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# Women, State and Islamic Legislation in Pakistan

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## Abstract

*Pakistan has declared itself an Islamic state, but in terms of gender, its constitutional provisions are equal to all citizens. The gendered un-evenness is embedded in the social fabric of society due to men's domination over the mode of production. This unevenness is causing gendered segregation and alienation by women in a society. How does 'state' ideological orientation influence women's politics and their involvement in Islamic Legislation? This is a fundamental question that has been addressed in this paper. The available scholarship explained the nature of Islamic legislation and place of women in Islam. The present study is an attempt to explore the nature of the state and its ideological implications on women's role in Islamic legislation. Applying the qualitative approach, it has been found that the ideological nature of the state is structuring and re-organizing the relationship between women and legislation. Despite representation in the legislative process, women are yet alienated from control over the decision-making process.*

**Key Words:** Women, State, Islam, Legislation, Pakistan

## Introduction

For exploring the role of women parliamentarians in Islamic legislation, there is a need to understand Islamic legislation, the state of women, and parliamentary democracy in Islamic theoretical perspectives. This chapter is focusing on theoretical and historical dimensions of women's parliamentary politics and Islamic Legislation. First, the major focus of this chapter is on the theoretical framework of women's parliamentary politics, and then it will explore women's role in Islamic legislation.

Legislation with its current connotations is something foreign to Islamic legal tradition (Mahmood Ahmad Ghazi, 2006). In the legal vocabulary of classical Arabic, there is found no equivalent of "Legislation". The word *tahri* used by contemporary Arab writers is only a recent usage. This want of exact equivalent signifying the current concept of legislation is quite natural simply because, in

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Islam, legislation in its absolute sense is only a prerogative of God, the Almighty. Legislation means the act of laying down legal rules by a sovereign or subordinate legislator. There is hardly any example of legislation in Islam. The civil code of the Ottoman prepared on the basis of the Hanafi Fiqh during the period between 1856 to 1876 was the first example of any formal legislation. This legislative exercise is confined to the selection of relevant rulings from Hanafi Fiqh and arranging them in the form of sections and clauses. The *Sharia* is primarily rooted in a divinely ordained set of beliefs, principles and normal conduct, norms of social and collective behavior, and some fundamental directives of legal significance. This system stems from the guidance contained in the Quran and the Sunnah or the model example of the Prophet SAW, the to basic, original, and perennial sources of guidance in Islam. The principles laid down in the Quran and Sunnah prescribe the limits within which people of various times and climes could formulate their Islamic responses to various situations obtained in their lives. These eternal principles seek solutions for every given problem confronting the Muslims in the context of their own prevailing conditions and situations. The development of law after the Prophet laid to the crystallization and further elaborations of a set of principles developed and employed by the jurists to respond to new situations calling for answers. Some such principles were alluded to by the Quran; others were endorsed by the Prophet himself towards the close of his life. In this process of legal, constitutional, and jurisprudential development there evolved several key principles such as *Ijma, Qiyas, Istihsan, Istislah, etc.* (Mahmood Ahmad Ghazi, 2006).

There are different arguments regarding women representation in politics. One is regarding effective decision making. If women have restrictions in the political sphere, then it will affect decision making. According to feminist political scientists, equal social sphere to all gender is necessary for social development; the political slogans on gender equality and neutrality do not matter without any substantive change. Feminist political theorists have argued that the appearance of neutrality towards gender or equality between men and women in the governmental sphere hides a substantive gender inequality. The influential feminist scholars Anne Phillip (1988) and Carol Pateman (1989) have explored the political use of some neutral words. For instance, individual, citizen, people, masses, etc. are apparently neutral words. These words usually signify male orientation instead of female. So, one gender dominates the political language to subjugate women in society. There are some other theories related to state composition and formation. Luis Althusser (1970), a famous French Marxist scholar, theories states as an oppressive tool. Oppression needs masculinity. Therefore, there are powerful arguments that describe that state benefits those who controlled its affairs through oppression, and it was created by men to men. Therefore, male domination is a continued factor in a state structure due to its

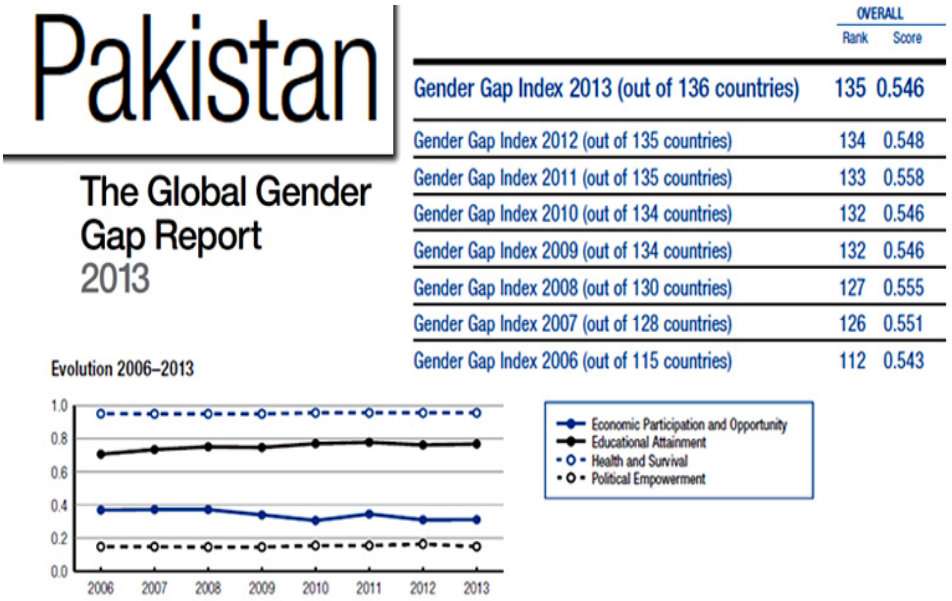
masculine power. (Lerner, Gerda, 1986). On the other side, women symbolize softness; historically state did not need softness in an authoritarian regime. The male dominant state and political systems always protect male interests but never protect the interest of women. In a male-dominated patriarchal political system, legislation is being done with male lenses. In a patriarchal political system, women's appearance in the legislative process is merely a show piece of . The male-dominated culture is so strong that there is no political space for women to represent women in legislative affairs. In such a political system, laws only protect the interest of the male sphere. Women and children have no space in such patriarchal political system. (Berkman, Michael B., and Robert E. O'connor, 1993). Rape, domestic violence, humor killing, women deteriorating health conditions, and mother and child-caring conditions are embedded in the patriarchal political system. In Pakistan, many mothers give birth outside hospitals and mothers, and child-caring health infrastructure is very poor. Maternal and child health conditions are shown in the following table

**Table 1**

| **Child health** | **1990-1991** | **2006-2007** |
|---|---|---|
| Neonatal mortality rate | 51.4% | 54% |
| Infant mortality rate | 90.5% | 78% |
| Immunization status | 21.8% | 47.3% |
| **Health Seeking behavior** | | |
| Acute respiratory infections | 66.4% | 69.3% |
| Fever | 64.8% | 65.8% |
| Diarrhea | 48.3% | 54.5% |

*Source: Pakistan Demographic & Health Survey (190-1991; 2006).*

On the other side, in a democratic environment, equal political space is given to all gender and voices, and their choices are reflected in decision-making circles. The social development depends upon the equality of genders; inclusion of gender voices in decision making is a way towards sustainable development. According to the global gender gap Report (2013), Pakistan is 2nd worst country for gender equality after Yemen. Details are in the following table.




World Economic Forum. (2013). Pakistan's Position on the Global Gender Gap Index 2013.

For scaling up the ranking in the global development Index and translating the idea of gender equality into sustainable development, countries are utilizing multiple policy-oriented programs towards gender equality and gender inclusion in the political decision-making process. The theory is the most interesting part of gender equality and inclusions, but the challenging part is practice; what about practice? It's a major question which needs a deeper explanation. What might it mean to women to be represented in politics, and what role are they playing towards Islamic legislation in Pakistan? If women represented equally in politics, then they can play a pivotal role in legislation. The other argument related to women in "argument justice? Women make up half of the population. As per the principle of 'Justice,' all genders with their voices and choices need equal space and representation in politics? But once again, the critical question is regarding equal representation. The argument related to equal political representation have three major domains, which include formal, descriptive, and substantive. The formal domain is embedded in legal structures, and it includes women legal rights in political representation. The formal representation model gives an opportunity to women to participate in politics on equal ground with men. However, formal representation is also dependent on the electoral system, which affect women's inclusion in representation. the following table explains the nature of electoral systems on women's political participation.

**Table 2**

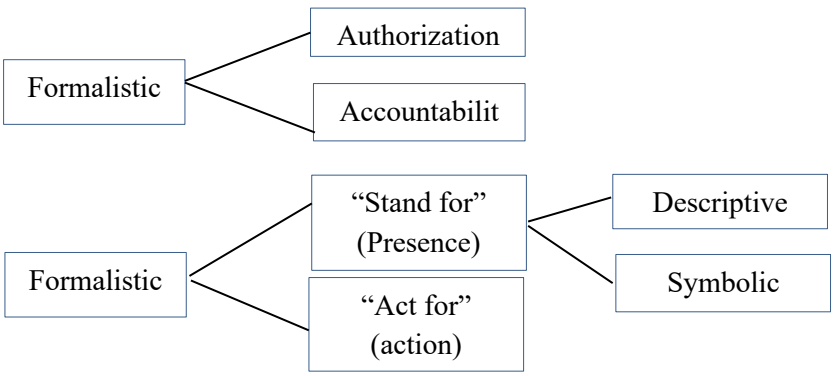
| | **Behaviour** | **Aggregation of behaviour** | **Expected relationship between descriptive representation & outcomes** |
|---|---|---|---|
| **SMP** | Minimal opportunities for the representation of women's issues. Notable disincentives to represent women's issues. | SMP likely to lead to majority governments able to efficiently change policy and legislation. | Low. |
| **PR** | Incentives and opportunities to represent women. | Minority governments create more veto players and preferences the status quo | Moderate. |
| Personal / Unincorporated Representation Vote Based Systems | High incentives and opportunities for representation of women's issues | More veto players due to more independent behaviour. Harder to depart from status quo and reach new decisions. | Moderate. |
| Party Vote Based Systems | Disincentives and constraints for the representation of women's issues | More cohesive voting and proposing of legislation, fewer veto players. | Low |

*Source: Lore, G. A. (2016). Women's descriptive and substantive political representation: the role of political institutions (Doctoral dissertation, University of British Columbia).*

In single-member plurality (SMP) system, women have the minimum opportunity of representation, but in proportional representation (PR) system, women have a moderate level of representation. However, in descriptive representation provide equal representation to women. For instance, if the women population is 50% then they can acquire a 50% share in the representation. Through descriptive representation, equal political representation can be achieved for women. The legal framework can also ensure women's equal representation in the political process through the equal opportunity of the vote. The system can also have the strength to provide women to opt political career. The descriptive representation provides equal opportunity to men and women, but the availability of resources amongst gender creates a difference. The presence and appearance of women in the legislative process is the outcome of descriptive representation. The international movements on women political representation are also articulating descriptive representation for political mobilization. This technique is widely used for achieving the goals of gender equality and women's political representation. The Beijing Platform of gender equality stressed on the articulation of women's interests in political representation. (Platiner Margaret, 1995). Democracy is a

process of articulation of interest in a deliberative context, therefore the Beijing platform suggested including women in political affairs.

The third important mode is substantive representation. This domain suggests that women's representation in politics is substantive in nature. According to this argument, women's interests must be included in political representation. Women's interests and choices must be at the center stage of political debate as per this argument. In descriptive representation, only number counts but in substantive representation, it's a substance that means women interests that have a dominant role. Women numbers and their standing in representation matter but the translation of women interest into action need women's substantive representation. (Pitkin, Hanna F, 1972).




*Source: Hanna Pitkin's Typology (1967).*

Under Millennium Development Goals (2000), the principle of gender equality was introduced. Pakistan also increases the number of women political representatives in parliament, but that number could not translate into the representation of women's interests. The increased number of women were hijacked by masculine politics. This shows that women's number matters, but the articulation of women's interests are supreme in representative democracy. Women political representatives need to speak more on women interests and formulate policies having women's voices. But the question is regarding the meaning of women representation, requirements, interests, needs, and concerns. Keeping in view the meanings of these concepts, the question of representation is complex. There are different perceptions on this critical question. There is no single answer to these questions. Some scholars like Child, Sarah, and Mona Lena Krook (2006) suggest that women politicians must represent the interests of women of their constituencies. They should draft legislative drafts for the social and economic upliftment of women. They could include women issues in their electoral campaigns, including domestic violence, harassment at workplaces, and can

provide the necessary support to the prosecution of crimes. Moreover, women politicians can also support policies related to women's affairs. There are multiple issues in substantive representation. Female politicians used to power on the name of representation and had no desire to speak for women. Representation is a tool to take off and get shelter in the upper level of power for maximizing own interests. Women representatives look like women, common women think that they are their representatives, but they are the chessmen of power corridors. Once a representative, whether a male or female, connect themselves with power, then there is a question of gender to representative-then they speak the same language-the language of power. The subaltern approach and post-colonial scholars like Gayatri Spivak, Ranjit Gua, Chakrabarti, Homi Bhaba, etc., explored this puzzle of representation. These scholars have theorized the issues of subalternity and problems of representations. Other scholars like Jani Lovenduski (1993) explained the reasons of the paradoxes of gendered representations. He warns that institution reorient themselves to change women. Otherwise, women will change the institutions. The masculine nature of institutions shapes the behaviour of women representation, and women representatives act like that. Therefore, women need to change the nature of institutions so that they can create political space of womanity in them. Firdaus Ashiq Awan, a women parliamentarian, said in an interview that the system demands us to act like a man. Women enter in parliament as women but leave as men. In order to survive in politics, we are compelled to become and act like a man. (Firdaus Ashiq Awan, 2016). Similar behavior has been explained by Swers, Michele (1998). She explained that if a women act like a woman in politics, then she have no space in politics. Discussing women's issues in politics is considered as taboo, and no women politicians want to kill her political career only to raise women's issues. (Swers, Michele L, 1998). Childs (2000) mentioned, "The most common perception is that women who seek to act for women act only for women. This results in a tension between a women MP's parliamentary career and acting for women. If an MP desires promotion, she cannot afford to be regarded as acting for women too often or too forcefully." (Child, Sarah, 2000). The complex issue with women's political representation is party affiliation and raising the women's interests. If women parliamentarians articulate party's interests with women political agenda, then they can create political space, but in a male-dominated society, men caste their voter, but there are restrictions over female voters in many parts.

Therefore, parties prefer to articulate male voices in electoral politics instead of women's voices. It is a major challenge if women politician wants to speak for women but contradict party lines. This situation compels women politicians to speak for the party, not for women. (Swers, Michele L., 1998). Women political representation and their relationship with legislation has many other dimensions. On is a class question. Female representatives do not represent common women. They represent the elite class, and they represent their class interests. Moreover,

preliterate women are not a proletariat in Pakistani society; they are divided into ethnicity, social strata's, religion, and linguistic groups. They are not monolithic in context; they are segregated. Along with the linguistic, ethnic, and economic perspectives, they have varied interests. Moreover, amongst the upper and lower class, these women have different interests. The problem arises when women become political representatives, they use racial identities to get a position in parliament and negotiate with power circles for their own interests. Some other arguments related to women representation is related to justice and utility. These arguments projected in a way that women's visibility in the legislative process improve the quality of representation and moreover encourage the younger women to participate in the legislative process. Norderval Ingumn (1985) states that women's inclusion in politics and legislative affairs will improve the process of decision making. The Author focus on the utility factor that women inclusion will strengthen human resource, and it will create a bigger pool of decision-makers in the policy-making process and legislation. Politics with put women is negatively affect the quality of representation and legislation. The argument in favour of women's inclusion in politics argued that quality of representation and legislation has a direct correlation to incorporate diversified ideas and debates in the decision making process for effective legislation. Keeping in view different interests, women can inclusion mean, inclusion of different ideas and interests in representatives affairs. In support of this argument John Stuart Mill (1869) argued that divers and competing ideas help to synthesize the nature of true and false. "Diversity is certainly good in and of itself, but it should also make political decision making more flexible and capable of change". (Kaneez Fatima, 2016). As per utility argument, women leadership positively affect the intake of new female generation in the leadership sphere. The concept inspired younger generations to take an active part in political sphere. A female activist and legislator Gulalai Ismail put it well, "Because of cultural differences women often have different experiences and different views on certain issues. That means that as a woman more into previously male-dominated positions, new perspective and new competence are added, the presence of women in parliament means new skills and different styles in politics….it also brings new vision, which ultimately lead to revision of laws in order to improve existing ones. Most of all, the (women) serve as role models for future generations" (Gulalai Ismail, 2016). It is considered that a smaller number of women cannot affect dominant political values. The smaller number of women in parliament act like a man. If the number of women in legislation is less, then men then they can be influenced by men easily. Women need to be in large number in parliament for maximum input. (Kanter, Rosabeth Moss, 1977). The United Nations has stated that to make a difference, women need to have critical mass at least 30% of legislature.

Women politics and their role in Islamic legislation can be explored by exploring the structure of power and its relationship with Islamic State.

(Mohammad Asad, 1977). Women behaviour in politics is influence by men, this argument is being presented by sociologist with the help of Max Webber theory of power. "Power' is the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance regardless of the basis on which this probability rests" (Warren, Mark E, 1992). There is a wide difference on the ideal of power amongst scholars and theorists. Michel Foucult (1997), Antonio Gramci (2000), Talcott Parsons (1938) and C. Wright Mill (2000) have explored multiple dimensions of power. In the context women politics, it is important to conceptualize the concept of power. Stephen Lukes (2009) addresses political component of power which include political manufacturing of preferences, preventing other in achieving their agenda and alignment of their preferences with oppressor's agenda. Lukes, build his argument on Max Webber's thoughts on power. The distinction is only pluralistic nature of power which further followed by Rober A. Dhal (1971) and Nelson Polsby (1980). Policy preferences and legislative behaviour is the main focus of this study. According to Lukes, second dimension of power which focus on preventing to reach an agenda include multiple strategies influence, manipulation, and use of authoritative control. The third dimension of power is primarily a combination of first two. In this strategy person feel freedom, but this freedom is also in the larger interest of power. In this process mass media and public sphere is constructed for the benefit of power. These dimensions are very much relevant to explore the role of women in politics and particularly in legislative affairs. Luke primarily focuses on different dimensions of power and its relations with the social context in which individual operates. There are some other scholars who have opinion that individual do not operate itself in a structure but it's a relationship of structure and power that have an influence over the choice manufacturing of individual. (Thomas E Wartenberg, 1990). In the context of this research, there is another avenue to think on women role in legislation in the perspective of structure-power relationship. The feminist scholars have the opinion that when men and women understand the mechanism of structure and power then they will understand the nature of unequal world. This understanding will inspire them to challenge the relationship of structure and power relationship. (Naila Kabeer, 2003). On the other side, some scholars have argued that Islam creates hurdles in democracy. (Fukuyama, 1992; Lipset, 1994). According to them, Islam is not compatible with democracy on the ground of competition and openness and tolerance etc. Islam focus on intellectual authority and obedience of authority. Islam focus on the sovereignty which contradicts democratic ideals. (Tesller, 2002). According to these scholars, Islam is based on totalitarianism (Lewis, 1994). Kedourie, for example, asserts, "The notion of popular sovereignty as the foundation of governmental legitimacy the idea of representation, or elections, of popular suffrage, of political institutions being regulated by laws laid down by a parliamentary assembly, of these laws being guarded and upheld by an independent judiciary, the ideas of the secularity of the

state, of society being composed of a multitude of self-activating groups and associations—all of these are profoundly alien to the Muslim political tradition". (Elie Kedourie, 1981). The other stream of scholars like (Kramer, 1980), (Piscatori, 2004), (Esposito, 1997), (Halliday, 2003) highlighted that there is compatibility of Islam with democracy. Islam should not be considered exclusive to democracy and democratic ideals are not contradicting to each other. (Salame, 1994; Hafmann, 2004; stork, 1997). These scholars also highlighted that tolerance, diversity, human rights etc are equally represented by Islam.

In Muslim's history, there were different political systems starting from the state of Madina to the Umayyad period(661-750) to Abbasid Period (750-1258) and to the modern period. The largest states were ruled by sultans like Ottoman Empire (1281-1924), the Saffayid (1501-1722) and Mughal Empire (1526-1857). There is no single model of government in Muslim countries even in the present age. Islam and politics is yet a major theme in all these countries ruled by Muslims. In Muslim's societies, scholars are constantly engaging in interpreting the relationship of Islam and democracy. Contemporary Muslim scholars like Hamid Ansari, Allama Iqbal, Maulana Maudoodi, Dr. Hamidullah, Dr. Mehmood Ahmad Ghazi, Tariq Usmani, Professor Ghamdi and Dr. Farooq Khan are well-known who have contributed to define the relationship of Islam and democracy. The contemporary movements in Islamic world is largely influenced by 19$^{th}$ century Islamic thinkers; like Muhammad Ali Al-Sanusi (1787-1859) of Algeria, Khayr al-Din Tunisi (1810-1899), Muhammad Abduh (1849-1905), Sir Syed Ahmad Khan (1817-1898), Syed Ameer Ali (1849-1928), Allama Iqbal (1877-1938) and Mulana Maudoodi (1903-1978) etc.

## Women, State and Islamic Legislation

"State" has three important component including land, people and sovereignty and government has the authority to protect and govern three important pillars of state through legislation, executives and judicial structures. Legislation is one of the most important factors to protect the state affairs by providing feasible environment to executives and judiciary. Legislation is a law which has been endorsed by a legislature or other legitimate institutions in a state. There are multiple purposes of legislation and law-making, i.e regulation and to authorize, provisions of funds, to make laws, to sanction, to declare or to restrict to grant. It may be compared with a non-legislative act that is accepted by an administrative or executive body under the authority of a governmental act or for realizing a legislative act. In the Islamic system, Shariah is the Islamic Law, the principles and discipline that administer the behavior of a Muslim discrete towards his or herself, neighbors, family, community, nation city, and the Muslim polity, the Muslim Ummah. Similarly, Shariah governs the relations between groups,

communities, and economic and social organizations. Important legislation which affected women are indicated in the following table.

**Table 3**

| Serial | National Law | Year of Promulgation |
|---|---|---|
| 1 | Articles: 15, 18,23.26,27 of tire Conslilution | 1973 |
| 2 | Child Marriages Restraint Act | 1929 |
| 3 | Down- and Bridal GUIs (Restriction) Act (based on Quran) | 1976 |
| 4 | Family Courts Act (based on Ouran) | 1964 |
| 5 | Guardians and Wards Act (based on English law) | 1880 |
| 6 | Labor Laws of Pakistan | |
| 7 | Law of Evidence (based on English law and Quran) | 1984 |
| 8 | Majority Act | 1875 |
| 9 | Muslim Family Law Ordinance (based on Quran) | 1961 |
| 10 | Muslim Mamagc Act (based on Quran) | 1939 |
| 1 1 | Muslim Personal Laws of Shut and Sunnis (based on Quran) | |
| 12 | Penal Code of Pakistan (based on English law and Quran) | 1860 |
| 13 | Qisas and Diyal Ordinance (Section 306. C) (based on Quran) | 1991 |
| 14 | Shariah Laws/ Hudood Ordinances (based on Quran) | 1979 |

*Source: Zahid, R. (2007). Gender Reform Action Plan--a Breakthrough for Pakistani Women?: A Policy Research Using Health Rights of Women Assessment Instrument (HeRWAI) (Doctoral dissertation, University of Washington).*

Shariah, creates the standards by which all social activities are categorized, classified and administered within the holistic governance process of the state. In Islamic State, all matters of legislative affairs are carried out under the moralities of Sharia. Islam gives general and particular principles related to women rights. Various geographical and cultural complexities around the globe can adjust themselves for the protection of women political rights as per the basic tenants of Islam. In some particular cases, Islamic values, norms, laws and social implications have common context in Muslim societies. These common values can play an integral role for Islamic empowerment of women. For women political empowerment, religious texts (Quran; and Hadiths) provides greater scope for understanding and provide a baseline for Islamic legislation. (1989) Consensus-*Ijma*, expressed, on a question of law; *qiyas,* are other two sources of legislation in align with Quran and Sunnah; the fatwas, non-binding printed expressions and opinions regarding religious points or rituals of law. The pre-Islamic traditions, secular and cultural norms; if they are not contrary to Islamic principles have recognition in Islamic Legislation. (Nasr, Seyyed Hossein, 2004). The Islamic

legislative authority also vested in religious institutions. The prominent institution in Pakistan is the Islamic Ideological council; similar types of organisations and institutions are prevailing in other parts of Muslim countries. (Schleifer, Yigal, 2005). Sufism, prominent figures in healing have also significant influence over Islamic legislation. Ibn Al-Arabi, Imam Ghazali, Ibne Khaldun and many other Muslim scholars have produced significant literature which represent and reflect the ideas regarding Islamic education. (Murata, Sachiko. 1992)

In the beginning of 21st century, the question of Islam and democracy remained one of the hot topics of debate. Some of the commentator on Islam and democracy still believe that democracy is western agenda and there is no relation between Islam and Democracy. Some scholars says that Islamic law is embedded in Quran and not compatible to democracy. The proponents of this argument cite verses from Quran. "It is not fitting for a Believer, man or woman, when a matter has been decided by Allah and His Messenger to have any option about their decision". (33: 36)

The other verse of Quran, "What! Do those who seek after evil ways think that We shall hold them equal with those who believe and do righteous deeds – that equal will be their life and their death? Ill is the judgment that they make". (45: 21). Are those who know equal to those who know not? (33: 9) And never will Allah grant to the unbelievers a way (to triumphs) over the believers. (4: 141). On the other side, proponents of democracy also refer Quran in support of their arguments. They described the principle of mutual consultation as prescribed in Quran. "Those who hearken to their Lord and establish regular Prayer; who (conduct) their affairs by mutual consultation; who spend out of what We bestow on them for Sustenance [are praised]". (42: 38). In another verse Quran orders Prophet (SAW) to consult with fellows. "Thus it is due to mercy from Allah that you deal with them gently, and had you been rough, hard-hearted, they would certainly have dispersed from around you; pardon them therefore and ask pardon for them, and take counsel with them in the affair; so when you have decided, then place your trust in Allah; surely Allah loves those who put their trust in Him". (3: 159)

## Conclusion

Women role in Islamic legislation is broadly inspired by the state ideological orientation. The State ideology is derived from religious interpretation of Islam and women legislators are operating in legislative affairs within the religious structure. In Pakistan's politics some of the Islamist believed that democracy is western concept and have no compatibility of Islam. They argue that the sovereignty of God is supreme, which contradict popular sovereignty. The principles laid down in the Quran and Sunnah prescribes the limits within which people of various times and climes could formulate their Islamic responses to

various situations obtaining in their lives. These eternal principles seek solutions for every given problem confronting the Muslims in the context of their own prevailing conditions and situations. However, women representatives are actively taking part in Islamic legislation for political gains. Pakistan also increases the number of women political representatives in parliament, but that number could not translate into the representation of women's interests. The increased number of women were hijacked by masculine politics. This shows that women number matters, but articulation of women interests are supreme in representative democracy. Women political representatives need to speak more on women interests and formulate policies having women voices.

**Reference**

Bauer, G., & Britton, H. E. (Eds.). (2006). *Women in African parliaments* (pp. 1-44). Boulder, CO: Lynne Rienner Publishers.

Berkman, M. B., & O'connor, R. E. (1993). Do women legislators matter? Female legislators and state abortion policy. *American Politics Quarterly*, *21*(1), 102-124.

Bernard Lewis.2010. *Faith and power: religion and politics in the Middle East***,** Oxford; New York, NY: Oxford University Press

Burrell, G., & Morgan, G. (1979). Burrell, Gibson, and Gareth Morgan, Sociological Paradigms and Organizational Analysis: Elements of the Sociology of Corporate Life. London: Heinemann, 1979.

Childs, S. (2000). The new labour women MPs in the 1997 British parliament: issues of recruitment and representation. *Women's History Review*, *9*(1), 55-73.

Childs, S., & Krook, M. L. (2006). Gender and politics: The state of the art. *Politics*, *26*(1), 18-28.

Dahl, R. A. (2005). *Who governs? Democracy and power in an American city*. Yale University Press.

Dale, F., Eickelman, J. P. (2004). *Muslim Politics***,** Princeton, NJ: Princeton University Press,

Daniel, P. (2002). *In the Path of God: Islam and Political Power***,** Routledge

Elie, K. (1981). *Islam in the modern world and other studies*, New York: Holt, Rinehart and Winston, 5-6.

Firdaus Ashiq Awan. (2016), Interview with author, Islamabad, 28 April

Foucault, Michel, and Paul Rabinow. "Ethics, Subjectivity and Truth: Essential Works of Foucault 1954-1984 (Vol. 1)." *Trans. C. Porter (New York: The New Press, 1997)* (1997).

Fred, H. (2003). *Islam and the myth of confrontation: religion and politics in the Middle East,* London: Tauris

Fukuyama, F. (2006). *The end of history and the last man*. Simon and Schuster.

Ghazi, M. A. (2006). *State and Legislation in Islam*. Shariah Academy, International Islamic University.

Glasse, C. (1989). *The Concise Encyclopaedia of Islam,* London: Stacey International, 1989. 141–143".

Gramsci, A. (2000). *The Gramsci reader: selected writings, 1916-1935*. NYU Press.

Gulalai, I. (2016). Interview with author, Islamabad, 25 May

Held, D. (2006). *Models of Democracy. 3 ed.* UK: Rd Polity Press, 40, 65, 67.

Holt, P. M. (1961). Muhammad Asad: The principles of state and government in Islam, xiii, 107 pp. Berkeley and Los Angeles: University of California Press, 1961. $3. (English agents: Cambridge University Press. 24 s.). *Bulletin of the School of Oriental and African Studies*, *24*(3), 592-593.

John, L. E. (1997). *Political Islam: revolution, radicalism, or reform?*, Boulder, Colo: Lynne Rienner Publishers

John, O. V. (1982). *Islam: Continuity and Change in the Modern World.* Routledge,

John, P. E. (1997). *Islam, democracy and the State in North Africa*, Bloomington; Indianapolis: Indiana University Press

Kabeer, N. (1994). *Reversed realities: gender hierarchies in development thought*. Verso.

Kaneez, F. (2016). Interview with author, Islamabad, April 23

Kanter, R. M. (1977). Some effects of proportions on group life. In *The gender gap in psychotherapy* (pp. 53-78). Springer, Boston, MA.

Lovenduski, J. (2005). *Feminizing politics*. Polity.

Lukes, S. (2004). *Power: A radical view*. Macmillan International Higher Education.

Martin, S. K. (1980). *Political Islam,* Beverly Hills: Sage Publications, 1980

Mill, J. S. (2018). *The subjection of women*. Routledge.

Murata, S. (1992). *The Tao of Islam: A sourcebook on gender relationships in Islamic thought*. Suny Press.

Naila, K. (2003). *Reversed realities: gender hierarchies in development thought*, London; New York: Verso

Nasr, S. H. (2004). *The Heart of Islam: Enduring Values for Humanity.* New York: Harper

Parsons, T. (1938). The role of ideas in social action. *American Sociological Review*, *3*(5), 652-664.

Pateman, C. (1970). *Participation and democratic theory*. Cambridge University Press.

Pateman, C. (1989). *The disorder of women: Democracy, feminism, and political theory*. Stanford University Press.

Phillips, A. (1995). *The politics of presence*. Clarendon Press.

Pitkin, H. F. (1967). *The concept of representation*. University of California Press.

Platiner, M. (1995). The Status of Women under International Human Rights Law and the 1995 UN World Conference on Women, Beijing, China. *Ky. LJ*, *84*, 1249.

Polsby, N. W. (1980). Community Power and Community Theory: A Further Look at Problems of Evidence and Inference.

Reingold, B. (1996). Conflict and cooperation: Legislative strategies and concepts of power among female and male state legislators. *The Journal of Politics*, *58*(2), 464-485.

Schleifer, Y. (2005). In Turkey, Muslim Women Gain Expanded Religious Authority. *Christian Science Monitor*.

Seymour, M. L. (1994). *Political man: the social bases of politics,* Baltimore: Hopkins.

Swers, M. L. (1998). Are women more likely to vote for women's issue bills than their male colleagues? *Legislative Studies Quarterly*, 435-448.

Warren, M. E. (1992). Max Weber's Nietzschean conception of power. *History of the human sciences*, *5*(3), 19-37.

Wartenberg, T. E. (1990). *The forms of power: From domination to transformation*.