

**PROSPECTS FOR EQUAL EMPLOYMENT  
OPPORTUNITY FOR WOMEN IN PAKISTANI  
ORGANISATIONS**

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## **ABSTRACT**

The aim of the thesis is to advance the theory of equal employment opportunities (EEO) by considering how socio-cultural and institutional context affect the nature and issues of EEO for women in Muslim majority countries (MMCs). Pakistan has been chosen as the case study because of the strong influence of socio-cultural factors in this country. The thesis adopted sociological neo-institutional theory to explore the complex process of EEO in MMCs. The concept of EEO for women has been largely researched in western contexts, and has been only partially explored in MMCs. Using multilevel lens, this thesis explores the contextual nature and issues associated with EEO for women in Pakistani organisations (organisations based in Pakistan owned by either local or foreign owners), and theorises EEO in MMCs. The qualitative research methodology consisted of document analysis and semi-structured interviews. Document analysis included reviewing the core Islamic texts (Quran & Hadith), national and international labour laws and organisational policies related to EEO. Semi-structured interviews were conducted with HR managers and female employees from private-sector banking, education and telecommunications organisations, using an interpretive genre to understand the complexity of EEO-related issues in the workplace.

The findings revealed that female employees in Pakistani organisations face gender discrimination at multiple levels. At the macro level, the review of the legislative framework of gender equality in the light of Islamic texts suggested that equal opportunity regimes and practices in MMCs are characterised by the same dichotomy found in the normative interpretations of gender diversity in Islam: an egalitarian interpretation advocating affirmative action in women's favour, and a patriarchal interpretation supporting women's subordination to men. The analysis of Pakistani and international laws of EEO highlighted the contradictory implications of national legislation created to 'protect' Pakistani women and the country's weak implementation of international instruments directed towards EEO. The comparison of key features of EEO in three neighbouring South Asian countries – Pakistan, India and Bangladesh – revealed a common trajectory of female disadvantage in employment; however, Pakistani working women face comparatively more disadvantage due to the joint effect

of patriarchal cultural traditions and narrow religious interpretations. While Pakistan is an Islamic republic both Bangladesh and India are secular in terms of their constitution.

At the meso-organisational level, the findings indicated that organisations cannot be held solely accountable for equal opportunity, because organisational structures and routines of equal opportunity are affected by both macro-societal factors (e.g., legal, socio-cultural) and micro-individual factors (e.g., intersectionality, agency). Implications for policy makers include the need to recognise the dichotomous nature of EEO legislation and focus on laws that are more egalitarian and less patriarchal. Gender mainstreaming at a policy level is very important to improve the EEO situation, and the government should take steps to create awareness-raising programmes at multiple levels. Employers need to recognise the socio-cultural factors that affect EEO-related issues in the workplace. EEO policies need to be explicit, and all employees should be made aware of these policies and of appropriate organisational systems for redressing EEO- or SH-related problems.

The thesis contributed to the theory by highlighting the importance of neo-institutional theory and multilevel analysis in the context of EEO in MMCs. This thesis further contributed to empirical knowledge by highlighting multilevel issues and challenges faced by women in Pakistani organisations which remain largely underreported in the mainstream studies. This research has highlighted a tension between the mainstream western notion of EEO and its framing and application in organisations in Pakistan (and possibly other MMCs). In particular, patriarchal interpretations of Islam and other cultural practices appear to be a major barrier to EEO. Indeed, EEO in MMCs such as Pakistan cannot be realistically understood and managed unless issues of gender equality are tackled at multiple levels within and outside the workplace.

## **DECLARATION**

This thesis is presented for the degree of PhD in Business. I declare that the work contained in this thesis is the result of original research and has not been submitted for a higher degree at any other university or institution. I have also indicated in the thesis the sources of information used and the extent to which the work of others has been utilised. The ethical aspects of this study have been approved by the Macquarie University Ethics Review Committee (Human Research), Ethics Approval Number HE28NOV2008-D06216 (Appendix 1).

**Faiza Ali**

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Parts of this thesis were edited by Dr Alison Basden, in accordance with the IPed guidelines for editing research theses.

## DECLARATION OF PUBLICATIONS

This thesis comprises the following research papers, published or currently under review, which I wrote or co-wrote as a part of my PhD research at Macquarie University. It is certified that my contribution in each of the co-authored paper varies from 60 to 80 per cent. This includes my active participation in all stages of the study: conception, design, data collection and analysis, conclusion, and writing up of the papers.

- Ali, F. and Syed, J. (Revise and Resubmit). Theorising equal opportunity in Islamic ideology and culture. *Human Relations*.
- Ali, F. and Knox, A. (2008). Pakistan's commitment to equal employment opportunity for women: A toothless tiger? *International Journal of Employment Studies*, 16(1), 39-58. (An earlier version of this paper was accepted to present at 2007 Annual Meeting of the *Academy of Management*, Philadelphia, PA, August 3-8.)
- Ali, F. (2010) A comparative study of EEO in Pakistan, India and Bangladesh. In M. Ozbilgin and J. Syed, *Managing gender diversity in Asia: A research companion*. Edward Elgar. (An earlier version of this paper was presented at the 2009 *Equality, Diversity and Inclusion* conference, Istanbul, Turkey.)
- Ali, F., A multilevel perspective on workplace experiences of women in Pakistan. Accepted for publication, *Equality, Diversity and Inclusion*. (An earlier version of this paper was presented at the 2011 *Academy of Management* (AoM), San Antonio, Texas, USA, August 12-16.)
- Ali, F. and Kramar, R. (Revised and resubmitted). An exploratory study of sexual harassment in Pakistani organisations, *Asia Pacific Journal of Management*. (An earlier version of this paper was presented at the 2011 *European Academy of Management* (EURAM), Tallinn, Estonia, 31<sup>st</sup> May – 3<sup>rd</sup> June.)



# CHAPTER 1

## INTRODUCTION

Drawing on a qualitative study of female employees in Pakistan, this exploratory study advanced the theory of equal employment opportunities (EEO) by considering how socio-cultural and institutional contexts affect the nature and issues of EEO for women in a Muslim majority country (MMC). The research used a multilevel approach to understand and investigate EEO in Pakistani organisations.

EEO has been defined as an attempt to ensure that all individuals have equal opportunity for employment, regardless of characteristics such as race, colour, religion, gender or national origin (Kramar et al., 2010; Özbilgin et al., 2012). In practice, EEO is defined by laws and policies prohibiting discrimination in a wide range of employment activities. The concept of EEO and the associated legislation – with some variance in interpretation and practice – has been adopted mostly in western countries, such as the USA, Canada, Australia and the UK (Agocs & Burr, 1996; Jain & Verma, 1996; Liff, 1997; Teicher & Spearitt, 1996; Özbilgin et al., 2012; Syed & Kramar, 2009). Despite an extensive literature on gender and gender equality issues in an Islamic context (Ali, 2000; Baden, 1992; Badran, 2001; Haddad, 1998; Hassan, 2001; Hussain, 1987; Jalal, 1991; Kandiyoti, 1991; Kazemi, 2000; Mernissi, 1996; Minault, 1997; Winter, 2001), the concept of EEO for women in MMCs<sup>1</sup> such as Pakistan remains largely underexplored (Syed, 2003, 2008a).

The division of paid labour (in terms of gender) is influenced by regional demands such as culture, political ideology and religion (Glucksmann, 1995; Pfau-Effinger, 2010). Further, it is argued that ‘the gender equality discourse needs to be designed according to local socio-cultural and economic considerations’ (Syed, 2008a:136). Given the considerable religious, socio-cultural and economic differences between regions, this

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<sup>1</sup> Countries where more than 50 per cent of the population is Muslim by religion.

research used qualitative interviews with female employees and HR managers to identify EEO-related issues and challenges faced by female employees in formal employment in Pakistan, of which we currently have little understanding.

The research used a multilevel lens to achieve these aims, analysing the nature and issues of EEO in Pakistan from the macro-national level to the micro-individual level. This was an exploratory study of EEO in the context of MMCs and it is expected the findings will open new doors towards a better understanding and practice of EEO in MMCs by considering socio-cultural and institutional context.

This chapter first provides an overview of women's disadvantaged position in the labour market, gender inequality in MMCs and gender inequality in the workplace in Pakistan. It then justifies the research problem and its setting, and discusses the methodologies employed, and finally outlines the thesis structure.

## **Background to the research**

This section reviews three significant aspects of gender equality in the workplace: the disadvantaged position of women in the workplace in developed countries; gender equality in MMCs; and, finally, gender equality in the Pakistani workplace. The discussion of this third point identifies the research problem for this thesis.

### **Reviewing women's disadvantaged position in the western labour market**

EEO is based on the assumption that men and women are essentially alike, or at least should be treated alike, and that policies and legislation should be developed to ensure their equal treatment (Ali & Knox, 2008; Özbilgin et al., 2012). The goal of EEO has been described in terms of social justice and of redressing wrongs 'to correct an imbalance, an injustice, [or] a mistake' (Thomas, 1990:108). EEO is designed to redress the systemic and structural disadvantages confronting women, and other vulnerable groups, in the labour market. Thus, the fundamental purpose of EEO policies and



practices at national and organisation levels is described in terms of the search for equality, that is, the creation of conditions where women and men are treated the same and are not advantaged or disadvantaged because of their gender (McDougall, 1996).

Gender discrimination is defined as any action that specifically denies opportunities, privileges or rewards to a person or a group because of their gender (Wirth, 2001). It is widely recognised that, worldwide, women experience more disadvantage and fewer opportunities than do men (Ali & Knox 2008; Gregg & Wadsworth, 2011; UNDP, 2010), which can result in gender-based wage inequity and low rates of female participation in employment. A worldwide study by the World Bank highlighted the persistence of gender-based discrimination in today's organisations (WDR, 2012). The study illustrated that women are disadvantaged in terms of career opportunities, skill development and compensation. The report identified socio-cultural prejudices, stereotypes and biased institutions for continuing discrimination of women in the workplace. It is therefore argued that, despite increasing levels of female participation, the glass ceiling and the pay gaps between women and men are still significant in most societies.

Female labour participation rates vary across countries. For example, the female participation rate in Canada is almost 74.3 per cent, compared with less than 26 per cent in Oman (UNDP, 2010). However, even in most industrialised societies, such as the US, the UK and Australia, women remain concentrated at the lower end of the labour market with little presence as senior executives or directors in organisations. For instance, the census data by the Equal Opportunity for Women in the Workplace Agency (EOWA) demonstrates that, despite a high ratio of female to male labour force participation in Australia (80 per cent in 2010), women held only 8.4 per cent of board positions, or 123 seats out of 1467 (EOWA, 2010; UNDP, 2010). As well, women held only 8 per cent of key executive management positions and an 'alarming' 4.1 per cent of line manager roles, which are considered feeders to the top echelons in organisations (EOWA, 2010).

Women are also disadvantaged in terms of their income. In a study of average wages over a 15-year period from 1983 to 1998 in the US, women earned \$274,000 while men earned \$723,000. The study demonstrated that, aggregated over 15 prime working

years, women averaged 38 per cent of male earnings (Rose & Hartmann, 2004). While the situation has improved recently – a global gender gap report (GGR, 2010) showed that women earn 74.1 per cent of male earnings in the US – the statistics suggest that, even in the presence of US EEO legislation, women are still not equal in terms of earned income.

Women also face the issue of sexual harassment (SH) in the workplace. While local socio-cultural factors can influence the perception of SH, it is described as the ‘single most widespread occupational hazard in the workplace today’ (Garvey, 1986:75). The problem is faced mainly by women. For example, in the US in 2009, only 16 per cent of 12,696 cases of SH were lodged by males (EEOC, 2009). Research suggests that around 50 per cent of US working women experience some form of SH during their working lives (Ilies et al., 2003). The situation is equally worrying in the UK, where, despite a plethora of state laws and organisational policies, one in two females faces SH in the workplace (EOC, 2007; Fielden et al., 2010).

This discussion has focused on employment disadvantages faced by women in western or developed countries. The next section briefly investigates MMCs, where socio-cultural and religious factors influence gender equality in the workplace.

### **Muslim majority countries and gender equality in the workplace**

While it is widely accepted that women enjoy fewer employment opportunities than do men, it is noticeable that women in MMCs are more disadvantaged than western women. For example, the Global Gender Report (GGR, 2011) ranked female economic participation and other variables of 134 countries. Pakistan was ranked 132, and other MMCs were towards the bottom end of the ranking – Saudi Arabia (131), Turkey (122), Egypt (123) – while a majority of western countries were at the top end of this chart, such as Iceland (1), Norway (2), Finland (3) and Sweden (4).

Fish (2002) analysed the effect of Islamic religious traditions on gender inequality in several Muslim countries. Controlling for economic development, he analysed several demographic characteristics: the literacy gap between men and women, the sex ratio

(mean number of males per 100 females), the percentage of women in government at all levels, and gender empowerment as measured by the United Nations Human Development Programme (UNDP). He found that Muslim countries have higher rates of female illiteracy than male; higher sex ratios (i.e., more men than women in the population), which 'often reflects lower status for and poorer treatment of women and girls', especially in the access to nutrition and healthcare, and sex-selected abortions or infanticide (Fish, 2002:26). In addition, women have a lower representation in government positions and lower scores on gender empowerment measures (Rizzo et al., 2007). However it is to be noted that gender empowerment measure originated in European Union commission and could be replicating forms of knowledge associated with neo-colonialism. Therefore socio-cultural context is missing which determines approaches to understanding and analysing of EEO in MMCs. Women in MMCs also face more discrimination in terms of income gap, compared with western countries. For example, a quantitative study which analysed the income gap in 64 countries revealed that the 'unexplained' gender earnings gaps are slightly higher in Muslim countries than in the rest of the world (Ñopo et al., 2012). That quantitative study focused on identifying gender disparities in labour earnings and it did not explain or discuss the reasons underlying such gender disparity in MMCs.

Gender equality and equal opportunity are not uniform within MMCs (Rizzo et al., 2007). Using the World Values Survey, Inglehart and Norris (2003b) found that citizens of Muslim societies are significantly less supportive of equal rights and opportunities for women, and have significantly less permissive attitudes toward homosexuality, abortion and divorce than those living in western, democratic countries. However, this study was criticised for not acknowledging the differences between MMCs in terms of accepting gender equality and democracy. Through their research, Rizzo and colleagues (2007) questioned the extent to which a 'clash of civilisations' between Islam and the West rested on issues of gender equality (Inglehart & Norris, 2003a, 2003b). The study concluded that non-Arab Muslim societies (such as Pakistan, Iran, Turkey and Bangladesh) have higher levels of support for women's rights, and those who support gender equality are much more likely to support democracy. In Arab Muslim societies (such as Saudi Arabia, United Arab Emirates and Egypt), the reverse is true. For example, Arab Muslim countries often have no explicit laws on SH, while the majority

of non-Arab Muslim countries such as Pakistan have legislation prohibiting SH in the workplace, although such legislation is more recent than in western countries.

Muslim countries are generally classified as outliers on gender relations and demographic factors (Haghighat, 2005). Muslim countries have lower-than-average levels of female labour force participation rates and higher-than-average levels of fertility and mortality relative to non-Muslim countries at the same level of economic development (Weeks, 1988). Female economic participation rates in MMCs are vastly different from those in developed western countries. For example, in 2012, the ratio of female-to-male labour participation in Middle-Eastern countries is only 27 per cent, compared with approximately 80 per cent in European countries (World Bank, 2012). Muslim countries of the Middle East and South Asia also have a distinct gender disparity in literacy and education (Weeks, 1988:27), and low rates of female labour force participation (Moghadam, 1991; Sivard, 1985; Youssef, 1978). Indeed, the overall situation is substantially different from what is witnessed in the West.

This section has provided a general overview of gender equality in MMCs. In summary, female employment participation rates in MMCs are lower than in western countries. Similarly, in terms of other EEO-related issues, such as income gap and SH in the workplace, MMCs fall far below western countries such as the US, UK and Australia (Syed, 2008a). The next section narrows the discussion to the state of EEO in Pakistani organisations, the focus of this thesis.

### **Gender equality in the workplace in Pakistan/female employment in Pakistan**

In many societies, women are expected to conform to rigid gender role stereotypes, and remain as a social minority (Chafetz, 1990; O'Brien, 2001; Woodall & Winstanley, 1998). With a population exceeding 170 million, Pakistan is the second largest MMC in the world. The female population in Pakistan is reported as 49 per cent (World Bank, 2012). Despite the adoption of national and international instruments directed towards EEO, Pakistan's actual commitment to gender equality appears limited.

The female employment rate in Pakistan is much lower than in other Asian countries. Although the rate increased from approximately 4 per cent in 1980 (Syed, 2003) to approximately 21.8 per cent in 2010 (UNDP, 2010), the corresponding employment rates in India and Bangladesh in 2010 were 35.7 per cent and 61.5 per cent, respectively (UNDP, 2010). The low participation rate among women in Pakistan corresponds with a similarly low-income rate, with women earning around 32 per cent of male rates (LFS, 2010; Wirth, 2001).

Studies of female participation in the public sector in Pakistan (for example, Ferdoos, 2005; Goheer, 2003; Ibraiz, 1993; Kozel & Alderman, 1990; Naqvi & Shahnaz, 2003; Sadaquat & Sheikh, 2011; Shah, 1986) lack a multilevel analysis of gender equality at work. The focus of these studies was the identification of socio-economic and demographic factors that affect female labour participation, and issues at an organisational level have remained unexplored. Further, the studies were mainly quantitative. None of these studies explored the concept of EEO for women in light of the Pakistani legislative framework. There is need for qualitative study to explore multilevel issues and challenges faced by female employees in the workplace.

Shah (1986) analysed the effects of selected demographic and socio-economic variables on labour force participation in the four provinces of Pakistan. The results indicated that work participation is inversely associated with women's child-bearing and marital status. Overall, the study demonstrated that as the number of children increases the female participation in employment decreases. Literacy rates were also found to have a positive relationship with labour force participation. This was a quantitative study which did not consider the qualitative aspects of socio-cultural factors on female workplace participation in Pakistan. Further, these findings are similar to studies of western countries and lack a sophisticated investigation of EEO from a multilevel perspective.

In addition, Shah (1986) attempted to interpret the changes in women's role in Pakistan between 1951 and 1981 and how this changing role reflected national targets. The study concluded that the socio-economic status (husband's education and observance of

*pardah*<sup>2</sup>) of the family has a negative impact on women's labour force participation. For example, a husband's low level of education and strict practice of the veil (*pardah*) will decrease the chances of his wife's participation in the labour market. While that study increased our understanding, to some extent, of how socio-economic factors effect female employment, it did not suggest other factors (for example legal and workplace issues) that can affect female participation in Pakistani organisations.

Women's decision to enter formal employment in Pakistan is often very limited. Naqvi and Shahnaz (2003) used the cross-sectional data on women aged 15–49 from the Integrated Household Survey (1998–99) to analyse the household-related factors that lead to women's participation in economic activities. Their focus was the relationship between women's decisions to participate in economic activities and their level of empowerment. They found that this participation was determined by who makes the decision to participate in the labour force: the women themselves or others. In particular, women's economic participation is significantly influenced by their age, education and marital status, the employment status of the head of the household (generally a male), and the presence of males and children aged 0–5 within the family. This study identified factors influencing women's decision to participate in formal employment.

A few qualitative studies have examined gender equality and female employment in Pakistan, generally in the context of family and personal law (Ali, 2000; Jahangir, 1988). Ali (2000) conducted a comparative analysis of women's rights in Islam and the importance of international law. A case study of Pakistan was used to demonstrate the divergence between the theoretical formulation of the Islamic legal traditions and its practical application for protection of women's human rights. Ali (2000:3) argued that 'women's human rights in Islam are not entirely irreconcilable with current formulations of international human rights instruments'. The basic foundation of her argument stems from a 'recognition that the Islamic legal tradition is not a monolithic entity ... and Islamic law lends itself to a variety of interpretations that have far reaching

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<sup>2</sup> *Purdah* (veil) is a curtain which makes sharp separation between the world of man and that of a woman, between the community as a whole and the family which is its heart, between the street and the home, the public and the private, just as it sharply separates society and the individual (Schuon 1998).

implications for women's human rights in Islam' (p.3). It is, however, important to note that the main focus of that study was on women's rights in general, in the context of their employment.

Another qualitative study of female employment in Pakistan analysed the social status of rural and urban working women (Ferdoos, 2005). This study confirmed 'the low status of working women in most of the cases. Women suffer additional constraints because their mobility is restricted, they have very little control over resources, have limited decision-making power, less knowledge of awareness of their rights, a poor self concept and limited aspirations' (Ferdoos, 2005:134). The study's focus was on negative discrimination against working women in rural areas particularly and in urban areas generally.

Reviewing the literature on female employment in Pakistan reveals that most studies have concentrated on identifying the socio-economic and demographic factors hindering females' participation in employment. There is a paucity of research examining the interplay between macro and meso EEO policies and women's employment opportunities in Pakistan. Clearly, there is need to further explore the notion of EEO in Pakistani society in order to understand how women's employment prospects and outcomes might be explained and ultimately improved through enhanced policy development. Further, the literature sheds little light on EEO policies and practices in Pakistani organisations. The concept of EEO in Pakistan has not been the subject of qualitative research, such as in-depth interviews at the workplace that might identify the nature and extent of multilevel issues and challenges female employees face.

### **Legislative framework of EEO in Pakistan**

Various pieces of legislation in Pakistan either directly or indirectly address discrimination and inequality in the workplace. The legislative framework includes the Constitution of Pakistan, its EEO and anti-discrimination laws, and the international conventions and related instruments ratified by Pakistan.

Most of Pakistan's longstanding or traditional laws related to women's employment are highly protective (Mullally, 1996, 2006). For example, the 1973 Constitution of Pakistan assumes that women are in need of protection and accordingly suggests various protective measures for them, including special measures at the workplace (Rehman, 1990). This protective tone is also reflected in the federal and provincial labour legislation. For example, under the Factories Act 1934, women are not allowed to work near machinery that is in motion. Similar protections have been imposed on the international labour standards that have been ratified by Pakistan.

Further evidence of special protective measures for women's employment exists in segments of Pakistan's labour laws. For instance, there is an important provision to protect women from working 'unsuitable hours' in The Mines Act 1923 – Section 23(C) and The Factories Act 1934 – Section 45. The laws prohibit employers from engaging women to work between 7:00 pm and 6:00 am (roughly from sunset to sunrise). The laws were introduced in colonial India to protect women from employers' exploitation, and also to facilitate their family roles.

However, in the current situation the female labour participation in the apparel/textile industry (where night shifts are a common practice) is negatively affected because women are not allowed to work after sunset. In most South Asian countries women comprise 90 per cent of the workforce in the apparel industry, yet in Pakistan this gender representation is reversed (90 per cent of workers are male) (SMEDA 2001).

Other protective provisions contained in Pakistan's labour laws (Hazardous Occupation Rules 1963) prohibit women from working in particularly hazardous areas such as chemical factories. Laws relating to social care include maternity benefit laws (The West Pakistan Maternity Benefit Rules 1961) and social security laws (The Provincial Social Security Ordinance 1965) that provide maternity benefits to mothers for a maximum of 12 weeks. Similarly, there is blanket prohibition on females working underground and no female worker is allowed in factories that process lead, rubber, chromium or engage in sand blasting. These special measures and restrictive provisions regarding female workers can be identified as legal barriers to female employment in



Pakistan. Hence the notion of EEO contradicts aspects of Pakistan's traditional legislative provisions.

While Pakistan has ratified and signed a number of conventions related to gender equality by ILO and UN, influences on the outcomes (such as increased female employment rate) remain limited. More recently, however, a number of international laws and conventions have been ratified by Pakistan, suggesting a swing towards a more progressive outlook. For instance, Pakistan is one of the 165 countries that have ratified the Discrimination (Employment and Occupation) Convention (No.111), which is a fundamental convention of the ILO designed to achieve gender equality in the workplace. However, despite this legal ratification, the practical record of gender equality in Pakistan is not high. For instance, on a global scale, Pakistan is ranked 125 (out of 140 countries) in terms of the Gender Inequality Index (UNDP, 2010). Similarly, the reports of the ILO committee on the Convention (No. 111) suggest that policy-related problems persist in Pakistan (ILO, 2005). For example, the committee of experts report (ILO, 2005) noted that Pakistan has failed to reply to previous comments from the committee (and from the All Pakistan Federation of Trade Unions (APFTU)), to the effect that measures were urgently required to raise awareness among all sectors regarding the need for equal opportunities in employment. Moreover, the committee of experts 'drew the Government's attention to the fundamental nature of the right to non-discrimination and the importance of formulating and implementing a national policy in accordance with the requirements of the Convention' (ILO, 2005). The government's response to such reports, its actual progress and the factors likely to be prohibiting and/or propelling further progress are largely unknown.

Pakistan has also ratified the United Nations Convention on the Elimination of All Kinds of Discrimination Against Women (CEDAW) with two reservations: (a) Article 29(1) (international arbitration of disputes between states concerning interpretation of CEDAW), and (b) reservation to the general declaration that CEDAW would be implemented in accordance with the Constitution of Pakistan. The constitution has stipulated that all laws must be in accordance with Islam. General reservations such as these suggest a long-term inconsistency between state law and practice and the requirements of the convention (Mullally, 2006). Furthermore, in Pakistan, the

challenge of transforming existing Islamic interpretations of women's legal rights into ones acceptable to local values while adhering to the requirements of CEDAW is not an easy task (Weiss, 2003). According to Ali (2006:2):

*This seems to be particularly so in countries with plural legal jurisdictions (Bangladesh, India and Pakistan) where custom, culture, religious norms and tradition dominate legal discourse and inform its implementation. In cases such as these, equality and non-discrimination can mean different things, with regard to religious freedoms and beliefs, and social and cultural rights and rights of ethnic minorities. It is said that where religious traditions and customary practices have been used to create gender hierarchies, the right to freedom of religion, belief and culture can legitimise these inequalities. At the level of domestic law, it is said that due to the interface between state law, customary norms and religious injunctions, complications can arise, which can lead to the application of the most patriarchal of all these regulatory norms.*

The Pakistani Government introduced laws on SH only in 2009. Until this time there was no explicit law prohibiting SH in the workplace. Due to the high level of personal modesty as compared to the western countries SH is a very sensitive issue in Muslim countries and there is little empirical research related to this topic. Pakistan is a male-dominated and patriarchal society (Ferdoos, 2005); the issue of SH is complex and understanding this issue needs careful exploration of both female employees' and employers' perspectives.

MMCs such as Pakistan differ from western countries in terms of socio-cultural and religious factors, and so the concept of EEO – which originated mainly in the West – needs to be explored and theorised in an MMC context. Pakistan is a particularly interesting case; on one hand the Pakistani Constitution and EEO laws are required to be in accordance with Islam, and on the other hand the Pakistani Government continues to ratify and sign international gender-related measures which may contradict EEO for women in Pakistani organisations. Consequently, EEO in Pakistani organisations needs to be investigated at multiple levels in order to understand more fully the complex issues faced by women in the workplace.

## **Justification for the research**

Gender equality is now a widely accepted goal in public administration (Connell, 2006). However, most studies of gender equality have been conducted in western contexts, particularly the USA and the UK, with a few notable exceptions (e.g., Littrell & Nkomo, 2005; Özbilgin & Syed, 2010; Rowley & Yukongdi, 2008). Relatively few studies have investigated the public sector in MMCs such as Pakistan (Özbilgin et al., 2012). Yet issues of gender equality in employment in MMCs may differ from those in the West as a result of significant religious, cultural and socio-economic differences. This thesis endeavours to fill this gap and advance the theory and empirical knowledge of EEO by considering how socio-cultural and institutional context affect the nature and issues of EEO for women in MMCs, using Pakistan as a case study.

Previous research has highlighted the need to explore workplace dynamics, processes and contexts that may influence gender differences in participation and wage rates and the consequent disadvantages experienced by women (Chafetz, 1990; Syed, 2008a). Examining the legislative framework underpinning EEO in Pakistan is critical to gaining such understanding. Similarly, investigating organisations' policies and female employees' experiences can help understand such processes at an organisation level. Contemporary analyses of this type are lacking, particularly in MMCs. Furthermore, we have little understanding of the processes that might inhibit or propel Pakistan towards adopting more progressive EEO policies.

Given the overwhelmingly western focus on EEO, very little research has focused on equal opportunity in the context of Islamic ideology and its possible implications for gender equality (or lack thereof) in the workplace. Islam dominates everyday life in many MMCs (Grami, 2008; Lazreg, 1990; Mernissi, 1975; Metcalfe, 2010; Metcalfe & Woodhams, 2008; Moghadam, 1991; Syed, 2008a; Syed et al., 2009) and therefore is likely to significantly influence the laws and practices of equal opportunity in those countries. Indeed, Pakistan is a male-dominated and patriarchal society where the state religion is Islam. This thesis seeks to advance the theory of equal opportunity in MMCs

by considering how socio-cultural and institutional contexts (Black, 2005; Khilji, 2003; Metcalfe, 2008; Poole, 1986) affect the nature and issues of EEO for women in MMCs.

Given the importance of religious and socio-cultural factors in Pakistan described above, this research adopted two different theoretical approaches – multilevel analysis and a sociological neo-institutional perspective – to explore the nature, issues and processes of EEO in Pakistani organisations. In this thesis the focus on institution element will predominantly on legislative framework of gender equality at workplace.

### **Multilevel analysis**

Recent studies have suggested that theorising and confining equal opportunity in the domain of work organisation is problematic, because such an approach ignores important societal and individual factors which lie outside the organisation but still have important implications for organisational approaches, experiences and outcomes of EEO (e.g., Al Ariss & Özbilgin, 2010; Hirsh & Cha, 2008; Joshi & Roh, 2007; Syed, 2008a; Syed & Murray, 2009; Syed & Özbilgin, 2009). Dass and Parker (1999) noted that, in addition to managerial attitudes and other factors within an organisation, gender equality and diversity management are also greatly affected by external factors, such as social, legal and economic influences. This research therefore aimed to fill this gap and account for important contextual differences by taking a multilevel perspective on EEO in Pakistani organisations.

In their theorisation of a multilevel approach to diversity management, Syed and Özbilgin (2009) proposed a relational framework that bridges the divide between macro-societal, meso-organisational and micro-individual levels of analysis to arrive at a more comprehensive, realistic and context-specific framework of diversity management. The authors argued that a relational approach is imperative to fully capture individual choices, organisational processes and structural conditions, all of which collectively account for unrelenting power disparity and disadvantage within social and employment contexts (also see Syed, 2008a).

As Pakistan is a country where religious and socio-cultural factors play a major role in shaping gender equality issues, the use of multilevel analysis was crucial for investigating EEO policies and practices in the workplace and to provide practical implications for policy makers, HR practitioners and female employees.

### **Sociological neo-institutional theory**

Given the strong influence of socio-cultural factors in Pakistan (Ali 2000), the other theoretical approach adopted here to explore the complex process of EEO in MMCs was sociological neo-institutional theory. This perspective is based on a sociological view of institutions (DiMaggio & Powell, 1991), that is, the way institutions interact and the way they affect society in terms of gender equality at work and beyond. This approach was considered particularly appropriate in the context of workplace SH in MMCs.

From a sociological neo-institutional perspective, decisions and practices of organisations cannot be understood simply by analysing organisational policies as a rational pursuit of profits. Instead, organisations are rooted in institutional environments, which control decisions and practices that organisational actors assume. The main tenet of neo-institutional theory is that, just as organisations react to market uncertainty by taking on new economic strategies, they also respond to uncertainty in their institutional environment by adopting structures that signal compliance with relevant laws (Guthrie & Roth, 1999). Through the neo-institutional lens, economic factors may be seen as interpreters of their institutional environment (e.g., cultural practices of a society), responding to the political mandate and the cultural and normative customs of the environment in which they are entrenched.

Hall and Taylor (1996) explained sociological neo-institutionalism as an approach which defines institutions much more broadly by also considering the societal context – such as moral templates, cognitive scripts and the symbol systems – thus breaking down the divide between ‘institutions’ and ‘culture’. Proponents of the sociological neo-institutional approach argue that many of the institutional forms and procedures used by modern organisations were not adopted simply because they were most efficient for the tasks at hand. Instead, many of these forms and procedures should be seen as culture-specific practices, similar to the myths and rituals created by many societies, and

incorporated into organisations, not necessarily to enhance their formal means-ends efficiency, but as a result of the kind of processes associated with the transmission of cultural practices more generally. Seen from this angle, even the most seemingly bureaucratic of practices may be explained in cultural terms (DiMaggio & Powell, 1991; Meyer & Rowan, 1977; Meyer & Scott, 1983).

A sociological neo-institutional approach also considers that, instead of acting under rules or obligations, individuals act according to their cultural and societal beliefs and practices. ‘Compliance occurs in many circumstances because other types of behaviour are inconceivable; routines are followed because they are taken for granted as ‘the way we do these things’ (Scott, 2001:57). Individuals make certain choices or perform certain actions not because they fear punishment or attempt to conform, nor because an action is appropriate or the individual feels some sort of social obligation. Instead, the cognitive element of the institutional context suggests that individuals make certain choices because they can think of no other option. This research adopted sociological neo-institutional theory to explore the issue of SH in Pakistani organisations with a view to highlight the significant role of socio-cultural factors in shaping related policies and practices.

Sociological neo-institutional theory, therefore, was considered consistent with the multilevel analysis used in this research and it provided a way of understanding the interdependence of the three levels of analysis – macro-societal, meso-organisational and micro-individual.

## **Research questions and approach**

As discussed in the previous sections, the overall problem addressed in this research was:

*How does the socio-cultural and institutional context affect the understanding and practice of EEO in MMCs and what are the implications for theory on equal opportunity?*

Considering multilevel framework, this research problem was then divided into five research questions, which correspond with the research papers that make up the central chapters of this thesis. At the macro-national level the thesis will examine the relevant legislation and Islamic text (RQ1-RQ5), at the meso-organisational level the research will examine relevant organisational policies and practices (RQ3-RQ5), and at the micro-individual level it will examine women's EEO relevant experiences (RQ4-RQ5). Table 1 provides an overview of RQs and their level of analysis.

*RQ1: To what extent do Islamic and cultural ideologies affect EEO laws in Pakistan?*

*RQ2: What is the nature of the legislative framework of gender equality in the workplace in Pakistan?*

*RQ3: How does the state of gender equality in Pakistan's workplace compare with other countries in the South Asian region?*

*RQ4: What are the multilevel issues and challenges related to EEO faced by female employees in Pakistani organisations?*

*RQ5: How do socio-cultural factors affect the issue of sexual harassment in the Pakistani workplace?*

Chapters 2–6 of this thesis were written as independent but interconnected journal articles to address these five research questions. Each chapter has its own research question, literature review and methodology, as applicable. In sum, the research findings in these five chapters serve to answer the overarching research problem.

Research included the examination of EEO at multilevel and employment experiences of female employees in Pakistan's formal employment sector. Rather than adopting methodological purism, the research used both realist and social constructivist approaches in investigating the phenomenon of EEO in the Pakistani context. The following section outlines the methodology and contribution of each chapter.

## Thesis structure

This first chapter provides a brief account of the research problem and justifies the research. It offers an overview of the literature on EEO and gender equality at work and highlights dearth of EEO literature in MMCs such as Pakistan. The subsequent five chapters address the five research questions.

*RQ1: To what extent do Islamic and cultural ideologies affect EEO laws in Pakistan?*

Chapter 2 addresses RQ1, and is based on a macro-level investigation in which Islamic text with respect to gender equality legislation in Pakistan was used to theorise the concept of EEO in an MMC. Since this research investigated the nature and issues of EEO at multiple levels in an Islamic country, Pakistan, it was deemed necessary to look at the Islamic text itself and explore its implications for the legislative framework of gender equality. In other words, to investigate the nature of EEO in Pakistan, it was necessary to first explore the implication of religion on the laws regarding equality in Pakistan.

*RQ2: What is the nature of the legislative framework of gender equality in the workplace in Pakistan?*

Chapter 3 addresses RQ2, by reviewing in more depth the laws and policies related to gender equality in the workplace. This chapter also conducts a macro-level investigation by reviewing the legislative framework of EEO in Pakistan from the perspective of national and international laws, such as the country's constitution, ILO and UN measures, and domestic labour policy. While the previous chapter explains the impact of religio-cultural factors on overall legislative framework of gender equality, Chapter 3 focuses more on Pakistan's employment-related laws of gender equality and their implications.



*RQ3: How does the state of gender equality in Pakistan's workplace compare with other countries in the South Asian region?*

Chapter 4 addresses RQ3. The aim of this research question was to see whether women in countries such as India (a non-Muslim country) and Bangladesh (a secular MMC country born in 1971, previously part of West Pakistan) face similar workplace disadvantages as Pakistani women. Many South Asian countries have introduced economic and legal reforms related to EEO in the last two decades, yet the impact of such reforms on female employment remains unsatisfactory, and has been described as an empty-shell or toothless-tiger construction of EEO (Ali & Knox, 2008; Hoque & Noon, 2004). The study described in Chapter 4 used three different angles of investigation to review and compare EEO for women: macroeconomic data on female employment, EEO laws and institutions, and organisational policies of EEO in the three countries. This chapter forms a basis for the empirical studies of female workers in Pakistani organisations presented in chapters 5 and 6.

*RQ4: What are the multilevel issues and challenges related to EEO faced by female employees in Pakistani organisations?*

Chapter 5 addresses RQ4, the aim of which was to identify the major EEO problems in Pakistani organisations and to provide implications for policy makers, HR practitioners and female employees themselves.

As discussed earlier, an organisation's management of diversity in the workplace is influenced by important societal and individual factors. This chapter, therefore, describes the qualitative interview protocol used to investigate and explore issues and challenges facing Pakistani women in the workplace. The interviews encompassed macro-societal issues (laws, culture and religion), meso-organisational issues (recruitment and selection, SH, income, promotion, maternity policies, and health and safety) and micro-individual issues (family status, socioeconomic background and agency).

*RQ5: How do socio-cultural factors affect the issue of sexual harassment in the Pakistani workplace?*

Chapter 6, the second empirical chapter in this thesis, addresses RQ5, and describes the exploratory study of SH in Pakistani organisations. The level of investigation can be categorised as meso-organisational and micro-individual. To develop a contextual understanding of SH in Pakistani organisations, this part of the study used qualitative research methods based on neo-institutional theory to explore the perceptions of female employees and human resources (HR) managers. The theoretical framework was neo-institutionalism, which defines institutions more widely by considering socio-cultural contexts to break down the divide between organisations and culture (Hall & Taylor, 1996).

SH in Pakistani organisations is complex and strongly influenced by socio-cultural factors. The issue was explored in detail using semi-structured interviews with HR managers and female employees, and analysing SH policy documents. In this way both employers' and female employees' perspectives were included in the analysis.

The final chapter, Chapter 7, presents the key findings and contributions of the research and its recommendations for EEO policies and practices in the Pakistani context. The chapter also discusses some implications for future research in this field.

Table 1 summarises the chapters and journal articles of this thesis, along with the research questions and the approach or methodology used to answer these questions.

## **Limitations**

This research examined the nature of EEO policies and practices in the context of Pakistani organisations. The focus was on Muslim women due to the nature of research question hence there is a possibility that the experiences of non-Muslim women in the same organisations may have been different. Further, the analysis did not include other

aspects of EEO such as race, ethnicity or sexual orientation due to the fact that the focus of this research is on women.

The study was conducted in Lahore, Punjab, raising potential geographical limitations. Cultural influences in other parts of Pakistan, such as in the province of Khyber Pakhtunkhwa (north-west Pakistan), may be different due to strong regional socio-cultural and demographic differences. Lahore was selected due to number of reasons. For example, it is one of the largest cities of Pakistan where female participation is relatively high. Further, it is also an industrial hub where it is much easier to get access to different organisations as compared to the other cities.

Finally, the focus was on the private sector and the results may not reflect the public sector, which has different EEO legislation. The implications of research may not be generalisable to the public sector.

**Table 1: An overview of thesis chapters with respect to research questions, level of analysis and methodology**

Chapters/related research questions	Analysis level	Methodology/approach
Chapter 1	Introduction	A brief overview of the thesis
Chapter 2/RQ1	Macro-national level	Document analysis of core Islamic text (Quran and Hadith) with respect to legislative framework of gender equality in the Pakistani workplace
Chapter 3/RQ2	Macro-national level	Document analysis of Pakistan's Constitution, labour law and ILO conventions and reports
Chapter 4/RQ3	Macro-national and meso-organisational level	Comparative analysis of macroeconomic data related to female employment, EEO legislation and organisational policies in Pakistan, compared with India and Bangladesh.
Chapter 5/RQ4	Meso-organisational and micro-individual level	Qualitative study based on 30 in-depth interviews with female employees Empirical evidence of multilevel framework in a workplace context Policy document analysis of organisational EEO policies
Chapter 6/RQ5	Meso-organisational and micro-individual level	Qualitative study comprising 36 interviews with HR managers and female employees.

		Document analysis of related organisational policies
Chapter 7	Conclusion	Overall conclusion

## Chapter summary

This chapter has provided an overview of gender equality in the Pakistani workplace, justifying why such a detailed study was needed to explore EEO in Pakistan. It has discussed the research aims and background, briefly described the methodologies used, and outlined the thesis structure and limitations to the research. This was an exploratory study of EEO in the context of Muslim countries such as Pakistan, hence it is expected that the findings will open new doors towards a better understanding of EEO and related issues, and the challenges faced by female employees. The research framework underpins the importance of multilevel issues and challenges faced by females to improve gender equality at work. The next chapter theorises EEO in an MMC, Pakistan, and explores the impact of religion and socio-cultural factors on the legislative framework of gender equality.

## **CHAPTER 2**

# **THEORISING EQUAL OPPORTUNITY IN ISLAMIC IDEOLOGY AND CULTURE**

### **Chapter overview**

This chapter theorises the concept of equal employment opportunity in the context of a Muslim Majority Country (MMC), Pakistan, by addressing the first research question:

*RQ1: To what extent do Islamic and cultural ideologies affect EEO laws in Pakistan?*

This chapter is presented as a journal article which is currently at revise and review status with *Human Relations*. This article is co-written by Dr Jawad Syed. The concept of EEO and the associated legislation – with some variance in interpretation and practice – has been adopted mostly in western contexts, such as the USA, Canada, Australia and the UK. EEO remains under explored in MMCs. Given that Islam has a dominant role in everyday life in many MMCs (Grami, 2008; Lazreg, 1990; Mernissi, 1975; Metcalfe, 2010; Metcalfe & Woodhams, 2008; Moghadam, 1991; Syed, 2008a; Syed et al., 2009), it is likely to have a significant influence on the laws and practices of equal opportunity in those countries. Pot (2000) has argued that formal societal institutions (e.g., legal systems and organisational practices) as well as informal institutions (e.g., societal norms and values) affect work-related culture in a society. This chapter therefore seeks to advance the theorising of equal opportunity by considering how socio-cultural and institutional contexts affect the nature of gender relations and different treatment in MMCs.

The case study for this research is Pakistan, and so this chapter explores the influence of socio-cultural and religious factors on the legislative framework of gender equality in the Pakistani workplace. The review highlights the impact of Islamic teachings on equal opportunity theorising and management practices in relation to gender equality in the workplace. Based on a review of the principal Islamic texts and the philosophical and

institutional framing of equal opportunity in an Islamic context, the chapter examines the impact of Islamic normative principles (and interpretations) on equal opportunity theorising and management practices in MMCs.

Critically examining the normative teachings of Islam (the *Quran* and the *Hadith*<sup>3</sup>), we argue that gender relations in Islam can be categorised into two concurrent principles: equality and diversity of women and men. The review suggests that equal opportunity laws in Pakistan are characterised by the same ambivalence which is found in the normative interpretations of gender equality. While there are laws which support women's equality with men and also support affirmative action to protect and advance women's rights, there are also laws which tend to impede women's participation in employment and other areas of public life. Here we aim to advance gender theorising within an Islamic context by highlighting the role of the institutional and cultural context.

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<sup>3</sup> The book of God for Muslims and the traditions of the Prophet Muhammad (PBUH).

# Theorising equal opportunity in Islamic ideology and culture

Faiza Ali and Jawad Syed

*This paper offers a transdisciplinary and transnational review of the feminism, management and Islamic literatures to develop an understanding of normative theory and institutional framing of equal opportunities in employment in Muslim majority countries (MMCs). The review shows that the mainstream western literature on gender and management (along with its secular epistemologies) may not capture the complexity of transnational managerial practices in MMCs. Through integrating Islamic writings and the gender and management literatures, the paper shows how Islamic philosophies and interpretations may advance the theory and practice of equal opportunity in MMCs. In particular, the review presents two concurrent principles of gender relations in Islam: equality and diversity. While Islamic scholars generally agree that women and men are equal because both are created by one God, there are two conflicting interpretations of the principle of gender diversity (i.e., the difference between women and men). An egalitarian interpretation advocates affirmative action in women's favour, while a patriarchal interpretation supports women's subordination to men. We present this normative discussion and use it to develop our understanding of equal opportunity (or lack thereof) in MMCs. The review suggests that equal opportunity regimes and practices in MMCs are characterised by the same ambivalence found in the normative interpretations of gender diversity in Islam. Overall, the paper highlights the need for contextual theorising and action to counteract the influence of the restrictive and patriarchal interpretations of Islam which currently confront the cause of equal opportunity in MMCs.*

Keywords: context, equal opportunity, gender equality, Muslim women

## Introduction

This paper seeks to advance the theorising of equal opportunity by considering how socio-cultural and institutional contexts (Black, 2005; Khilji, 2003; Metcalfe, 2008; Poole, 1986) affect the nature of gender relations and different treatment of men and women in Muslim majority countries (MMCs). Most studies of equal opportunity have taken a western perspective; the literature contains little about equal opportunity in terms of Islamic ideology and its possible implications for gender equality (or lack

thereof) in the workplace. Given that Islam dominates in everyday life in many MMCs (Grami, 2008; Lazreg, 1990; Mernissi, 1975; Metcalfe, 2010; Metcalfe & Woodhams, 2008; Moghadam, 1991; Syed, 2008a; Syed et al., 2009), it is likely to have significant influence on the laws and practices of equal opportunity in those countries.

A growing number of feminist, organisation and development scholars have reported that human resource management practices in MMCs are shaped by Islamic cultural practices, although the nuances of these social processes are difficult to identify (see Hutchings et al., 2010; Metcalfe, 2007, 2010; Tayeb, 1997). The role of context is further complicated by the variance in governance and public administration regimes (Metcalfe, 2010; Syed, 2008a). For example, an Islamic influence is clearly visible in those countries governed in accordance with Islamic ideals, such as Saudi Arabia, the Islamic Republic of Iran and the Pakistan.

This paper offers a transdisciplinary and transnational review of the normative theorising and institutional framing of equal opportunities in employment in MMCs. Based on a review of the principal Islamic texts (the Qur'an and the *hadith*<sup>4</sup>) and philosophical and institutional framing of equal opportunity in an Islamic context, the paper examines the impact of Islamic normative principles (and interpretations) on equal opportunity theorising and management practices in MMCs.

The paper first offers a brief overview of feminism, and difference and equality theorising. We then review the Islamic literature of equal opportunity, presenting the two conflicting interpretations of gender diversity – egalitarian and patriarchal. Finally, we examine the institutional framing of EEO in MMCs, reviewing equal opportunity regimes in an Islamic context and discussing how such regimes could be related to Islamic principles and interpretations of equal opportunity.

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1. <sup>4</sup> The Holy book of Gdd and a collection of traditions containing sayings of the prophet Muhammad.



# **Feminism, difference and equality theorising**

## **The sameness-difference debate**

A key feature of feminist movements (aimed at defining, establishing and defending equal political, economic and social rights for women) is the sameness-difference debate which framed gender theorising through three separate waves of feminism-separating or breaking the movement into three different time periods- (Krolokke & Sorensen, 2006). This debate has been summarised by Gatrell and Swan (2008), Kirton and Greene (2010), Thomas and Ely (1996) and other management scholars and also by Bacchi (1990), Braidotti (1994), Lorber (2000) and others in a sociology context. The analytic distinction between sameness and difference is also discussed as part of feminist theory (Felski, 1997; Fraser, 1997; Holli, 1997; Lorber, 2000; Nussbaum, 2000; Scott, 1988). Significantly, feminist epistemologies require a reflexive approach that acknowledges the researcher's role and identity in the knowledge construction processes, thus allowing intersecting dimensions to be materialised, noticed and identified (see Metcalfe, 2008).

Initial equal opportunity interventions tried to 'fix' women, as the focus was on 'sameness' and treating women the same as men. (For example, Title VII of the Civil Rights Act of 1964 was the first federal law in the US designed to protect employees from discrimination based upon race, colour, religion, sex or national origin.) The argument was that everyone ought to be given the 'same' opportunities, with the result that sameness in behaviour is recognised but individual differences are not, and they subsequently become suppressed (Montes & Shaw, 2003).

In Bacchi's (1990:262, 264) words, '[s]eeing women as the same as men prevents us from changing the model, against which women are being compared; seeing women as different prevents us from changing it ... nevertheless ... how difficult it is in a world where men hold most of the positions of power to conceive of a point of reference other than man'. Kirton and Greene (2010) argued that equality policies that adopt a 'sameness' approach may often aim to make women fit the dominant male norm, while

a focus on ‘difference’ may further reinforce and reproduce the disadvantage faced by women.

Rees (1998) argued that organisational cultures need to be transformed by building upon the politics of difference. However, when women are treated differently they are still seen as less than men; hence it is important to consider the different and intersecting dynamics of gender relations in diverse geo-political contexts.

Contextualising feminism and equal opportunity is particularly important, given the criticism that mainstream discourses are constructed primarily around the lives of white middle-class women, while excluding or suppressing voices and experience of women of colour (Baca Zinn & Dill, 1996; Syed & Ali, 2011).

Walby (2004) described the sameness-difference debate as simultaneously normative, theoretical, empirical and policy relevant. That gender can be an example of difference has become a major issue in social theory (Calhoun, 1995; Felski, 1997). In particular, scholars face the dilemma of how to recognise difference while avoiding the trap of essentialism (Ferree & Gamson, 2003; Fraser, 1997), but also taking into account the global horizon (Benhabib, 1999) and the context (Braidotti, 1994). It is therefore important to consider the potential influence of a society’s ideological and institutional context on gender relations.

### **Ideological and institutional context**

Ideologies can be seen as providing ‘frameworks of interconnected values, beliefs, and assumptions upon which individuals and collectives draw in order to assess the functioning and legitimacy of established institutional arrangements and the desirability of institutional reforms’ (Godard, 1992:239). Ideologies can play an important role in the development and application of public policies and labour laws that address gender equality in the workplace (Stone, 1981; Syed, 2008a).

Several scholars (e.g., Bamber & Lansbury, 1998; Black, 2005; Poole, 1986) have highlighted the relative significance of including factors such as culture, laws and

economic policies in employment relations, in the practice of equal opportunity (Özbilgin et al., 2010). Pot (2000) has argued that formal societal institutions (e.g., legal systems and organisational practices) and informal institutions (e.g., societal norms and values) affect a society's work-related culture. In the next section we examine the cultural pattern of equal opportunity in an MMC context.

## **Islamic principles of equal opportunity**

At the outset we acknowledge that there is no single interpretation of Islam; a country or region may contain different confessional groups and practices of Islam (see Al Ariss (2010) for an example of the complexity of Islamic confessions and practices in Lebanon). Therefore, the interpretations and analyses we offer here may not represent the entire heterogeneity of Muslim beliefs and practices. Our assertions, however, are broadly informed by egalitarian interpretations offered by scholars and Islamic feminists who advocate women's rights, gender equality and social justice grounded in an Islamic framework (Ali, 2000; Barlas, 2006; Coleman, 2010; Metcalfe, 2010; Moghadam, 1991).

The principal texts of Islam (the Qur'an and the hadith) espouse two concurrent principles of equal opportunity: equality and diversity of women and men.<sup>5</sup> While Islamic scholars generally agree that women and men are equal because both are created by one God, there are two contradictory interpretations with respect to the principle of gender diversity (i.e., the difference between women and men)<sup>6</sup>. The first is an egalitarian interpretation (different but equal) which advocates affirmative action in women's favour, and the second is a patriarchal interpretation (different and unequal)

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<sup>5</sup> We acknowledge here that, despite their universal appeal, Islamic teachings are subject to numerous interpretations under the influence of factors such as local socio-cultural traditions, history and religious denominations (e.g., Hanafi, Maliki, Hanbali, Jafari, etc). In the words of Edward Said (2002), there are not one but many Islams. Based on an independent reading of the Qur'an and the hadith, we present in this paper a perspective of gender equality in Islam, while acknowledging that this is only one of several possible perspectives.

<sup>6</sup> While the term 'diversity' is often used in management literature to denote a set of diversity management initiatives, we use the term in this paper to denote differences between women and men.

which supports women's subordination to men. The following sections discuss in more detail the normative principles of gender equality and gender diversity in Islam.

## **Equality**

Numerous verses in the Qur'an, as well as traditions of the Prophet Muhammad, suggest that Islam renounces discrimination on the basis of gender and any other attribute. According to the Qur'an, all human beings are a product of one God, originating from a 'single soul':

*O mankind! Be careful of your duty to your Lord Who created you from a single soul and from it created its mate and from them twain hath spread abroad a multitude of men and women. Be careful of your duty toward Allah in Whom ye claim (your rights) of one another, and toward the wombs (that bare you)...*  
(4:1)

The Prophet Muhammad, in his last sermon to the pilgrims of Makkah, described his commitment to gender equality in these words:

*O People! it is true that you have certain rights with regard to your women but they also have rights over you... Do treat your women well and be kind to them for they are your partners and committed helpers.* (quoted by Latif, 2004)

Islam prescribes a similar expectation of moral and social conduct for its followers. Women as well as men remain subject to Islamic conditions of modesty in their interaction with the non-*mehram* persons of the opposite gender (i.e., those not related to them). According to the Qur'an:

*And say to the faithful men to lower their gazes and guard their modesty...And say to the faithful women to lower their gazes and guard their modesty...* (24:30–1)

Although Islam ordains equality of all human beings, certain provisions encourage differentiation based on merit and competence. For example, this tradition of the Prophet in support of the principle of merit:

*Whoever delegates a position to someone whereas he sees someone else as more competent (for the position), verily he has cheated God and His Apostle and all the Muslims. (Ibn Taymiyya, 1966)*

In Islamic ideology, it is a person's piety – not gender or ethnicity – which makes her or him closer to God. In the words of the Qur'an:

*O mankind! We created you from a single soul, male and female, and made you into peoples and tribes, so that you may come to know one another. Truly, the most honoured of you in God's sight is the greatest of you in piety. (49:13)*

## **Diversity**

Although Islam treats women and men as equal, it also acknowledges their diversity (the difference between women and men). In other words, Islam recognises and values difference, not sameness, between women and men. For example, in its emphasis on the role of traditional family in an Islamic society, the Qur'an holds men financially responsible for their family members, including wife and children (4:34, also see Ali & Jamil, 1994) and places special emphasis on women's role as mothers (31:14).

There are, however various interpretations of Qur'anic verses which seemingly point towards diverse gender roles, such as verse 4.34, which refers to men as 'guardians' (qawamun) (over women), and which has been used to reinforce gender stereotypes and male privilege over women. We discuss this verse in detail later in this paper.

Family is the cornerstone of Islamic society. The Prophet Muhammad stressed the importance of family when he said: 'The believers who show the most perfect faith are those who have the best character, and the best of you are those who are best to their wives' (Tirmidhi, hadith: 278, 628, 3264). According to another tradition, once a man came to the Prophet and asked: 'Who of mankind is most entitled to the best of my companionship?' The Prophet replied: 'Your mother'. He said: 'Then who?' The Prophet said: 'Your mother'. He said: 'Then who?' The Prophet said: 'Your mother'.

He said: ‘Then who?’ The Prophet said: ‘Your father’ (Bukhari, hadith 8:2). This special emphasis on the status of mother is also found in the Qur’an:

*And We have enjoined on man (to be good) to his parents: in travail upon travail did his mother bear him, and in years twain was his weaning: (hear the command), "Show gratitude to Me and to thy parents: to Me is (thy final) Goal. (Qur’an 31:14)*

***Egalitarian interpretation (equal but different).*** For many decades, scholars of the Middle East and Asia, including Islamic feminists, have argued that the scriptures were interpreted by men, from a masculine point of view. A new movement in recent decades is rereading scripture from an emancipated perspective to show that the Qur’an was speaking equally to men and women (e.g., Barlas, 2006; Metcalfe, 2008; Syed, 2008a).

Scholars advocating an egalitarian interpretation of the Qur’an consider the Islamic emphasis on gender diversity as a justification for affirmative action to safeguard women’s rights. For example, Ali (2006) noted that women have been assured civil and property rights, including their share in inheritance of property. Also, education (seeking knowledge) is an obligatory religious duty for all women and men.<sup>7</sup> Although the Qur’an charges men with the dual responsibility of maintaining and protecting the women in their family (4:14), it does not place any restrictions on women’s employment. Women are guaranteed complete control over what they earn and possess. According to the Qur’an:

*Men shall be given a share from what they earn and women shall be given a share from what they earn, and ask Allah of His bounty. (4:32).*

Abou El-Fadl (2001) noted that Islam neither limits women to the private sphere nor gives men supremacy in public or private life. For example, Khadija, the Prophet Muhammad’s first wife, was one of the most eminent businesspersons of ancient

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<sup>7</sup> The Prophet Muhammad said, ‘Seeking knowledge (better education) is obligatory on every Muslim (male and female)’ (Tirmidhi, hadith 74).

Arabia. Similarly, the second Caliph, Omar, used to entrust Shaffa bint Abdullah as an inspector over the market in Medina. A number of Qur'anic verses can be seen as prescribing the Islamic principle of gender equality at work.

*Never will I suffer to be lost the work of any of you, be he/she male or female: you are members one of another. (3:195)*

*If any do deeds of righteousness, be they male or female, and have faith, they will enter paradise and not the least injustice will be done to them. (4:124)*

Hassan (1982) identified two main themes of equality in Islam: the fundamental equality of humans before God, and Islam's revolutionary aim of human liberation. Hassan noted that, in practice, the dominant patriarchal interpretation of Islam has fostered the myth of women's inferiority to men. She regards this as a misinterpretation of religion and noted that, because of its protective attitude toward all downtrodden and oppressed classes, the Qur'an is particularly concerned about safeguarding the rights of women.

It is, however, acknowledged that there are certain Qur'anic injunctions that seem to regulate the structure of authority in the Muslim household. Such injunctions stipulate that, within the context of marriage and as a member of the husband's household, the wife is his responsibility and hence under his authority (Ali, 2006). The Qur'an thus seems to endow the man both with authority over the woman in the family setting, and the obligation to provide for her by way of material support (Stowasser, 1987). According to the Qur'an:

*Men are the protectors and maintainers of women, because God has given the one more (strength) than the other, and because they support them from their means. (4:34)*

However, several Islamic scholars (e.g., Riffat Hassan, Shaheen Sardar Ali) offer an egalitarian interpretation of the verse 4:34. Esposito (1982) noted that, in the socio-economic sphere, a major concern of the Qur'an seems to be the betterment of woman's position by establishing her legal capacity, granting her economic rights (e.g., dower, inheritance) and thus raising her social status. However, an orthodox interpretation of verses such as 4:34 would support what today would be deemed an inequitable position for women. Pickthall (1930/1999) translated this verse as indicating men's priority over

women. Esposito argued that the 'priority' attributed to men over women is best understood as originating from their greater responsibility as protectors and maintainers within the socio-economic context of Arabian society during the Prophet's time. Men, by virtue of their duty to defend and support their extended family members, enjoyed more rights and subsequently a different status in Muslim society. Esposito suggested that it is primarily the economic superiority and responsibility for the household that accords to the male a degree of excellence, but only to those men who fulfil this task, and not all men. Esposito's view is also supported by other scholars, such as Rahman (1983), who stated that the Qur'an appears to be saying that, since men are the primary socially operative factors and bread-winners, they have been wholly charged with the responsibility of defraying household expenditure and upkeep of their womenfolk.

In terms of spirituality and humanness, both genders appear to stand on equal footing before Allah. Badawi (1995) argued that human misinterpretations, culturally bound opinions or manipulations are not congruent with Islamic teaching. The full equality of all human beings before Allah is beyond doubt. This equality should not be confused, however, with role differentiation in the spirit of cooperation and complementarity. Based on this argument, Badawi considers 'equity' a more accurate term than 'equality'. Gender equity in Islam presents an overview of the status and rights of Muslim women as defined by the Qur'an and Sunnah.

Hassan (1982) argued that the purpose of the Qur'anic principles dealing with women's modesty, such as women's dress and conduct (24:30–31; 33:59), is to make it safe for women to go about their daily business (since they have the right to engage in gainful activity as witnessed by verse 4:32 without fear of sexual harassment or molestation). However, Muslim societies (except indeed a few countries such as Turkey and Tunisia) have generally favoured gender segregation and seclusion on the pretext of protecting their chastity, forgetting that according to the Qur'an (4:15), confinement to their homes was not a normal way of life for chaste women but a punishment for 'unchastity'.

***Patriarchal interpretation (different and unequal).*** A patriarchal reading of the Islamic principles of gender diversity suggests that women are generally subordinate to men.



This perspective has historically resulted in a strict form of gender segregation, placing extreme restrictions on Muslim women's mobility, confining them within the *chadar* (veil) and the *chardiwari* (the four walls of the house). Such interpretation is usually based on those Qur'anic verses that arguably establish and reinforce gender hierarchies within the Islamic tradition. Once again, the most oft-quoted verse in this regard is verse 4:34 of the Qur'an. Ali (2006) argued that male dominance and priority is determined by this verse in conjunction with other verses, such as those related to testimony of women (2:282) and polygamy (4:3).

There is also an issue of authenticity in such interpretations. Stowasser (1987) cited a number of commentaries of the Qur'an to demonstrate how historically such interpretations became more restrictive of women's rights. Stowasser's study suggested that, as a result of contextual and historical distortions of Islam, by the seventeenth century women were completely excluded from all spheres of public life. For example, in his commentary of the Qur'anic principles of gender equality, Abu Jafar Mohammed Jarir al-Tabari's (d. 923) stated that:

*Men are in charge of their women with respect to disciplining (or chastising) them, and to providing them with restrictive guidance concerning their duties towards God and themselves (i.e., the men); by virtue of that by which God has given excellence (or preference) to the men over their wives: i.e., payment of their dowers to them, spending of their wealth on them, and providing for them in full. This is how God has given excellence to (the men) over (the women), and hence (the men) have come to be in charge of (the women) and hold authority over them in those of their matters with which God has entrusted them. (quoted by Stowasser, 1987:26)*

It is evident that Tabari's interpretation is very literal and specifically endows men with authority over their women in the family setting, coupled with the obligation to provide for their women by way of material support. Another commentary of verse 4:34 is by Nasir al-Din al-Baydawi (d. 1286):

*Men are in charge of women, i.e., men are in charge of women as rulers are in charge of their subjects.... God has preferred the one (sex) over the other, i.e.,*

*because God has preferred men over women in the completeness of mental ability, good counsel, complete power in the performance of duties and the carrying out of (divine) commands. Hence to men have been confined prophecy, religious leadership ('imama), saintship (wilaya), the performance of religious rites, the giving of evidence in law courts, the duties of the Holy War, and worship (in the mosque) on Friday etc., the privilege of electing chiefs, the larger share of inheritance, and discretion in matters of divorce, by virtue of that which they spend of their wealth, in marrying (the women) such as their dowers and cost of their maintenance. (quoted by Ali, 2006:42)*

Al-Baydawi's commentary offers a rather restrictive perspective, sanctioning the view of women as creatures unfit for public duties. Such interpretations have contributed to the prevailing patriarchal discourse in many MMCs (e.g., Pakistan and Afghanistan), often reflected in a call for a return to culture and tradition, which is almost always restrictive in terms of women's status and rights (Shaheed, 1985). The aim of such discourse is to create extremely patriarchal gender hierarchies within the Islamic tradition, not only in family life but also in matters related to religion. For example, while women in general are known to be the main practitioners of Islam, they are seldom allowed to participate in matters related to theology and jurisprudence (Chhachhi, 1988). Despite these difficulties, it is a fact that women groups in Pakistan, Iran and elsewhere have been fighting on the terrain of religion itself to reclaim their egalitarian rights within the Islamic structure (Chhachhi, 1988).

The foregoing discussion has identified and discussed two competing interpretations of the Islamic ideologies of gender diversity. The egalitarian interpretation suggests that, despite their diversity, women and men have equal rights in Islam, including their rights to education and work. The patriarchal interpretation supports women's subservience to men, offering little provision for their participation in public life, including employment.

However, the Qur'an recognises the equal but different qualities of men and women, and as such this may not be interpreted as a sign of inequality but a recognition of men and women's different qualities. While diversity is not easily translatable, difference is

an important element of Islamic philosophy of gender relations. Equality theorising is thus based on difference, recognising that men and women may need different policy and institutional measures to move forward in society. This acknowledges the ways in which gender relations are forged within that particular social configuration.

In the remainder of this paper, we review the impact of these normative principles and interpretations on the actual laws and practices of equal opportunity in an Islamic context. As an example, we provide some contextual information on the state of equal opportunity in Pakistan.

## **The state of equal opportunity in MMCs**

In mainstream sociology, MMCs are generally described as outliers on gender relations, particularly in terms of female employment (Haghighat, 2005). MMCs have lower levels of female economic activity rates than non-Muslim majority countries at the same level of economic development (UNDP, 2004; Weeks, 1988). In 2012, the proportion of female employment in MMCs was 27.5 per cent, compared with an overall average of 43.1 per cent for all developing countries (World Bank, 2012). While there are some important differences not only across MMCs based on socio-cultural, political and economic differences but also within each MMC based on intersectionality of class, ethnicity and so on with gender, it is a fact that women's employment and economic activity remains much lower in MMCs (Syed, 2010; Toth, 1991).

For example, Pakistan, the second largest MMC (Indonesia being the first) in terms of population, has one of the lowest rates in the world of female participation in economic activity (UNDP, 2009). According to the 2009–10 Economic Survey, the rate of female participation in the labour force was 21 per cent for females aged 10 and above, whereas for a similar male cohort this figure was more than 70 per cent (GOP, 2010). According to the 2007–08 Human Development Report, the unemployment rate in Pakistan from 1996 to 2006 was 7.7 per cent; however, women's unemployment rate is almost twice that of men's (UNDP, 2008). An overwhelming majority of economically active women are working in agriculture (74 per cent), followed by services (12 per

cent) and industry (12 per cent) (GOP, 2010). Women represent only 25 per cent of professional and technical workers and only 3 per cent of legislators, senior officials and managers (UNDP, 2009).

Furthermore, the ratio of estimated female to male earned income is only 18 per cent (purchasing power parity US\$ female 0.760, male 4.135) (UNDP, 2009). Gender gap is also visible in education. The adult female literacy rate is estimated to be 40 per cent, compared with about 68 per cent for males (UNDP, 2009). These statistics confirm the ongoing nature of female disadvantage in Pakistani society, which is at least partly caused by a weak legal framework of equal opportunity and certain patriarchal religious and cultural influences that serve to impede women's participation in activities such as education and employment (Syed et al., 2005).

The literature suggests that macro-economic statistics on women's employment and the challenges women face at work in Pakistan are not much different in other MMCs. Syed's (2010) analysis of UNDP (2004) data on gender empowerment suggests that issues faced by women in the West and MMCs, and consequently the opportunities available to them, are substantially different. For example, countries from the non-Arab Muslim bloc (e.g., Turkey, Bangladesh and Indonesia) in Syed's sample appear to be relatively more equitable in terms of income parity and economic activity than countries from the Arab Muslim bloc (e.g., Saudi Arabia, Oman, Jordan and Syria). This finding is consistent with the Arab human development report (UNDP, 2003) that suggests an extremely patriarchal nature of MMCs, particularly in Arab societies where women's mobility and roles outside the house are extremely limited. This has reflected poorly in terms of female employment and gender equality at work in MMCs.

Low social indicators, coupled with limited access to income-generating opportunities in many developing MMCs, have left women considerably more vulnerable to poverty than men. Women, as paid or unpaid labourers, are usually relegated tasks with low productivity and little investment in technology or extension efforts by government. In the urban context, an increasing proportion of women are working in the informal sector, in manufacturing and service-based activities. In the formal sector, some well-

educated women are gradually moving into responsible positions in banks and other private sector offices (ADB, 2008).

## **Legal framework of gender equality in an MMC context**

In order to theorise equal opportunity in an Islamic context, we offer in this section a review of national laws on gender equality in Pakistan, as an in-depth exemplar of MMCs. We also explain how these laws could be related to the Islamic principles of gender equality and gender diversity. It is, however, acknowledged that the legal system in each MMC is shaped by each country's unique cultural context and interpretation of Islam.

As a separate homeland for Muslims on the Indian subcontinent, Pakistan achieved its independence from the British colonial rule in 1947. While the law and legal system in Pakistan is in the main based upon the legal system of British India (thus ultimately deriving from the common law of Britain), it has been subject to modification since 1947 to make it consistent with local political and cultural preferences. In March 1956, the country produced its first national constitution, formally pronouncing itself as an Islamic republic. This status has been reaffirmed in the current constitution which was promulgated in 1973.

The 1973 constitution provides for a federal democratic state, based on Islamic principles of social justice. Article 2 says 'Islam shall be the state religion of Pakistan'. Article 31 contains a mandate to adopt comprehensively in Pakistan 'the Islamic way of life' and that 'steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam, and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Qur'an and Sunnah'.

Pursuant to Article 175 of the constitution, there is a Supreme Court of Pakistan (the highest court of justice in the country), a High Court for each province, and other courts established by law. In 1978–79, General Zia-ul-Haq (late military dictator of Pakistan 1977–1988) proclaimed the supremacy of Islamic sharia laws, by which all civil law had to conform to Islamic teachings. Today, there is a Federal Shariat Court which may,

pursuant to Article 203D of the constitution, either of its own motion or on the petition of a citizen of Pakistan or the government, examine and decide the question whether or not any law or provision of law is repugnant to the injunctions of Islam, as laid down in the Qur'an and the traditions of the Prophet. If the court decides that a law or provision of law is repugnant to the injunctions of Islam, the law ceases to have effect, and must be amended. Furthermore, this court also has appellate jurisdiction over all cases which can be tried under Islamic Hudood laws (ILO, 2004).

### **Equality-oriented laws**

A number of provisions in Pakistan's national constitution and labour laws guarantee gender equality in all walks of life, including equal access to education and employment. The constitution guarantees the right of work for both men and women. Article 18 states: 'Subject to such qualifications, if any, as may be prescribed by law, every citizen shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business'. Articles 25 and 27 contain provisions for non-discrimination and equal opportunity to all citizens of the country. According to Article 25:

- All citizens are equal before the law and are entitled to equal protection before the law.
- There shall be no discrimination on the basis of sex alone.
- Nothing in this Article shall prevent the State from making any special provision for the protection of women and children.

Furthermore, Pakistan is a signatory to the following international conventions:

- ILO Discrimination (Employment and Occupation) Convention 1958 (No. 111) (ratified on 24/1/1961)
- ILO Equal Remuneration Convention 1951 (No. 100) (ratified on 11/10/2001)

- UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979 (ratified on 12/3/1996)
- ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention 1983 (No. 159) (ratified on 25/10/1994)
- ILO Underground Work (Women) Convention 1935 (No. 45) (ratified on 25/3/1938).

Thus, at least in principle, there is a strong commitment to gender equality in Pakistan, consistent with the sameness paradigm. However, there seems to be an inadequate administrative framework to implement gender equality in society and the workplace. The Ministry of Women Development (MWD) is the national agency responsible for the advancement of women and the implementation of CEDAW, while various Women Development Departments assist it at the provincial level.

Similarly, the National Commission on the Status of Women (NCSW) is mandated to examine the policy, programs and other governmental measures for women development and gender equality, and to assess implementation and make suitable recommendations for effective impact. The NCSW is also mandated to review laws, rules and regulations affecting the status and rights of women and suggest changes to eliminate discrimination, and safeguard and promote the interests of women and achieve gender equality in accordance with the constitution and international obligations. However, in practice, MWD, NCSW and other government agencies play little role in monitoring and reforming the state of gender (in)equality in Pakistan, something which is evident from consistently inferior gender development and gender empowerment rankings of Pakistan in various international reports (see Syed et al., 2009).

### **Diversity-oriented laws**

Several provisions in Pakistan's constitution and national laws are based on the recognition of diversity (difference), not sameness, of women and men. In particular,

individuals' family-related roles are highly valued and protected. For example, according to Article 35 of the constitution, 'the State shall protect the marriage, the family, the mother and the child'.

***Egalitarian laws.*** The national constitution and labour laws contain a number of protective clauses for women, suggesting an inclination towards affirmative action (catering of different needs of women and men – consistent with an equal but different paradigm). Pakistan's constitution puts a ban on discrimination on the basis of sex in appointment in 'the service in Pakistan', provided that the performance and functions of the job can be carried out by, and are deemed suitable for, both sexes (Article 27). It also provides that 'steps shall be taken to ensure full participation of women in all spheres of national life' (Article 34).

Consistent with the affirmative action suggested in Article 34, there is a fixed minimum quota for women's participation in the legislature. According to Article 51 of the constitution of Pakistan, 60 of the total of 342 seats in the National Assembly are reserved for women. In 2008 there were 74 women members in the assembly. In the public sector, the government has created a 5 per cent quota for women's employment.<sup>8</sup> This is in addition to the 2 per cent quota for disabled persons, including disabled women. There are also special provisions for women's admission in colleges and universities. For example, while there are no medical colleges in Pakistan reserved for males, there is one medical college, the Fatima Jinnah Medical College, Lahore, reserved for female students. There are also women-only universities in the country, such as Fatima Jinnah Women University, Rawalpindi, Lahore College for Women University, Lahore, and Sardar Bahadur Khan Women University, Quetta.<sup>9</sup>

Yet another example of the government's affirmative action is the First Women Bank Limited (FWBL), which was established in 1989 to address women's financial needs. FWBL, a nationalised commercial bank, was given the roles of both development

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<sup>8</sup> There is, however, no such quota for women in the private sector.

<sup>9</sup> Women are indeed allowed admission, and do get admission in high numbers, in other (co-educational) universities.



finance institution and social welfare organisation. Its mission is to be a financially sustainable bank with a specialised focus on promoting economic prosperity and self-reliance in women of urban and rural areas, by transforming the status of women from passive beneficiaries of social services to dynamic agents of change. It operates 38 branches across the country, managed and run by women. Ministry of Women Development provided a credit line of Rs48 million to FWBL to finance small-scale credit schemes for disadvantaged women (FWBL, n.d.). The establishment of FWBL is consistent with Article 38 of the constitution, which commits the state to secure the well-being of the people, irrespective of, inter-alia, their sex by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants.

As already noted, Pakistan's constitution adopts a protective role in what seems to be an intention to save women from exploitation (e.g., articles 27 and 37). The following is an account of protective laws for women:

- The Mines Act 1923, Section 23-CC: No woman shall be employed in any part of a mine, which is below the ground. No woman shall be allowed to work in a mine, above ground between the hours of 7 p.m. to 6 a.m.
- The Factories Act 1934, Section 45: No woman shall be allowed to work in a factory except between 6 a.m. and 7 p.m. Except with the permission of the government, no woman or young person shall be employed in any establishment otherwise than between the hours of 9 a.m. and 7 p.m.
- Hazardous Occupations Rules 1963 prohibits employment of woman in hazardous occupation in a night shift.

Pakistan's constitution, Article 37(e) states: 'The State shall make provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for

women in employment’.<sup>10</sup> Although the wording of this article may not be consistent with a radical or liberal feminist discourse, the maternity benefits mentioned in this article are available to and exercised by women as a matter of right. According to Pakistan’s submission to CEDAW, the issue of women not being employed in ‘vocations unsuited to their age or sex’ was inserted as a guarantee against exploitation and can be read in conjunction with other protective laws, as noted earlier (CEDAW, 2005).

Maternity benefits are an accepted and integral part of most labour-related laws in Pakistan. The following statutory provisions exist in this area: The Mines Maternity Benefit Act 1941; the West Pakistan Maternity Benefit Ordinance 1958; the West Pakistan Maternity Benefits Rules 1965 and; the Provincial Employees Social Security Ordinance 1965. Also, the Civil Servants Rules, among other things, provide for maternity leave with pay to working women. Women employees in the public sector are entitled to 90 days’ maternity leave. Maternity leave can be granted in continuation of or in combination with any other kind of leave, including extra-ordinary leave, as may be due and admissible to female civil servants. Maternity leave does not entail loss of former employment, seniority or social allowances. An employee can request additional leave, utilising her earned leave and combining it with her maternity leave. A female civil servant, on the death of her husband, may be granted special leave on full pay, not exceeding 130 days. This leave is not debited to her leave account (CEDAW, 2005).

A woman worker is not allowed to work below ground in a mine if she is likely to deliver a child within 10 weeks or if she has delivered a child within the preceding 26 weeks (The Mines Maternity Benefit Act 1941, Section 3(2)a & b). The Mines Act provides that a woman may not be employed underground for more than four hours in a

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<sup>10</sup> This Article and also Article 35 suggest that state has positive duty to take ‘special measure’ for the ‘protection’ of women. It may be noted that these articles are described as the principles of policy, not rules of law; their true position having been determined by Article 30, which provides that the validity of an action or of a law shall not be called in question on the ground that it is still not in accordance with principles of policy and no action shall lie against the state or any person on such ground. Thus, while these provisions clearly mandate the existence of an ongoing process of women's development, objective scrutiny of any such process is excluded. Neither Article 25 nor the principles of policy may be interpreted as imposing a strict legal obligation on the state to take ‘special measures’ for the protection of women workers or to create affirmative action programs (Mullally, 1996).

day and in any case may not be employed for more than four hours at any one time, during the period of 10 weeks following the 26 weeks referred to above. This enables nursing mothers to interrupt their work for the purposes of nursing.

The Provincial Employees Social Security Ordinance 1965 is specifically designed to a gradual application of a system of social security to 'such areas, classes or persons, industries or establishments, from such date/dates and with regard to the provision of such benefits as notified by the government'. The provincial governments have extended this initiative industry by industry. It is estimated that 415,000 workers are protected by the scheme (CEDAW, 2005). There is no legal discrimination between men and women in terms of social security coverage. As an additional protective measure, wives of male workers are also entitled to maternity benefits. A widow receives the pensions of her late husband unless she remarries.

Furthermore, there are special provisions in Pakistan's criminal laws to curb violence against women. Under the Pakistan Penal Code 1860 (PPC) severe penalties are prescribed for the offences of kidnapping or abduction of girls/women under sections 361, 363, 364A & 369, procurement of a girl (Section 366A-PPC) or her importation from abroad (Section 366B-PPC).

The Criminal Procedure Code 1898 (CrPC) provides for special treatment of women, when confronted with the law. The police may not enter a residential house, for arrest or search, which is occupied by a woman, till notice is given and such woman is facilitated to withdraw (Section 48 CrPC). An accused woman can be arrested or searched only by a woman (Section 52-CrPC). A woman cannot be detained in a police station overnight. Furthermore, a woman, even if accused of a non-bailable offence, punishable with death or imprisonment for life, may be released on bail (Section 497-CrPC). The court may also release a convicted woman, not punishable with death or imprisonment for life, on probation of good conduct, by executing a bond, with or without sureties (Section 562 CrPC). The law also provides for compensation. Under Section 545 of the CrPC, the court compensates the victim by ordering that payments from the fines taken from criminals be given to them (CEDAW, 2005).

***Patriarchal laws.*** There are a number of laws in Pakistan which may be termed as non-egalitarian (consistent with the different and unequal paradigm), and which have potentially increased women's vulnerability in cases of sexual discrimination, harassment and violence. Some of these laws reflect a patriarchal tribal influence on Islamic teachings and regulations. For example, in 1979, General Zia adopted the Hudood Ordinances with the stated objective of 'Islamising' Pakistan's criminal justice system. Under the ordinances, a woman's testimony cannot be taken into account if a court wishes to impose a strict *hadd* punishment<sup>11</sup> (Mullally, 2005). Mullally noted that this silencing of women's voices assumes particular significance under the offence of Zina (Enforcement of Hudood) Ordinance 1979. The Hudood Ordinances sanctioned flogging for adultery and rape, with little to distinguish the two. The Islamic Law of Evidence reduced a woman's evidence to half that of a man (Chhachhi, 1988). Ironically, while the Council of Islamic Ideology in Pakistan was contemplating whether Islam granted women the right to vote, whether compensation paid to a female victim should be half that of a male and whether women's evidence should be half that of a man's evidence in court, 'there was no discussion of "khula" which is the Qur'anic equivalent available to women, of men's right to the "talaq" form of divorce' (Chhachhi, 1988:7).

With its promotion of the concept of gender segregation, female seclusion and women's confinement in *chardiwari*, General Zia's version of *Islamisation* served to impede female participation in public life, including employment (Coleman, 2004). Religio-political parties, such as the Jamaat-e-Islami and the Jamiat Ulema-e-Islam, preached a strict form of gender segregation, and used tactics such as banning female models in advertisements, in an attempt to enforce perceived traditional, conservative roles for women. There are concerns that these and similar steps resulted in fewer opportunities for women, both in education and in the workplace (CEDAW, 2007).

In addition, some aspects of the protective legislation seem restrictive towards women. Mullally (1996) discussed cases in which a woman's supposed 'special needs' and

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<sup>11</sup> A *hadd* (pl. *Hudood*) punishment is one 'the measure of which has been definitely fixed in the Qur'an or Sunnah'.

presumed physical incapacity may be held to justify her exclusion from certain types of employment. For example, the 1934 Factories Act prohibits the employment of women on and near machinery in motion. Section 27(2) provides that ‘no woman or child shall be allowed in any factory to clean, lubricate or adjust any part of machinery while that part is in motion, or to work between moving parts or between fixed and moving parts of any machinery which is in motion’. This provision is also repeated in provincial factories rules. The Factories Act further prohibits the employment of women in any part of a factory for pressing cotton, in which a cotton-opener is at work (Section 32). It also contains an enabling clause permitting provincial governments to enact rules prescribing the maximum weights that may be lifted, carried or moved by adult women, adolescents and children. Similarly, under the 1963 Hazardous Occupation Rules, the employment of women is prohibited in a number of specific processes involving the use of lead, rubber, chromium and sand blasting. It is evident that, given the advancement of technology and with due attention to occupational health and safety, many of the aforementioned protective laws may be amended to create equal opportunities for female employees.

It may be noted that labour laws, including those related to women’s rights, are applicable only to factories as defined by the Factory Act. However, the country’s Export Processing Zones are exempt from the protective provisions of the Factories Act. This inconsistency may further aggravate the employment of female workers.

A blanket prohibition on the employment of women ‘in any part of a mine that is below ground’ was introduced by the 1973 Mines (Amendment) Act (Section 23-C). Exemptions are permitted in respect of women holding positions of a managerial or technical character or employed in health and welfare services and not ordinarily performing manual work. This provision is slightly narrower in scope than that contained in the corresponding ILO Convention, which includes female students engaged in training underground within the scope of possible exemption (Article 3).

The laws governing maternity protection are of limited scope and apply only to specific categories of female employees. There is no specific provision for nursing mothers, with the partial exception of the Mines Maternity Benefit Act 1941, as noted earlier.

Highlighting the limitations of ‘protective legislation’, Ahmad (1993) reported the high risk faced by women working in the manufacturing sector during their pregnancy, who experience a higher rate of miscarriages or stillbirths. These health hazards are not mentioned in either the Workman’s Compensation Act or the Provincial Employees Social Security Ordinance. Such workers cannot claim either compensation or special protection from risk.

The foregoing discussion has identified two key strands of equal opportunity laws in Pakistan: those addressing equality and those addressing diversity. It is evident that legal frameworks are still structured along patriarchal lines, despite some clear Islamic injunctions on gender equality. Moreover, masculine interpretations remain dominant because both the judicial system and legal profession consist largely of men. While constitutional guarantees and legal provisions support gender equality in Pakistani society, including in the workplace, the nature of legislative framework seems to be ambivalent in its understanding and enactment of gender diversity. As a result, while some laws encourage affirmative action (such as those supporting women’s protection or preferential treatment), certain other laws (such as Islamic Hudood Laws) embody and reinforce gender discriminatory stereotypes. Given that Pakistan is an Islamic republic, with an explicit legal and constitutional commitment to Islamic ideology, it is evident that the legislative framework of equal opportunity in that country displays the same ambivalence which we identified in various interpretations of the normative Islamic teachings.

## **Discussion**

This paper has discussed and analysed the role of Islamic ideologies in shaping the legislative framework of equal opportunity in a Muslim majority context. A number of findings are of note. At the descriptive level, it is possible to identify laws which are consistent with a liberal-egalitarian ideology, while some laws reflect patriarchal, non-egalitarian interpretations of Islam. At the philosophical level, the apparent Islamic influence and the associated inconsistency in legislation may be understood in the light

of two forms of normativity: ‘ethical-political normativity’, which makes a moral argument (Islamic arguments based on the Qur’an and the hadith in this paper) for the way things should be (Habermas, 1998); and ‘empirical normativity’, which adopts a Weberian ‘Verstehen’ approach to the way people in a particular society are guided by their traditions and values to perform certain actions and reproduce certain institutions (Oakes, 1977). What is evident in this study is the unique cultural and ideological pattern of equal opportunity – or lack thereof – in an MMC, which remains shaped by the sameness-different paradigms of gender equality.

Based on a review of the normative texts of Islam (ethical-political normativity) and equal opportunity laws and practices in an Islamic context (empirical normativity), the paper has demonstrated that the legal framework of equal opportunity is situated in the trajectory of two divergent ideological traditions: the egalitarian and patriarchal interpretations of Islamic principles of gender equality. The review has suggested that laws and social rules in MMCs can be categorised into those addressing the equality of women and men and those addressing their diversity. The latter are categorised again into egalitarian and patriarchal (or non-egalitarian). The distinction between equality laws and diversity-egalitarian laws lies in the manner that ‘equality’ laws generally treat men and women having the ‘same’ needs, whereas the ‘egalitarian’ appear to be catering the ‘different’ needs of women and men.

On the whole, our assertions are consistent with the contributions by feminists and other scholars of gender in the Middle East and Asia who have argued the need to situate gender and gender relations in the unique socio-cultural and institutional contexts of MMCs (Özbilgin et al., 2010; Metcalfe, 2008; Syed, 2008a).

While certain features of the legal framework appear to be quite egalitarian, characterising an Islamic affirmative action in women’s favour, the introduction of the Islamic laws in the 1980s reflected an extremely narrow interpretation of Islam which was particularly detrimental to women’s rights. Laws such as the Evidence (Qanoon-e-Shahadat) Act 1984 relegated women to an inferior status and ignored the constitutional provisions granting complete equality to women. What is more concerning is that such laws fostered an inherent contempt for the status of women by certain sections of the

society (Jahangir, 1988; Syed et al., 2009). However, recently there have been at least some amendments in the Hudood laws by the promulgation of 'protective legislation' in the form of the Protection of Women (Criminal Laws Amendment) Act, 2006.<sup>12</sup> The government has also recently legislated a Protection *Harassment Act* to eliminate sexual harassment from the workplace.

In a male-dominated society with entrenched feudal and colonial traditions, Pakistan's legal framework of equal opportunity (with the exception of General Zia's Islamisation) seems to be quite egalitarian in advancing women's rights. In fact, some of the laws may be seen as discriminating positively in favour of women, such as the reservation of a minimum quota for women in public employment and in the legislature. However, society remains by and large male-dominated and the status of women remains inferior. Historically, recourse to protective legislation or even to legislation granting women equal rights has been rare (Jahangir, 1988).

Since the legal framework of equal opportunity in an Islamic context represents a combination of egalitarian and patriarchal ideologies, practical outcomes of equal opportunity laws for female workers can be assumed to be inconsistent and uneven. Future scholars may wish to conduct industry-wide and province-wide studies to evaluate the state of equal opportunity in Pakistani organisations. There is, however, some evidence that working women in Pakistan remain subject to a broad range of restrictions imposed on them through the collusion of tribal customs, patriarchal interpretations of Islam and structural workplace-related challenges (Mumtaz & Shaheed, 1987; Syed et al., 2009). Despite constitutional provisions for gender equality, the legal rights of women to participate in economic activities remain confined to theory. For example, women are seldom allowed to acquire even their half share of inheritance given to them by the Pakistani version of Islamic law (Ali, 2000).

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<sup>12</sup> The new act has taken away the power of the police to arrest a woman accused of rape and gives this to a sessions court, and the latter too will only be able to summon a woman to attend a court hearing or in the case of conviction. The act has been termed as 'a modest first step towards a more rational policy on sexual assault and rape and will bring relief to women who refrained from reporting such crimes in the past because they were afraid of being arrested on zina (rape) charges' (Hassan, 2006).



These issues were also highlighted in a periodical review of the state of gender equality in Pakistan by the United Nations Committee on the Elimination of Discrimination against Women. The Committee in its 2007 deliberations on Pakistan's progress on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) suggested that the country needs to strengthen its national machinery (e.g., MWD and NCSW) by providing it with adequate human and financial resources to make it more effective in carrying out its mandate. The committee expressed concern about pervasive patriarchal attitudes and deep-rooted traditional and cultural stereotypes regarding the roles and responsibilities of women and men in the family, in the workplace and in society. The committee also noted the discrimination faced by women in formal employment, as reflected in their higher unemployment rates, the gender wage gap and occupational segregation. It recommended measures such as raising awareness, and increasing training and capacity for public officials at the national, regional and local levels (CEDAW, 2007).

## **Implications for theory and practice**

The contribution of this paper is much more than a review of laws. The aim was to advance gender theorising within an Islamic context by highlighting the role of the institutional and cultural context. The paper has highlighted that equal opportunity is not about just equality training and awareness, but a rebalancing of gender relations, increasing the role of women in employment, politics and decision making, and placing greater value on women's rights as individuals and employees. In many MMCs, religious injunctions and laws are interpreted in masculine ways; however, leaders and policymakers still need to address the reconfiguration of the gendered power relations, and the way culture and language reconfigure our understanding of equality, patriarchy and essentialism (see, for example, Fraser and Nicholson's (1990) discussion of strategic essentialism and nominal essentialism). However, in addition to 'mainstream' western theorising of gender, scholars may also pay attention to the Global South writings by Islamic feminists and gender researchers to understand and acknowledge Islamic interpretations and their authority and differences among them.

This study highlights the need to remove inconsistencies within national legislation in Pakistan by adhering to an egalitarian interpretation of Islam. However, one could expect at least some continuing inconsistency between national and international laws because of the Islamic emphasis on diversity, rather than sameness of women and men, and its protective approach to the traditional family. Consistent with a context-specific framing of equal opportunity (Syed, 2008a), policy makers and managers may wish to identify possible features of an equal opportunity workplace from an Islamic perspective. For example, organisations in Pakistan (and other MMCs) may consider formulating policies which facilitate women's and men's family-related roles, such as providing adequate childcare facilities, and workplace structures in which women and men could observe their Islamic norms of modesty.

Consistent with the contentions offered in this paper, leaders and policymakers in the public and private sectors in Pakistan and other MMCs may consider designing and implementing comprehensive awareness-raising programs to foster a better understanding of and multilevel support for equal opportunity. Such efforts may aim to modify stereotypical attitudes and traditional norms about the responsibilities and roles of women and men in the family, the workplace and in society, and to strengthen societal support for equal opportunity. The government may take action to counteract the influence of the restrictive and patriarchal interpretations of Islam which currently undermine the cause of equal opportunity. In particular need of attention are those normative or cultural stereotypes which impede the implementation of constitutional and legal guarantees against discrimination.

While constitutional provisions establish ideals, measuring up to those ideals is difficult. Given the considerable misalignment in the policy and practice of equal opportunity in Pakistan, one useful direction could be to institute an adequately mandated and adequately resourced equal opportunities commission to proactively monitor and implement equal opportunity in the workplace. Such a commission could be empowered to penalise those employers and other actors who violate equal opportunity laws. Other complementary steps could include, for example, measures to improve literacy rates through better education, including affirmative attention to women's skill development; measures to tackle gender discriminatory traditions and stereotypes through increasing

gender awareness in society and an egalitarian interpretation of Islamic principles; and measures to arrest high unemployment rates through better economic planning.

## **Conclusion**

We have offered an overview of feminism, difference and equality theorising, using the management and organisation literatures as a basis for our analysis, and contrasting this with a review of Islamic interpretations of the same (using what little literature is available) to illustrate our arguments within the practices of equal opportunity in MMC settings. We have argued that ‘the mainstream’ literature on gender, organisation and management (along with its western or secular epistemologies) may not capture the complexity of transnational organisation and managerial practices in many nation states, including MMCs. We have highlighted the limited Islamic literature that has challenged the western orthodoxy and paid inadequate attention to gender and equality theorising (i.e., Metcalfe, 2007, 2008, 2010; Grami, 2008, Toth, 1991). Through a rigorous review of transnational and transdisciplinary literature, integrating Islamic writings, and the gender and organisation knowledge territories, we have examined how gender and diversity theorising may be advanced by Islamic perspectives and broad philosophies. While we cannot overstress the heterogeneity of Islamic philosophical interpretation and the variety of social and organisation change which is being spearheaded by Islamic feminists, the present review clearly highlights the impact of Islamic ideology and local culture on equal opportunity theorising in MMCs.

This paper has highlighted the need to consider the role of Islamic ideology and culture in theorising gender and equal opportunity in MMCs. Despite a great deal of lip service to gender equality by government laws and policies, patriarchal and masculine interpretations of religion hold sway in Pakistan and several other MMCs. However, the paper has demonstrated that egalitarian interpretations of Islam provide ample opportunity to develop and implement equal opportunity policies. It has highlighted that an end to biological essentialism is possible within an Islamic discourse; however, far from being a frozen concept, equal opportunity is a theory travelling over space and time. In other words, in societies such as MMCs, which are characterised by a religious

orientation and relatively less allegiance to secularism and capitalism, the structures and routines of equal opportunity may take a different trajectory.

This requires western commentators to review philosophical debates on biological essentialism and gender equality discourse through an Islamic lens. However, the paper has shown that interpretations of Islamic law are multiple and varied and it has offered new insights into theorising equality, one that values the differences in human capabilities. Our analysis reveals that, as with equal opportunity, a feminist critique of organisations is far from a frozen concept. Indeed, feminism and equality are theories that are travelling and transforming over space and time. (Recently, Metcalfe and Rees (2010) have highlighted globalisation and travelling theory and politics of location more clearly in the context of gender equality.) The overriding message is that we downplay western knowledge hierarchies and representations, and conceptualise difference, according to the politics of location. Further we should appreciate the interplay among, between and within equality concepts in organisation, organising and multiple global feminisms and movements.

# CHAPTER 3

## PAKISTAN'S COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY FOR WOMEN: A TOOTHLESS TIGER?

**Ali, F. and Knox, A. (2008). Pakistan's commitment to equal employment opportunity for women: a toothless tiger? *International Journal of Employment Studies*, 16(1), 39-58.**

### Chapter overview

The previous chapter highlighted the impact of Islamic teachings on equal opportunity theorising and management practices in relation to gender equality in the workplace. Based on a review of the principal Islamic texts and philosophical and institutional framing of equal opportunity in an Islamic context, the previous chapter analysed the impact of Islamic normative principles (and interpretations) on equal opportunity theorising and management practices in MMCs. It identified that the legislative framework of gender equality in Pakistan can be divided into two main types of laws: those oriented towards equality laws and those oriented towards diversity (egalitarian and patriarchal laws).

This chapter focuses on reviewing the legislative framework of gender equality in the workplace, including national and international measures aimed at ensuring better EEO for women in Pakistan. The chapter was written as a journal article and was published in *International Journal of Employment Studies* in 2008 (Appendix 4). This paper was co-authored by Dr Angela Knox. The paper endeavours to answer the following research question:

*RQ2: What is the nature of the legislative framework of gender equality in the workplace in Pakistan?*

To answer this research question, the chapter analyses and examines the legislative framework of EEO in Pakistan, including the constitution, international labour conventions signed by Pakistan and domestic labour laws.

The previous chapter helped us understand the theorisation of EEO in Islamic ideology and culture. This chapter goes a step further by exploring more work-related legislation, in order to identify the contradiction between the internationally accepted concept of EEO (as endorsed by Pakistan) and the principles of Islam as embodied in the constitution. The aim was to critically review legislative framework from different angles such as the constitution, international measures (ILO, UN) and domestic labour policy.

In this paper, we divide the legislative framework of EEO into two main categories: national instruments which involve the country's constitution and national labour laws, and international instruments consisting of different ILO/UN conventions ratified and signed by Pakistan. The analysis of these two categories of national and international laws revealed different sets of issues faced by women in Pakistan. First, the nature of national laws is protective towards women, which may contradict the internationally accepted notion of EEO. Further, the weak implementation of international tools such as ILO and UN conventions is one of the main reasons for the low level of female participation and opportunities in the workplace.

# **Pakistan's commitment to equal employment opportunity for women: A toothless tiger?**

**Faiza Ali and Angela Knox**

*Despite its strong commitment to the principles of equal employment opportunity (EEO) within its Constitution, women's employment in Pakistan remains problematic, in terms of participation rates, opportunities and outcomes. The reasons underpinning this paradox have received scant attention, however. This paper seeks to address this oversight. In order to analyse this issue the paper examines the national and international laws related to women's employment that currently exist in Pakistan. In doing so, it reveals the contradictory implications of national legislation created to 'protect' Pakistani women and the weak implementation of international instruments directed towards EEO as two key challenges facing women and Pakistani organisations. Given the contextual factors that exist in Pakistan, women's employment prospects seem unlikely to change anytime soon.*

## **Introduction**

It is now well established that women experience disadvantage and unequal employment opportunities and outcomes in many developed and developing countries (World Bank, 2001). In this regard, Pakistan is no exception. Women in Pakistan remain subject to a broad range of discriminations. For example, research suggests that women in Muslim majority countries usually face deep-rooted patriarchal customs and religious interpretations and women's roles in public life are usually discouraged (Syed, 2008a). Pakistani women's participation in economic activities remains below 20 per cent, overall (Labour Force Survey, 2005–2006). Among those women who are engaged in employment, characterisations depict them as 'a picture of contrast' in which one frequently sees 'highly educated Pakistani women who are at a high level [of] professional life, contrasted to the millions of poor, illiterate women workers, who are exploited [and] earning low salaries' (Patel, 1991:84). It is curious, however, that this level of disadvantage exists alongside strong in principle commitments to gender equality in Pakistan's national Constitution and labour laws.

It is therefore imperative that we gain a better understanding of Pakistan's commitment to equal employment opportunity, including the content and implementation of legislation at the national and international level, and the factors that may be responsible for the persistent disadvantages experienced by its women. This paper seeks to address these issues by examining the legislative framework of employment and its implications for EEO in Pakistan. In doing so, the paper examines both national and international instruments directed towards enhancing gender equality in employment as well as the contextual factors that affect the formation and adoption of these instruments. The paper begins by considering the theoretical approaches to EEO and then presents a summary of women's position in the Pakistani labour market. This is followed by an analysis of Pakistan's legal framework in relation to EEO and contextual factors are then discussed. Finally, conclusions are developed and the implications for EEO in Pakistan are considered.

## **Achieving equal employment opportunity: a liberal or radical approach?**

In response to the disadvantages faced by women (and other groups, such as ethnic minorities), EEO laws have been introduced in various Western countries to ensure gender equality in employment. EEO has been defined as a government's attempt to ensure that all individuals have an equal opportunity for employment, regardless of characteristics such as race, colour, religion, sex, or national origin (De Cieri & Kramar, 2003). However, the notion of EEO can be approached in two main ways (Jewson & Mason, 1986). The first, known as the liberal approach, argues for identical treatment of women and men. In contrast the second, known as the radical, approach argues for affirmative action involving some form of preferential treatment or protection for women in order to ensure equality of outcomes with their male counterparts.

Proponents of the liberal approach argue that women and men are essentially the same and that sex equality will be achieved once employment policies and procedures are identical for both sexes (Cockburn, 1989). The liberal approach is also underpinned by



the notion of 'sameness', i.e., treating women like men. In this sense, individuals should have access to and be assessed within the workplace as individuals, regardless of their sex (Greene & Kirton, 2002). Such an approach has been criticised, however. Several contemporary feminists, such as Ferguson (1984), Acker (1990), Witz and Savage (1992), Morgen (1994), Morgan (1996) and Healy (1999) have argued that formulating identical rules and procedures for women and men in employment conceals and even institutionalises the inequalities based on sex, race, class and other oppressive attributes, and therefore fails to rectify the disadvantages experienced by women and other disadvantaged groups.

The radical approach to promoting equal opportunities has been adopted by individuals who hold strong political and ethical values and recognise the historical disadvantage that certain groups, such as women, ethnic minorities and disabled persons, experience in employment (Jewson & Mason, 1986). The supporters of this approach advocate positive discrimination and affirmative action as their methods for change (Adler & Izraeli, 1988). The radical view emphasises direct intervention in order to achieve not only fair procedures, but also fair distribution of rewards through 'positive discrimination' measures, where practices are deliberately manipulated to obtain a fair representation of disadvantaged groups in the workplace.

Added to this, the idea of protective legislation for women and its implications has triggered much debate among feminist scholars. Some feminist scholars and activists have argued that such legislation harms the economic interests of women by lowering their wages and diminishing their employment prospects in the labour market (Devaud & Levy, 1980; Politakis, 2001). On the basis of this, many developed countries revised or repealed protective legislation. For example, in 1979 the British Equal Opportunities Commission (EOC) submitted a report to the government in which it suggested removing much of the protective legislation related to restrictions around hours of work for female employees (EOC, 1979). It was argued that this was necessary in order to ensure that women and men enter the labour market on the basis of equality. In the absence of protective legislation, women would be freer to choose whether or not to work night shifts (EOC, 1979). However, Coyle (1980) argues that this also means that employers would be freer to force women to do so (Coyle, 1980). In comparison, Fuchs

(2005) is of the view that protective legislation historically brought higher economic returns and expanded opportunities to women. Thus, the outcomes associated with these forms of legislation may be varied.

Presently, we have a poor understanding of Pakistan's approach to EEO and its implications. These issues form the basis of this paper. The next section summarises women's position in the Pakistani labour market.

## **Women in Pakistan's labour market**

Compared to the extremely disadvantaged position of under-educated women from poor socio-economic backgrounds, skilled women in urban settings of Lahore, Karachi and Islamabad have better access to employment opportunities. Yet, employment stereotypes based on gender are commonplace. The Pakistani public and private sectors rank EEO low on their list of priorities as there is no substantive model for gender equality in Pakistani organisations (Naqvi, 2003). It is therefore unsurprising to find that female participation rates are low in Pakistan. According to the most recent Labour Force Survey (LFS 2005-06), the overall labour force participation rate (CAR<sup>13</sup>) in Pakistan is 32.2 per cent, which represents 50.3 per cent for males and a mere 13.3 per cent for females.

Other data suggest that the female participation rate is closer to 18.9 per cent for 2005–2006, increasing from 13.7 per cent in 1999–2000. Multiple factors are thought to have contributed to this increase in female participation, including; increased awareness of EEO, better educational opportunities, and changing social attitudes (Ferdoos, 2005). Nevertheless, women's participation remains well below that of men's, and women's participation in economic activities is also likely to be low. Even though the average annual growth rate of female labour participation has increased slightly 'the rate of growth has to go a long way to assume sustainable momentum' (LFS, 2005–06). In

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<sup>13</sup> The labour force participation rate is defined as the percentage of the persons in labour force in respect to the total population.

comparison, male participation rates have seldom wavered, remaining steady since the early 1990s.

These low rates of labour force participation among women in Pakistan would naturally lead one to assume that there are significant factors inhibiting women's participation in employment, one of which may relate to discrimination and inadequate legislation. The next section therefore examines the nature of Pakistan's legislative framework, most particularly in relation to equal employment opportunity.

## **Pakistan's legal framework for equal employment opportunity**

### **National instruments**

Although the government of Pakistan has on a number of occasions set targets and reserved 10–15 per cent of jobs for women in the public sector, this is yet to be backed by appropriate national legislation or enforcement mechanisms. Moreover, measures have not been adopted in the private sector (Mullally, 1996). Much of Pakistan's national employment regulation remains 'highly protective in nature' in terms of its treatment of women (Mullally, 1996). Illustrating this, the 1973 Constitution of Pakistan assumes that women are in need of 'protection'. The assumption that women require protection is reflected in the labour legislation at the national level and also in the international labour standards that have been ratified by Pakistan. Subsequently, it can be argued that discrimination often exists under the guise of 'protective' legislation (MHHDC, 2000).

The Constitution urges the State to take steps 'to ensure full participation of women in all spheres of national life' (Article 34), while on the other hand it clearly establishes within the legal context, the idea of 'separate spheres' for women and men, presuming that women and not men are in need of 'protection' when they enter into the public life. This is mainly evident in national labour laws (discussed later). According to Mullally (1996), the test of constitutionality for any legislation specifically affecting women is

whether or not it operates in their favour. Pakistan's gender-specific protective labour legislation has yet to be reviewed in the light of this criterion.

Illustrating the protective nature of Pakistan's labour laws, the 1934 Factories Act (Act No. 25) and the 1969 Shops and Establishment Ordinance regulate night work for women in Pakistan. The Shops and Establishments Ordinance 1969 prohibits women and young persons from working in any establishment between 7.00 p.m. and 9.00 a.m., 'except with the permission of Government' (Ordinance No. 8 of 1969). Similarly, under the Factories Act women may only be employed in factories between the hours of 6 a.m. and 7 p.m. The stated purpose of section 45 of the Factories Act is to secure a night rest of not less than 11 hours for women.

Recently, the ILO notified the Government of Pakistan in relation to night work and highlighted that '...member states are under an obligation to review periodically their protective legislation in the light of scientific and discriminatory constraints' (ILO, 2005). In addition, the committee also advised Pakistan to consider the 1990 Protocol to Convention No. 89 (Night Work) because it is 'designed as a tool for smooth transition from outright prohibition to free access to night employment, especially for those States that wished to offer the possibility of night work to women workers but feel that some institutional protection should remain in place to avoid exploitative practices and a sudden worsening of the social conditions of women workers.'

Subsequently, in a recent Federal Government Finance Bill (2006), there is an amendment to the Factories Act 1934, related to female workers, which states: 'Provided that the employer arranges for the transport facilities, women may work up to 10 p.m. in two shifts.' (p.3). However, it is important to recognise that the condition of providing transport facilities by the employer will increase the expenses of the firm or organisation. This might discourage employers from employing female workers in factories. In addition to this, the amendment is only related to factory workers and does not include the other sectors of employment such as the service sector. Exceptions to night work restrictions are permitted where the factory is a seasonal one or 'where the employment of women beyond the said hours is necessary to prevent damage to or deterioration in any raw material'. Moreover, under the Export Processing Zones

(Control of Employment) Rules, a general exemption from the provisions of the Factories Act, including prohibition on night work for women, has been granted to all Export Processing Zones (EPZs) (Dror, 1984).

In Pakistan, a woman's supposed 'special needs' and presumed physical incapacity is held to justify her exclusion from types of employment deemed hazardous to health (Mullally, 1996). The 1934 Factories Act prohibits the employment of women on and near machinery in motion. Section 27 (2) provides that 'no woman or child shall be allowed in any factory to clean, lubricate or adjust any part of machinery while that part is in motion, or to work between moving parts or between fixed and moving parts of any machinery which is in motion'. The Factories Act further prohibits the employment of women in any part of a factory for pressing cotton, in which a cotton-opener is at work (Section 32). Under the 1963 Hazardous Occupation Rules the employment of women is prohibited in a number of specific processes involving the use of lead, rubber, chromium and sand blasting. These rules are only applicable to factories as defined by the Factory Act. Again EPZs are exempt both from the protective provisions of the Factories Act outlined above and from the operation of these laws.

Further limitations on the employment of women in Pakistan relate to the mining sector. A blanket prohibition on the employment of women 'in any part of a mine that is below ground' was introduced in the 1973 Mines (Amendment) Act (Section 23-C). Exemptions are permitted in respect of women holding positions of a managerial or technical character or employed in health and welfare services and not ordinarily performing manual work. This provision is slightly narrower in scope than that contained in the corresponding ILO Convention which includes female students engaged in training underground in the scope of possible exemptions (Article 3). Otherwise the national law conforms to the requirements of the ILO Convention.

Maternity protection for women is governed by a number of laws including: the Mines Maternity Benefit Act 1941 (hereinafter, the MMBA); the West Pakistan Maternity Benefit Ordinance 1958 (hereinafter the MBO); the West Pakistan Maternity Benefit Rules 1961, and the Provincial Employees Social Security Ordinance 1965 (hereinafter, the PESSO). The laws governing maternity protection are of limited scope however,

and apply only to specific female employees. For example, Export Processing Zones (EPZs) are excluded from the provisions of the PESSO as well as the Maternity Benefit Ordinance.

A woman worker is not allowed to work below ground in a mine if she is likely to deliver a child within ten weeks or she has delivered a child within the preceding twenty-six weeks (MMBA Section 3(2)a & b). For nursing mothers, there is no specific provision according to their needs. However, the MMBA (which covers mining workers only) stipulates that a woman may not be employed under-ground for more than four hours in a day and in any case may not be employed for more than four hours at any one time, during the period of ten weeks following the twenty-six weeks referred to above. This enables nursing mothers to interrupt their work for the purposes of nursing. Similarly, the ILO Convention on Maternity Protection requires state parties to enact national laws or regulations prescribing specific times for nursing mothers to interrupt their work for the purpose of nursing. Such a requirement would supplement the provisions made in the MMBA to breaks after four hours, during the period immediately following maternity leave.

Although under the national law, an employer is prohibited from terminating a female worker while she is on maternity leave, dismissal on the grounds of pregnancy is not expressly prohibited (MMBA Section 10(1) and MBO Section 7(1)a). Both the MMBA and the MBO provide that notice of dismissal given ‘without sufficient cause’ to a female employee, within a period of six months before the date of delivery, cannot have the effect of depriving her of any maternity benefits to which she would otherwise have been entitled (MMBA Section 10(2) and MBO Section 7(1)b). No other action is prohibited, however. Only a woman’s entitlement to benefit is protected, employment protection is not provided. Further, the MMBA does not prohibit termination of employment of a woman ‘during or on account of’ her absence from work where such absence is due to ‘confinement’ and is authorised by the Act (MMBA Section 10(1). Again, this refers to ‘absence from work’ and does not appear to provide any general protection against dismissal on the grounds of pregnancy. No legislation provides a clear guarantee of a right to return to work after maternity leave on terms and conditions no less favourable than those which would have been applicable if the woman had not

been absent. Pregnant workers are therefore placed in a more vulnerable position even where the letter of the law is implemented. Any employer found to be breaching either the MBO or the MMBA may be subject to a fine (MMBA Section 13 and MBO Section 9). A court may order the whole or any part of any such fine, to be paid as compensation. However, Zia (1994) commented on the outdated provision for the payment of fines that at present are pitched at such a low level as to have little or no deterrent effect.

Concern to protect the role of ‘motherhood’ is evident in the imposition of compulsory postnatal leave and in the existence of a penalty to be imposed on women working during the period of compulsory leave. Provision is made for fines to be imposed on any woman who engages in work for which she receives payment, in cash or kind, during the twelve-week period of maternity leave (MMBA Section 12 and MBO Section 8). A female worker may also forfeit her right to any maternity benefit not already paid to her. This clearly reflects the concern not to protect the welfare of women workers but to ensure their attention is given to their domestic responsibilities.

In sum, legislation at the national level remains protective, restricting women’s free choice and their access to employment and its various entitlements. In this way, the legislation represents neither a liberal nor a radical approach as it is inhibiting women’s employment opportunities rather than promoting them. While this seems to be the result of longstanding legislation at the national level created to protect women, Pakistan has more recently ratified numerous international instruments related to EEO, including those of the ILO and the UN. The extent to which such instruments may present more promising opportunities and outcomes for women in Pakistan remains relatively unclear. The next section examines these issues.

### **International instruments**

Although Pakistan has ratified significant ILO Conventions (see Table 1) related to gender equality in employment, their strict implementation has been lacking and this has been highlighted in numerous ILO reports. Illustrating this, Pakistan has both signed

and ratified the 1958 ILO Convention on Discrimination in Employment and Occupation (Convention No. 111), however little has occurred in terms of implementation or adherence to the provisions contained in the Convention. In principle, ratification of this Convention obliges the state to declare and pursue a national policy designed to promote equality of opportunity and treatment in relation to employment (Article 2). In addition, under Article 3 of the Convention, ratifying states are obliged to seek the co-operation of employers, workers and other appropriate bodies in promoting the acceptance and observance of its national EEO policy. According to the ILO the government of Pakistan has not taken action on either of these fronts (ILO, 2005). No such EEO legislation has been enacted in Pakistan and in the ILO's (2005) report it was noted that Pakistan has failed to reply to previous comments from the committee in relation to this issue. According to the ILO (2005), measures are urgently required to raise awareness among all sectors of Pakistani society regarding the need for equal opportunities in employment.

Full adherence to the ILO Convention on Discrimination in Employment and Occupation would significantly improve employment protection in Pakistan for women who are pregnant or sexually harassed. Under the Convention, discrimination on the basis of sex includes not only cases where sex is directly used as grounds of discrimination, exclusion or preference, it also includes pregnancy, confinement and related medical conditions that constitute discrimination. Therefore, although dismissal on the grounds of pregnancy is not specifically protected by national legislation, such action in the private or public sector would violate Pakistan's international legal obligations. Similarly, although sexual harassment is not dealt with specifically by national legislation, as a state party to this Convention Pakistan is obliged to take action in this field. This suggests that Pakistan's rhetoric of equality for women is somewhat at odds with the realities facing women.

The most recent convention ratified by Pakistan to enhance gender equality in employment is the ILO Convention of Equal Remuneration. Pakistan ratified the convention as recently as 11 October 2001. Although it was hoped that ratification of this Convention would fill a gap in national legislation regarding the payment of equal remuneration (Mullally, 1996), the ILO is not satisfied with Pakistan's attempts to meet



the requirements of the Convention, thus far. Pakistan has failed to report adequately on its progress adopting the Equal Remuneration Convention, leading the ILO to state:

*... the Government's brief report has not yet enabled the committee to examine fully the application of the Convention in Pakistan, the committee asks the Government to provide additional information on the following points: (1) the application of the Convention in respect to workers not covered by minimum wage legislation, such as agricultural workers and government employees, (2) how it is ensured that the Convention's principle is applied not only to wages but also to all aspects of remuneration as defined in Article 1(a) of the Convention; (3) how the principle of Convention is taken into account in collective arguments; (4) the specific measures taken by the competent authorities to ensure the application in practice of the principle of equal remuneration for work of equal value; and (5) the mechanism and procedures available for victims of pay discrimination. (ILO Individual Observation Report, 2005)*

**Table 1: ILO Conventions (related to women) ratified by Pakistan**

<b>ILO Conventions</b>	<b>Ratified by Pakistan on</b>
Underground Work (Women) Convention, 1935	25 March 1938 (was implemented by British govt)
Night Work (Women) Convention (Revised), 1948	14 February 1951
Equal Remuneration Convention, 1951	11 October 2001
Discrimination (Employment and Occupation) Convention, 1958	24 January 1961

In addition to the apparent lack of adherence to ILO Conventions that have been ratified, other Conventions have been ignored by Pakistan. For instance, Pakistan has not yet ratified the Convention on Workers with Family Responsibilities, 1981 or the Maternity Protection Convention, 2000. According to Mullally (1995), 'in failing to

adopt such legislation, Pakistan has demonstrated that it is not yet ready to follow the path of equal treatment, preferring instead to “protect” its women workers’ (p. 5).

In addition to the Conventions of the ILO, Pakistan has also ratified Conventions of the UN in relation to EEO. The UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was ratified by Pakistan in 1996, with a reservation to Article 29(1) (international arbitration of disputes between States concerning interpretation of CEDAW), and with the general declaration that CEDAW would be implemented in accordance with the Constitution of Pakistan (Weiss 2003). Since 1990 the Constitution has stipulated that all laws must be in accordance with Islam. Subsequently, it has been argued that long-term inconsistencies between state law and practice and the requirements of the Convention will exist (Mullally, 2006:102).

CEDAW’s principle of obligation requires state parties not only to bring their national laws in line with the Convention, but also to ensure the practical realisation of rights by undertaking extra measures to implement enabling conditions so that women’s capacity to access the opportunities provided is enhanced. In accordance with this, all state parties are obligated to review the impact of existing laws on women, change those laws which discriminate against women, and submit periodic reports to the UN Division for the Advancement of Women (DAW) on their progress. In this respect, Pakistan’s commitment has been patchy and somewhat inconsistent. For example, Pakistan ensures that the constitutional provisions do not discriminate against women in employment, while at the same time it agrees that ‘gender-specific protective legislation for women exists in Pakistan’ (p 56).

Inconsistencies also exist between the public and private sectors. In terms of equality in recruitment (Article 11(1a)), only ‘public sector agencies have established practices, procedures, and recruitment rules with regard to employment including that of women’ (Pakistan CEDAW report, p 56). The private sector has not yet adopted any processes or procedures of recruitment consistent with EEO. Furthermore, Article 11(1d) requires states to ensure the rights to equal pay, benefits and treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work.

While the public sector has a well-defined and established mechanism in the form of Annual Confidential Reports for employees, no such systems exist in the private sector (Pakistan CEDAW Report).

In commenting on Pakistan's commitment to CEDAW, Weiss (2003) highlights that transforming existing Islamic interpretations of women's legal rights into ones acceptable to local traditions and morals while holding on to the requirements of CEDAW is not an easy task. It involves the challenges of defining what constitutes discrimination against women and how the state might act to eliminate discrimination against women not only from a legal perspective but also from a very specific religious and social perspective.

In order to comply with the international instruments on women's' rights, the National Plan of Action (NPA) for the Advancement of Women under the Beijing Platform was adopted as a working document in August 1998 by the President of Pakistan. Emphasis was put on the economic, political and social empowerment of women. The Ministry of Women's Development (MoWD) was given the responsibility of implementing the NPA as well as co-ordinating, monitoring and evaluating progress in the advancement of women. Again, Pakistan's commitment has been less than complete. Pakistan generated a report for the UN regarding NPA for the period 1995–2000, while no report has been completed for the period 2000–2005. In its review report regarding the NPA in 2000, a number of concerns and obstacles were identified as factors hindering the achievement of gender equality in the country. Most particularly, government policies regarding women and employment were said to be problematic. The policies are identified as non-inclusive of women at policy-making and decision-making levels. Moreover, the 'lack and/or misinformation regarding women's economic contribution promotes a view that they are marginal to the economy and therefore do not need to be addressed in macro-economic policies' (Pakistan NPA Report, 2000). Finally, the review highlighted that although the country faces important resource constraints, a greater problem is the mismanagement of these resources through inappropriate and unsustainable policies that aggravate income disparities and economic power between women and men.

Despite its numerous commitments to achieving equality in employment, Pakistan has made insufficient progress in its commitment to national EEO legislation consistent with ILO and UN Conventions to which it is a party. Thus, the reality of EEO in Pakistan is simply not consistent with government rhetoric. The gap that exists between the governments in principle commitments and the practical manifestations of EEO (or lack of) may, at least in part, be explained by contextual factors, including the country's religious, cultural and colonial foundations. These are explored in the next section.

## **Contextual challenges**

Born in 1947, Pakistan was created as a homeland for Indian Muslims to practice their religion freely in an independent environment. Islam is the state religion and successive (in 1956, 1962 and 1973) Constitutions of the Pakistan have been adopted (Patel 1991). All of the Constitutions of Pakistan have endeavoured, though not always with a great deal of success, to identify and differentiate the boundaries within which the 'injunctions of Islam' shall apply (Mullally, 2006). Thus, the precise role that Islam was to play within the constitutional framework of the state was unclear. Nevertheless, the role of religious discourse in the process of nation building was to have a significant impact on women in Pakistan. Jalal (1991) suggests that in today's Pakistan, Islamic identity cannot be ignored. When threatened with the loss of their cultural identity in a sea of infidels in colonial India, Muslims endeavoured to reinforce the Islamic social life by protecting the stability of the family unit (Patel 1991). Nothing could disturb the precarious balance between state and society more than the issue of women (Jalal, 1991). Put simply, the legitimacy of the new state rested in large part on avoiding policies that gave women rights above and beyond those granted to them by Pakistan's regionally diverse social order.

In a similar vein, Goheer (2003) suggests that employment for women in Pakistan is influenced by two main factors. The first consists of the social, cultural, traditional and religious environment in Pakistan. This environment has taken shape over many hundreds of years, grounded in the patriarchal system and clearly evident in the lower

status of women. The gender bias of this system is rigid and deep-rooted as it draws legitimacy from the perpetuation of a traditional mind-set, established rituals and a firm belief system. According to Goheer (2003) the second group of factors derives from the first group, taking the form of constitutional structures, policy documents, regulatory arrangements and institutional mechanisms. This category is contemporary rather than traditional, so it is cosmetically impartial. Goheer (2003) argues that because of these aforementioned factors, Pakistani women face two kinds of difficulties: first, the traditional environment inherently discriminates against women, and second, this environment inhibits the construction of modern institutions and their fair workings that might otherwise ensure equality for women.

Moreover, in colonial India a wide variety of customary and religious laws regulating 'personal' relations co-existed with the imposed 'general' laws, regulating inter alia, the criminal justice system and industrial relations. This plurality of legal systems continues to exist in Pakistan with the result that competing and often conflicting gender identities are produced. Added to this, much of the existing Labour Code in Pakistan is a legacy of the colonial period and reflects the concern of the early British factory movement to preserve female modesty and 'protect' women's roles within the domestic spheres. For example, one of the leading campaigners of the factory movement, Lord Ashley (later Earl of Shaftesbury), in his Parliamentary speech on the Ten Hours Bill 1844, emphasised the moral dangers to women of factory work and described in graphic terms how it drove them to drink and smoke and the use of foul language. Webb (1901), acknowledged some strength in the arguments for protective legislation in the context of particular industries where men and women 'promiscuously' worked together and Clementina Black<sup>14</sup> (British writer, feminist and pioneering trades unionist) in her defence of protective legislation in 1901, suggested a high correlation between lack of regulation and 'low standards of sobriety and mortality' among women workers.

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<sup>14</sup> Clementina Black moved the first successful equal pay resolution at the 1888 Trades Union Congress (TUC). She was highly in favour of protective legislation for female workers in UK.

## **Conclusions and implications for EEO**

Despite the adoption of national and international instruments directed towards EEO, Pakistan's actual commitment to gender equality appears to remain partial, at best. Overall, Pakistan's national legislation related to women's employment can be categorised as protective in nature. Moreover, the implementation of such laws is inconsistent, with adherence and enforcement varying between the public and private sectors as well as EPZs. Equally, although Pakistan has signed and ratified international instruments related to the achievement of equality in employment, its commitment to these principles and the process of implementation has been less than complete. As such, while the modern institutional environment has a cosmetic tinge of equality and sometimes even discriminates positively in favour of women, equality fails to exist in reality. Underpinning this, contextual factors and the vested interests of patriarchal systems work to maintain the status quo. Consequently, the legal framework, the policy environment and the regulatory structures embed discriminatory practices, inhibiting women's employment and economic activity.

In this sense, Pakistan is adopting neither a liberal nor a radical approach to EEO as its national laws remain highly protective of women and the outcomes appear to be inhibitory rather than beneficial. This is consistent with arguments that demand the removal of protective legislation that is unnecessarily restrictive and limits women's employment entitlements and opportunities (Devaud & Levy, 1980; Politakis, 2001). Moreover, Pakistan is failing to demonstrate a commitment to the implementation of international laws regarding women's employment. We therefore argue that rather than pursuing the debate regarding the efficacy of liberal versus radical EEO, Pakistani women would simply benefit from a commitment to either a liberal or a radical approach. Unfortunately, such 'teeth' may remain illusory given Pakistan's religious and colonial history.

## **CHAPTER 4**

### **A COMPARATIVE STUDY OF EEO IN PAKISTAN, INDIA AND BANGLADESH**

**Ali, F. (2010). A comparative study of EEO in Pakistan, India and Bangladesh. In:  
M. Ozbilgin & J. Syed (eds), *Managing gender diversity in Asia: A research  
companion*, 32-53. Edward Elgar.**

#### **Chapter overview**

The previous chapter provided an insight to the legislative framework of EEO in Pakistan. The aim of this chapter is to widen our understanding of EEO by examining the situation in two of Pakistan's neighbours, India and Bangladesh.

This chapter was originally written as a research article, and has also been published as book chapter (in Ozbilgin, M. and Syed, J. *Managing Gender Diversity in Asia: A Research Companion*. Edward Elgar. ISBN 9781847206442) (Appendix 5). It was deemed necessary to present a comparative analysis of key features of EEO in South Asian countries such as India and Bangladesh to have a better understanding of EEO at national and organisational levels in countries with a similar culture and religion to Pakistan. One of the reasons why India and Bangladesh were chosen for comparison with Pakistan is that all three countries belonged to subcontinent before their independence hence they share similar socio-political environment. Although Sri Lanka, Nepal, Tibet and Bhutan were also part of subcontinent the distinctive feature of India and Bangladesh is that Pakistan was part of India and Bangladesh was part of Pakistan before independence in 1947 and 1971 respectively. This chapter addresses the following research question:

*RQ3: How does the state of gender equality in Pakistan's workplace compare with other countries in the South Asian region?*

This chapter analyses macro-national data on female employment in Pakistan, India and Bangladesh, and identifies a lagging but rising economic participation of women in this region. It documents the international instruments ratified by each of these countries and lists their legal, judicial and informational institutions addressing EEO, noting the main similarities and differences between them. The methodology described in this chapter involved analysis of secondary data from online resources. For example, macro-economic data on female employment and EEO legislation were obtained from sources such as the Human Development Report, the International Labour Organization and the World Bank.

This chapter suggests that, from a sociological perspective, religion cannot be considered the only factor responsible for lower female employment rates. The three countries differ in terms of an official religion: India is a secular country with a Hindu majority population, Pakistan is an Islamic republic with a Muslim majority population, and Bangladesh is a secular country with a Muslim majority population (born in 1971, previously part of West Pakistan). However, what all three countries have in common is an unrelenting alliance of patriarchal traditions and gender non-egalitarian interpretations and practices of various religious and/or tribal codes. Indeed, the study revealed that, despite similar legislative frameworks and organisational practices of EEO in the three countries, female employment in the formal sector in Pakistan is the lowest in the region. Women in Pakistan are relatively more disadvantaged in terms of income parity and unemployment. The findings suggested that the joint effect of patriarchal cultural traditions, a narrow interpretation of religion, and inadequate implementation of EEO laws are constraining female employment in the formal sector in Pakistan.



Pages 75-99 of this thesis has been removed as it contains published material. Please refer to the following citation for details of the article contained in these pages.

Ali, F. (2010). A comparative study of EEO in Pakistan, India and Bangladesh. In M. F. Özbilgin & J. Syed (Eds.), *Managing gender diversity in Asia: a research companion* (pp. 32-53). Cheltenham : Edward Elgar.

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## **CHAPTER 5**

### **A MULTILEVEL PERSPECTIVE ON EEO FOR WOMEN IN PAKISTAN**

**Ali, F. (2013), A multilevel perspective on equal employment opportunity for women in Pakistan, *Equality Diversity and Inclusion*, 32(3). (In press)**

#### **Chapter overview**

The preceding chapters have provided an in-depth analysis of Pakistan's legislative framework of EEO, including theorisation of EEO (Chapter 2) based on Islamic ideology, a review of EEO laws (Chapter 3) and a comparison with key EEO features in South Asian countries (Chapter 4). Chapters 5 and 6 are based on empirical data collected in Pakistan to answer the last two research questions. This chapter addresses the following research question:

*RQ4: What are the multilevel issues and challenges related to EEO faced by female employees in Pakistani organisations?*

Previous chapters have described how the legislative framework of EEO in Pakistan is influenced by socio-cultural and religious factors. The nature of EEO in MMCs was theorised, and it was argued that the legislative framework of gender equality in Pakistan can be categorised based on religious and cultural factors. However, it is important to further investigate how such factors influence women working in the formal sector of employment in Pakistan, particularly by exploring the experiences of female employees in Pakistani organisations where such laws and policies are actually implemented.

This paper presents a multilevel perspective on diversity and equal opportunity in organisations in a Muslim majority country in Asia, using Pakistan as the example. Drawing on in-depth qualitative interviews with 30 women in Lahore, this paper

highlights how macro-societal factors (e.g., culture, religion, law) affect meso-organisational experiences and observations (e.g., glass ceiling, income gap, sexual harassment) of Pakistani women. The paper also highlights how micro-individual factors (e.g., identity, agency) play an important role in these women's experiences and their responses to the multilevel challenges they face in the workplace.

Pages 103-131 of this thesis has been removed as it contains published material. Please refer to the following citation for details of the article contained in these pages.

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# CHAPTER 6

## AN EXPLORATORY STUDY OF SEXUAL HARASSMENT IN PAKISTANI ORGANISATIONS

Faiza Ali and Robin Kramar

### Chapter overview

The previous chapter was based on a multilevel analysis and highlighted how macro-societal factors (e.g., culture, religion, law) affect meso-organisational experiences and observations (e.g., glass ceiling, income gap, and sexual harassment) of Pakistani women. Through related literature and data analysis, it was revealed that SH in the workplace needs to be further investigated as it is widely prevalent in Pakistani organisations. Previous studies of SH have largely focused on either the outcomes experienced by the direct targets of sexual harassment or on defining the term in different organisational and team contexts (Chamberlain et al., 2008; Raver & Gelfand, 2005; Welsh, 1999). Most of these studies have been conducted in western contexts (Fitzgerald et al., 1995; Hunt et al., 2010; Welsh, 1999; Zippel, 2006). There is clearly a lack of research on this issue in MMCs, such as Pakistan, because the topic is contentious and controversial. It was deemed necessary, therefore, to explore the issue of workplace SH in more detail, based on the data available. This last empirical chapter endeavours to answer the following research question:

*RQ5: How do socio-cultural factors affect the issue of sexual harassment in the Pakistani workplace?*

This chapter is written in journal article format and is currently under second revise and resubmit (R&R) status with *Asia Pacific Journal of Management (APJM)*. The co-author is Prof Robin Kramar.

An investigation of SH in the workplace is necessary to understand the nature and processes of EEO in Pakistan. This is a very sensitive issue, because socio-cultural factors play a major role in terms of shaping EEO in Pakistan, as argued in previous chapters of this thesis. This part of the study endeavoured to investigate SH in Pakistani organisations from employers' and female employees' perspectives. To develop a contextual understanding of SH in Pakistani organisations, this part of the study explored the perceptions of female employees and HR managers using qualitative research methods. A neo-institutional approach provided a theoretical foundation. This approach is particularly appropriate for defining institutions, as it considers socio-cultural contexts to break down the divide between organisations and culture (Hall & Taylor, 1996).

This chapter demonstrates how traditional gender stereotypes in MMCs such as Pakistan influence SH in the workplace. Employers' perspectives were explored through interviews with HR managers and policy document analysis, while employees' perspectives were gauged through interviews with female employees. The study revealed a tension between the traditional culture and the expectations of desired behaviour consistent with SH policies in the workplace. Socio-cultural factors influence both female employees' experiences of SH and SH-related policies and practices of HR managers at an organisational level.

Until 2009, the Pakistani Constitution contained no explicit provision for addressing SH in the workplace. On 21 January 2010, the national parliament adopted 'Protection against Harassment of Women at Workplace Bill 2009' which became law as Protection against Harassment for Women at the Workplace (PHWW) Act 2010 on March 9, 2010 after the signature of the President. This law specifies increased punishment for harassment of women in the workplace. This law had not been passed while the data for this study were being collected; it would be interesting for future research to explore how strictly the Pakistani Government is implementing the new legislation and whether it is reducing the incidence of SH in the workplace.



# **An exploratory study of sexual harassment in Pakistani organisations**

**Faiza Ali and Robin Kramar**

*Despite the prevalence and culturally driven nature of sexual harassment (SH), little empirical evidence exists to assess cultural influences on sexual harassment processes in Muslim Majority Countries such as Pakistan. This research advances our understanding of sexual harassment by demonstrating that the institutional context has a strong influence on perceptions of sexual harassment in Pakistan. This study extends neo-institutional theory by revealing that even though formal policies can support the prevention of sexual harassment behaviour, in the Pakistani context, the influence of culture and religion has an impact on perspectives of the sexual harassment, both by women and employers. These factors also influence the implementation of organisational policies designed to prevent and deal with sexual harassment behaviour and the procedures used to deal with sexual harassment complaints.*

*The study uses qualitative methods to identify the perspectives of sexual harassment by employers and working women. The study reveals a tension between the traditional culture and the expectations of desired behaviour consistent with the SH policies in the workplace. Based on case-study analysis, the paper identifies three major issues of SH faced by female employees in Pakistan: socio-cultural factors (e.g. Islamic female modesty), institutional factors (e.g. inappropriate redress procedures, victimisation), and managerial discretion (lack of professional knowledge, individual bias). The influence of cultural norms is not only evident in organisational policies, but also in organisational practices both at female employees' and human resources managers' level.*

**Keywords:** Sexual harassment, Muslim women, Pakistan, socio-cultural factors, Equal Employment Opportunity

## **Introduction**

Studies on sexual harassment (SH) have largely focused on either the outcomes experienced by the direct targets of SH or on defining SH in different organisational and team contexts (Chamberlain et al., 2008; Gruber, 1992; Raver & Gelfand, 2005; Welsh,

1999). Most of these studies have been conducted in Western contexts, e.g. in the US, Australia, UK and other EU countries (Hunt et al., 2010; Zippel, 2006; Welsh, 1999; Fitzgerald et al., 1995). However, the issue of SH in Muslim Majority Countries (MMCs) remains largely underexplored. To develop a contextual understanding of SH in organisations in MMCs, this paper explores the perceptions of female employees and human resources (HR) managers on sexual harassment in Pakistani organisations.

There are significant differences between MMCs and Western countries in the cultural concepts of female modesty and gender segregation. These differences are associated with culture, in terms of practices and behaviour, and might be expected to influence the issues and challenges associated with the prevention and handling of SH in the workplace – even in circumstances where there are measures in place, such as SH policies within organisations, legislation preventing SH and supporting institutional frameworks. This paper examines this issue in the context of Pakistan, the second largest MMC in the world with a population exceeding 165 million (CIA, 2010).

Differences in religion and culture influence the perceptions of SH in various countries (Merkin, 2008). Cultural perceptions, for example, vary because people differ in how they encode and decode messages (Hofstede, 2001). There are a number of studies that discuss how general perceptions and judgments influence SH in relation to issues at work (Gutek & Done, 2001). However, these studies are predominantly focused on Western societies such as the US and the UK (e.g. Fitzgerald et al., 1997; Rospenda et al., 2005). Therefore, these studies are limited in their ability to explain SH in other cultures especially in MMCs where religion and culture play an important role in shaping people's behaviours and expectations.

This study on Muslim women was conducted in Pakistan in the formal labour market. Hence the study is not meant to be representative of all Muslim women in the world. Indeed, the experiences of Muslim women in other countries may not be represented in this data.

The structure of this paper is as follows. First, the paper reviews the theoretical framework of SH, examining definitions and the incidence of SH at workplace. Next, cultural variations and their impact on the perception of SH are discussed. The paper

then discusses some contextual information on Muslim culture and societal norms such as shame, guilt, inhibition and modesty in the context of Pakistan. This is followed by the main qualitative study, its findings and a discussion of the results.

## **Theoretical background**

### **The nature of sexual harassment**

‘Sexual harassment’ (SH) is broadly defined as ‘unwelcome’ behaviour in the workplace that has a sexual or sexist nature (Fitzgerald, 1993). It has been widely recognised and extensively studied in the United States (Toker & Sumer, 2010) and other countries. The Equal Employment Opportunity Commission (EEOC, 1980) has provided a standard legal definition of SH in the US, based on MacKinnon’s (1979) categorisation of ‘hostile’ and ‘quid pro quo’ harassment. Despite the standardised legal definition, psychological research has resulted in the identification of different forms of SH (e.g., Fitzgerald et al., 1988; Till, 1980) together with demographic, organisational, and psychological factors associated with an individual’s own perceptions of what constitutes SH (Blumenthal, 1998). For example, Till (1980) classified SH behaviours into five categories, which were used for intensive assessment and research attempts to describe the behaviours and understand their causes, correlates, impact on victims, personal coping with occurrences, and more. Later, following a series of studies, a suggestion was made to change the classification of types of SH into three distinct categories: gender harassment, unwanted sexual attention, and sexual coercion (Fitzgerald et al., 1995). Fitzgerald et al. developed a behaviour-based assessment (the SEQ or sexual harassment experience questionnaire) based on Till’s typology of SH, which consists of gender harassment (sexist remarks or behaviour), seductive behaviour (sexual advances or propositions), sexual bribery (sexual favours in exchange for rewards), sexual coercion (sexual advances with a threat of punishment) and sexual imposition (assaults). Fitzgerald et al. found that the factor structure of the SEQ failed to validate Till’s five-level typology. Instead, a tripartite model (gender harassment, unwanted sexual attention, and sexual coercion) better accounted for the data. However

this typology of SH by Fitzgerald et al. is also criticised. For example, Gutek et al. (2004) suggest that:

*the SEQ is not a finished product, has a number of problems, and has weak psychometric properties. Because of inconsistencies (e.g. in time frame, number of items, wording of items), the SEQ lacks the advantages of standardized measures, such as the ability to assess changes over time. It defines sexual harassment very broadly, having the effect of distorting findings about sexual harassment. Most importantly, it is not clear what or whose definition of sexual harassment the SEQ assesses. (p. 457)*

A number of studies have been conducted on the behavioural categorisations of SH identified by MacKinnon (1979), Till (1980), Fitzgerald et al. (1995, 1999). Results in general reveal that hostile environment harassment – where employees in a workplace are subject to a pattern of exposure to unwanted sexual behaviour from persons other than an employee's direct supervisor and where supervisors or managers take no steps to discourage or discontinue such behaviour – is subject to more disagreement between individuals than the quid pro quo type of harassment – where a direct supervisor seeks sexual favours in return for something within the supervisor's powers, such as threatening to fire someone, or offering them a raise (e.g., Tata, 1993; Terpstra & Baker, 1987). Some individuals view behaviours included under hostile environment harassment as 'unharassing' (Thacker, 1992), whereas forms of quid pro quo harassment are perceived as SH by almost everyone (Frazier et al., 1995). Likewise, on the basis of Fitzgerald et al.'s (1988) SEQ, Fitzgerald and Hesson-McInnis (1989) showed that undergraduate students viewed seductive behaviour, sexual bribery, sexual coercion, and sexual imposition to be sexually harassing, whereas they did not consider the gender harassment dimension, including sexist and sexual remarks, to be SH. They noted that as the severity of the behaviours increases, perception of SH also increases.

The above-mentioned studies were carried out largely with US Caucasian samples. An important question concerns the extent to which the identified sexual behaviours are universally perceived as SH and whether there are any culture-specific behavioural

manifestations that are considered in such studies. Although the literature is scarce in this regard, a few studies point to cultural variations in perceiving SH.

### **Cultural variations on perceptions of sexual harassment**

Culture plays an important role in gender stereotypes and it is argued that what is regarded as adequate, appropriate, unpleasant, aggressive, right, or wrong is, in great part, a function of culture (Merkin, 2008). Therefore, calls have been made for studies on SH in terms of cultural and institutional contexts and influences (Merkin, 2008; Cortina & Wasti, 2005; DeSouza et al., 2007).

A few small-scale studies were identified that compared open-ended definitions of SH from a cross-cultural perspective (Toker & Sumer, 2010). For example, it was revealed in a study (Tyler & Boxer, 1996) that a sample comprising individuals (who were studying in the US) from different cultures such as Korean, Chinese, Russian, Spanish, Arabic, and Turkish perceived less SH than the US resident sample. Another study (Pryor et al., 1997), that compared Brazilian, Australian, German, and US student samples, revealed that the US, German, and Australian samples were very similar in their definitions of SH, whereas the Brazilian sample differed from the rest. In several cultural contexts, emic (culture-specific) manifestations of SH were also reported. Cortina (2001) collected qualitative data from Latinas (a woman or girl who is a native or inhabitant of Latin America) through focus group, which revealed some culture-specific expressions. Latinas were found to assume the occurrence of SH, even from more uncertain types of behaviour such as non-verbal behaviours with no explicit sexuality. In another study, US and Thai students' perceptions of SH were analysed (Limpaphayom et al., 2006). Thai students perceived sexually explicit language and jokes as very offensive and even considered them a part of sexual coercion as compared to the US students. Similarly, Mecca and Rubin (1999) highlighted in their study how important it was to explore culture-relevant SH perceptions by showing that African-American students' perceived behaviour based on racial stereotyping to be sexually harassing rather than gender stereotyping.

The above discussion suggests that socio-cultural factors influence the perceptions of SH, and hence it is important to consider these factors while exploring SH in any country. It further suggests that in MMC, where the culture and religion play a very important role in shaping people's day-to-day activities, studies of socio-cultural factors and its influence on SH issue may be significant. There are very few studies which touch upon the issue of SH in MMCs.

Turkey is an example of MMC where the issue of SH has been explored to some extent. For example, Wasti and colleagues (2000) explore the generalisability of the Fitzgerald et al. (1997) model of sexual harassment to the Turkish context using structural equations modelling. The results of their study support the usefulness of the model for explaining sexual harassment experiences in a variety of organisational and cultural contexts. However it was also noted that 'it is possible that the SEQ contains emic items that do not adequately capture the Turkish experience of sexual harassment.' (Wasti et al., 2000:10).

Further, a recent study by Toker and Sumer (2010) examines perceptions of workplace sexual harassment in the Turkish context. This study contributes to the existing literature by focusing on the phenomenon of SH in a distinctively cultural context. There were number of themes identified, including 'insinuation of interest' – unwanted personal attention, such as constantly requesting a date from the woman, inquiring or commenting on the woman's spouse or family, using affectionate terms such as 'honey', 'my dear', leaving notes showing his interest, inquiring about the woman's personal life, and making compliments about the woman's physical appearance. This factor appeared to be unique to the Turkish context as compared to the US context, whereas other factors or identified themes were comparable with the US. The items that loaded under this factor did not include any explicit attempt to engage in a sexual relationship. These characteristics distinguished this factor from Till's (1980) category of 'seductive behaviour' or Fitzgerald et al.'s (1988, 1999) category of 'unwanted sexual attention' (Toker & Sumer, 2010:629).

In another study on predictors of Turkish women's and men's attitudes toward SH, Sakallı-Uğurlu and colleagues (2010) point out that:

*Turkish men were more tolerant to sexual harassment issues than Turkish women were. It seems that Turkish men are more likely to accept the beliefs that sexual harassment is provoked by the way women dress, behave or talk; that if a woman really does not want sexual advances from men, she can prevent it; and that women sometimes use their sexuality as an advantage to get better grades or promotion. Therefore, if a woman is sexually harassed, men might tend to believe that it is her fault and she is the one to blame. (p. 877)*

Previous research suggests that in MMCs such as Pakistan and Bangladesh, various work practices are influenced deeply by cultural practices, even in the absence of specific religious dictates (Ali, 2010). In such cultures, men are rather dominant and SH legislation in some cases is almost non-existent or weakly implemented (Gee & Norton, 1999). Consequently, even in the presence of SH legislation, SH may take different shape in Muslim countries based on traditional patriarchal culture, as compared to Western countries. For example, in Bangladesh which is an MMC, the most common form of SH identified in a study of factory workers was the *gali* or expletives to which women are subjected during work hours (Sidiqi, 2003). This is not a common form of SH within the Western context. Another difference of SH from Western perspective may be identified where it was argued that in Bangladesh ‘the highly sexualized vocabulary and body language used to discipline female workers creates a hostile, intimidating and sexually charged environment’ (Sidiqi, 2003:5). In another descriptive study based on workplace violence against obstetrics and gynaecology nurses in Cairo, Egypt (an MMC), it was revealed from the data that 100 per cent of women faced SH at workplace (Samir et al., 2012). It was also interesting to note that around 27 per cent of the participants chose to remain silent and continue working while 10 per cent women resigned without any complaint. This means that almost 40 per cent of victims did not report formally against the SH. This large percentage of victims not reporting the incident formally could be related to the influence of patriarchal religious or other socio-cultural factors in Egypt which were not analysed in this descriptive study.

The tension between the traditional gender stereotypes and the expected behaviour in the light of organisational policies on SH may have implications for the workplace especially in MMCs. Syed, Ali and Winstanley (2005) explored the experiences of

working women in MMCs from the perspective of Islamic female modesty. The study suggests that while female modesty occurs as a value in many cultures, it is a particularly well-defined and strong feature of Pakistani culture. Conceptualising moral values and societal norms on the emotional aspects of labour with respect to Muslim women, Syed (2008c) argues that Muslim woman's 'emotional struggle is not solely dictated by the nature of a specific job. Instead, her very decision to work in a formal organization may bring her to a highly sensitive social deadlock.' (p. 13).

The above literature suggests that culture variations influence the perception of SH in different ways, and hence there is a need to explore perceptions of SH in MMC.

### **Neo-institutional context**

Institutional influences such as legislative structures may help to prevent gender-based discrimination in society. (*Global Gender Report* 2011). Other institutional influences such as religious and cultural context also play an important role on the legislative framework of gender equality in any country, especially MMCs (Mullally, 1995). Attention must be paid to the specific cultural environment within which gender equality law reforms are to take place. For example, Pakistan's position as a post-colonial, multicultural, developing nation state and declared Islamic republic provides the specific cultural context within which women engage in the public sphere (Mullally, 1995). A study (Ali & Knox, 2008) reviewing equal employment opportunities laws in Pakistan suggests that although apparently Pakistan has a sound legislative framework of gender equality, the in-depth review suggests that there are contradictions within such laws in relation to the internationally accepted concept of EEO (Ali & Knox, 2008). This is due to the fact that in many Muslim countries such as Pakistan, Islamic rules dominate governmental, legislative, and corporate decision-making. This leads to further complications when it comes to implementing SH laws in the workplace.

Not only are EEO laws influenced by culture, but the employers' interpretation and implementation of legislation in the workplace may vary on the basis of their subjective preferences and interpretations of SH. Recent organisational research has indicated that



there are differences between what managers say they do at a formal level, and what they really do in practice (Ali, 2010; Tomlinson, 2007; Liff & Dale, 1994). This difference between the formal policy on SH and the practice of this policy's implementation may be evaluated through a number of approaches.

One possible approach is the sociological institutional or neo-institutional perspective, which helps to explain the influence of culture and societal practices on organisation policies and practices (Meyer & Rowan, 1977). The main concern of this theory is the embeddedness of the social structures and social actors in broad-scale contexts of meaning (Japperson, 2002). Neo-institutional theory, as it has developed since the 1970s, has provided a useful perspective which helps understanding of the nature and impact of the society on stakeholders such as organisations, employers and employees (Meyer, 2009; Meyer & Rowan, 1978). Hall and Taylor (1996) explain neo-institutionalism as an approach which defines institutions much more broadly by also considering the societal context, e.g. moral templates, cognitive scripts and the symbol systems, thus breaking down the divide between 'institutions' and 'culture'. A neo-institutional approach suggests that instead of acting under rules or policies, individuals such as managers and employees act because of conceptions. 'Compliance occurs in many circumstances because other types of behaviour are inconceivable; routines are followed because they are taken for granted as the way we do these things' (Scott, 2001:57). In a recent study conducted in Oman (MMC), it was revealed that the ethical beliefs and aspects of national culture and national institutions had an impact on preferences for human resource management practices such as EEO (Katou et al., 2010). Similarly, at individual level, actions are also influenced by traditional cultural practices.

Neo-institutional theory further suggests that employees bring their own beliefs, norms and traits to the workplace (Hall & Taylor, 1996; Meyer & Rowan, 1977). Therefore perceptions of what constitutes SH will be influenced differently in different cultures. In line with the neo-institutional theory, social rule system theory stresses that institutions and their organisational policy designs and structures are deeply embedded in cultural, social, and political environments and that particular structures and practices are often reflections of, as well as, responses to rules, laws, conventions, paradigms built into the

wider environment (Powell, 2007). Therefore, in the context of SH policies and practices, it is not only organisations which are influenced by the culture and the society, other stakeholders such as employees also bring their socio-cultural practices to the workplace which may influence the perceptions of SH within the workplace.

The foregoing discussion has highlighted that traditional gender stereotypes in MMCs or patriarchal society may influence the interpretation and implementation of SH policies at workplace differently. In other words, there exists a tension between traditional social values (gender relations and stereotypes) and the expected workplace behaviour in compliance with anti-SH laws and policies.

Table 1 gives us a comparative overview of legislation prohibiting SH in different MMCs and Western countries. It is evident that in several MMCs, such as Pakistan and Bangladesh, SH was not prohibited by legislation as recently as 2009 or 2010.

**Table 1: A comparative overview of Western and MMCs with respect to SH law**

MMCs	Year when prohibition of SH became law)	Western countries	Year when prohibition of SH became law)
Pakistan	2010	US	1980
Bangladesh	2009	UK	1993
Turkey	2004	Australia	1984

From a neo-institutional perspective, bringing emotions such as modesty, inhibition, fear and shame to the workplace may have implications for organisational SH policies because a female employee may have a different, probably more restrictive and sensitive view about her private space and values (of modesty) which must not be violated, as compared to her Western peers.

Pakistan is a male-dominated country with a patriarchal culture (Fedoo, 2005). However at the same time, the government of Pakistan has introduced several gender equality legislations at workplace (such as SH law in 2009). It is possible that this legislation could result in

contradictory perceptions by employers and female employees. This study was conducted just before the introduction of SH law, and it would be interesting to find out how women and employers perceive SH at workplace. What are the procedures in place for handling SH and how are the procedures implemented?

### **The Pakistani context**

Pakistan is a male-dominated society where women are considered as no more than secondary citizens mainly due to traditional norms prevailing in the whole society (Ferdoos, 2005). It is therefore, evident that women spend the greatest part of their time inside the house and due to *purdah* (veil) do not have much exposure to male strangers. A confrontation with the 'male world' is therefore a traumatic experience they find difficult to face (Syed et al., 2005; Shaheed, 1990:26). Most women have never been alone in a bank, a government office, or even to a bookshop or hospital (Ferdoos, 2005). The inability to interact with male strangers is closely intertwined with the *purdah*-system, which again is based on the absence of concepts for mixed social interaction, and the perception of relationships between *na-mahram* (non-blood related) men and women as predominantly sexual ones.

Socio-cultural and economic factors play an important role in determining women's efficiency in the labour market (Ali & Knox, 2008). The occupational choices of women in Pakistan are limited due to many factors, such as social and cultural constraints, inherent gender bias in the labour market, and lack of supportive facilities such as child care and transport in the formal sector of the labour market. Women's labour power is considered inferior because of employers' predetermined notion of women's primary role as homemakers. As a result of discrimination against female labour, women are concentrated in the secondary sector of the labour market where jobs are low paid and there are limited opportunities for upward mobility. For example, the majority of urban female workers are employed in the service sector, followed next by the manufacturing sector (*Global Gender Report* 2011). Similarly, in the public sector, the majority of women are working at basic pay scale grade 9 or below, while not a single woman is working in grade 22, which is the highest basic pay scale in Pakistan.

A large number of women face SH at workplace (AASHA, 2002). Those who start employment are often harassed, and society in general inappropriately blames the women themselves. Thus, the issue becomes stigmatised, making it very difficult for the women to report or even talk about it (Ferdoos, 2005).

The environment associated with paid work in Pakistan, in general, is difficult and unsupportive for female employees. Women commonly face inappropriate behaviour and harassment on the streets, at the workplace and in public places. Women either face social constraints, or they are discouraged by a hostile work environment; therefore, they do not attempt to get into employment situations. Those who do come out to work, have to fight for their rights and get little support to carry on. The attitude of their male colleagues and the management is usually not conducive and does not encourage women to exercise their right to work and contribute to the economic development of the society (AASHA, 2002). In such situations the issue of SH is of great importance for investigation.

The issue of SH is widespread in Pakistan; however there is lack of research on this topic especially in the context of the workplace. One study on SH by AASHA (Alliance Against Sexual Harassment) provides some statistics; however, the study was mainly focused on domestic workers and did not explore the qualitative aspects of SH issues in Pakistani organisations. According to this report, nearly 80 per cent of the working women (working in the formal and informal sector) in the country are sexually harassed at workplaces (AASHA, 2002). About 93 per cent of women employees working in formal sector, private and public, organisations in Pakistan reported that they faced SH at the workplace (AASHA, 2002). Victims faced both kinds of SH – that is, quid pro quo and hostile environment. For example, most victims were asked to go out by co-workers and employers, threatened when they refused to comply with sexual propositions by their bosses, and faced sexually suggestive comments. This can be categorised as ‘insinuation of interest’ theme which is consistent with the Turkish context (Toker & Sumer, 2010).

There is some evidence of a rudimentary legislative framework of gender equality in Pakistan (Ali, 2000, 2007; Goheer, 2003; Mullaly, 1995; Syed & Özbilgin, 2006). The

legislative framework includes the Constitution of Pakistan, its equal employment opportunity and anti-discrimination laws, and the international conventions and related instruments ratified by Pakistan. Pakistan's constitution places a ban on discrimination on the basis of gender (Articles 25 and 27) and provides that 'steps shall be taken to ensure full participation of women in all spheres of national life' (Article 34).

Religion is an important element of institutional context in Pakistan. According to the country's constitution, Islam is the state's religion. The Objective Resolution, which has been described as 'the ground norm of Pakistan', was an introduction to the successive Constitutions of Pakistan, of 1956, 1962 and 1973 (Patel, 1991). The Martial Law Regime, of President Zia-ul-Haq, in 1985 made the Objective Resolution a substantive part of the Constitution. It declares that sovereignty over the entire universe belongs to Allah Almighty alone and is to be exercised by the people within the limits prescribed by God (Patel 1991). The Federal Shari at Court, on its own motion or through petition by a citizen or a government (Federal or provincial), may examine and determine as to whether or not a certain provision of law is repugnant to the Injunctions of Islam. Although not formally articulated in the constitution or labour laws (until 2009), SH is prohibited according to Islamic *shariah*; however, there is no explicit provision to implement such law. At the time of writing this paper the Pakistan Government has recently legislated an Act, *Protection Against Harassment of Women at Workplace Act 2010*, to prohibit SH in the workplace. According to this law, SH is now a criminal act in Pakistan.

The previous discussion suggests that Pakistan (an MMC) is a male-dominated society with some strong socio-cultural and religious practices. This paper reports on how SH is perceived by employers and female employees at workplace under these conditions. It also reports on how such cultural factors influence the issue of SH in Pakistani organisations.

***Update on SH legislation in Pakistan.*** Until 2009, there was no explicit provision in the constitution for SH as an issue in the workplace. On 21 January 2010, the national Pakistan Parliament adopted the Protection against Harassment of Women at Workplace

Bill 2009, which became law as *Protection against Harassment for Women at the Workplace (PHWW) Act 2010* on 9 March 2010, after it was signed by the President of Pakistan. Apparently, this law provides increased punishment for the harassment of women in workplaces.

The PHWW Act 2010 amends both the Pakistan Penal Code and the Code of Criminal Procedure, increasing the punishment for the crime up to three years in prison and a fine of up to Rs 500,000 (USD 4700). The aim of this law is to create workplaces free of harassment, abuse and threats. This law is not just confined to the workplace. It extends to the whole of Pakistan which means it includes SH at public places such as parks, streets and transport etc.

According to the current SH law, it is illegal to make any sound, exhibit an object, utter a word or demand sexual favours which can be considered as SH. Penalties include demotion, forced retirement, and removal from service and dismissal from service. The PHWW Act addresses three major elements related to SH at work. Firstly, the SH law requires employers to incorporate a code of conduct in their management policies. Secondly, the law requires employers to establish an inquiry committee comprising three members within an organisational structure to deal with complaints regarding SH. Finally, in circumstances where the complainant is not satisfied with the result of the committee, the employers need to provide for appellate authority such as ombudswoman to address appeals related to harassment.

The amendment to the Pakistan Penal Code, Section 509 states that any person would be responsible for punishment whosoever:

*Intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman. (Act XLV of 1860)*

It is interesting to note that SH law in Pakistan is only for women. In contrast, SH legislation in the West includes men and women. In the UK, the *Sex Discrimination Act 1975* also includes transsexual persons.

## **The study**

In order to obtain a more general profile of SH in the workplace, an exploratory study was undertaken in a number of industries in the service sector. The study investigates the perspectives of a small group of workers during December 2008 to February 2009. It does not attempt to review the complex and evolving institutional factors (e.g., socio-cultural factors) involved.

As SH is an extremely sensitive issue in MMCs generally, the methodology adopted in this study was qualitative and involved semi-structured interviews which enabled a personal, one-on-one contact and rapport.

Case studies are widely used in organisational studies (Hartley, 2004). They provide an analysis of the context and processes which illuminate the theoretical issues being studied. Case studies are a key way to understand the context (such as culture) as an explanatory factor on the organisational phenomenon under study (Hartley, 2004; Rousseau & Fried, 2001). This means that the case study analysis provides the opportunity to analyse the effects of context such as culture on the phenomenon under study – in this case, SH in the organisations. Case studies can be done by using either quantitative or qualitative evidence (Yin, 1981). The current case study analysis is based on qualitative analysis which includes policy document analysis and semi-structured interviews with female employees and HR managers.

This study is a part of wider research project on prospects for EEO for women in Pakistani organisation. The data on SH was collected in line with other EEO-related issues such as income gap, career progression etc. The data were collected through policy document analysis and exploratory interviews with 30 female employees and six HR managers in six case study workplaces. These workplaces were in the banking, education and telecommunication sectors. Personal contacts were used to gain access to the organisations as this is considered a very effective way of gathering related information and it provides more freedom in Pakistani organisations. HR managers or related senior management of each organisation were contacted through emails to obtain consent. HR managers were then provided with another consent letter for circulation in

the organisation in an attempt to get voluntary participation from female members of staff. A rigorous process of research ethic approval was conducted and in the event of participants facing stress due to interview, help was provided to assist with psychological issues. For this purpose, all female participants were given contact information of a counsellor in their city. All participants were also provided with the contact number of the research office (of the researcher's organisation) in case they want to make a complaint. Participants were allowed to leave the interview at any time if they wanted to. In this way, the researcher made sure no undue pressure was imposed on the participants due to the sensitivity of the topic. In terms of policy document analysis, the researcher was able to access confidential policies on gender through the consent of HR managers. At the time when this research was conducted, there was no explicit law that considered SH as a crime, so case-study organisations had only partial policies on SH. Therefore, the policy analysis was based on the few SH policies which were received from HR managers and also through the use of some online sources. The policy analysis was focused on highlighting contradictions and issues such as weak implementation in the light of HR managers' and female employees' perspectives.

Criterion for sampling ensured that the six selected organisations and 36 participants fitted each of the following criteria:

- Formal organisations from service sector
- Organisations from private sector
- Organisations with formal or informal SH policies
- Organisations based in Lahore, Punjab
- Skilled employees holding at least bachelor's degree
- One HR manager from each organisation
- Even representation of married and single females.

All organisations were based in Lahore which is the capital of Punjab, the largest province of Pakistan. Lahore is the second largest city of Pakistan in terms of



population, and the workforce is relatively less segregated by gender as compared to some other big cities such as Peshawar, where female employment is very low due to strict patriarchal practices (Ferdoos, 2005). While, for example, only 25 years ago no women were employed in banks in Lahore (Nestvogel & Klein, 1986), nowadays many banks have female employees (Ferdoos, 2005). Table 2 provides a general overview of six case study organisations.

**Table 2: An overview of six case-study organisations, Pakistan**

Org.	Sector	SH policies	Location	Type	Total employees	Female percentage
A	Bank	Yes	Lahore	Private	100	10%
B	Telecommunication	Yes	Lahore	Private	250	25%
C	Telecommunication	Yes	Lahore	Private	300	20%
D	Bank	Yes	Lahore	Private	80	15%
E	Education	Yes	Lahore	Private	85	20%
F	Education	Yes	Lahore	Private	58	25%

For the purpose of the current study, it was deemed necessary to interview only female employees, for two main reasons. First, as discussed in the literature review, it is predominately women who are subject to SH in the workplace (Fieldern, 2010). Second, in countries in which SH is prevented indirectly under protective legislation, such as in Pakistan where the criminal legislation prohibits outraging the modesty of a woman, men are inevitably excluded from bringing complaints (McCann, 2005). This is evident from the recent SH law in Pakistan where only women are mentioned in the statement

Further, it was anticipated that there would be some similarity across the socio-cultural issues and challenges faced, for a number of reasons. For instance, interviewees were all females (excluding HR managers), Muslim by religion and geographically belonged to the same city (i.e., Lahore).

One reason for conducting interviews with professional women, holding at least a bachelor's degree, was to have consistency for data analysis and comparisons. The other reason for this choice was to focus on permanent staff. In Pakistan, the majority of women working at low income or low skilled jobs are on contract, irregular or temporary employment bonds, and hence not fully covered under organisational policies such as SH (Ahmed & Ahmed, ND).

This study adopts the interpretive genre of a qualitative inquiry to engage with SH perceptions at workplace through interpretations of participants' experiences. An interpretive approach focuses on the processes by which meanings are created and negotiated (Schwandt, 1998). Due to dissatisfaction with the methods and procedures for producing scientific knowledge within positivistic research, there is currently strong growth in the use of interpretive approaches (Sandberg, 2005). Proponents of interpretive approaches claim that quantitative methodological procedures and claims for objective knowledge have significant theoretical limitations for advancing our understanding of human and organisational phenomena (Alvesson & Sköldberg, 1999; Denzin & Lincoln, 1994, 2000; Lincoln & Denzin, 2003; Prasad & Prasad, 2002; Sandberg, 2001a). Interpretive approaches have provided new means of investigating previously unexplored questions, thus enabling management researchers to conduct research that has led to new forms of knowledge about management and organisation (Sandberg, 2005). It is argued that for appropriate use of interpretive approach at least two criteria need to be satisfied: 1) communicative validity (a criterion for establishing truth as perceived fulfilment) and 2) pragmatic validity (a criterion for establishing truth as fulfilment in practice).

For communicative validity, all participants were briefed about the interview topic and also about the basic definition of SH at the workplace to make sure that they understood the standard meaning of SH. It was noted that participants understood the topic well due to their high level qualifications and the professional nature of their job. The participants were encouraged through interview questions to express their perceptions, personal experiences and reflections about SH at the workplace. At the same time, an open-ended question format was used, allowing participants the ability to control the depth and breadth of information shared. Furthermore, the semi-structured format

provided deeper understanding of the major issues and challenges related to SH. The interviews were conducted in the form of a dialogue so that generating verbal descriptions of lived experience becomes a one-sided activity when the researcher merely poses questions and the subject answers, and it is unlikely to achieve high communicative validity (Sandberg, 2005). For pragmatic validity, the researcher asked follow-up questions to testify data/knowledge produced earlier during the interviews.

During interviews, the researcher occasionally misrepresented the interviewees' statements deliberately as a way to check their pragmatic validity. Most of the time, interviewees reacted quite strongly. The interviews were recorded digitally, with the average duration of each interview 40–60 minutes. Interviews were transcribed verbatim. The data were analysed manually through repeated reading of the transcripts. Various techniques such as word repetitions, indigenous categories and key-words-in-context were used to highlight the common themes. The emergent themes from female employees' interviews were categorised in two different levels – namely macro-national level issues and meso-organisational level issues. At the macro-national level, issues related to socio-cultural factors were identified and at the meso-organisational level the issues related to organisational policies were explored.

While discussing different themes that emerged as a result of this study, the researcher supported the analysis of each theme with various direct quotations from the actual interviews to add further validity to the themes. Each quote is followed by a code to identify the participant concerned. For example, AF1 refers to the first female interviewed from organisation A. Similarly BHR refers to the HR manager of organisation B. This will help the reader make connections with the conclusions and add more transparency to the study.

## **Findings**

The findings of the study are divided into two main categories. The first part presents the findings related to the organisational perspective, which includes results from policy document analysis and HR managers' perspectives of SH. The second part is based on

the findings gathered from the interviews with female employees from the six case-study organisations.

### **Organisational policy analysis and managers' perspectives**

The HR managers in all case-study organisations claimed to have formal or informal equal employment opportunities policies. These include policies related to SH as well. Although all organisations expressed their concern for SH issue in the policy documents, it was revealed through policy analysis that five out of six organisations did not have explicit provisions in policies to deal with the issue of SH.

For example, one of the telecommunications organisations (B) depicted its concern about SH in their code of practice as following:

*We do not tolerate degrading treatments towards any employee, such as mental or sexual harassment or discriminatory gestures, language or physical contact that is sexual, coercive, threatening, abusive or exploitative.* (Code of practice, Organisation B)

Similarly, another organisation (service provider) stated in its human rights policy that:

*Organisation is committed to a working environment that is free of harassment. Harassment of any type will not be tolerated.* (Policy document, Organisation D)

Although the above-mentioned policy statements suggest that the studied organisations are committed to deal with SH at a policy level, this commitment is more like an 'empty shell', where employers pay lip service to EEO policies (Hoque & Noon, 2004). For example, detailed analysis of policy documents suggested that there were no explicit procedures outlined regarding SH complaint and redress systems. Therefore, in reality, at a policy level SH remains like lip service – or, in other words, an intention of expected behaviour.

Further analysis suggested that the managers were unable to explicitly identify specific actions/procedures related to SH because of partial policies on SH. This was evident

when managers' perspectives contradicted with the actual practices of the organisations. For example, one HR manager (male) thus commented on the SH issue:

*We are very strict in terms of sexual harassment issues. We have the best HR practices system. That is why we say that we are following the best practices of HR in our company.* (HR, Organisation B)

On the other hand, the same manager accepted his lack of awareness about the incidence of SH in the organisation:

*There was one case where the girl left the job because of sexual harassment but we hired her back. Actually she got scared and she left the job but she did not let us know. Obviously how would we know?* (HR, Organisation B)

The analysis of the narratives further suggests that the issue of individual bias exists within HR managers' routine practices, which may consequently influence managerial discretion. This may lead to negative consequences for SH at work. For example, when asked about the difference in terms of job efficiency between male and female employees, a manager (male) revealed his perception that female employees have more issues than male employees. Line managers also complain about this problem. His perception of women's performance was reflection of his biased attitude towards women at work. This is also related to socio-cultural influences where 'good' women are assumed to be home early before sunset.

*At times I, handling a team of 12 employees with majority of females, feel there is a difference ... female staff are unable to take extra load of work due to I don't know their home, personal or other issues. I have worked in HR and a lot of line managers [also] complain that this is the problem with our female staff [that they cannot take extra load of work]. They have to leave at 6 sharp no matter what happens.* (HR, Organisation D)

Similarly another HR manager (male) from a bank expressed the same perception when asked about line managers' opinions about differences in efficiency of male and female employees. The manager also recognised that it is the violation of organisational code of practice and HR department do take action 'if they come to know about it'.

*Yes, it becomes problematic for line managers when it comes to assign equal/same tasks to male and female employees. However, we provide info. to line managers how to handle a team which is of diversified portfolio. Being the HR person/department if we come to know that a manager is violating code of conduct especially related to gender discrimination then we take action. In the past four years we have terminated numerous male managers because of such violation. (HR, Organisation D)*

One HR manager revealed his perception regarding problems towards female employment. He blamed the culture of this society and some women themselves for creating problems for working women, rather than organisations.

*The problem is not with the organisation or with the females. It is with the parents of men and men themselves who do not let educated females work outside. That mainly includes mothers-in-law which means it is a female only problem. The problem is not with the organisation, the problem is with the culture. (HR, Organisation C)*

The majority of HR managers did not hold professional knowledge and understanding of aspects of HR. For example, when the HR managers were asked (at the time of interview) about their professional HR qualification, four out of six managers stated that they did not have them. Rarely did they speak about legislation or organisational policy or show much awareness of equality/diversity related issues. It was interesting to note that only one out of six HR managers had a specialised degree in HR. Lack of professional knowledge and understanding was evident in the interviews. For example, one HR manager working in the education sector, held a degree in medicine, and did not have any idea when asked about policy regarding termination of pregnant women while on maternity leave. It seemed most HR managers were using skills on the basis of HR *experience* only. Table 3 provides a brief summary of perceptions of HR managers along with some related comments/explanation.

**Table 3: A summary of perceptions of Pakistani HR managers about SH**

<b>Perceptions of HR managers</b>	<b>Comments</b>
Accepted bias	<ul style="list-style-type: none"><li>• Perceptions that women perform at a lower level as compared to men</li><li>• Women need to go home early</li></ul>
Individual bias/managerial discretion	<ul style="list-style-type: none"><li>• Avoid taking appropriate action against SH complaint</li><li>• Discourage women from complaining against SH</li></ul>
Blaming culture	<ul style="list-style-type: none"><li>• Culture and women themselves are responsible for inequality issues</li></ul>
Inadequate professional knowledge	<ul style="list-style-type: none"><li>• Lack of awareness regarding explicit procedures of SH at workplace</li><li>• Lack of knowledge of EEO laws in the country</li></ul>

Overall, it emerged from the managers' interviews and organisational policy analysis that organisations pay lip service to the EEO. They have the policies but they do not have explicit procedures regarding SH. Similarly, HR managers lack professional knowledge and have their own perceptions of SH based on cultural practices and individual stereotypes.

### **Working women's experiences and perspectives**

The narratives of many women in this study indicate various issues related to SH. These issues can be categorised as multilevel issues, namely macro-national and meso-organisational issues.

At the macro-national level, socio-cultural and legal issues are evident. Pakistan is a male-dominated society, with strong cultural influence on daily practices (Ferdoos, 2005). This study reveals the strong influence of socio-cultural factors on the issue of SH. The findings suggest that the nature of SH in Pakistani organisations is very complicated due to the strong influence of cultural and other societal factors. For example, SH is widespread in Pakistani organisations (AASHA, 2003). This study further reveals that females tend to hide the issue because of socio-cultural practices such as female modesty, shame and inhibition.

According to an unmarried female working in a private sector organisation:

*...in our culture it [SH] is considered a shame to openly discuss especially for unmarried girls... Our culture is like that if something like this happens people will not say anything to the man but they will blame the girl to be the main culprit behind such issues. (Organisation D, participant 2)*

Another female employee (unmarried, front desk officer), who was harassed in her previous job, possessed a similar view whereby she blamed culture and society for not taking the initiative to report SH at work.

*We also know that our culture is like this, that if you talk about sexual harassment issue, then people will think that there must be some problem with the female, and that is why the male was attracted towards her....we [women] are already a victim and do not want to be a victim again (Organisation A, participant 2).*

The practice of inhibition, modesty and shame, too plays an important role in further aggravating the SH problem. For example, a woman's decision to work outside her house is more like going against local culture (Malik & Khalid, 2008). Therefore when faced with SH at work, it can be assumed that a female would refrain from discussing the issue with her family members due to the fear of being accused of violating the local or religious norms of modesty. For example, the role of family and the practice of inhibition and modesty can be better understood from the following the narrative of a particular female employee (single, accountant):

*Some girls face discrimination first at home and then they face it outside. Sometimes not immediate family members but extended uncles/aunts do not let her do a job because they think of family honour such as where would she be going to? With whom would she be sitting and interacting? Then there are other concerns such as what if she is being proposed at work? It will be a shame. (Organisation B, participant 4)*

At the meso-organisational level of analysis, the experiences of female employees may be related to the dynamics in the workplace. The findings of policy analysis in the



previous section revealed that although there were general policies of SH in existence (which condemn SH at workplace), the explicit procedures of handling SH issues were missing in the studied organisations. This is evident from personal experiences of female employees. For example, lack of awareness about SH policies was evident from the interviews with female employees. The narratives of the majority of females (24 out of 30) suggested that they were not aware of the precise procedures of SH in their workplace although (as mentioned above) five out of six organisations had general or basic SH policies. Some participants suggested that in case of SH, their only course of action is to contact the senior or supervisor. For example, a victim (lecturer at a university) of SH revealed this fact:

*I took this action all by myself. I brought written complaint in front of senior authorities. Although I did not know what to do but I had to do something. (Organisation E, participant 1)*

Even if victims find enough courage to lodge a formal complaint against SH, the outcome is often disappointing. For example, one of the participants, who faced SH and had the courage to complain, was disappointed by the outcome. She was being harassed by a male colleague who took her phone number from HR confidential data illegally and used to create inconvenience for her by calling her (anonymously) at work and home. Due to Islamic modesty and cultural stereotypes, it is not considered respectable for a girl to receive such (anonymous) calls from males. She took action and reported the harassment issue to first, a senior manager and then an HR manager.

*There was HR department with its own manager. I complained there but when there was no outcome from that department then what is the use/point of going anywhere else? Being a female it was so disappointing for me that I raised this (sensitive) issue but did not get any response. (Organisation A, participant 2)*

As discussed previously, when individual bias influences managerial discretion, then problems such as the above arise.

It was also evident that even in the presence of socio-cultural barriers and hostile environment, female employees also resist and use their agency (power) in order to deal

with SH. For example, three of the participants revealed that they quit their job after being harassed. Two of them were not satisfied with the action taken against the offending colleague, and one quit because they did not feel comfortable after reporting. Using her agency, one of the female participants in a senior position who was harassed at work immediately took action against an unknown male colleague who used to text her about her appearance every day. However, it is to be noted that the participant was sharing her experience from her previous job which was in the capital city of Islamabad. Islamabad is the capital of Pakistan and considered to be very modern city. The participant was born and bred in Islamabad; hence this could be one of the reasons for taking immediate action against this SH issue.

*Female employees can go and talk to authorities very confidently. In my case I went to a male supervisor and told him what has happened and I was very comfortable telling him all that. (Organisation B, participant 2)*

The study also revealed that women who manage to take successful action against SH are likely to face victimisation in the workplace. Such women are sabotaged through different tactics by other male or female colleagues. For example, one participant revealed how her career growth was sabotaged because she complained against her Director Administration.

*This is what I call discrimination. I worked here for two years and now on the recommendation of that director, against whom I complained SH case, the university authorities did not extend my contract while other juniors got extension. I do not know what will be my future. The contract is expiring in July so there are very strong chances that I will not be here any more. (Organisation E, participant 1)*

Similarly, one participant revealed that even after complaining twice to the HR department about the SH issue, there was no appropriate action taken and the same male colleague kept working on the same position. Consequently, the female victim had to quit her job from that organisation.

*I complained two times. They (HR department) did take action but it was very minor action and the guy did not receive equal punishment of his act. The action was not serious and the guy remained at the same job. So in the end I had to leave the job. (Organisation A, participant 2)*

Overall, participants' accounts suggest that women face SH at a number of levels. At the macro-national level, socio-cultural factors such as modesty and shame create challenges for women to take initiatives to handle SH appropriately. At the meso-organisational level, there is no explicit provision for the handling of SH grievances in the SH policy, as evidenced by women's lack of awareness. From the policy document analysis, it was evident that although the organisations had a basic or general SH policy, five out of six organisations did not have explicit procedures to handle SH grievances. Table 4 gives a brief overview of female perceptions of SH and some related comments/explanations.

**Table 4: A summary of female perceptions on SH**

Perceptions of female employees	Comments
Female modesty/shame/inhibition	Avoid complaining SH issue
Lack of explicit procedures/unawareness	Lack of awareness on how and to whom to complain
Agency/power	Leave job due to non fruitful outcome
Victimisation	Face victimisation if take action against SH

## Discussion

The study advances our understanding of the perceptions of SH at workplace in Pakistani organisations in terms of the neo-institutional context. This paper indicates how deeply socio-cultural factors are embedded in relation to the perception of female employees and managers. Both perspectives of SH at the workplace – that of female employees and employers – are in one way or the other influenced by socio-cultural

factors within the institutional context. This could have implications for newly introduced law on SH in Pakistan.

This study is consistent with the neo-institutional approach where it is argued that people bring their values, beliefs and culture to the workplace. This theoretical approach is used for the first time in an MMC in the context of SH at workplace. Institutional factors such as culture and religion has an influence on perceptions of the sexual harassment by women and employers. This is evident through the data findings as well.

At the organisational level, the study explored SH policies and practices through document analysis and interviews with HR managers. The policy analysis of five out of six organisations suggested that although ‘generally’ the organisations expressed their concern about the SH issue, there were no explicit provisions for such policies. One reason for this could be the absence of specific SH laws in Pakistan. This means that the absence of SH legislation in Pakistan (at the time of current research) provided organisations with the flexibility to mould or mediate the policies of SH according to their own interests. This finding is consistent with the situation in Turkey, where no explicit laws of SH were introduced until 2004, and for that reason organisations mediated the issue of SH at workplace (Wasti et al., 2000). In contrast, the laws related to the maternity leave in Pakistan were clearly stated in the policy documents of case study organisations because there are clear provisions of maternity laws in national labour laws.

This study identifies that managers do bring their cultural practices at workplace and use their individual bias. HR managers did not accept this explicitly, but through the experiences of female employees it was evident that male HR managers do practice gender bias at workplace in relation to SH issues. The patriarchal nature of Pakistani society and widely-accepted gender bias can be major forces behind such gender bias. This situation may be possible due to the absence of law on SH. The implementation of newly introduced SH laws in Pakistan would need to consider such gender biases at managerial level, which may directly impede full implementation.

This paper has also highlighted SH-related experiences of female employees. It is evident from the results that at all levels, female experiences and issues related to SH

are influenced by the traditional patriarchal culture, explicitly or implicitly. This is consistent with the neo-institutional perspective. Macro-national level issues involve the role of socio-cultural factors such as inhibition, shame and modesty. The study suggests that female employees practice these socio-cultural norms. This is consistent with Syed and colleagues' (2005) study in which it is suggested that female modesty is a strong cultural practice in Muslim countries such as Pakistan. The current study also suggests that female employees who face SH do not feel comfortable discussing this issue because of the cultural norms involving modesty and shame. Females blamed the culture for such SH acts. This is different from Western countries where factors such as inhibition and modesty are less pronounced. One reason for not disclosing SH is that in Pakistani culture going out to work is considered equivalent to going against culture. Therefore, once females are victim of SH, they refrain from disclosing it because they know that 'they' would be considered indirectly responsible for this to occur. This is consistent with Sakallı-Uğurlu and colleagues' (2010) study where they argue that Turkish men consider that SH is provoked by women themselves. Similarly, in patriarchal society such as Pakistan, women are often blamed as the main culprit for SH at workplace. This shows that due to such patriarchal culture, females practice inhibition to protect themselves from false accusations, as this may bring shame to their families. Once the SH law is implemented within the organisations, it would be interesting to investigate how such factors (shame and modesty) are dealt in order to have zero SH at workplace.

The study further reveals that female employees are discouraged from taking action because of inappropriate procedures of redress regarding SH. Organisations pay only lip service to the policy and there are few clear procedures developed from the policy (Liff & Dale, 1994; Hoque & Noon, 2004). This is evident from female employees' experiences, where they suggest that they were not aware of what exact action they should take when lodging complaints against SH. The analysis shows that there is lack of awareness about the SH policies and their procedures at the organisational level. The majority of participants had considered contacting senior manager in case they were to face SH at workplace since there was no clear indication or code of conduct for SH. The traditional patriarchal attitude of male supervisors or managers was another reason why female victims of SH could be discouraged from taking action.

Victimisation is another aspect of SH at workplace in Pakistani organisations. Female employees who manage to take action against the issue face possible victimisation not only from their colleagues but also from the employer. Female victims of SH reported that management do not take serious or appropriate actions against such complaints. This finding is consistent with previous studies which suggest that at times, managers subvert the EEO procedures that are developed (Tomlinson, 2007; Liff & Dale, 1994). This finding is of particular significance as this is not a common case and also different from Western countries where serious action is taken against SH once a formal complaint is lodged. Victimisation will further discourage female employees from highlighting SH issues in the workplace. This is a very serious issue which needs to be dealt with carefully, and with strict implementation of SH law in Pakistan. Through the findings, it was evident that outcomes of formal SH complaints were not generally successful for the victims and in the majority of cases, victims left their jobs in order to maintain their dignity and respect.

In MMCs, additional tensions appear to exist around the strong cultural norms that constrain the participation of women in labour markets per se. Where women are employed and then suffer sexual harassment in the workplace, the motivation to seek redress is constrained by strong social sanctions and/or penalties imposed on those seeking to find their 'voice'. It is in this context that this study provides insights to cultural factors both at employees and employer level at a time when the country has recently introduced SH law. Table 5 gives an overview of the sample of this small-scale study in terms of SH experience.

In summary, this study enhances our understanding of SH at workplace in Pakistani organisations. It suggests that socio-cultural factors, which are of not much importance in a Western culture at either individual or organisational level, play a major role in making perceptions about SH by female employees and HR managers. The neo-institutional approach helps to understand the role of culture and religion on people's lives, and studying it in the organisational context in MMCs further advances the application of this theory.

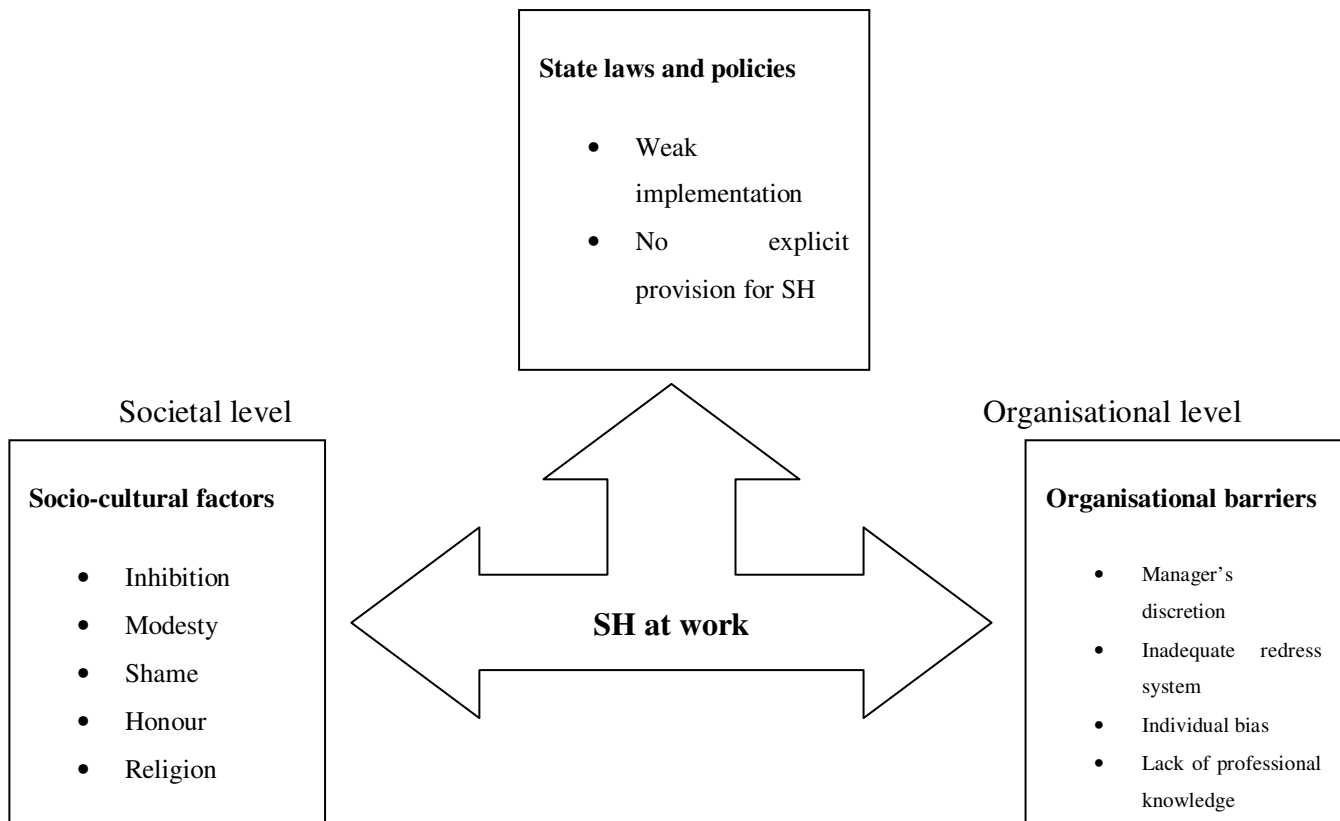
**Table 5: Sample statistics on Pakistani SH**

SH Related info	Number of cases (sample = 30)
Experienced SH at work	25
Did take formal action	5
Did not take any action	20
Strict action taken (e.g. suspended)	0
Mild action taken (e.g. simple warning/transfer)	2
No action taken	2
Victims who leave job due to SH	3
Victims who faced victimisation	4

Based on the results from this study, Figure 1 summarises the issue of SH in Pakistani organisations. It suggests that SH at workplace cannot be dealt adequately unless three major factors are considered, i.e., State laws, organisational barriers and socio-cultural barriers.

This study enhances our understanding of SH in MMCs using neo-institutional approach as a theoretical explanation. The perception of both female employees and HR managers suggest that they are highly influenced with the socio-cultural factors of a patriarchal society. Given such circumstances, this study poses many questions such as how the new legislation on SH would be implemented in a patriarchal society like Pakistan. How will the government ensure strong implementation of such laws in the organisations? What measures will be taken to consider socio-cultural factors such as shame and modesty when dealing with SH issue? How will government play its role in terms of changing such perceptions to achieve zero SH at workplace?

**Figure 1: A multilevel view on sexual harassment at work in Pakistani organisations**



## Conclusion

This study provides initial insights into the SH issue in Pakistan. Through these findings it is evident that female employees face SH in the workplace, and this is compounded by socio-cultural issues such as modesty, shame and inhibition. At the organisational level, the SH issue is again influenced by socio-cultural factors which effect perception of employers as well. The patriarchal culture of Pakistani society has serious implications for the issue of SH. The nature of SH is complex in MMCs and needs to be dealt with adequately, taking account of factors which are not common to Western countries.



This small-scale qualitative study of sexual harassment is the first of its kind in Pakistan. Further scholars may wish to extend this study through an examination of areas such as SH issues in the public sector; similarity or dissimilarity of SH experiences; attitudes of Muslim women working in different sectors; and SH and perceptions of Muslim male employees at the workplace.

This study has added information on the workplace SH perceptions of Muslim women in Pakistani organisations. It demonstrates that in workplace issues related to SH, Muslim women with degrees are significantly different from their mainstream white sisters. Through this study it can be concluded that the Pakistani culture – which is predominantly patriarchal – plays a central role in the issue of SH at workplace at multiple levels. Although the Pakistani Government has recently passed the *Protection against Harassment of Women at Workplace Act 2010*, this law needs to be implemented with care.



## **CHAPTER 7**

### **CONCLUSION**

This final chapter assesses the achievement of the research objectives, and discusses the study's contribution to EEO in MMCs and the implications for policy makers, practitioners, female employees and researchers. Some of the findings confirm expectations from current knowledge. However, this study is the first qualitative research of EEO conducted in an MMC such as Pakistan from an organisational context, and so it also offers unique insights into the EEO challenges faced by women employees and suggests possible ways policy makers and employers could redress the current gender inequality in Pakistani organisations.

#### **Summary of the thesis**

The purpose of this thesis was to advance the EEO theory in the context of MMCs by considering socio-cultural and institutional factors and in the light of such factors examine the nature and issues of EEO for women in MMCs, using Pakistan as the case study. The thesis used a multilevel approach to understand and investigate EEO in Pakistani organisations, exploring the nature and issues of EEO at the macro-national, meso-organisational and micro-individual levels. At the macro-national level, the study reviewed the legislative framework of gender equality, theorised its nature in the light of Islamic core text, and compared the Pakistani situation with other neighbouring countries to provide a foundation for the next level of this empirical study. At the meso-organisational level, the study explored the policies and practices of EEO in different Pakistani organisations, and included qualitative interviews with HR managers and female employees to gain greater understanding of organisational practices of gender equality and the implications for EEO. At the micro-individual level, the interviews identified the issues and challenges faced by female employees in the workplace. Neo-

institutionalism was used as a theoretical framework to investigate the issue of sexual harassment during the interviews. Although the overall study was a multilevel investigation of EEO in Pakistani organisations, the findings at all three levels overlapped in respect to socio-cultural factors.

The results of this study are based on data gathered from 36 in-depth interviews with female employees and HR managers in Lahore, Pakistan, and documentary analysis of EEO laws and policies. In particular, the research investigated the nature of EEO-related issues and challenges faced by Muslim female employees in the workplace.

## **Summary of findings from the research questions**

*RQ1: To what extent do Islamic and cultural ideologies affect EEO laws in Pakistan?*

The analysis suggested that normative teaching of Islam incorporates two concurrent, but contradictory, principles of gender relations: equality and diversity of women and men (Chapter 2). A gender diversity principle leads to two interpretations of gender relations. An egalitarian interpretation advocates affirmative action, while a patriarchal interpretation promotes subordination of women to men.

This thesis has highlighted the need to consider the role of Islamic ideology and culture in theorising gender and equal opportunity in MMCs. Despite government laws and policies paying a great deal of lip service to gender equality, it is clear that patriarchal and masculine interpretations of religion hold sway in Pakistan and several other MMCs. However, this study has demonstrated that egalitarian interpretations of Islam provide ample opportunity for developing and implementing equal opportunity policies. It has highlighted that an end to biological essentialism is possible within an Islamic discourse; however, far from being a frozen concept, equal opportunity is a theory that is evolving over space and time. In other words, in societies such as MMCs, which are characterised by a religious orientation and relatively less allegiance to secularism and capitalism, the structures and routines of equal opportunity may take a different trajectory.

*RQ2: What is the nature of the legislative framework of gender equality in the workplace in Pakistan?*

The legislative framework of EEO, including the country's constitution, international instruments (ILO and UN) and domestic labour laws, were examined in order to understand the nature of EEO at a macro-national level (Chapter 3). The findings indicated that the legislative framework of EEO is highly protective, and laws governing female employment are contradictory. As a result, gender equality and EEO practices are compromised.

Pakistan's national legislation related to women's employment can be described as protective. Equally, although Pakistan has signed and ratified international instruments related to achieving equality in employment, its commitment to these principles and the processes of implementation have been incomplete. As such, while the modern institutional environment has a cosmetic veneer of equality, and sometimes even discriminates positively in favour of women, equality fails to exist in reality. Underpinning this situation are the contextual factors and the vested interests of patriarchal systems that work to maintain the status quo. Consequently, discriminatory practices are embedded in the legal framework, the policy environment and the regulatory structures, inhibiting women's employment and economic activity.

*RQ3: How does the state of gender equality in Pakistan's workplace compare with other countries in the South Asian region?*

This question was examined using a comparative analysis of macro-economic data on female employment, the EEO legislative framework and EEO organisational policies in three neighbouring countries of in southern Asia: Pakistan, India and Bangladesh (Chapter 4). These three countries share similar socio-cultural factors, but differ in their official religion. India is a secular country with a Hindu majority population, Pakistan is an Islamic republic with a Muslim majority population and Bangladesh is a secular country with a Muslim majority population. The findings indicated that religion cannot

be considered the only factor responsible for lower female employment in MMCs such as Pakistan. Despite their religious differences, these three countries have in common an unrelenting alliance of patriarchal traditions and non-egalitarian interpretations and practices of various religious or/and tribal codes in terms of gender. This study indicated that the joint effect of patriarchal cultural traditions, narrow religious interpretations and inadequate implementation of EEO laws are constraining female employment in the formal sector in Pakistan.

*RQ4: What are the multilevel issues and challenges related to EEO faced by female employees Pakistani organisations?*

This research question was discussed in Chapter 5, in the first empirical paper of this study. The paper described the multilevel experiences and observations of women working in Pakistan's formal employment sector, as a foundation for exploring the role of culture in shaping nature of EEO in Pakistan. The findings indicated that focusing exclusively on organisations and holding them solely accountable for equal opportunity may be inadequate, as organisational structures and routines of diversity and equal opportunity are affected by both macro-societal factors (e.g., legal, socio-cultural) and micro-individual factors (e.g., intersectionality, agency). The study highlighted the gap between EEO policy and practice. The factors affecting EEO can be categorised at three interrelated levels – macro-national, meso-organisational and micro-individual – with socio-cultural factors explaining the significance of culture in the workplace. The study identified the issues and challenges faced by female employees; one of the major issues related to EEO, sexual harassment (SH) in the workplace, clearly needed further exploration.

*RQ5: How socio-cultural factors affect the issue of sexual harassment in the Pakistani workplace?*

Chapter 6, an empirical extension of the previous chapter, highlights the prevalence of SH in Pakistani organisations. This part of the study investigated how traditional gender

stereotypes in MMCs such as Pakistan influence SH in the workplace from the perspective of both employee and employer. A previous report had suggested that nearly 80 per cent of females face SH at work in one or the other form (AASHA, 2003). However, this sensitive issue has been only partially explored in Pakistan's formal employment sector. The chapter concluded that cultural and societal values play an important role for both managers and employees. Managerial discretion is influenced by forms of individual bias, such as gender bias. Female employees, on the other hand, find that the cultural practices of modesty, inhibition and shame have serious implications for SH.

Overall, the thesis achieved its aim of exploring the nature of EEO in Pakistani organisations at multilevels. At all levels, this research has revealed that socio-cultural factors play a major role in shaping EEO and gender equality at the workplace in Pakistani organisations. For example, at a macro-national level, laws and policy are influenced by society's traditional gender stereotypes. On one hand, laws present barriers to female employment, such as prohibitions on mining jobs or night work. Such laws should be revised or repealed to improve female employment options. On the other hand, laws still need to be implemented appropriately, particularly laws dealing with SH. Similarly, socio-cultural factors must be considered if female employment is to improve. At a meso-organisational level, this study identified the gap between EEO policy and practice that results from socio cultural factors and managerial discretion. Finally, at a micro-individual level, the study identified issues and challenges faced by female employees, in particular the prevalence of SH in the formal employment sector.

## **Contribution of the thesis**

This thesis has examined the nature of EEO in Pakistani organisations from macro to micro levels. From the field research, literature review and other secondary data, the findings revealed that EEO in Pakistan is affected by socio-cultural factors at all levels of analysis. Several key findings, with respect to policy and employment practices of EEO for women in Pakistani organisations, add to previous empirical research.

First, based on a review of the normative texts of Islam and equal opportunity laws and practices in an Islamic context, this thesis has argued that the legal framework of equal opportunity is situated in the trajectory of two divergent ideological traditions, namely, egalitarian and patriarchal interpretations of Islamic principles of gender equality. The laws and social rules in MMCs can be categorised into those addressing equality and those addressing the diversity of women and men. The latter are categorised again into egalitarian and patriarchal (or non-egalitarian) attitudes. This study has shown that the distinction between equality laws and diversity-egalitarian laws lies in the manner that ‘equality’ laws generally treat men and women as having the ‘same’ needs, whereas ‘egalitarian’ laws appear to be catering for the ‘different’ needs of women and men. Therefore, the thesis has advanced gender theorising within an Islamic context by highlighting the role of the institutional and cultural contexts.

Second, through the review of Pakistan’s constitution and labour laws, and international conventions of EEO, the thesis has illustrated that the legislative framework of gender equality is protective towards women. Further, the contradictory nature of gender equality laws in Pakistan has implications for EEO policies and practices at meso-organisational and micro-individual levels. This protective and contradictory nature of EEO laws is due to the impact of Islamic and cultural ideologies on EEO laws. As Islamic interpretations of gender diversity can be categorised as either egalitarian or patriarchal, similarly the legislative framework of gender equality in Pakistan is influenced with the same dichotomy, that is, egalitarian and patriarchal laws.

Third, this study was the first to explore the multilevel issues and challenges that women face in Pakistani organisations. The thesis has highlighted the significance of culture and its practices at different levels in the workplace, and the resulting implications for EEO. Based on policy analysis and interviews with 30 female employees, it is evident that, from policy making to individual practices, socio-cultural factors play a major role in shaping the nature of EEO in Pakistani organisations. Identification of the issues and challenges women face in the workplace at multilevels may help policy makers and employers to understand the nature of EEO and make relevant changes.



Finally, this study was also the first to explore the issue of SH faced by women in the formal employment sector. Analysis of the in-depth interviews illustrated the gap between organisations' policies and the existence of SH in the workplace. SH is one of the major issues faced by female employees in Pakistani organisations and, before March 2010, it was not even considered a crime. The documentary analysis of SH policies and narratives of HR managers and female employees identified two different perspectives towards SH – that of female employees and that of HR managers. This study was the first to use sociological neo-institutional theory to understand the nature of SH in an MMC. The thesis provides a better understanding of this controversial and complex issue in the workplace, which may help policy makers and employers implement Pakistan's recently introduced law about SH.

Overall, this thesis has explored the prospects for EEO for women in Pakistani organisations based on qualitative research, and it has provided not only a multilevel analysis of Pakistani organisations but also a comparison of the EEO situation in neighbouring countries, thereby facilitating a deeper understanding of the topic. The issue of SH in the workplace was explored for the first time based on qualitative interviews with female employees and HR managers in the formal employment sector, in order to provide more practical implications for policy makers and practitioners. The nature of EEO-related issues and the challenges faced by female employees indicate the significant role of socio-cultural factors in shaping gender equality structures in the workplace. The study has argued that it is imperative to understand the nature of EEO at multilevels if the issue of gender discrimination in Pakistani workplaces is to be tackled.

## **Implications for government and policy makers**

The critical review of Pakistan's EEO legislative framework (see Chapter 2) suggested that, although the legal framework guarantees equality before law and discourages discrimination, some laws are inconsistent with the concept of EEO. For example, laws prohibit women participating in certain jobs, such as mining or jobs requiring night shifts. Policy makers could revise such patriarchal laws, and perhaps introduce laws

which positively impact on the advancement of female employment. Revision of gender-related laws should include input from women's groups and representatives from local NGOs working for women's rights, such as AASHA (Alliance Against Sexual Harassment).

Policy makers and the government also need to understand the dichotomy of current EEO laws, as highlighted by this study. While some laws are egalitarian, others are patriarchal, and these latter laws need to be revised so that the legislation governing gender equality in the workplace is uniform and consistent. This study would suggest the need to remove inconsistencies within national legislation by adhering to an egalitarian interpretation of Islam. However, at least some inconsistency between national and international laws is unavoidable because of the Islamic emphasis on diversity, rather than the sameness of women and men, and also its emphasis on traditional family roles.

Consistent with the findings of this study, leaders and policymakers in the public and private sectors in Pakistan and other MMCs may consider designing and implementing comprehensive awareness-raising programs to foster a better understanding of equal opportunity. Such efforts may aim to modify stereotypical attitudes and traditional norms about the responsibilities and roles of women and men in the family, the workplace and society, and to strengthen societal support for equal opportunity. The government could take action to counteract the influence of the restrictive and patriarchal interpretations of Islam which currently undermine the cause of equal opportunity. In particular, leaders and policymakers should address those normative or cultural stereotypes that impede the implementation of constitutional and legal guarantees against discrimination.

The implementation of laws in Pakistan has generally been weak, and this is especially the case with EEO laws. Although the construction of gender-equality laws is vital, without proper implementation the Pakistani Government may not achieve its goal of improving gender equality in the workplace. The government and policy makers need to improve the implementation of EEO laws, such as laws related to SH. Given the considerable gap between policy and practice of equal opportunity in Pakistan, one

useful direction could be to institute an adequately mandated and adequately resourced equal opportunities commission to proactively monitor and implement equal opportunity in the workplace. Such a commission could be empowered to penalise employers and other actors who violate equal opportunity laws. Complementary strategies could include measures to improve the literacy rates of both women and men through better education, including attention to developing women's skills; measures to tackle gender-discriminatory traditions and stereotypes through increasing gender awareness in society and an egalitarian interpretation of Islamic principles; and measures to arrest the high unemployment rates of women and men through better economic planning.

Further, the implementation of international instruments such as CEDAW and ILO conventions is also critical to achieve better equality in the workplace. The Pakistani Government has taken a positive initiative by ratifying EEO-related international instruments; however, their implementation has been very weak. Many other countries, such as India and Bangladesh, have also ratified CEDAW, yet gender discrimination persists.

The recent introduction in Pakistan of SH law (Protection Against Harassment of Women at Workplace Act 2010) is a positive step by the current government. However, given the wide extent of the SH problem, this law needs to be strongly implemented. The state needs to look at the multilevel issues faced by female employees in the formal employment sector. Organisations cannot be held solely responsible for dealing with the issue; the government needs to realise the importance of socio-cultural factors which equally influence and aggravate the issue of SH. There should be a separate institution to deal with EEO-related issues to improve the implementation of newly introduced laws, such as about SH. NGOs such as Alliance Against Sexual Harassment (AASHA) should be encouraged to be part of government strategy against SH in the workplace.

In summary, this study has identified three major aspects that must be considered by policy makers. First, it is important that the state acknowledge the significance of multilevel analysis when dealing with gender-related issues. Socio-cultural factors such as modesty, shame and honour play a major role at all levels and need to be considered

when designing policies, and the state should encourage women to participate in the policy-making process. Second, policy makers not only need to review and repeal laws that contradict the concept of EEO, they also need to introduce new laws and measures to improve gender equality in the workplace. Finally, as suggested earlier, the state needs to ensure the strict implementation of EEO laws and policies within organisations. It also needs to monitor the appropriate implementation of related international instruments (ILO and CEDAW).

## **Implications for organisations**

This study has described the gap between EEO policy and practice in Pakistani organisations. Organisations and practitioners can narrow this gap by addressing a number of issues.

First, it is vital for organisations to recognise and understand multilevel concerns and challenges of female employees. The complex and vulnerable nature of socio-cultural issues faced by women need to be dealt with at a policy level in organisations. The practice of socio-cultural factors such as modesty, shame and honour should also be considered in EEO-related policies, especially when dealing with SH policies at work.

Although an organisation may not have complete power over certain external factors (such as legislative framework, social policy and social stereotypes), it could focus on improving the level of awareness of its HR managers and employees. Further, through its contact with policy makers in government, an organisation may build up a broad understanding of issues related to EEO for women. Training for managers and employees may help improve the level of awareness about gender equality, and HR managers could use their skills to improve awareness among other general staff.

At the meso-organisational level, there is clearly little in terms of regulatory pressure requiring organisations to implement equal opportunity policies. Significant improvements could, therefore, be brought about by rigorously enforcing proper sexual

equality and equal pay legislation. Companies could also introduce better policies of in line with the business case of diversity management.

The gap between policy and practice of EEO at the organisational level needs urgent attention. This gap is especially evident for female employees in areas such as income parity, career growth and SH. Pakistani organisations' current efforts to narrow such gaps are inadequate. This study identified multilevel issues of female employees that will assist employers gain a better understanding of EEO-related issues. Employers should use strict measures when implementing EEO policies, and female employees should be made aware of explicit EEO legal provisions. For example, the Pakistani Government has recently passed a law prohibiting SH in the workplace. The policy document needs to contain clear guidelines about dealing with this widespread crime, and organisations need a clear code of practice ensuring strict implementation of the law.

## **Implications for women**

At all levels of analysis, this study revealed that socio-cultural factors play a very important role in influencing the EEO-related issues faced by female employees. Modesty, inhibition and shame are common cultural norms for Pakistani women. While it is important that women follow the prevailing cultural norms, women in the workforce need to realise that their exploitation in the employment sector will be taken seriously. They need to take action on issues such as SH and income parity, rather than accepting it as their fate. Women, as mothers, sisters and daughters, need to educate those around them about the egalitarian perspective of Islam. NGOs (such as AASHA) can play an important role in improving awareness about gender equality in the workplace by holding training sessions and workshops.

In particular, this study has highlighted that the complex issue of SH in Pakistani organisations needs serious action. Female employees tend to practise inhibition, which leads to the further spread and complication of this issue in organisations. Pakistani women need to be aware of the new SH law and how to deal appropriately with any SH

incidents. Again, women's rights groups can play an important role through creating awareness in working women about their equality rights at work through the use of social media, for example.

At a domestic level, men and other family members need to relax patriarchal customs that may unnecessarily overburden working women with household chores in addition to their professional duties.

## **Implications for future research**

This research is groundbreaking in terms of its qualitative nature. It has shown that there remains considerable scope for developing EEO in Pakistani organisations. Pakistan is a diverse country, and so is the situation of its women. Further research could apply the multilevel framework or the neo institutional perspective on EEO (or other gender equality issues) in other parts of the country, such as north-west Pakistan, where religious and cultural practices are more influential than in big cities such as Lahore, Karachi and Islamabad (Ferdoos, 2005; ADB, 2001).

This study focused mainly on the service sector, such as banking, so future research could examine the textile sector in Pakistan, where increased numbers of women are working at secondary level jobs. In particular, the issue of SH in the textile sector could be explored in more detail, since the nature of the jobs differs from those in the service sector. Women in the textile industry may face different issues and challenges arising from different economic factors, and it would be interesting to compare those with the issues explored in the current study.

This research highlighted the experiences of female employees in terms of SH at workplace in the absence of SH law (when the data was collected the law on SH was not implemented), future research could focus on the impact of newly introduced law of SH in Pakistani organisations. It would be very interesting to investigate if this law has brought positive changes in the workplace experiences of women.

Future studies could broaden our understanding of global trends in EEO by focusing on comparative research of different cultural practices, organisation culture and legislative frameworks, for example, in western or Arab countries.

## **Concluding remarks**

This chapter has summarised the research objectives and demonstrated how they were achieved. The principal aim of the research was to contextualise EEO in Pakistan and discover the multilevel issues and challenges of EEO for women in Pakistani organisations. The chapter has also discussed the implications of the findings for policy makers, managers and female employees.

Gender equality in the workplace in Pakistan and other MMCs has not been well researched and this study has provided significant insights about the nature of EEO in Pakistani organisations. This research advances the body of knowledge not only by theorising EEO in an Islamic context, but also by providing valuable qualitative insights.





## REFERENCES

- AASHA (2003). Alliance Against Sexual Harassment, Situational analysis of sexual harassment. Annual report. AASHA, Islamabad.
- Abou El-Fadl, K. (2001). *Speaking in God's name: Islamic law, authority and women*. One World, Oxford.
- Acker, J. (1990) Hierarchies, jobs, bodies: A theory of gendered organisations, *Gender and Society*, 4, 139-158.
- ADB (2001). Asian Development Bank. Women in Bangladesh. Country briefing paper.
- ADB (2008). Asian Development Bank. Releasing women's potential contribution to inclusive economic growth – country gender assessment Pakistan. Retrieved 1 March 2009 from [http://www.adb.org/Documents/Fact\\_Sheets/PAK.pdf](http://www.adb.org/Documents/Fact_Sheets/PAK.pdf).
- Adler, N.J. & Izraeli, D.N. (1988). *Women in management worldwide*. M. E. Sharpe, New York, 316.
- Agocs, C. & Burr, C. (1996). Employment equity, affirmative action and managing diversity: Assessing the differences. *International Journal of Manpower*, 17, 30-45.
- Agrawal, S. (2006). Women rising. *Business Today*, New Delhi, 12 March 2006, 88.
- Ahmad, I. & Ahmad, N. (n.d.). Pakistan: National studies in employment situations and workers protection. *International Labour Organisation*. Retrieved 5 August 2012 from <http://ilo-mirror.library.cornell.edu/public/english/dialogue/ifpdial/downloads/wpnr/pakistan.pdf>.
- Ahmad, N. (1993). *A review of existing labour laws with special reference to female workers*. published in the proceedings of a workshop on *Women and Employment Legislation in Pakistan*, Islamabad.
- Al Ariss, A. (2010). Religious diversity in Lebanon: Lessons from a small country to the global world. In M. Özbilgin & J. Syed (eds), *Managing cultural diversity in Asia: A research companion* (pp. 56-72). Edward Elgar Publishing, New York.
- Al Ariss, A. & Özbilgin, M. (2010), Understanding self-initiated expatriates: Career experiences of Lebanese self-initiated expatriates. *Thunderbird International Business Review*, 25(4), 275-285.
- Alavi, H. (n.d.). Pakistani women in a changing society.  
<http://www.sacw.net/Wmov/alavi.html>.
- Ali, F. (2007). Legislative framework of equal employment opportunity for women in Pakistan. Paper presented at International Employment Relations Association Conference, Canterbury, UK, 8-13 July.

- Ali, F. (2010). A comparative study of EEO in Pakistan, India and Bangladesh. In M. Özbilgin & J. Syed (eds), *Managing gender diversity in Asia: A research companion*. Edward Elgar, Cheltenham, 32-53.
- Ali, F. & Knox, A. (2008). Pakistan's commitment to equal employment opportunity for women: A toothless tiger? *International Journal of Employment Studies*, 16, 39-58.
- Ali, S. (2000). *Gender and human rights in Islam and international law: Equal before Allah, unequal before men?* Kluwer Law International, The Hague.
- Ali, S.S. (2006). *Conceptualising Islamic law, CEDAW and women's human rights in plural legal settings: A comparative analysis of application of CEDAW in Bangladesh, India and Pakistan*. UNIFEM Regional Office, Delhi.
- Ali, S.S. & Jamil, B. (1994). *The United Nations Convention on the rights of the child, Islamic law and Pakistan legislation: A comparative study*. Shaheen Printing Press, Peshawar.
- Andaleeb, S.S. (2009). Integrating women in the workplace: Challenges for organisational leaders. In M. Özbilgin & J. Syed (eds), *Diversity management in Asia: A research comparison*. Edward Elgar, Cheltenham.
- Baca Zinn, M. & Dill, B.T. (1996). Theorizing difference from multiracial feminism. *Feminist Studies*, 22(2), 321-330.
- Bacchi, C. (1990). *Same difference: Feminism and sexual difference*. Allen & Unwin, Sydney.
- Badawi, J. (1995). *Gender equity in Islam: Basic principles*. American Trust Publications.
- Baden, S. (1992). *The position of women in Islamic countries: Possibilities, constraints and strategies for change*. Report No. 4, BRIDGE Institute of Development Studies, University of Sussex, UK.
- Badran, M. (2001). Understanding Islam, Islamism, and Islamic feminism. *Journal of Women's History*, 13(1), 47-52.
- Balchin, C. (1996). *Women, law and society: An action manual for NGOs*. Shirkat Gah, Lahore.
- Bamber, G.J. & Lansbury, R.D. (eds) (1998). *International and comparative employment relations: A study of industrialised market economies*. Allen & Unwin, Sydney.
- Banerjee, N. (1999). How real is the bogey of feminisation? In T.S. Papola & A.N. Sharma (eds), *Gender and employment in India*, New Delhi: Indian Society of Labour Economics and Institute of Economic Growth: Vikas Publishing House: 299-317.
- Barlas, A. (2006). Women's and feminist readings of the Qur'an. In J. McAuliffe (ed), *Cambridge companion to the Qur'an*. Cambridge University Press.
- Beller, A.H. (1982). The impact of equal opportunity policy of sex differential on earnings and occupations. *American Economic Review*, 72, 171-175.

- Benhabib, S. (1999). Sexual difference and collective identities: The new global constellation. *Signs*, 24(2), 335-361.
- Bimrose, J. (2004). Sexual harassment in the workplace: An ethical dilemma for career guidance practice? *British Journal of Guidance & Counselling*, 32(1), 109-121.
- Black, B. (2005). Comparative industrial relations theory: The role of national culture. *International Journal of Human Resource Management*, 16(7), 1137-1158.
- Blau, F.D. & Beller, A.H. (1988). Trends in earning differentials by gender. *Industrial and Labour Relations Review*, 41, 513-529.
- Blumenthal, J.A. (1998). The reasonable woman standard: A meta-analytic review of gender differences in perceptions of sexual harassment. *Law and Human Behavior*, 22(1), 33-57.
- Braidotti, R. (1994). *Nomadic subjects: Embodiment and sexual difference in contemporary feminist theory*. Columbia University Press, Columbia.
- Brown, C. (1982). The federal attack on labour market discrimination: The mouse that roared? In R.G. Ehrenberg (ed), *Research in Labor Economies*. JAI Press, Greenwich, CT, 33-68.
- Brown, M.B. (2004). Women garment workers of Bangladesh seek US support. *Industrial workers of the world*. Retrieved 6 November 2008 from <http://www.iww.org/unions/iu410/mlb/11-23-2004.shtml>.
- Bukhari, Muhammad ibn Ismail. *Sahih Al-Bukhari*. Retrieved 25 March 2008 from <http://www.usc.edu/dept/MSA/fundamentals/hadithsunnah/bukhari/>.
- Calhoun, C. (1995). *Critical social theory*. Blackwell, Oxford.
- CEDAW (2005). Committee on the elimination of discrimination against women. Combined initial, second and third periodic reports of state parties. Pakistan. CEDAW/C/PAK/1-3. August 2005.
- CEDAW (2007). Committee on the elimination of discrimination against women. Concluding comments. Pakistan. CEDAW/C/PAK/CO/3. Thirty-eighth session. 14 May – 1 June.
- Chafetz, J. (1990). *Gender equity: An integrated theory of stability and change*. SAGE Publications, California.
- Chamberlain, L., Crowley, M., Tope, D. & Hodson, R. (2008). Sexual harassment in an organizational context. *Work and Occupations*, 35(3), 262-295.
- Chan, D.S., Lam, C.B., Chow, S.Y. & Cheung, S.F. (2008). Examining the job-related, psychological and physical outcomes of workplace sexual harassment: A meta-analytic review. *Psychology of Women Quarterly*, 32(4), 362-376.
- Chhachhi, A. (1988). The state, religious fundamentalism and women - Trends in south Asia. *Women Living Under Muslim Laws*, Dossier 4, August-September 1988.
- Chowdhury, F. (2008). Managing cultural diversity in workplace. BdResearcher. Retrieved 6 November 2008 from <http://www.bdresearchers.org/Article/ManagingCulturalDiversityinWorkplace>.

- CIA (2010). Central Intelligence Agency. The world factbook. Retrieved 24 June 2010 and 10 October 2011 from <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>.
- CIPD (2005). Chartered Institute of Personnel and Development. Harassment at work: Diversity and equality. CIPD, Manchester.
- Citibank Pakistan (2008). Citi Pakistan celebrates international women's month. Retrieved 10 November 2008 from <http://www.citibank.com/pakistan/consumer/aboutus/press/current/18march08.htm>.
- Cockburn, C. (1989). Equal opportunities: The short and long agenda. *Industrial Relations Journal*, 20(3), 213-225.
- Coleman, I. (2004). Gender disparities, economic growth and Islamization in Pakistan. In R. Hathaway & W. Lee (eds), *Islamization and the Pakistani Economy*: Chapter 6. Woodrow Wilson International Center for Scholars, Washington, DC.
- Coleman, I. (2010). *Paradise beneath her feet: How women are transforming the Middle East*. Random House, New York.
- Collinson, D., Knights, D. & Collinson, M. (1990). *Managing to discriminate*. Rutledge, London.
- Connell, R. (2006). The experience of gender change in public sector organizations. *Gender, Work and Organisation*, 13(5), 435-452.
- Cooke, F.L. (2001). Equal opportunity? The role of legislation and public policies in women's employment in China. *Women in Management Review*, 16, 334-348.
- Cortina, L.M. (2001). Assessing sexual harassment among Latinas: Development of an instrument. *Cultural Diversity and Ethnic Minority Psychology*, 7(2), 164-181.
- Cortina, L.M. & Wasti, S.A. (2005). Profiles in coping: Responses to sexual harassment across persons, organizations, and cultures. *Journal of Applied Psychology*, 90, 182-192.
- Coyle, A. (1980). The protection racket? *Feminist Review*, 4, 1-14.
- Crull, P. (1982). Stress effects of sexual harassment on the job: Implications for counselling. *American Journal of Orthopsychiatry*, 52, 539-544.
- Dass, P. & Parker, B. (1999). Strategies for managing human resource diversity: From resistance to learning. *The Academy of Management Executive*, 13(2), 68-80.
- De Cieri, H. & Kramar, R. (2003). *Human resource management in Australia*. McGraw-Hill, Sydney.
- Deitch, E.A., Barsky, A., Butz, R.M., Chan, S., Brief, A.P. & Bradley, J. (2003). Subtle yet significant: The existence and impact of everyday racial discrimination in the workplace. *Human Relations*, 56, 1299-1324.
- DeSouza, E.R., Solberg, J. & Elder, C. (2007). A cross-cultural perspective on judgments of woman-to-woman sexual harassment: Does sexual orientation matter? *Sex Roles* 56(7/8), 473-482.

- Devaud, M. & Levy, M. (1980). Women's employment in France: Protection or equality? *International Labour Review*, 118(6), 739-754.
- Dickens, L. (2000). Still wasting resources? Equality in employment. In S. Bach & K. Sisson (eds), *Personnel Management* (3rd edition), 137-169. Blackwell, Oxford.
- Dickens, L. (2007). The road is long: Thirty years of equality legislation in Britain. *British Journal of Industrial Relations*, 45(3), 463-494.
- DiMaggio, P.J. & Powell, W.W. (1983). The icon cage revisited: Institutional isomorphism and collective rationality in organisational fields. *American Sociological Review*, 48, 147-160.
- DiMaggio, P.J. & Powell, W.W. (1991). Introduction. In P.J. DiMaggio & W.W. Powell (eds), *The new institutionalism in organizational analysis*, 1-40. University of Chicago Press, Chicago.
- Dror, D.M. (1984). Aspects of labour law and relations in selected export processing zones. *International Labour Review*, 123(6), 705-722.
- Dube, L. (1997). *Women and kinship, comparative perspectives on gender in South and South East Asia*. The United Nations University Press
- Dube, L. & Palriwala, R. (1990). *Structures and strategies: Women, work, and family*. Sage Publications: New Delhi.
- Dunlop, J.E. & Velkoff, V.A. (1999). *Women and the economy in India*. U.S. Department of Commerce Economics and Statistics Administration, Bureau of the Census.
- Edelman, L.B. (1992). Legal ambiguity and symbolic structures: organisational mediation of civil rights law. *American Journal of Sociology*, 97, 1531-1576.
- EEOC (2009). Equal Employment Opportunity Commission. Retrieved 22 June 2010 from [http://www.eeoc.gov/eeoc/statistics/enforcement/sexual\\_harassment.cfm](http://www.eeoc.gov/eeoc/statistics/enforcement/sexual_harassment.cfm).
- EOC (1979). Equal Opportunities Commission. Report. Health and safety legislation: Should we distinguish between men and women. HMSO.
- EOC (2007). *The gender agenda*. Equal Opportunities Commission, London.
- EOWA (2010). Equal Opportunity for Women in the Workplace Agency. Australian census of women in leadership. Australian Government, Canberra.
- Esposito, J.L. (1982). *Women in Muslim family law*. Syracuse University Press, Syracuse.
- Felski, R. (1997). The doxa of difference. *Signs*, 23(1), 1-22.
- Ferdoos, A. (2005). Social status of urban and non-urban working women in Pakistan - A comparative study. Unpublished PhD Thesis, University of Osnabrueck, Germany.
- Ferguson, K. (1984). *The feminist case against bureaucracy*. Temple University Press, Philadelphia.
- Ferree, M.M. & Gamson W.A. (2003). The gendering of governance and the governance of gender. In B. Hobson (ed), *Recognition struggles and social*

- movements: Contested identities, agency and power*. Cambridge University Press, Cambridge.
- Fielden, S.L., Davidson, M.J., Woolnough, H. & Hunt, C. (2010). A model of racialized sexual harassment of women in the UK workplace. *Sex Roles*, 62, 20-34.
- Fish, M.S. (2002). Islam and authoritarianism. *World Politics*, 55, 4-37.
- Fitzgerald, L.F. (1993). Sexual harassment: Violence against women in the workplace. *The American Psychologist*, 48(10), 1070-1076.
- Fitzgerald, L.F., Drasgow, F., Hulin, C.L., Gelfand, M.J. & Magley, V.J. (1997). Antecedents and consequences of sexual harassment in organizations: A test of an integrated model. *Journal of Applied Psychology*, 82, 578-589.
- Fitzgerald, L.F., Gelfand, M.J. & Drasgow, F. (1995). Measuring sexual harassment: Theoretical and psychometric advances. *Basic and Applied Social Psychology*, 17, 425-427.
- Fitzgerald, L.F. & Hesson-McInnis, M. (1989). The dimensions of sexual harassment: A structural analysis. *Journal of Vocational Behavior*, 35, 309-326.
- Fitzgerald, L.F., Shullman, S.L., Bailey, N., Richards, M., Swecker, J., Gold, A., Ormerod, A.J. & Weitzman, L. (1988). The incidence and dimensions of sexual harassment in academia and the workplace. *Journal of Vocational Behavior*, 32(4), 152-175.
- Fraser, N. (1997). *Justice interruptus: Critical reflections on the "postsocialist" condition*. Routledge, London.
- Fraser, N. & Nicholson, L.J. (1990). Social criticism without philosophy: An encounter between feminism and postmodernism. In L.J. Nicholson (ed), *Feminism/Postmodernism*. Routledge Chapman & Hall, Inc., New York.
- Frazier, P.A., Cochran, C.C., & Olson, A.M. (1995). Social science research on lay definitions of sexual harassment. *Journal of Social Issues*, 51(1), 21-37.
- Fuchs, F. (2005). The effects of protective labor legislation on women's wages and welfare: Lessons from Britain and France. *Work & Society*, 33(4), 595-636.
- FWBL (n.d.). First Women Bank Limited. About us. *First Women Bank Limited*. Retrieved 20 March 2008 from <http://www.fwbl.com.pk/aboutus.htm>.
- Garvey, M.S. (1986). The high cost of sexual harassment suits. *Personnel Journal*, 65(1), 75-79.
- Gatrell, C. & Swan, E. (2008). *Gender and diversity in management: A concise introduction*. Sage, London.
- GGR (2008). *The global gender gap report*. World Economic Forum Publications, Geneva, Switzerland.
- GGR (2010). *The global gender gap report*. World Economic Forum Publications, Geneva, Switzerland.
- GGR (2011). *The global gender gap report*. World Economic Forum Publications, Geneva, Switzerland.

- Glucksmann, M.A. (1995). Why 'work'? Gender and the 'total social organization of labour'. *Gender, Work and Organisation*, 2, 63-75.
- Godard, J. (1992). Contemporary industrial relations ideologies: A study of Canadian academics. *Relations Industrielles/Industrial Relations*, 47(2), 239-266.
- Goheer, N. (2003). Women entrepreneurs in Pakistan: How to improve their bargaining power. *Focus Programme on Boosting Employment through Small Enterprise Development*. International Labour Office, Geneva.
- GOP (2010). Government of Pakistan. Economic survey of Pakistan 2009–2010, Retrieved 21 July 2010, from: [http://www.finance.gov.pk/survey\\_0910.html](http://www.finance.gov.pk/survey_0910.html)
- Grami, A. (2008). Gender equality in Tunisia. *British Journal of Middle Eastern Studies*, 35(3), 349-361.
- Greene, A. & Kirton, G. (2002). Advancing gender equality: The role of women-only trade union education. *Gender, Work and Organization*, 9(1), 39-59.
- Gregg, P. & Wadsworth, J. (2011). *The labour market in winter: The state of working Britain*. Oxford University Press, New York.
- Gutek, B.A. & Done, R. (2001). Sexual harassment. In R.K. Unger (ed), *Handbook of the psychology of women and gender*, 367-387. Wiley, New York.
- Gutek, B.A., Murphy, R.O. & Douma, B. (2004). A review and critique of the Sexual Experiences Questionnaire (SEQ). *Law and Human Behavior*, 28(4), 457-482.
- Guthrie, D. & Roth, L.M. (1999). The state, courts, and maternity policies in US organizations: Specifying institutional mechanisms. *American Sociological Review*, 64, 41-63.
- Habermas, J. (1998). *Between facts and norms: contributions to a discourse theory of law and democracy*. Translated by William Rehg. MIT Press, Cambridge, MA.
- Haddad, Y. (1998). Islam and gender: Dilemmas in the changing Arab world. In Y. Haddad & J. Esposito (eds), *Islam, gender and social change*, 3-29. Oxford University Press, New York.
- Haghighat, E. (2005). Neopatriarchy, Islam and female labour force participation: A reconsideration. *International Journal of Sociology and Social Policy*, 25(10/11), 84-105.
- Hakim, C. (2005). Sex differences in work-life balance goals. In D. Houston (ed), *Work-life balance in the twenty-first century*, 55-79. Palgrave Macmillan, London.
- Hakim, C. (2006). Women, careers, and work-life preferences. *British Journal of Guidance and Counselling*, 34(3), 279-294.
- Hall, P. & Rosemary, T. (1996). Political science and the three new institutionalisms. *Political Studies*, 44, 936-957.
- Hall, P. & Taylor, R. (1996). Political science and the three new institutionalisms. *Political Studies*, 44, 936-957.

- Haq, R. (2009). Caste based quotas: India's reservation policies. In M. Özbilgin & J. Syed (eds), *Diversity management in Asia: A research comparison*. Edward Elgar, Cheltenham.
- Hartley, J. (2004). Case study research. In C. Cassell & G. Symon (eds), *Essential guide to qualitative methods in organisational research*. Sage Publications, London.
- Hassan, F. (2006). Women's protection bill: Perception and realities. *Islam Online*. Retrieved 20 March 2008 from <http://www.islamonline.net>.
- Hassan, R. (1982). On human rights and the Quranic perspective. In A. Swidler (ed), *Human rights in religious traditions*. Pilgrim Press, New York.
- Hassan, R. (2001). Challenging the stereotypes of fundamentalism: An Islamic feminist perspective. *Muslim World*, 91(1/2), 55-69.
- Hausmann, R., Tysonm, L.D. & Zahid, S. (2011). Global Gender Report 2011. World Economic Forum Press, Geneva.
- Healy, G. (1999). Structuring commitments in interrupted careers. *Gender, Work and Organisation*, 6(4), 185-201.
- Hirsh, C.E. & Cha, Y. (2008). Understanding employment discrimination: A multilevel approach. *Sociology Compass*, 2(6), 1989-2007.
- Holli, A.M. (1997). On equality and Trojan horses: The challenges of the Finnish experience to feminist theory. *European Journal of Women's Studies*, 4(2), 133-164.
- Hoque, K. & Noon, M. (2004). Equal opportunities policy and practice in Britain: Evaluating the 'empty shell' hypothesis. *Work, Employment & Society*, 18: 481-506.
- Hunt, C.M., Davidson, M.J., Fielden, S.L. & Hoel, H. (2010). Reviewing sexual harassment in the workplace – an intervention model. *Personnel Review*, 39(5), 655-673.
- Hussain, A. (1987). *Status of women in Islam*. Law Publishing Company, Lahore.
- Hutchings, K., Metcalfe, B.D. & Cooper, B.K. (2010). Exploring Arab Middle Eastern women's perceptions of barriers to, and facilitators of, international management opportunities. *The International Journal of Human Resource Management*, 21(1), 61-83.
- Ibn Taymiyya, T.A. (1966). *Al Siyasatus Shariah Fi Islaahir Raaie war Raiyyha* (On Public and Private Law in Islam). Khayats, Beirut.
- Ibraz, T.S. (1993). The cultural context of women's productive invisibility: A case study of a Pakistani village. *The Pakistan Development Review*, 32(1), 101-125.
- Ilies R., Hauserman, N., Schwochau, S. & Stibal, J. (2003). Reported incidence rates of work-related sexual harassment in the United States: Using meta-analysis to explain reported rate disparities. *Personnel Psychology*, 56, 607-631.
- ILO (2002). International Labour Organization. Equal employment opportunities in Pakistan. Retrieved 12 October 2010 from <http://ilo->



- mirror.library.cornell.edu/public/english/employment/gems/eeo/cover/pak\_main.htm.
- ILO (2004). National Labour Law. Profile: Islamic Republic of Pakistan. Retrieved 28 March 2008 from <http://www.ilo.org/public/english/dialogue/ifpdial/info/national/pak.htm>.
- ILO (2005). International labour organisation report .CEACR: Individual Observation Concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111) Pakistan (ratification: 1961). Retrieved 13 October 2006 from [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2258148](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2258148)
- ILO (2010). International Labour Organization. List of ratifications of international labour conventions. Retrieved October 18, 2010 from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byCtry.cfm?CTYCHOICE=1700&lang=EN>.
- Inglehart, R.F. (2000). Culture and democracy. In L.E. Harrison & S. Huntington (eds), *Culture matters: How values shape human progress*, 80-97. Basic Books, New York.
- Inglehart, R.F. & Norris, P. (2003a). *Rising tide: Gender equality and cultural change around the world*. Cambridge University Press, Cambridge.
- Inglehart, R.F. & Norris, P. (2003b). The true clash of civilizations. *Foreign Policy*, 135, 63-70.
- Jacobs, J.A. (1992). Women's entry into management: Trends in earnings, authority and values among salaried managers. *Administrative Science Quarterly*, 37, 282-301.
- Jahan, M. (2007). Gender mainstreaming in Bangladesh civil service: Prospects and constraints. *Asian Affairs*, 29(1), 41-75.
- Jahangir, A. (1988). How far are penal laws effective in protecting women. *Women living under Muslim laws*, Dossier 3, June-July 1988.
- Jain, H., & Verma, A. (1996). Managing workforce diversity for competitiveness: The Canadian experience. *International Journal of Manpower*, 17, 14-29.
- Jalal, A. (1991). The convenience of subservience: Women and the state of Pakistan. In D. Kandiyoti (ed), *Women, Islam and the state*. Macmillan, London.
- Jepperson, R.L. (2002). The development and application of sociological neoinstitutionalism. In J. Berger & M. Zelditch Jr (eds), *New directions in contemporary sociological theory*. Rowman & Littlefield, New York.
- Jewson, N. & Mason, D. (1986). The theory and practice of equal opportunities policies: Liberal and radical approaches. *Sociological Review*, 34(2), 307-334.
- Joshi, A. & Roh, H. (2007). Context matters: A multilevel framework for work team diversity research. In J. Martocchio, H. Liao & A. Joshi (eds), *Research in personnel and human resources management*, Vol. 26, 1-48. Emerald Group Publishing Limited.

- Kandiyoti, D. (ed) (1991). *Women, Islam and the state*. Macmillan, London.
- Kauppinen-Toropainen, K. & Gruber, J.E. (1993). Antecedents and outcomes of woman unfriendly experiences: A study of Scandinavian, former Soviet, and American women. *Psychology of Women Quarterly*, 17, 431-456.
- Kazemi, F. (2000). Gender, Islam and politics. *Social Research*, 67(2), 453-474.
- Kazim, N., Schmidt, K. & Brown, D. (2007). Perceptions and experiences that influence a Pakistani woman's decision to pursue a teaching career in computer-related technology. *Journal of Industrial Teacher Education*, 44(20), 73-88.
- Kelly, E. & Dobbin, F. (1999). Civil rights law at work: Sex discrimination and the rise of maternity leave policies. *American Journal of Sociology*, 105, 455-492.
- Khilji, S.E. (2003). To adapt or not to adapt: Exploring the role of national culture in human resource management. *International Journal of Cross Cultural Management*, 3(1), 109-132
- Kirton, G. & Greene, A-M. (2010). *The dynamics of managing diversity: A critical approach*. Elsevier, Oxford.
- KMLG (2008). Kohinoor Maple Leaf Group, Pakistan. Human Resources: KMLG Cares. Retrieved November 11, 2008 from <http://www.kmlg.com/kmlg/hrpolicy.php>.
- Kozel, V. & Alderman, H. (1990). Factors determining work participation and labor supply decisions in Pakistan's urban areas. *The Pakistan Development Review*, 29(1).
- Kramar, R., Bartram, T., De Cieri, H., Noe, R., Hollenbeck, J., Gerhart, B. & Wright, P. (2010). *Human resource management in Australia: Strategy, people, performance*, 4<sup>th</sup> Edition. McGraw-Hill, Sydney.
- Krolokke, C. & Sorensen, A.S. (2006). *Three waves of feminism: From suffragettes to girls. Gender communication theories and analyses: From silence to performance*. Sage Publications, Thousand Oaks, CA & London.
- LaBand, D.N. & Lentz, B.F. (1998). The effects of sexual harassment on job satisfaction, earnings, and turnover among female lawyers. *Industrial and Labor Relations Review*, 51, 594-607.
- Labour Force Survey (2008). [http://www.statpak.gov.pk/depts/fbs/publications/lfs2007\\_08/lfs2007\\_08.html](http://www.statpak.gov.pk/depts/fbs/publications/lfs2007_08/lfs2007_08.html)
- Latif, I. (2004). Ethnic cleansing of black Muslims by Arabs. *Daily Times, Lahore*. August 30.
- Lazreg, M. (1990). Feminism and difference: the perils of writing as a woman on women in Algeria. In M. Hirsch & E. Fox Keller (eds), *Conflicts in feminism*, 326-348. Routledge, London.
- Leonard, J.F. (1986). The effectiveness of equal employment law and affirmative action regulation. In R.G. Ehrenberg (ed), *Research in Labor Economics*, Vol. 8, 319-350. JAI Press, Greenwich CT.

- LFS (2006). Pakistan Labour Force Survey. Federal Bureau of Statistics. Retrieved November 10, 2008 from [http://www.statpak.gov.pk/depts/fbs/publications/lfs2005\\_06/lfs2005\\_06.html](http://www.statpak.gov.pk/depts/fbs/publications/lfs2005_06/lfs2005_06.html).
- LFS (2010). Labour Force Survey. Federal Bureau of Statistics, Government of Pakistan.
- Liddle, J. & Joshi R. (1986). *Daughters of independence: Gender, caste and class in India*. New Brunswick, NJ.
- Liff, S. (1997). Two routes to managing diversity: individual differences or social group characteristics. *Employee Relations*, 19, 11-26.
- Liff, S. & Dale, K. (1994). Formal opportunity, informal barriers: Black women managers within a local authority. *Work, Employment and Society*, 8, 177-198.
- Limpaphayom, W., Williams, R.J. & Fadil, P.A. (2006). Perceived differences in sexual harassment between business school students in the US and Thailand. *Cross Cultural Management: An International Journal*, 13(1), 32-42.
- Littrell, R.F. & Nkomo, S.M. (2005). Gender and race differences in leader behaviour preferences in South Africa. *Women In Management Review*, 20(8), 562-580.
- Lorber, J. (2000). Using gender to undo gender: A feminist degendering movement. *Feminist Theory*, 1(1), 79-95.
- MacKinnon, C.A. (1979). *Sexual harassment of working women: A case of sex discrimination*. Yale University Press, New Haven, CT.
- Madheswaran, S. & Lakshmanasamy, T. (1996). Occupational segregation and earnings differentials by sex: Evidence from India. *Artha Vijnana*, 38(4), 372-386.
- Malik, A. & Khalid, G.K. (2008). Work/life conflicts and desired work hour adjustments: Banking perspective in Pakistan. *International Review of Business Research Papers*, 4(5), 267-276.
- McCall, L. (2005). The complexity of intersectionality. *Signs: Journal of Women in Culture and Society*, 30(3).
- McDougall, M. (1996). Equal opportunities versus managing diversity: Another challenge for public sector management. *International Journal of Public Sector Management*, 9(5/6), 62-72.
- McGauran, A.M. (2001). Masculine, feminine or neutral? In-company equal opportunities policies in Irish and French MNC retailing. *International Journal of Human Resource Management*, 12, 754-771.
- Mecca, S.J. & Rubin, L.J. (1999). Definitional research on African American students and sexual harassment. *Psychology of Women Quarterly*, 23, 813-817.
- Merkin, R. (2008). Cross-cultural differences in perceiving sexual harassment: Demographic incidence rates of sexual harassment/sexual aggression in Latin America. *North American Journal of Psychology*, 10(2), 277-290.
- Mernissi, F. (1975). The regulation of female sexuality in the Muslim social order. In F. Mernissi (ed), *Beyond the veil*. Schenkman Publishing Co, Cambridge MA.
- Mernissi, F. (1996). *Women's rebellion and Islamic memory*. Zed Books Ltd, UK.

- Metcalfe, B.D. (2007). Gender and human resource management in the Middle East. *International Journal of Human Resource Management*, 18(1), 54-74.
- Metcalfe, B.D. (2008). Women, management and globalization in the Middle East. *Journal of Business Ethics*, 83(1), 85-100.
- Metcalfe, B.D. (2010). Reflections on difference: Women, Islamic feminism and development in the Middle East. In M. Özbilgin & J. Syed (eds), *Managing gender diversity in Asia: A research companion*. Edward Elgar, Cheltenham & New York.
- Metcalfe, B.D. & Rees, C.J. (2010). Gender, globalization organization: Exploring power, relations and intersections. *Equality, Diversity and Inclusion*, 29(1), 5-22.
- Metcalfe, B.D. & Woodhams, C. (2008). Critical perspectives in diversity and equality management. *Gender in Management: An International Journal*, 23(6), 377-381.
- Meyer, J.W. (2009). Reflections: Institutional theory and world society. In G. Kruecken & G.S. Drori (eds), *World society: The writings of John W. Meyer*. Oxford University Press, Oxford.
- Meyer, J.W. & Rowan, B. (1977). Institutionalized organizations: Formal structure as myth and ceremony. *American Journal of Sociology*, 83, 340-363.
- Meyer, J.W. & Scott, W.R. (1983). *Organizational environments: Ritual and rationality*. Sage, Beverly Hills.
- MHHDC (2000). Mahbub ul Haq Human Development Centre. *Human development in South Asia 2000: The gender question*. Oxford University Press.
- MHHDC (2003). Mahbub ul Haq Human Development Centre. *Human Development in South Asia 2003: The employment challenge*. Oxford University Press.
- Minault, G. (1997). Women, legal reform and Muslim identity. *Comparative Studies of South Asia, Africa and the Middle East*, 17(2).
- Moghadam, V. (1991). The reproduction of gender inequality in Muslim societies: A case study of Iran in the 1980s. *World Development*, 19(10), 1335-1349.
- Montes, T. & Shaw, G. (2003). The future of workplace diversity in the new millennium. In M.J. Davidson & S.L. Fielden (eds), *Individual diversity and psychology in organizations*. Wiley, Chichester.
- Morgan, D. (1996). The gender of bureaucracy. In D. Collinson & J. Hearn (eds), *Men as managers, managers as men: Critical perspectives on men, masculinities and management*. Sage, London.
- Morgen, S. (1994). Personalizing personnel decisions in feminist organisational theory and practice. *Human Relations*, 47(6), 665-684.
- Mullally, S. (1995). Women and employment legislation in Pakistan: A review. British Council Pakistan, November.

- Mullally, S. (1996). Women, law and employment in Pakistan: From 'protection' to 'equal treatment'? *International Journal of Discrimination and the Law*, 1, 207-232.
- Mullally, S. (2005). As nearly as may be: Debating women's human rights in Pakistan. *Social Legal Studies*, 14(3), 341-358.
- Mullally, S. (2006). *Gender, culture and human rights: Reclaiming universalism*. Hart Publishing, Oxford.
- Mumtaz, K., & Shaheed, F. (1987). *Women of Pakistan: Two steps forward, one step back?* Zed Press.
- Mwita, N., O'Neil, M., Nyagero, J. & Elqura, L. (2009). Competency gaps in human resource management in the health sector: An exploratory study of Ethiopia, Kenya, Tanzania, and Uganda. *African Medical and Research Foundation, Management Sciences for Health*.
- Naqvi, J. (2003). Towards equal employment opportunities. *Daily The Nation*, Business Pages, Lahore, 28 July.
- Naqvi, Z. & Shahnaz, L. (2003). How do women decide to work in Pakistan? Working paper. Pakistan Institute of Development Economics, Islamabad.
- NCL (2008). Nishat Chunian Limited. Human resources: Work environment. Retrieved 10 November 2008 from <http://nishat.net/workEnvironment.htm>.
- Nestle Pakistan (2008). Retrieved 10 November 2008 from <http://www.nestle.pk/careers/what-we-believe.aspx>.
- Nestvogel, R. & Klein, H.G. (1986). Women in Pakistan. General conditions, approaches and proposals for the development and vocational qualification of women in the Province of Punjab. TZ- Verlagsges, Rossdorf.
- Nielsen, M.B., Bjørkelo, B., Notelaers, G. & Einarsen, S. (2010). Sexual harassment: Prevalence, outcomes, and gender differences assessed by three different estimation methods. *Journal of Aggression, Maltreatment & Trauma*, 19(3), 252-254.
- Ñopo, H., Daza, N. & Ramos, J. (2012). Gender earning gaps around the world: A study of 64 countries. *International Journal of Manpower*, 33(5), 464-513.
- Nussbaum, M. (2000). *Sex and justice*. Oxford University Press, New York.
- Oakes, G. (1977). The Verstehen thesis and the foundations of Max Weber's methodology. *History and Theory*, 16(1), 11-29.
- O'Brien, P. (2001). Insiders and outsiders. In M. Patrickson & P. O'Brien (eds), *Managing diversity: An Asian and Pacific perspective*, 265-283. John Wiley and Sons, Australia.
- Ogbonna, E. & Harris, L.C. (2006). The dynamics of employee relationships in an ethnically diverse workforce. *Human Relations*, 59, 379-407.
- Orife, J.N. & Chaubey, M.D. (2001). Models of equal employment opportunity: A three-nation comparison. *Journal of African Business*, 2(3), 93-113.

- Özbilgin, M. & Syed, J. (eds) (2010). *Managing gender diversity in Asia: A research companion*. Edward Elgar, Cheltenham, UK and Northampton, MA.
- Özbilgin, M., Syed, J., Ali, F. & Torunoglu, D. (2010). International transfer of policies and practices of gender equality in employment to and among Muslim majority countries. *Gender, Work and Organization*. DOI: 10.1111/j.1468-0432.2010.00515.x.
- Özbilgin, M., Syed, J., Ali, F. & Torunoglu, D. (2012). International transfer of policies and practices of gender equality in employment to and among Muslim majority countries, *Gender, Work and Organization*, 19(4), 345-369.
- Pakistan CEDAW Report (2000). Retrieved 16 November 2006 from <http://www.pakistan.gov.pk/divisions/women-development-division/media/12chp11.pdf>.
- Pakistan CEDAW Report (2003). Retrieved 15 November 2008 from <http://www.pakistan.gov.pk/divisions/women-development-division/media/12chp11.pdf>.
- Pakistan Finance Bill (2006). Retrieved 10 November 2006 from [http://www.finance.gov.pk/budget/2006\\_07/finance\\_bill.pdf](http://www.finance.gov.pk/budget/2006_07/finance_bill.pdf).
- Patel, R. (1991). *Socio-economic political status, and women and law in Pakistan*. Faiza Publishers, Karachi.
- Perry, E.L., Kulik, C.T. & Field, M.P. (2009). Sexual harassment training: Recommendations to address gaps between the practitioner and research literatures. *Human Resource Management*, 48(5), 817-837.
- Pfau-Effinger, B. (2010). Household work in cultural and institutional context. In J. Treas & S. Drobnič (Eds.), *Dividing the domestic: Men, women, and housework in cross-national perspective*, 125-146. Stanford University Press, Palo Alto, CA.
- Pickthall, M.M. (1930/1999 trans.). *The meaning of the glorious Koran*. Mentor, New York. New version published by Tahrike Tarsile Qur'an, New York.
- PILER (2007). Pakistan Institute of Labour Education and Research. The denial and discrimination: Labour rights in Pakistan, <http://piler.org.pk/labourestatusreport.pdf>
- Politakis, G.P. (2001). Night work of women in industry: Standards and sensibility. *International Labour Review*, 140(4), 403-428.
- Poole, M. (1986). *Industrial relations: Origins and patterns of national diversity*. Routledge & Kegan Paul, London.
- Pot, F. (2000). *Employment relations and national culture*. Elgar, Cheltenham.
- Powell W. (2007) The new institutionalism. In *The International Encyclopedia of Organization Studies*. Sage Publishers, Thousand Oaks.
- Pryor, J.B., DeSouza, E.R., Fitness, J., Hutz, C., Kumpf, M., Lubbert, K., Pesonen, O. & Erber, M.W. (1997). Gender differences in the interpretation of social-sexual

- behaviour: A cross-cultural perspective on sexual harassment. *Journal of Cross-Cultural Psychology*, 28(5), 509-534.
- [The] Qur'an, English Translation of the Holy *Qur'an*, by Abdullah Yusufali. Retrieved 20 February 2008 from <http://www.usc.edu/dept/MSA/Qur'an/>.
- Rahman, F. (1983). Status of women in the Quran. In G. Nashat (ed), *Women and revolution in Iran*. Westview Press, Boulder.
- Raver, J.L. & Gelfand, M.J. (2005). Beyond the individual victim: Linking sexual harassment, team processes, and team performance. *Academy of Management Journal*, 48(3), 387-400.
- Rees, T. (1998). *Mainstreaming equality in the European Union*. Routledge, London.
- Rehman, S. (1990). *Shirin Munir vs Government of Punjab*. PLD 1990, SC 295, p. 312.
- Riger, S. (1991). Gender dilemmas in sexual harassment: Policies and procedures. *American Psychologist*, 46(5), 497-505.
- Rizzo, H., Abdel-Latif, A, & Meyer, K. (2007). The relationship between gender equality and democracy: A comparison of Arab versus non-Arab Muslim societies. *Sociology*, 41(6), 1151-1170.
- Robbins, S. (1996). *Organizational behaviour*. Prentice-Hall: Englewood Cliffs, NJ.
- Rose, S.J. & Hartmann, H.I. (2004). *Still a man's labor market: The long-term earnings gap*. Institute for Women's Policy Research, Washington, D.C.
- Rospenda, K.M., Richman, J.A., Ehmke, J.L.Z. & Zlatoper, K.W. (2005). Is workplace harassment hazardous to your health? *Journal of Business and Psychology*, 20, 95-110.
- Rousseau, D. & Fried, Y. (2001). Location, location, location: Contextualising organisational research. *Journal of Organisational Behaviour*, 22, 1-14.
- Rowley, C. & Yukongdi, V. (2008). *The changing face of women managers in Asia: Opportunities and challenges*. Routledge, London.
- Sadaquat, M.B. & Sheikh, Q.A. (2011). Employment situation of women in Pakista., *International Journal of Social Economics*, 38(2), 98-113.
- Said, E. (2002). Impossible histories: Why the many Islams cannot be simplified. *Harper's Magazine*, July issue.
- Samir, N., Mohamed, R., Moustafa, E. & Abou Saif, H. (2012). Nurses' attitudes and reactions to workplace violence in obstetrics and gynaecology departments in Cairo hospitals. *Eastern Mediterranean Health Journal*, 18(3), 198-204.
- Sandberg, J. (2005). How do we justify knowledge produced within interpretive approaches? *Organisational Research Methods*, 8(1), 41-68.
- Schneider, K.T., Swan, S. & Fitzgerald, L.F. (1997). Job-related and psychological effects of sexual harassment in the workplace: Empirical evidence from two organizations. *Journal of Applied Psychology*, 82, 401-415.

- Schwandt, T.A. (1998). Constructivist, interpretivist approaches to human inquiry. In N.K. Denzin & Y.S. Lincoln (eds), *The landscape of qualitative research: Theories and issues*. Sage Publication Inc, Thousand Oaks.
- Scott, J.W. (1988). Deconstructing equality-versus-difference: or, the uses of poststructuralist theory for feminism. *Feminist Studies*, 14(1), 33-49.
- Scott, W.R. (2001). *Institutions and organizations*, 2nd ed. Sage Publications, Thousand Oaks.
- Scott, W.R. & Meyer, J.W. (1991). The rise of training programs in firms and agencies: An institutional perspective. In L.L. Cummings & B.M. Straw (eds), *Research in Organizational Behaviour*, 297-325. JAI Press, Greenwich, CT.
- SDPI (2008). Sustainable Development Policy Institute. Pakistan: Country gender profile, [http://www.sdpi.org/research\\_Programme/human\\_development/country\\_gender\\_profile\\_1.pdf](http://www.sdpi.org/research_Programme/human_development/country_gender_profile_1.pdf)
- Shah, N.M. (1986). Changes in women's role in Pakistan: Are the volume and pace adequate? *The Pakistan Development Review*, 25(3).
- Shaheed, F. (1985). Legal systems, Islam and women in Pakistan. 2 Ethnic Studies Reports ICES, Colombo, January.
- Shaheed, F. & Mumtaz, K. (1987). *Women in Pakistan. Two steps forward, one step back?* Zeb Books Ltd., London & New Jersey.
- Sidqi, D.M. (2003). The sexual harassment of industrial workers: Strategies for intervention in the workplace and beyond. Paper 26, Centre for Policy Dialogue, *United Nations Population Fund*. CPD-UNFPA Publication Series.
- Sims, C.S., Drasgow, F. & Fitzgerald, L.F. (2005). The effects of sexual harassment on turnover in the military: Time dependent modelling. *Journal of Applied Psychology*, 90, 1141-1152.
- Sivard, R. (1985). *Women: A world survey*. World Priorities, Washington DC.
- SMEDA (2001). Small Medium Enterprise Development Association. Globalisation and the apparel industry of Pakistan, presented at ILO sub-regional conference on competitiveness, productivity and job quality in the garment industry in South Asia, September 25-26.
- Solomos, J. (1989). Equal opportunities policies and racial inequality. *Public Administration*, 67, 79-93.
- Starkey, K. & Tranfield, D. (1998). The nature, social organisation and promotion of management research: Towards policy. *British Journal of Management*, 9(4), 341-353.
- Stone, K. (1981). The post-war paradigm in American labor law. *Yale Law Journal*, 90, 1509-1580.
- Stowasser, B. (1987). Religious ideology, women, and family. In B. Stowasser (ed), *The Islamic impulse*. Croom Helm, London.



- Strauss, A. & Corbin, J. (1990). Grounded theory methodology - An overview. In N.K. Denzin & Y.S. Lincoln (eds), *Handbook of qualitative research*. Sage Publications, Thousand Oaks.
- Strauss, A. & Corbin, J. (1997). *Grounded theory in practice*. Sage Publications, London.
- Syed, J. (2003). Equal employment practices. *Pakistan and Gulf Economist*, 39, 34-37.
- Syed, J. (2008a). A context-specific perspective of equal employment opportunity in Islamic societies. *Asia Pacific Journal of Management*, 25(1), 135-151.
- Syed, J. (2008b). Employment prospects for skilled migrants: A relational perspective. *Human Resource Management Review*, 18(1), 28-45.
- Syed, J. (2008c). From transgression to submission: Implications of moral values and societal norms on emotional labour. *Gender, Work and Organization*, 15, 182-201.
- Syed, J. (2009). From gender empowerment to gender diversity: Measuring the gender gap in Muslim countries. In M. Özbilgin & J. Syed (eds), *Diversity management in Asia: A research comparison*. Edward Elgar, Cheltenham.
- Syed, J. (2010). From gender empowerment to gender diversity: Measuring the gender gap in Muslim majority countries. In M. Özbilgin & J. Syed (eds), *Managing gender diversity in Asia: A research companion*, 210-226. Edward Elgar, Cheltenham & New York.
- Syed, J. & Ali, F. (2011). The white woman's burden: From colonial civilisation to third world development. *Third World Quarterly*, 32(2), 349-365.
- Syed, J., Ali, F. & Winstanley, D. (2005). In pursuit of modesty: Contextual emotional labour and the dilemma for working women in Islamic societies. *International Journal of Work, Organisation and Emotion*, 1, 150-167.
- Syed, J. & Kramar, R. (2009). Socially responsible diversity management. *Journal of Management and Organization*, 15(5), 639-651.
- Syed, J., & Murray, P. (2009). Combating the English language deficit: The labor market experiences of migrant women in Australia. *Human Resource Management Journal*, 19(4), 413-432.
- Syed, J. & Özbilgin, M. (2009). A relational framework for international transfer of diversity management practices. *International Journal of Human Resource Management*, 20, 2435-2453.
- Syed, J. & Pio, E. (2010). Veiled diversity: Workplace experiences of Muslim women in Australia. *Asia Pacific Journal of Management*, 27, 115-137.
- Syed, J., Özbilgin, M., Torunoglu, D. & Ali, F. (2009). Rescuing gender equality from the false dichotomies of secularism versus Shariah in Muslim majority countries. *Women's Studies International Forum*, 32, 67-79.
- Tata, J. (1993). The structure and phenomenon of sexual harassment: Impact of category of sexually harassing behaviour, gender, and hierarchical level. *Journal of Applied Social Psychology*, 23, 199-211.

- Tayeb, M. (1997). Islamic revival in Asia and human resource management. *Employee Relations*, 19(4), 352-364.
- Teicher, J. & Spearitt, K. (1996). From equal employment opportunity to diversity management: The Australian experience. *International Journal of Manpower*, 17, 109-133.
- Terpstra, D.E. & Baker, D.B. (1986). Psychological and demographic correlates of perceptions of sexual harassment. *Genetic, Social, and General Psychology Monographs*, 112(4), 461-478.
- Thacker, R.A. (1992). A descriptive study of behavioural responses of sexual harassment targets: Implications for control theory. *Employee Responsibilities and Rights Journal*, 5, 155-171.
- Thomas, D.A. & Ely, R.J. (1996). Making differences matter: a new paradigm for managing diversity. *Harvard Business Review*, September-October.
- Thomas, R. Jr. (1990). From affirmative action to affirming diversity. *Harvard Business Review*, March-April, 107-117.
- Till, F.J. (1980). *Sexual harassment: A report on the sexual harassment of students*. National Advisory Council on Women's Educational Programs, Washington, DC.
- Tirmidhi, Muhammad b. 'Isa. (1983). *Sunan Al-Tirmidhi*, ed. 'A. 'Abdallatif, Beirut.
- Toker, Y. & Sumer, H.C. (2010). Workplace sexual harassment perceptions in the Turkish context and the role of individual differences. *Applied Psychology*, 59(4), 616-646.
- Tomlinson, J. (2007). Female part-time workers' experiences of occupational mobility in the UK service industry. *Women in Management Review*, 22, 305-318.
- Toth, J. (1991). Pride, purdah, or paychecks: What maintains the gender division of labor in rural Egypt? *International Journal of Middle Eastern Studies*, 23(2), 213-235.
- Tyler, A. & Boxer, D. (1996). Sexual harassment? Cross-cultural/cross-linguistic perspectives. *Discourse and Society*, 7(1), 107-133.
- Tyson, S. (1999). How HR knowledge contributes to organisational performance. *Human Resource Management Journal*, 9(3), 42-52.
- UNDP (1996). *Human Development Report: Economic growth and human development*, <http://hdr.undp.org/en/reports/global/hdr1996/chapters/>
- UNDP (2003). *Arab Human Development Report*. New York: United Nations Development Programme. Retrieved 25 August 2004 from [www.undp.org](http://www.undp.org).
- UNDP (2004). *Human Development Report: Cultural liberty in today's diverse world*. UNDP, New York.
- UNDP (2008). United Nations Development Program. *Human Development Report: Fighting climate change: Human solidarity in a divided world*. UNDP, New York. Retrieved 20 July 2009, from <http://hdr.undp.org/en/reports/global/hdr2007-2008/>

- UNDP (2009). United Nations Development Program. *Human Development Report: Overcoming barriers: Human mobility and development*. UNDP, New York. Retrieved 20 July 2010 from [http://hdr.undp.org/en/media/HDR\\_2009\\_EN\\_Complete.pdf](http://hdr.undp.org/en/media/HDR_2009_EN_Complete.pdf)
- UNDP (2010). United Nations Development Program. *Human Development Report: The real wealth of nations: Pathways to human development*. UNDP, New York.
- Walby, S. (2004). Gender mainstreaming: Productive tensions in theory and practice. Contribution to ESRC Gender Mainstreaming Seminars, 2003-4.
- Wasti, S.A., Bergman, M.E., Glomb, T.M. & Drasgow, F. (2000). Test of the cross-cultural generalizability of a model of sexual harassment. *Journal of Applied Psychology*, 85(5), 766-778.
- WDR (2012). World Development Report. *Gender equality and development*. Retrieved 26 June 2012 from <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEARCH/EXTWDRS/EXTWDR2012/0,,contentMDK:22999750~menuPK:8154981~pagePK:64167689~piPK:64167673~theSitePK:7778063,00.html>.
- Webb, B. (ed) (1901). *The case for the factory act*. Richards, London.
- Weeks, J. (1988). The demography of Islamic nations. *Population Bulletin*, 43(4), 5-54.
- Weiss, A. (2003). Interpreting Islam and women's rights: Implementing CEDAW in Pakistan. *International Sociology*, 18(3), 581-601.
- Welsh, S. (1999). Gender and sexual harassment. *Annual Review of Sociology*, 25, 169-190.
- Wharton, A.S. & Erickson, R. (1993). Managing emotions at the job and at home: Understanding the consequences of multiple emotional roles. *Academy of Management Review*, 18, 457-486.
- Where women want (2007). Where women want to work. Retrieved 20 November 2008 from [http://www.wherewomenwanttowork.com/top50/top50\\_2007.asp](http://www.wherewomenwanttowork.com/top50/top50_2007.asp).
- Winter, B. (2001). Fundamental misunderstandings: Issues in feminist approaches to Islamism. *Journal of Women's History*, 13(1), 9-41.
- Wirth, L. (2001). *Breaking through the glass ceiling: Women in management*. International Labor Office, Geneva, Switzerland.
- Witz, A. & Savage, M. (1992). The gender of organisations. In M. Savage & A. Witz (eds), *Gender and bureaucracy*, 3-62. Blackwell, London.
- Woodall, J. & Winstanley, D. (1998). *Management development: Strategy and practice*. Blackwell Publishers, Oxford.
- World Bank (1999). *World Bank world tables*. Oxford University Press, Oxford.
- World Bank (2001). *Engendering development*. Washington, DC.
- World Bank (2007). *Development and the next generation*. Washington, DC.

- World Bank (2012). Gender equality data and statistics. Retrieved 10 September from <http://datatopics.worldbank.org/gender/>.
- World Economic Forum (2008). The global gender gap report (GGGR). Geneva, Switzerland.
- Youssef, N. (1978). The status and fertility patterns of Muslim women. In L. Beck & N. Keddie (eds), *Women in the Muslim world*. Harvard University Press, Cambridge.
- Zaharna, R.S. (1995). Bridging cultural differences: American public relations practices & Arab communication patterns. *Public Relations Review*, 21, 241-255.
- Zia, S. (1994). *Employment and legislation: Women's concerns*. ILO, Islamabad, Pakistan.
- Zippel, K. (2006). *The politics of sexual harassment: A comparative study of the United States, the European Union and Germany*. Cambridge University Press.

## **APPENDICES**

### **Appendix 1: Ethics approval letter**

Appendix 1 (page 203) removed from Open Access version as it may contain sensitive/confidential content.

## Appendix 2: Interview guide

Following are the questions for the interviews to be conducted with Human Resources (HR) managers.

### Organisation info from HR managers

#### 1. Type of organisation

- a) Private
- b) Govt
- c) MNC
- d) EPZ (export promotion zone/seasonal)
- e) Other

#### 2. No. of employees

- a) Total
- b) Male
- c) Female

#### 3. Percentage of females at managerial level

- a) Below 2%
- b) 2-5%
- c) 6-10%
- d) More than 10%

#### 4. EEO policies

- a) Formal (written)
- b) Informal (custom and practice)
- c) Any other
- d) None

#### 5. Please specify (in general) the percentage or number of male and female employees in terms of their employment status

	Female employees	Male employees
Permanent full-time		
Permanent part-time		
Casual full-time		
Casual part-time		
Contract		
Others		

#### 6. Have there been any significant changes to employment status trends in recent years? Why/why not?

7. How many departments or occupations are in this organisation?
8. What is the percentage of male and female workers in each department/occupation?
9. What is the average pay rate in each department/occupation for male and females? (e.g. what is the pay rate of male and female workers in stitching department)
10. Can you comment on the trends regarding male/female employment in this firm?
11. Have there been any significant changes to these trends in recent years? Explain.
12. Would you like to see any changes? Specify and explain.
13. What are the average working hours per week for males/females?
14. Is there any difference in patterns of work? Explain any differences.
15. Has anything changed as a result of such policies? Specify. Do you monitor changes or set targets? Why/why not?
16. Are you familiar with the government's ratification of international conventions regarding EEO and women's employment? Do or did you feel pressure to adopt formal EEO policies from sources such as the government, unions, women's groups or employees?
17. What are the indicators of firm profitability and productivity?

### **Questions for Managers**

#### *Demographic information*

- a) Gender
  - b) Age
  - c) Designation
  - d) Professional qualifications
  - e) Experience (e.g. number of years in HR etc)
  - f) Tenure in the current organisation
1. Recruitment and selection
    - a) What is the standard procedure of advertising a job?
    - b) Are there any jobs that are men-only or women-only?
    - c) Do you prefer females for specific jobs? What kind of jobs and why?
    - d) Does marital status have any effect on recruitment and selection? Explain?
    - e) Does pregnancy effect recruitment and selection?
  2. Maternity policies

- a) What is your policy regarding maternity leave?
- b) Do you offer maternity leave? If yes, how long? If no, why not?
- c) Female workers come back after maternity leave?
- d) Are they allowed to work anywhere else during their leave period? What are the penalties? Have there been any cases and how did you deal with it?

### 3. Childcare

- a) Do you provide any childcare facilities?
- b) If yes, do you have trained staff? How many children are there? Is it economical?
- c) If not then why? What are the other options?]

### 4. Training and skills

- a) What training and development is offered to men/women? Is a training budget allocated? Specify.
- b) Do all newly appointed employees get training in their specific field?
- c) Any difference between male and female training programmes? If yes, what kind of difference?
- d) Do female workers feel comfortable receiving training from male staff?
- e) Do male and female workers have equal access to specialised training for the purpose of promotion?

### 5. Pay equity

- a) How are wages determined? Are wages fixed to the job or do they differ from individual to individual depending on experience and qualification?
- b) Do male and female workers receive the same wage rates for equivalent work, and other benefits (e.g. leave and bonus etc)?
- c) Average pay for men/ women? How does this compare to the pay provided by your major competitors?

### 6. Promotion and career development

- a) What are the main criteria for the promotion of workers?
- b) What proportion of promotion goes to males compared to females?
- c) Do equivalent number of males and females apply for promotions? Is this problem?

### 7. Sexual harassment

- a) Does the organisation have a policy regarding sexual harassment? What does it consist of?
- b) If yes, what is the procedure for its access? Do employees have knowledge of it?
- c) If not, how are victims treated? Explain?
- d) How many cases have been lodged and how are they resolved?
- e) Who is mainly harassed at work, males or females?
- f) What kind of sexual harassment is reported (physical, verbal etc)?



## 8. Night work for women

- a) Does this organisation operate at night?
- b) Does this organisation allow night work for women?
- c) If yes, does it provide transport to female workers (to their home)?
- d) If not then why?
- e) Are female workers interested in night shifts to earn more?

## 9. Safety and hazards

- a) Is machinery operated in this organisation?
- b) Are women allowed to work near machinery in motion?
- c) If not, what is the reason?
- d) Are there other places as well where women are not allowed to work, for example, jobs involving chemicals?

## 10. Dismissal/termination/absenteeism

- a) What percentage of men and women workers was terminated from working (per annum) for past few years? Explain (trend)?
- b) What are the main reasons for termination of male and for female workers? Explain?
- c) Which department has the highest termination rate?
- d) Is there any process/policy for lodging complaint against the (termination) decision within or outside organisation?
- e) How often are complaints made by men and women?
- f) If a pregnant woman is terminated is the organisation liable for compensation? Has it happened in the past? Explain?
- g) Turnover and absenteeism data. Any differences for men/women?
- h) What are the main reasons for women being absent from work?
- i) Do they differ from men?
- j) What are the main reasons for women leaving this firm?
- k) Do they differ from men?

## 11. Retirement

- a) What is the average age limit of retirement for female and male workers?
- b) Do employees get any benefit like pension (in case of public sector) after retirement?
- c) If yes, explain?
- d) If no, why?

## 12. Trade union

- a) Is a trade union recognised/present at the firm?
- b) What are the trade union membership rates? (e.g. in total what is the ratio for males and females employees who are members of trade union)

### 13. Special facilities for women

- a) Are there any special facilities for women in this organisation? For example, separate toilets, rest rooms, feeding rooms and prayer rooms etc.

### Questions from employees

#### Demographic information

#### 1. Your age last birthday?

A. Below 20		B. 20–29		C. 30–44		D. 45–59		E. 60 or above	
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#### 2. Your gender?

A. Female		B. Male	
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#### 3. Your highest qualification?

A. Below primary		B. Secondary		C. Metric	
D. Intermediate		E. Bachelors		F. Masters	

#### 4. Your position in the organisation (your main job)?

A. First line operations		B. First line supervision		C. Middle management	
D. Senior management		E. Technical or Professional		F. Other (describe)	

#### 6. Number of years you have worked for this organisation?

A. Less than 1 year		B. 1–3 years		C. Above 3 up to 5 years	
D. Above 5 up to 10 years		E. Above 10 years			

#### 7. Your employment conditions?

A. Permanent full time		B. Permanent part time		C. Casual full time	
D. Casual part time		E. Contract		F. Other (describe)	

#### 8. Department you work in (e.g. stitching, packaging)? .....

**Semi-structured/open ended questions (for female workers)**

1. Previous job or activities:
  - a) What were you doing previously?
2. Recruitment and selection
  - a) Why are you doing this job? (e.g. hobby, economic compulsion)
  - b) How did you get this job? (through ad, personal connection)
  - c) What was the procedure? (recruiting, selecting and staffing)
  - d) Does this organisation have an EEO policy?
  - e) Have you ever encountered any problem at work because you are a woman? Explain?
  - f) If yes, how did you deal with it?
3. Comparison with men
  - a) Do you believe that you are given the same opportunities as men in this firm? Explain.
4. About job
  - a) Please describe the main tasks that you perform in your job.
  - b) What are your current working hours, total hours per week, days v. nights etc?
  - c) On what basis are you employed here: full time, part time, temporary?
  - d) Does this suit you? Explain. What would you prefer?
  - e) Are you satisfied with the work that you do here?
  - f) What are the advantages/ disadvantages of your job? I.e. what do you like and dislike about your job? What would make your job more attractive?
5. Equal pay
  - a) What is your current rate of pay (in Pak Rupees)?
    - Below 5,000
    - 5,000-10,000
    - 10,000-15,000
    - 15,000 or more
  - b) When did this last change?
  - c) How is your pay determined? (e.g. based on your performance, seniority or other)
  - d) How does it compare to pay in other similar firms?
  - e) Do you reckon you get equal (equal pay of equal work) salary compared to male workers in your organisation?
  - f) If yes, explain?
  - g) If no, explain?
6. Training & development issues
  - a) Did you receive training when you started working here?
  - b) How long does it take a worker to become proficient at this job?
  - c) Do you receive ongoing training/development? Why/why not? What does it involve?

7. Maternity leave & childcare

- a) What are your entitlements regarding annual leave, sick leave and maternity leaving? Are you paid for such leave? Why/ why not?
- b) Do you have childcare facility at the organisation or outside? If yes, are you satisfied with it? If not, who takes care of your children?
- c) How can the organisation or government improve childcare facilities?

8. Sexual harassment

- a) Have you or any colleagues of yours faced sexual harassment at the workplace (in previous or current organisation)?
- b) If yes, did you complain about it? Explain?
- c) Is the procedure of lodging complaint easy/comfortable?
- d) What was the outcome?

9. Career development

- a) What sorts of promotional opportunities exist for you? Are you interested in gaining promotions here? Why/ why not?
- b) Have you received any promotions since you started working here? Explain.
- c) How could your work and promotional opportunities be improved?

10. Safety & hazards

- a) Are there any safety issues confronting you at work?
  - Exposure to chemicals
  - Dangerous equipment
  - Poor light
  - Extreme temperatures
  - Others
  - None
- b) Have you been injured at work? If yes then did you get compensation?
- c) If a worker is injured what procedure is followed?

11. Work-life balance

- a) Would you recommend this company to your friends and family?
- b) Does your work interfere with your family responsibilities and social life?
- c) Where do you see yourself in the future?

12. Awareness and agency

- a) Are you aware of laws and policies in the organisation that deal with issues related to EEO (e.g. sexual harassment, unequal pay etc)?
- b) If yes, have you ever used them? Explain?
- c) If not, do you know where to get help (out of the organisation) to solve problems? Explain?

13. Trade union

- a) Does this firm recognise a trade union?
- b) Are you a trade union member? Why /why not?
- c) Is the union involved in promoting EEO at this firm? How?
- d) Is there any form of women's group or committee at this firm? What is its role?

e) Would such a committee be useful? Explain

14. Further comments/issues/problems

- a) Other issues (e.g. segregated areas to relax, transport facilities, childcare, flexible working hours, maternity benefits etc)
- b) What kind of facilities you need at work place to improve your skills and performance?

## **Appendix 3: Information statement and consent form**

Name of Project:

### **Prospects for equal employment opportunity for women in Pakistani organisations**

You are invited to participate in a study of equal employment opportunity (EEO) for women in Pakistani organisations. The purpose of the study is to characterise the nature of employees EEO policies and practices in Pakistan's textile and clothing sector. Further, the aim of the study is to explore the issues and challenges faced by female workers in this sector.

The researcher conducting this project is Faiza Ali from the Department of Business, Macquarie University. Ms Ali can be contacted on or via email at: .

The research is being conducted to meet the requirements for the degree of Doctor of Philosophy in Business under the supervision of Professor Robin Kramar, phone , Department of Business.

If you decide to participate in this project you will be interviewed by the researcher in a private office in your workplace. This will require approximately 60 minutes and will be recorded on audio-tape (subject to your permission) with additional handwritten notes. The interview questions will primarily relate to: recruitment and selection procedure; working patterns; maternity and childcare; pay and benefits; work organisation; training and development; absence & turnover; and grievance procedures for female workers.

All data will be kept confidential except if required by law. Any information or personal details gathered in the course of the study are confidential. No employee of your organisation will be present during the interview other than the participant herself / himself. No individual will be identified in any publication of the results. The only person who will have access to the data is Ms Ali and the supervisor Professor Robin Kramar and the data will be stored in a locked filing cabinet in her home office. The publication of results will consist of papers in academic journals and conference proceedings. Their purpose is to generate knowledge and stimulate improvements in work organisation in the textile and clothing industry.

If you would like a copy of the research results, you may contact Faiza Ali via email at: . At first one page provisional abstract will be sent to the interested participants. The final abstract and the paper will be sent later. Participants will also be

given a signed copy of this Information Statement and Consent Form, and a second signed copy will be retained by the researcher.

If you decide to participate, you are free to withdraw from further participation in the research at any time without having to give a reason and without consequence<sup>15</sup>. Locally, you can contact Ms Uzma Zarrin (Gender & Equity Coordinator, Canadian International Development Agency) on or via email at if you have any questions or concerns about the research.

I (the participant) have read (or, where appropriate, have had read to me) and understand the information above, and any questions I have asked have been answered to my satisfaction. I agree to participate in this research, knowing that I can withdraw at any time. I have been given a copy of this form to keep.

Audio-recording Yes ☐ No ☐

Participant's Name: ..... (block letters)

Participant's Signature: ..... Date: .../.../...

Investigator's Name: ..... (block letters)

Investigator's Signature: ..... Date: .../.../...

(INVESTIGATOR'S [OR PARTICIPANT'S] COPY) (circle one)

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<sup>15</sup> The ethical aspects of this study have been approved by the Macquarie University Ethics Review Committee (Human Research). If you have any complaints or reservations about any ethical aspect of your participation in this research, you may contact the Committee through the Research Ethics Officer (telephone+ 61 2 9850 7854, fax +61 2 9850 8799, email: ethics@mq.edu.au). Any complaint you make will be treated in confidence and investigated, and you will be informed of the outcome.

Appendix 4 (page 214-233) of this thesis has been removed as it contains published material. Please refer to the following citation for details of the article contained in these pages.

Ali, F., & Knox, A. (2008). Pakistan's commitment to equal employment opportunity for women: a toothless tiger ? *International journal of employment studies*, 16(1), 39-58.



Appendix 5 of this thesis has been removed as it contains published material. Please refer to the following citation for details of the article contained in these pages.

Ali, F. (2010). A comparative study of EEO in Pakistan, India and Bangladesh. In M. F. Özbilgin & J. Syed (Eds.), *Managing gender diversity in Asia: a research companion* (pp. 32-53). Cheltenham : Edward Elgar.

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