of political representation in local governance. For example, all four provinces have proposed to reduce the total number of seats at the Union Council level. Punjab and Sindh are proposing reduction of seats at the UC level from 13 to 9 while NWFP and Bolochistan proposed 7 to 15 seats at UC level. While all the provinces are keeping the provision of 33% representation of women, however, the total number of women in the system will be further reduced.

127. The reduction of seats at the UC level will be detrimental to an effective political representation. The central notion of governance at the door step in the local government cannot be achieved if elected representatives are not accessible. There is already a big gap in the ratio of total number of people per elected representative if it is compared in the region. For example in India the ratio of population per women councilor is one to 1000, in Nepal, it is one to 400, while in Pakistan with reduced seats, the ratio per women representatives will be nearly one to every 8000 population.

128. Contrary to public skepticism that provincial governments will try to revive colonial system of the Commissioners and Deputy Commissioners, none of them proposing the revival of DC system which is encouraging. Concentration of too many administrative, financial and magistracy power in the office of the DC negates the principle of democratic governance and compromises the principle of justice.

129. Another potential threat to women's political participation is emerging from the rising trend in religious militancy and the fundamentalism in the country. The Islamic orthodoxy strictly believe in separation of spheres between men and women. Women had been stopped in taking part in public life either as voters or candidates in Dir, Battagram, Swabi and many other districts where these conservative religious and tribal forces had an influence and stronghold.

## **7. Pathways to Women's Political Empowerment**

### **7.1 Legal, Electoral and Political Reforms**

130. The history of women in politics shows that women were not able to make an entry in the male dominated domain of politics until the state facilitated through legal reforms. Prior to LGO, 2001, seats were reserved for women in local councils; however, their representation never exceeded more than 10 percent. In the Basic Democracies introduced in the Ayub Era, women were not given any special representation in local councils. In 1979, the provincial governments were directed to reserve seats for women,

peasants, and minorities in local councils. With the exception of NWFP, two seats were allocated at the UC and 10 percent of the number of District Council, Town Committees, Municipal Committee, Municipal Corporation and Metropolitan Corporation or minimum two seats were given to women (Bari and Zia, 1999). The substantive number of women councilors came in the LG through the reservation of 33 percent seats in the LGO 2001 which made an impact on multiple levels political and social life in the country.

131. When the socio-cultural, economic and political milieu is agitating against women's political participation and representation, it becomes the state's responsibility to take steps through legal and political reforms to foster change in favor of gender equality in political structures and processes.

132. The LGO 2001 created political space for women; however, it had many flaws that undermined the transformational potential of the gender quota. Women councilors faced functional and structural barriers to move beyond number to act substantively on behalf of the poor and women.

133. The experience of women councilors in Pakistan reaffirms that legal, electoral and political reform through a gender quota is certainly the way forward toward women's political participation and representation. However, the lesson learnt is that the modality of instituting legal and political reforms should be empowering. Based on the experience of women in LG, the following areas in legal, political and electoral reforms are identified to ensure the substantive representation of women in the local government in Pakistan. As women councilors have to operate within the larger context of LG, therefore, some of the anomalies in the LG system needs to be removed that negatively impact on women's effective representation in the LG system.

### **System Specific Reforms**

- Devolve more administrative and fiscal powers to provinces and then from provinces to districts
- Party-based LG election
- Direct Election on all categories of seats in the LG
- Strengthening of the UC by giving it more financial and administrative Power
- Stronger vertical linkages between three tiers of LG
- Effective implementation of 10% gender quota in Local government Institutions

### **Women Specific Reforms**

- 33 % seats for women should be reserved in all categories of seats including Nazim and Naib Nazim in the Local Government.
- Modality of election on reserved seats for women should be direct, constituency based and filled through joint electorate.
- 33% representation of women should be extended through legislation in all monitoring committees and community based structures in the Local Government
- Changes in the law to ensure the presence of women members in a quorum established for any council meeting.

- Legislative change in Political Party Act to make it mandatory for them to give 33% representation to women on the strategic leadership positions in the Central Committees, and decision-making position and also give 33% party ticket to women candidates.
- Legal cover to the Gender mainstreaming as an official strategy in the Local governance.
- Intersectional approach to gender
- Setting up a criteria for women to contest reserved for women
- Gender budgeting and gender auditing of local government should be made mandatory through legal framework.
- Minimum of 10% budget should be allocated for women specific development projects and programs
- Roles and responsibilities of women councilors should be clearly defined and stated in the LGO.
- It should be made mandatory for district governments to give honorarium to all councilors.
- Listing of discriminatory practices and social attitudes of LG functionaries against women such as non-availability of office space, separate toilets, not informing women councilors about meetings, not including women in budget making and development planning process, not allowing women to speak in sessions and not allocating development fund or giving them development grants less than their male colleagues and sanctions should be prescribed in the LGO for such gender discriminatory practices and behavior.
- Sanction should be imposed on district governments for the non-compliance of LGO.
- Effective implementation of electoral law. The election result of those constituencies where women are stopped to participate in LG election as voters and candidates should be declared null and void.

## **7.2 Capacity Building**

134. Participation and representation of various interest groups in the society is central to the system of democracy and good governance. Gender interests are part of the citizenship rights. Therefore, the governance structures and processes should reflect gender sensitivity and responsiveness through fair distribution of resources to women and men and paying equal attention to women's specific needs and concerns in public services. Equitable representation of women in the political structure is not only important because it is simply a human rights issue. Forty nine percent women in Pakistan who are contributing to the national economy through their triple roles – productive, reproductive and community management roles should be part of decision-making processes that affect their lives.

135. It is also important because women may have different experience, perspectives and priorities. Their presence in politics may reflect women's needs and concerns better than expressed by male representatives. However, women representatives can only play this role effectively if they themselves have gender knowledge and also knowledge about the system. They have the capacity to understand the diverse needs and priorities among women themselves. They need to have technical know-how to ensure gender concerns in

policy, planning and program implementation. Therefore, capacity building assumed a central stage in the gender quota debate. To move beyond descriptive to substantive representation of marginalized groups so that they could become change agent requires knowledge about the system and gender capacities to engender LG institutions for equitable development outcomes. There is a need to build of gender capacity – political and technical at two levels; institution and personals. Capacity building became the key focus in the post-Devolution and many capacity building programs were initiated by the of NGOs, Government and Donor Agencies.

136. In view of the masculine nature of institutions, capacity building efforts should target institutional transformation through building gender perspectives and capacities in the rules and procedures and working of the institutions. Gender analysis of training curriculum of LG training institutions shows that issues of gender relations and aspects of women's subordination that prevent women from gaining voice are not included. The emphasis on women's participation in the local government in the LGO, 2001 led to inclusion of section on gender in training curriculum and a session of a short duration is offered during LG training. Following milestone for the capacity building pathway are recommended:

#### **Capacity Building of LG Institutions**

- Engendering of Training Curriculum of LG training Institutes
- National level gender awareness campaign to change traditional mindset in favor of women's role in public life.
- Training in LG institutions should include political and technical aspects of gender capacities such as gender analysis, gender planning, gender budgeting, gender auditing and gender mainstreaming.
- Gender capacities should be included as part of the performance assessment of public sector functionaries.
- Gender accountability of institutions through Introducing incentives and sanctions for gender component in the public sector institutions

#### **Capacity Support to Public Representatives**

- Transformative gender trainings for public representatives of LG to build their gender capacities so that they could promote gender equality issued in governance.
- Capacity building training should be a part of continuous process of iteration rather than one-off event.

### **7.3 Networking and Coalition Building**

137. Gender gap in governance is the result of structural barriers that are created and maintained through gendered structures of power at the societal and institutional level. Those who are excluded and marginalized in governance structures and processes cannot address these structural challenges on individual basis. They have to network with those who have shared realities. Common concerns should be voiced collectively. Through Networking and Coalition Building, the marginalized can build their own power base that can be used to create cracks in the system and pressureise policy makers to shift their priorities in favour of the marginalized.

138. Therefore, the networking and coalition building is a another important pathway to women's political empowerment. is imortant that women councillorors need to mobilised and organised themselves in networks, formed broad based coalitions to have a collective voice and action inorder to challenge the public patriarchy, male domination and gender based discrimination in politics and in the government. Networking and coalition building is one of the most powerful strategies that has worked well in Pakistan in the shape of Women Councillor's Network.

- Existing networks of women representatives should be supported and strengthened.
- Networking should be at multiple level. Women councillorors must be linked vertically from UC to District level
- Issue-based cross-section network of women needs to be established and strenthened.
- Networking with women's rights groups and other civil society orgnaizations

#### **7.4 Data Base and Research**

139. Numbers is a powerful tool for effective advocacy and social change. The knowledge gap in understanding the status of women in politics and government as a result of the lack of statistical data is an impediment to develop a comprehensive policy framework that could address the structural and functional challenges to women's participation in public life.

140. In the absence of a data base, it is not easy for researchers to conduct academic, policy, or action research. There is a paucity of analytical research on women in Local Government in the country. Research support is imperative for a nuanced understanding of women's exclusion in public life and for the identification of strategic interventions to promote women's participation in public life. Academic and research institutions should be supported to conduct scientific research studies in the areas of voting behavior, public perceptions of women's political roles, performance assessments of women representatives, impact assessments of women in politics and in government etc. developing case studies on role models and success stories etc.

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### **List of Persons Interviewed**

Mr. Danial Aziz  
Ms. Nafisa Shah  
Mr. Qazi Attaur Rehman (Secretary District Rawalpindi)  
Mr. Raja Javeed Ikhlas (Nazim, Rawalpindi).  
Mr. Hamid, Nazim Tehsil Rawalpindi  
Mr. Ayub Malik, Nazim Haripur

### **Participants of Focus Group Discussion**

Ms. Samina Mukhtar Tehsil Pothohar RWP  
Ms. Noreen Akhtar Distric Member RWP  
Ms. Merzia Zaid, Union Councilor  
Ms. Robina Tehsin (Tehsil Member)  
Ms. Rohila, UC  
Ms. Mukhtar Begum Labor Councilor

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