

Women's Political Participation In Pakistan

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Abstract

This paper intends to review and analyze varying level of women's participation in politics at different periods of time in political history of Pakistan and its impact on the status of women in the country. First, the paper focuses on historical trajectory of women's marginal political participation in past and recently increased representation in formal political institutions through enhanced political quotas for women introduced from national to local level. Besides the feminist motives, it also identifies the "non-feminist motives" or "competing masculine interests" working behind this increased entry of women in the male domain of political sphere. Second, it explores and compares the impacts of women's absence from or recent presence in political institutions on different aspects of society (especially law to protect women). The basic argument is that the increased women's participation has the potential to enlarge public space for women and give them voice in legislative appropriation. Thus, this increased participation helps in creating a relatively more egalitarian and democratic society. Finally, the paper explores future prospects of women's political participation at different levels along with recommendations to improve state policies in this regard.

تلخیص مقالہ

اس مقالے کا مقصد پاکستان کی سیاسی تاریخ کے مختلف ادواروں میں عورتوں کی سیاست میں شمولیت، معاشرے اور اس میں عورتوں کے مقام پر اس کے اثرات کا تجزیہ کرنا ہے۔ مقالے کے پہلے حصے میں ماضی میں خواتین کی بہت کم درجے کی سیاسی شمولیت سے لے کر دورِ حاضر میں کوٹہ سسٹم کے تحت بڑھ جانے والی عورتوں کی قومی اور مقامی سیاسی اداروں میں نمائندگی کا مطالعہ کیا گیا ہے۔ ساتھ ہی نسوانی اور پدرشاهی دونوں ہی نقطہ نظر سے عورتوں کی حالیہ بڑھتی ہوئی سیاسی نمائندگی کے محرکات کی نشاندہی بھی کی گئی ہے۔ مقالے کے دوسرے حصے میں عورتوں کی کم اور زیادہ سیاسی نمائندگی کے معاشرے اور اس میں موجود خواتین کے مقام پر اثرات کا تجزیہ کیا گیا ہے۔ مقالے کا بنیادی نکتہ یہ ہے کہ عورتوں کی زیادہ سے زیادہ سیاسی شمولیت ان کے لئے گھر سے باہر معاشرے کو مساوی اور جمہوری بنانے میں مدد دیتی ہے۔ آخر میں مستقبل میں خواتین کی سیاسی شمولیت اور ریاستی پالیسیوں میں تبدیلیوں کے حوالے سے تجاویز بھی دی گئی ہیں۔

Introduction

Pakistan is one of the typical classic patriarchal societies characterized with women's subservience and accommodation with existing patriarchal structures (Kandiyoti, 1988).

The status of women is secondary to that of men in all aspects of society. They are far behind to their male counter parts in respect of educational, legal and social status. They are usually deprived of any power and authority position, from within household to the state level. All kinds of power and authority is traditionally, culturally (and to some extent legally) assigned to men. Men rule the private sphere of home as household patriarch and the public sphere outside home as communal, tribal, regional or religious patriarch. For long the situation was same in the formal political sphere which is largely male dominated. Women could rarely enter this sphere of formal power. But some legal amendments and political reforms during last decade are seen as harbinger to a new more democratic and egalitarian era offering better protection and improved status to the disadvantage groups, e.g. women.

In this context, this paper intends to review and analyze, from a feminist perspective, the varying level of women's political participation in different periods of time in political history of Pakistan and its impact on different aspects of society (especially law) determining social, political and legal status of women in the country. It discusses the transition in women's political participation from minimal to a sufficient level achieved through introduction of improved political quota for women. It shows the major causes behind initial marginal and recent increased participation of women. Besides that it highlights some basic improvements that these increased political quotas has brought to protect women. On the basis of this analysis, the paper also identifies further areas to be explored.

Women's Political Participation in Pakistan

This section discusses the historical trajectory of women's marginal political participation in past (i.e. before the year 2000). It also focuses on recently increased representation of women in formal political institutions realized through introduction of enhanced political quotas for women from national to local level.

Historical review of women's political participation in Pakistan highlights two distinguished periods. The first period is that of from independence of the country in the year 1947 till the year 2000. The second period started after the year 2000. The feature that distinguishes these two periods is the different number of elected women representatives holding seats in national and provincial assemblies, senate, and local councils. During the first period (i.e. from 1947 to 2000) the number of women representatives in these forums was marginal. The situation could not change till elections held in the year 1997. The second period (i.e. from the year 2000 onwards) started with constitutional and legal initiatives of enhancement in women's quota in these political forums aiming to enlarge women's political representation.

First Period of Women's Political Participation (1947-2000)

A close study of the first period (1947-2000) can explicitly show women's nominal presence in parliament of Pakistan. First national assembly constituted in post-independence era of the country included one woman representative. It means the parliamentary history of Pakistan started with 1.2% representation of women in political decision making of the country. All the constitutions formulated provided nominal quota for women. The allocation of women's seats was done as an addition to the general seats of the assembly. The 1952 constitution reserved 10 seats (i.e. 3.2%) for women in parliament. The 1962 constitution assigned six seats (i.e. 3.8%) for women in house. In the first general elections, held in 1970, thirteen women (i.e. 4.1% of the strength of house) were elected on quota seats. The 1973 constitution defined Pakistani parliament as comprises of two houses: national assembly and senate. Again, ten seats (i.e. 4.7%) were allocated for women in national assembly. Still, there was no seat reserved for women in Senate.

General Zia in his military rule included 20 women parliamentarians in the year 1977. With an end to his military rule and revival of 1973 constitution in 1985, the quota for women increased to 8.4%. This increased quota was legally valid for next three elections. This provision ended with third election held in the year 1990. The consequent four democratic governments of Nawaz Sharif and Benazir Bhutto did not take any measure to revive or introduce any quota for women in both the houses. Following the same pattern, the first era ended with seven women (i.e. 3%) elected in national assembly in election held in 1997. Only one woman (i.e. 0.21%) was elected in provincial assemblies of four provinces. No woman could make her way to the senate. In short, the first period inaugurated with 1.2% of women's presence in parliament and did not progress much when ending with 3% women sitting there.

Second Period of Women's Political Participation (2000 onwards)

The second period started with the change of century. Pakistan witnessed constitutional and legal initiatives to increase women's representation in all political forums. General Musharraf's military regime initially promised for positive measures to improve women's status in the country. Finally, the government promulgated a Legal Framework Order in 2002 reserving 17% quota for women in upper and lower houses. Similar quota is reserved for women in provincial assemblies of four provinces. The highest ever quota was allocated to the lowest political tier. That was 33% quota reservation for women at all tiers of the local governments. In this way, the reserved seats came to be 17 in senate, 60 in lower house, 128 in four provincial assemblies, and more than 40,000 at grass root level of local councils. Consequently, the enhanced quotas resulted in an ever unprecedented women's increased representation in formal political institutions in two elections held in the years 2002 and 2008.

Causes of Varying Levels of Women's Political Participation

There are several causes of women's long marginal representation, rather absence, and recently increased participation in politics. Women's absence was mainly due to the broader patriarchal structure of the family, society and elite dominated culture of the political institution. The recently increased participation of women and an enlarged political space for them is also found as a result of competition among elite interest groups for consolidating their own power interests. These causes are discussed below in detail:

Causes of Women's Marginal Political Participation in Past

The causes of women's marginal political participation till the year 2000 can be seen on all levels from micro to macro. On micro/ individual and personal level, the vulnerable condition in respect of education and labor force participation are not favorable for an increased participation of women and broader social acceptance for it in society. At meso level, the patriarchal family structure and the control of male household head in tribal and feudal culture do not allow women to independently appear and work in public space outside home. Women can appear to public sphere only through their male patriarchs. In this way women find themselves unable to participate in public and political sphere competition for power and to be a part of this elite stratum without any patron male patriarch elite.

On macro level, Pakistani society has an elite captured political culture. The basic patriarchal structures of male domination, extended kinship, hierarchy, and cultural encouragement of collective identities from family to the state combined with historical developments like colonialism, ethnic and regional heterogeneity, industrialization, and Islam gave rise to a number of competing elite groups dominating the power structure of society and state resources (Hussain, 1979, p. 224). Different scholars have classified these dominant elite groups, into more or less similar categories (Hashmi, 1980; Kurkreja, 1985; Shafqat, 1989; La Porte, 1975; Hussain, 1979). These elite groups can be broadly classified as military, bureaucracy and civilian elites (comprise of big landowners/feudal/tribal/ethnic leaders, industrialists professionals and religious leaders). Owing to the crucial role of these groups, the political history of Pakistan has been described as the history of its elite (Hashmi, 1980, p.31).

Majority of Pakistani women, that is mainly lower class rural women, have been ascribed a lower status within their family, kinship network and in overall society. They have little prospects to independently achieve a status to join any of the three elite groups; military being a profession not largely open to women, bureaucracy demanding high education (which is not a common feature of majority of Pakistani women and is exclusive to upper and middle classes), and civilian elites (especially landowning, feudal/rural/ethnic, and

religious class) assigned power and leadership status to men in the patriarchal extended kinship setup of Pakistani society. Therefore, till the year 2002, in the struggle for state power between competing elite groups, only a very small number of urban educated elite women could come in and were active in political sphere. This minority of elite women, mainly belonging to these elite groups (or to the powerful family of the respective broader kinship network), could find the opportunity to enter the political field for promotion of the interests of their respective group, as an extension of their family/kinship responsibility.

On the one hand, in democratic governments, civilian elites mainly rely on landowners and feudal lords possessing the regional/ethnic/tribal, mainly rural vote blocs in order to maintain their victory in elections and their majority in parliament. Therefore, they were never sincere to favor issue of political representation of masses or the marginal groups like women. The women question (e.g. renewal of political quotas and repeal of Hudood ordinances - a set of five ordinances discriminating against women) remained dormant at political forums. On the other hand, invariably every military government after seizing power emphasized on establishing local government system and increased women's participation to undermine the established political power centers (mainly regional landowners and feudal leaders) at provincial and national levels. But this hand picked inclusion of women and other marginalized groups in military governments remain ineffective to protect women and increase their say in legislative formulation in order to uplift their status.

Motives behind Women's Increased Political Participation in Last Decade

The motives behind women's recent increased entry in politics in Pakistan can be divided into two categories:

- Feminist motives of women's political participation
- Non-feminist or masculine motives of women's political participation.

Feminist Motives of Women's Increased Political Participation

The increase in political quotas owes much to the pressure exerted by an active women's movement present in Pakistan since independence. But the movement gained momentum during islamization project of Zia's military regime (Alavi, 1988) and its systematic attack on the status of women through promulgation of discriminatory laws (e.g. Hudood ordinances). Consequently, during the democratic period of 1988 to 1999, the allocation of quotas for women at all political levels and abolition of discriminatory laws became top priority agendas for women's movement, advocated through non-government organizations (e.g. Women Action Forum), government institutions (e.g. National

Commission on Status of Women) and documents (e.g. Report of Commission of Inquiry for Women (1997), and National Plan of Action (1998)).

Non-Feminist Motives of Women's Increased Political Participation

The above mentioned feminist motives were not the sole cause of increase in women's political quotas. There were certain "non-feminist motives" or the masculine interests working behind women's increased participation in politics. The historically persistent struggle between competing elite masculine interests for consolidation of their power base at different levels of society, i.e. state, political parties, and individual men, was the prime motive behind creation of this new and broader opportunity for women. In competition for capture of state power and resources, when different masculine elite groups strategize to consolidate their power and exclude the other elite groups took measures that has benefited the marginalized group, e.g. women.

Introduction of quota by military government is a part of this struggle, at state level. Military regime in its effort to destabilize the already established civilian feudal or landlord politicians in order to consolidate and legitimize its power at state resources introduced a local government system and enhanced quotas for women at all political levels as a strategy to make its face more democratic, modern and acceptable.

It is observed that several of women who came in assemblies, at national and provincial level, also entered the field from political families after disqualification of their male family members due to the condition of graduation degree for being eligible to contest these elections.

At local level, the local government system with higher number of reserved seats for women introduced as a result of this competition among different masculine groups (military and civilian political elites) in turn became another avenue for competition among political parties and different masculine power centers (e.g. family males or local party activists) at grassroots level of society. The new political space created through the reserved seats for women forced these competing politically active individual men and political parties to go through some of their subordinate women to capture these power avenues for the consolidation of their broader power base in the political system. Therefore, it added a new dimension of selecting and bringing their subordinate women into the ongoing power struggle of these masculine groups.

The local government system with large number of women seats was newly introduced. There was no already existing pool of experienced and potential candidates available. Therefore, political parties were in search for eligible women to be launched in local election on these newly opened seats in order to capture the maximum power base

necessary to establish their hegemony in the district local government and on its resources; especially to capture the highest office of District Nazim. This absence of existing pool of local women politicians and the basic patriarchal structure of Pakistani society based on kinship and extra kinship ties led the political parties to find the best possible candidates among family females of their male party worker, office holder and sympathizers. The best way found to access and motivate these potential women candidates was through formally or informally politically active males in their kin or extra kin networks.

At individual level, these politically active kin or extra kin males, mostly informally politically active at the neighborhood level party processes, had formal or informal party pressures to motivate and bring their family or extra kin women to contest election on behalf of party to make its power base strong in the district. They acted as mediators to link political parties to these common women, while at the same time also struggling for their own individual power interests. As these male members of family, neighborhood or extended kin or extra kin networks, in some way formally or informally involved with political parties, were also found struggling to find a better standing within political parties and their areas. While promoting their respective political agendas these males motivated and supported their family or extra kin women to enter the local electoral politics in order to consolidate their individual or political party's power base in the district through occupying maximum possible reserved seats open for women. These politically active kin or extra kin males used their influential, patriarchal and authoritative roles as brothers, husbands, sons, landlord, and Nazim candidate within their house or area and played the important role of prime decision maker and motivator in bringing their subordinate family or extra kin women to enter local politics and joining party politics by ensuring their support and satisfying women's concerns. The efforts taken by political parties, landlords and family males for launching and supporting non elite women were the part of same competition of masculinities, at local and individual level.

Impacts of Women's Political Participation on Women's Status in Society

This level of women's political participation also effects women's status at broader level. We divided the political history into two periods. Some of the positive effects of the increased participation of women in politics are discussed as under.

Opening Doors for Non-Elite Women's Political Participation

As discussed earlier, history of Pakistani politics is a history of continuous competition and struggle among elite masculine group for the control of state power. The alliances and competition among these alternative masculinities, on the one hand, has prevented majority of women, by only allowing a small minority of elite women belonging to these elite groups, to enter the political arena. On the other hand, while working on their respective project for acquiring the largest share of state power these competing

interest groups have also broadened the space for women's political participation, though a conditional elite women's selective participation, during the course of time.

For the most part, the women who participate in Pakistani politics belong to the elite classes of society. Before independence, the Muslim women leadership comprised of women belonged to privileged classes (the mothers, wives, daughters or sisters of influential Muslim 'Salariat' politicians (Alavi, 1988) coming from western educated modern families. The same pattern of elite women leadership remained intact after independence. Only a minority (very few) of upper class educated urban elite women coming from feudal and political families with previous social work experience, could find occasional and conditional access to political forums (Saif, 1993; Farooq, 2003). They were able to enter political arena due to necessary resources available from their family background and support.

Despite enhanced quotas and increased presence of women, the electoral and political systems still favor elite groups in keeping their hold intact at higher levels of political institutions. These reforms did not bring a radical change in socio-political composition/ background of women legislature at national and provincial levels. UNDP (2005) identified that 216 out of 232 women legislatures in 2002 were new entrants in Assemblies but still almost all of them belong to rural/urban influential elite political/feudal families. Most of these women were launched by their families to occupy these seats because of their educational qualifications and their male family members' disqualification (UNDP, 2005; Mumtaz, 2005).

A large number of women elected on reserved seats (not all) are not from upper class political families rather they are senior party activists from middle class families having a record in politics or activism on women's issues (UNDP, 2005). But the indirect mode of election of women on reserved seats makes their presence in legislature less effective. At local level studies show that still the women on higher seats of District and Taluka Nazim's (and also union council nazims to some extent) are coming from elite groups on the basis of political family background, affiliation with ruling party, zaat, biraderi, tribal ties or their landholding (SPDC, 2007).

Only the lowest tier, the Union Council, shows a break from the patriarchal trend of elite class's political participation. Several studies done on profile of union councilors render the insight that majority of the elected representatives belonged to non-elite strata in terms of their age group, education, income, landholding and previous political affiliation or political family background (Bari & Khan, 2001; Khan & Bari, 2006; SPDC, 2007; Paracha, 2003). This trend shows a break to the patriarchal trend of women's exclusion from or elite women's exclusive participation in politics in Pakistan. They seem to have more in common with majority of rural/urban and lower class women.

These women first entered in local politics also rise in hierarchy by joining political parties and reelecting on higher seats. This way the quotas seems to have opened the doors of political institution for non elite women to make an initial and massive entry in the political field which was not possible otherwise. If retain for long, the local government may also prove itself as nursery for producing a new generation of non-elite female politicians.

Recruitment of Women in Political Parties and Organization of Women Wings

With the increased quota political parties also find themselves lacking in a formalized cadre of women members or politicians at all levels. They started organizing and enlarging their women's wings and formalizing their female membership. It is also evident that women politicians found better positions as ministers after the year 2002. They also acquired an enlarged public space with more frequent representation in media.

Women's Voice in Legislative Formulation

The two different periods marked with different levels of women's political representation in Pakistan also had different effects on social and legal status of women in the country. The first period was marked with women's marginal representation. Simultaneously, it is characterized with several discriminatory laws that reduced women's legal status. Muslim Family Law Ordinance (MFLO) in 1961 was considered the only positive gain for women. But soon its Islamic character became a source of discomfort for women activists (Jahangir 1998).

The dominant feature of the period was victimizing Hudood laws. These victimizing laws were the result of General Zia's military regime and his efforts of imposing so-called islamization in the country. The set of Hudood ordinances promulgated in 1979 includes following five laws: 1) Offence Against Property Ordinance, 2) Zina Ordinance, 3) Qazaf Ordinance, 4) Prohibition Order, and 5) Punishment of whipping Ordinance. The Zina ordinance and Qazaf ordinance were the most victimizing laws to negatively affect women. The first is about rape and adultery as crimes and the second deals with false accusation.

Two other laws that reduced women's social and legal status were Qanoon-e-Shadat (law of evidence) 1984 and the law of Qisas and Diyat. Qanoon-e-Shadat (Law of Evidence) 1984 reduces women's legal status by ascribing half worth to their witness in financial matters than their men counterparts. Qisas and Diyat law deals with the compensation allowed in case of bodily harm or death of a person to be given to victim or victim's wali. To decide about retribution, compensation or pardoning is the right of victim or victim's heirs. Accordingly, the bodily hurt or death caused to a woman by her close relatives, mostly kin males, in the name of family honor was usually not punished as the victim or

heirs forgive the perpetrator to save their family male. This manipulation of the law provides a socio-legal framework to foster the anti women social practice of Honor killing. In short, the first period in Pakistan's political history was the period of women's marginal presence in political forums and an apparent ignorance for measures, such as allocation of quota for women, to improve the situation. Simultaneously, the period witnessed introduction of victimizing laws. The promulgation of discriminatory laws can be seen as an outcome of low level of women's participation in legislative forums insufficient to influence law making for the benefit of women.

On the other hand, the inception of second period with twenty first century provided legal and constitutional measures for women's presence in political forums. Simultaneously, the positive impact of this increased presence was also apparent when women related issues frequently came to legislative forums (Mirza & Wagha, 2009). The increased presence of women in parliament gives them space to influence the law formulation process. They introduced several bills and laws to protect women from evil social practices and the victimizing laws (Mirza & Wagha, 2009). The laws introduced in this period to positively affect women are as follows:

- Honour Killing Act
- The Protection of Women Act
- The Protection against Harassment of Women at the Workplace Act
- Criminal law amendments act for sexual harassment
- The Domestic Violence act
- Law on acid throwing
- Anti-women social practices act

The Honor Killing Act of 2004 is to specifically define the killing in the name of honor as crime and prescribe its punishment. The Protection of Women Act of 2006 amends the most victimizing Hudood ordinances to protect women. The two acts of 2010 deal with sexual harassment occurring at different places from workplace to home. They declare sexual harassment as crime defining its corresponding punishments. The law on domestic violence is passed from both houses in 2012 but still its application is limited to the capital city Islamabad. Besides these, two other laws are the Prevention from Deforming of Women Act 2011 to protect women from increasing acid attacks and the Anti-Women Social Practices Act 2011 to curb the evil social practices of forced marriages, marriage with *Quran* (the holy book), wanni (exchange of women to settle disputes), swara (giving a women from offender's family to the victims family to compensate a murder), etc. These laws amendments and newly promulgated laws are milestones but still much commitment and activism is required to safeguard women's rights in the country.

Recommendations

In the light of above discussion, this section discusses some future directions and recommendations for further improvement in the level of women's political participation in the country to consequently promote positively effecting laws regarding legal, social and economic status of women. The recommendations are as following:

- The increased political quotas for women at all levels should be given constitutional cover.
- The grass root level of politics is essential for bringing in and training non elite women for their full participation in formal politics.
- Political parties are required to adopt a certain level of women membership in their executive bodies.
- Political parties should give chances to women candidates on general seats to mainstream their women members.
- Women politicians should also give importance to their feminist agendas rather than to their male party head's power agendas.
- Laws and policies need a comprehensive revision from women's perspective.
- Although several positive amendments came recently but the legal system need further reform to protect women from victimization.
- The collaborative efforts among women wings of government and opposition for legislative formulation to eliminate discrimination against women are the need of time.

Conclusions

Women's exclusion from political institutions can create unfavourable social environment with unequal legal and social rights given to men and women. It affects the whole social order in which discrimination against disadvantaged group (mostly women) may be institutionalized. The reason is simply the lack of women's say in the political decision making and legislation. As the number of women increases in formal political institutions, it effects on the legal and social aspects of the society. It has the potential to move society towards more egalitarian and democratic form in which women and other disadvantaged groups may be safer and protected. Therefore, it is suggested that women's equal participation in political institutions is one of the essentials for creating more egalitarian society and a real democracy.

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