

Decade of Multiparty Democracy in Nepal: From Gender Perspectives

By Binda Pandey

Establishment of multiparty democracy in 1990 by overt roughing the partyless Panchayati autocratic system is one of the most historical landmarks to change in women's lives in Nepal. This movement tied monarchy to the constitutional framework. After a short period of 12 years of multiparty democracy, the king has been trying to regain power by dissolving an elected government and appointing the council of ministers of his choice.

The royalist forces are trying their best to undermine all the achievements of the last 12 years. They do so subjectively to fit their vested interests. In this situation, it is essential to look back critically to examine the achievements and weaknesses thereby contributing to consolidate strengthens and chart strategies and plans for the improvement of the shortcomings. This article aims at that end from gender glasses.

1. Women's participation in politics

Women's participation in Nepali politics has increased quantitatively as well as qualitatively during the last 12 years. Women's participation in all level of party politics has increased. All major political parties have women in their central leadership. The number and quality of women is being increased in policy making processes. In the two major political parties, women occupy next to the topmost positions, such the deputy-presidentship, in the case of the Nepali Congress Party, and the position of the Standing Committee Member, in the case of CPN-UML.

Table 1: Women Participation in party politics among parliamentary parties

Parties	CPN-UML	NC	NC-D	RPP	J-Nepal	NPWP	NSP-A	NSP-B
CCM	55	29	37	45	45	11	27	31
Male	50	26	35	41	42	9	23	29
Female	5	3	2	4	3	2	4	2
Female (%)	9.1	10.3	5.5	8.9	6.7	18.2	14.8	6.5

Source: Central Office of respective parties, 2003

A special legal provision has been introduced regulating election processes in which 20 percent seats are reserved for women in the local government. In national elections, women candidates should account for at least five percent of total candidates. Although not enough, this is a small achievement of the last 12 years.

Table 2: Women participation in the House of Representatives

Election year	2048			2051			2056		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Member in House of representatives	198	7	205	198	7	205	193	12	205
Percentage	96.6	3.4	100	96.6	3.4	100	94.2	5.8	100

Source: Report of the secretariat of Parliament -2001

With these positive sides are issues and areas to be improved.

- The policy and program of the state, political parties and civil society have not been enough gender sensitive. The possible positive impact of women's participation in all the mechanism of the state and society has not been realized yet. As a result, women do not fair encouragingly in leadership as well as in the party rank and file.
- Traditional conservatism, social norms, values and practices are still continued not only in society, but also in party leadership and cadres, who claim themselves as being gender sensitive.
- In totality women have not been successful in making themselves qualified and competent in various sectors. Women's movement as such is not being able enough to show their collective strength and unity to challenge the society for change even in women specific concerns.
- Political parties have neither been open to provide extra seats for women in election processes more than fixed quota nor able to

conduct specific programmes to train (about 40,000) the elected women in the local government. As a result, women could not utilize their full potential for the betterment of society.

2. Women in education and awareness

Education and awareness are the needs for social development. It certainly plays a vital role in terms of gender equality as well. During the 12 years period, awareness about girls' education has increased. But still, the concept of women's education for self-reliance has not been internalized.

According to the census 2001, 58 percent of the total population is literate. Among the women population 42.5 percent is literate, which shows women's literacy rate better than that of male. The ratio of women's participation in higher education has also been high in this period. Still, there is a long way to go to meet the equal ratio.

Table 3: Comparison of women in Education in different time period

Level of Education	1981		1991		2001	
	Male	Female	Male	Female	Male	Female
Non mentioned	0.0	0.0	0.6	0.9	0.6	0.7
Illiterate	66	88.0	45.2	74.4	34.3	56.8
Literate	34	12.0	54.1	24.7	65.1	42.5
Among the literate						
No Schooling	23.9	22.8	22.3	24.0	8.5	9.2
Primary level passed	46.1	56.4	39.1	45.2	39.3	45.9
Above Primary upto SLC	25.8	18.3	29.3	23.9	40.4	38.4
Higher Education (Above SLC)	4.1	2.4	4.6	2.4	10.7	5.3
Total	100	100	100	100	100	100

Source: Gender Disaggregated Indicators-2001

In this period, the government has introduced one compulsory woman teacher in each primary school. As a result, there are 23.8 percent women teaching in primary level, however the women teacher in lower secondary and secondary level constitute only 13.4 and 8.4 percent respectively, according to the data from the Education Department as of 2000.

Besides formal education, political and social awareness has increased tremendously, which can be seen through women's participation and

mobilization in different forums such as conferences, seminars, trainings and campaigns.

Despite these achievements, following are the areas to be intervened for the change in the education and awareness sectors.

- Female have less opportunity, access and control over education as compared to their male counterparts.
- There is no women focused/specific policy and program to increase opportunity and access to education and training to develop their functional capacity and competency.
- Formal textbooks and courses are not gender sensitive. Gender discriminatory texts and materials exist in other forms of education, such as media, campaigns, awareness activities and so on.

3. Women in employment and economic right

According to the census 2001, economically active population is 10,637,243; among which 56 percent are men and 44 percent women. According to the NLFS report, of the total women labour force, only 7.7 percent is in the remunerated work, 63.4 percent is engaged in the unpaid work and the rest is self-employed.

Table 4: Women participation in different jobs (in '000)

Nature of work	Total		Female		Male	
	Number	%	Number	%	Number	%
Total Workforce	9473	100	4727	100	4736	100
Remunerated Work	1517	16	365	7.7	1153	24.3
Non-Remunerated Work	4100	43.3	2997	63.4	1103	23.3
Self-Employed	3846	40.7	1377	28.9	2440	52.4

Source: NLFS 1998/99

To promote women's participation in the employment sector, the government is supposed to be a model employer, but in Nepal women's participation in the government sector is as low as 8.55 percent. None of the employed women is in the special class, the policy making level in bureaucracy.. Women occupy about 24, 13 and 20 percent in other sectors such as private, public and social services respectively. The data are not satisfactory at all, yet they are far better as compared to the data before 1990.

Women have learnt to be economically active at least through community-based organizations such as saving groups, cooperatives, mothers groups and women's group even in the grassroots level. These initiatives have really opened their eyes about the importance of economic rights. As an impact of these initiatives, women in all walks of life have realised the need for equal inheritance right. One of the studies done by NLA for ILO has shown that women land ownership has increased gradually.

Still the following major areas call for more emphasis on to gender sensitise the workplace, feminizing the labour market and provide equal economic right to women.

- The government should be model employers, in terms of providing equal employment opportunity, training and promotion. The non-traditional job sector should change the stereotype attitude and practice and move toward gender sensitivity and equality in employment.
- All discriminatory laws should be abolished. The government should introduce gender specific policy and act as a role model to implement it. Specific policy, programme and regulation should be introduced to change stereotypes prevailing among employers, colleagues and other social partners.
- Reproductive responsibility limited to women has to be realized and internalized as a social responsibility rather than as a family/personal one. There should be special package programme on reproductive health education and maternity protection from local to central governments and in other cross-cutting sectors of the society.
- To promote women's economic rights and access to and control over property, laws should be fully gender sensitive. Women's equal right to land and all kinds of property should be established.

4. Women and policy making mechanism

As a result of continuous women's movements, some additional mechanisms relating to women's empowerment have been established. They are Ministry for Women, National Women's Commission and Gender Focal Point in each ministry. Women have been appointed/nominated in different policy making and monitoring

mechanisms such as National Planning Commission, National Human Rights Commission, National Dalit Commission and Public Service Commission, among others, during this period.

One of the visible achievements in this regard is the fact that women have been able to rise upto such senior positions as Deputy Speaker to the House of Representatives, Deputy Prime Minister and Supreme Court Justice during this period.

Yet, there is a big question of sustainability and effectiveness. The mechanism in place—whatever it is—is very fragile.

Feudal attitude and patriarchal mentality in political leadership and state bureaucracy stand as a major impediment to gender sensitive practices. So the major challenge in this regard is to break this feudal and patriarchal mentality. The policy making level of Nepal needs gender sensitisation programmes. This level should change its social attitude and day-to-day behaviour in relation to women.

5. Women and law

Women's movements have succeeded to achieve more legal rights during this period. Parliament has passed the 11th Amendment to the Civil Code in March 2002. The positive points emerging from this amendment are:

- a. **Inheritance right:** Daughters will have the equal right to inheritance until they get married. (After marriage, this right will be defunct as the property gets transferred to husband's property. Sons do entertain their rights regardless of their marital status.) Widows get their share of property and can entertain as they wish despite second marriages, if they occur.
- b. **Divorce:** Spouses are allowed to divorce in the case of physical assault as well as mental torture by either side. Before divorce, wives can claim half of the husband's property.
- c. **Abortion:** Unwanted pregnancy can be aborted with the decision of woman herself within 12 weeks of conception. If the pregnancy is caused by incest or rape, it is allowed to abort within 18 weeks.
- d. **Marriage age and polygamy:** The marriage age for male and female has been set at 18 years with the consent of guardians and at 20 years for self-decision. In the case of polygamy, fines have been increased from Rs 5000 to 25000 or an imprisonment

of one to three years or both. It is increased by almost 10 times as compared to previous provisions.

- e. **Punishment in rape cases:** In the case of rape, a culprit can be imprisoned for a maximum period of 15 years, three times up from the previous 5-year provision. The imprisonment depends on the age of women as well. If it is the case belonging to a girl child below 10 years, the culprit will be imprisoned for 15 years. If the victim is above 18, the minimum years of imprisonment is 5 years. In the case of disabled or pregnant women, there will be additional five-year imprisonment in all categories.

The government has ratified a number of international legal instruments during this period, including the CEDAW, which is a powerful instrument to through which to fight for the rights of women in all sectors.

However, Nepalese women are still being treated as second-class citizens in their own land. They should always have either father or husband's citizenship card to produce their own citizenship cards. Nepal's Constitution does not allow producing citizenship card with mother's citizenship. This is one of the most serious discrimination. Besides this, there are more than 130 gender discriminatory provisions in different laws, which must be amended or repealed to ensure gender equality.

There are some gender-sensitive provisions in laws but most of them have neither been practiced nor monitored. In terms of inheritance rights, marriage has been kept as a pre-condition, which should be abolished as soon as possible.

Besides these, there should be clear rules and regulations to include and increase women in all sectors and levels of policy making.

6. Women and health:

Right to health is one of fundamental human rights of every citizen. It should be guaranteed by the state, but in our case, it has not been reflected in practice yet. However, the level of awareness has been growing regarding health care. Health infrastructure has been expanded. But it has been city-centric and business-centric, thus inaccessible to general people.

Women's average life expectancy was 53.5 years against that of men, which was 55 years, in 1990. The scenario has changed in 2002. Now

women's life expectancy has increased to 62.2, which is higher than that of men (61.8 years). Similarly, 38.9 percent women have access to family planning instruments, up from 23 percent in 1990. However, there have been a number of setbacks. Only 12.5 percent women have access to trained health personnel's service during delivery and 65 percent pregnant women are under nourished.

Numerically, the indicators have improved in maternal mortality and infant mortality rates. Still, the figures are one of the lowest ones in South Asia. On the one hand, health services are being accessible only to high-class people. On the other, there are not enough health campaigners to break through the feudal culture, tradition and superstitious beliefs that persist rampantly in our society.

Key issues of health should be identified and massive awareness campaign should be conducted with effective way. Understanding of reproductive health should be a social responsibility of all including that of policy makers. Women's reproductive health issues should be treated as a matter of priority. Monitoring systems should be in place to see changes and improvements.

7. Women and Media

Media are very important in terms of delivering ideas, thoughts and beliefs and thus be catalytic to bring about changes in the society. Before 1990, media were almost controlled by government and dominated by males. After 1990, there have been a lot of changes. Private media have developed a lot, mostly after 1994. Women's participation is about 10 percent in the print media and about 30 percent in the electronic one.

According to a study, media are providing less than one-percent space on gender and women related issues. It means still there is not enough media attention on gender issues. Yet, there has been an improvement as compared to past.

For media to be able to change social attitude, women's participation in media should be increased along with media coverage and the style of presentation on gender issues.

8. Women and social movement

In the multiparty system, a number of social movements have been led by mass organizations and non-governmental organizations. The number

and size of mass organizations have expanded during this period although some of them, such as student organization, women association, peasant association and trade unions were active as semi under ground movement even during Panchayat system. Thousands of NGOs, under different name, titles and area of work have been established. Women and gender issues have been identified as a key priority. Gender sensitisation programmes have been launched massively and women's mobilisation has been quite high. Now the need of the day is to back these social movements by a decisive political movement. Until and unless political movement is decisive, social movements cannot be effective.

Priority areas for attention

The state, political parties, women's movements and social movements should focus on the following areas in order to enhance gender sensitivity.

- Since CEDAW has already been ratified, all gender discriminatory laws and policies should be amended or repealed accordingly. Evaluation and monitoring system should be made effective to monitor the progress. Women's participation should be ensured in all these processes and steps.
- Women's education, employment, health, media and social mobilization should be treated as social priority. Women should be seen as a vibrant partner in politics, decision making processes, economic growth and social change.
- State, political parties as well as social movements should develop effective policies and programmes to empower women and enhance their participation in all levels and sectors.
- Social campaigns against social evils such as polygamy/polyandry, witchcraft, wife battering and caste system should be strengthened and coordinated among different actors in social movements.
- Specific programs should be designed to strengthen women's leadership in different sectors. Movements for the rights of women should have effective networking and coordination across a wide range of social movements and sectors.