Decentralization and Women’s Participation in Nepal: Policies and Practices

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Introduction

This brief is based on a research that examined the effectiveness of women’s participation in the context of state decentralization process in Nepal. The study sought to understand women’s role as social and political actors emphasizing the gendered social relations that shape women’s agency in the governance of public resources and services. We analyzed the depth and breadth of participation through which women exercise their agency in various policy and socio-cultural contexts of decentralization.

The focus of the research was on four different spheres of decentralization, viz., community forestry, irrigation management, community school, and local governance. The study covered 10 Village Development Committees (VDC), 11 Community Forest User Groups (CF), 9 Community Schools (CS) and 10 Farmers Managed Irrigations System (FMIS) in five clusters (Morang, Kabhre Palanchok/Lalitpur, Mustang, Dang, and Dadeldhura—see Map) which we believe allowed us to capture a lot of diversities of geography, ethnicity and culture in Nepal. The data collection followed the principle of triangulation adopting a combination of qualitative and quantitative approaches. The discussion in this policy brief is based on information derived from about 200 focus group discussions, 1674 respondents (sample survey of 894 men and 780 women), field observations and interviews (key informant and representatives of relevant line agencies).

Nature of Policy and Legal Instruments

Decentralization in Nepal during the past few decades appears to have been pursued primarily as an effective and efficient means to improve the development performance in the country. Although the principle of decentralization can be said to have existed for a long time, more active efforts to put the principle into practice appear to have been made since the 1970s only. The beginning of community forestry program in the mid-1970s wherein the local ‘people’ were considered as the key actors for bringing efficiency to state’s efforts towards conservation goals can be cited as an example. At a more wider level (i.e., general rather than a sector specific sphere), the enactment of Decentralization Act 1982 and Decentralization Bylaws 1984 stand out as the earliest attempts of the Nepali state to adopt decentralization as the modus operandi for governance and management of resources. Local Self Governance Act (LSGA), 1999, the periodic plans as well as the recent interim constitution remain committed to give a continuity to the process. An interesting and positive feature to note about the process of decentralization in Nepal in recent years is that an emphasis on increasing people’s participation along with inclusive principles stands out as the key concern. Notwithstanding this, the practice of a true devolution from the central level to the agencies and actors down the line of the responsibility for planning, authority for management, raising and allocation of resources is yet to be observed.

A quick review of the policy and legal instruments on decentralization in general as well as those pertaining to sectoral operating principles suggests that promoting
people’s participation has been a key element of the decentralization process. Given this, it becomes easier for us to talk about people’s participation as one form of decentralization—although the definition of ‘people’ itself may have been refined over the years to make it more inclusive. For instance, satisfactory definition of “the people” in “people’s participation” in the early days of community forestry (1970s) may have been the engagement of local leaders in forestry activities. However, over the years, the term has been used to mean inclusion of women, poor and Dalit as well in the forestry sector’s work in the villages. A similar process of the widening of the net of ‘participation’ appears to be underway in the irrigation and education sectors—both of which seem to have adopted ‘people’s participation’ and then ‘women’s participation’ only in the 1990s. The fact that more women have become visible in the conservation and management of forest resources in the districts than in the management of schools or water resources is perhaps due to the time lag in the adoption of inclusive principle in the latter sectors.

As noted above, decentralization legislation and policies have been in place in Nepal since the early 1980s stipulating the need for people’s participation in development and public activities. Accordingly, in some developmental sectors like forestry, more specific provisions for participation of men and women in local level groups and activities were made by means of appropriate policy instruments. For instance, in forestry sector, the provision for inclusion of 33% women in users’ group committees was already made by the early 1980s. Similar provisions in the water resources management sector and community school management were made only in the 1990s. Inclusion of women in (and other disadvantaged groups) public sphere including development work and governance has become a common ideal at present. The most recent example of inclusive policy (of ‘granting’ space for women and other marginalized groups) was evident in the commitment of the political parties to allocate 33% of the Constituent Assembly (CA) positions to the women. Consequently, a significant number (in comparison to the past) of women have become CA members. Given the prevailing nature of structure and agency (andocentric and guided by patriarchal norms and values) in Nepali society, we can only wish that the newly elected women CA members will work together (by rising above narrower interests that may be coloured by political, social, cultural and regional affiliations) to initiate changes and carve a path for creating an environment of gender justice for all kinds of women and men in Nepal.

Empirical Findings

Decentralization and the specification of quotas for women by means of policy instruments have certainly made it possible for women to become enlisted and therefore become visible (even if it may be a mere physical presence) in the public sphere. This did not come about because women demanded the space; it was rather an arrangement made from ‘above’, i.e., by the state agencies perhaps as a result of the pressure from the donors and other external agencies. Our interactions with women in the study sites allow us to report that for the women in the villages a conscious demand for parity of treatment with men is not an issue yet. This is true whether we are talking about mere numbers of men and women in committees, groups, etc., or about the quality and extent of access to resources, opportunities, power and authority in the public domain or in the household.

The findings of this study make it evident that policy and legal instruments of the state have provided opportunities for women to participate in various spheres/sectors including local governance. For instance, from a total of 1674 sample households, 13.4% women (n= 4917) and 10.4% men (n= 4914) reported that they were included in various types of groups and/or committees. This looks impressive. However, when data were disaggregated for positions within committees, it was found that very few women were in the posts of chairperson, vice-chairperson, secretary, etc. (that too was limited to CF and VDC). The analysis of data for all four decentralised areas also revealed that the number of women represented in different committees did not exceed the number stipulated in the policies. The practice indicates that emphasis is on a tokenistic participation and there is very little attempt towards achieving qualitative representation of women.

While the breadth of women’s participation in groups and committees across the sectors appear impressive (as suggested by the numbers above), the survey data also reveal that their participation in actual decision making process (depth of participation) is doubtful. That is, women’s actual participation is at the level of numeric representation since both men and women in the study sites tended to equate women’s participation with their physical presence and attendance and not necessarily as engagement to influence the decision making process. For instance, 37.5% of the respondents stated that men were the real decision makers while only 3.5% thought that women too were involved in decision making; only 8.2% felt that both men and women had equal say in making decisions in the villages. More than 50% of the respondents stated that they did not know who was making the decisions.

In general women were reluctant to raise their voice in

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1The recent election results show that 32.6% of the members in the CA (including both first past the post and those inducted on the basis of proportional representation quota of the political parties) are women. Many of the newly elected women CA members, irrespective of their party affiliations, have vowed to stand together in ensuring equal rights and opportunities for women in the constitution.
a mixed group while they appear to be more ready to articulate their voices in women only groups such as saving and credit groups or women managed community forest groups. This was observed even in the FGDs conducted by the research team—i.e., women spoke more freely in women only FGDs than in mixed-group interviews. Most of the women in the FGDs confided that they were afraid of (or rather considered it impolite) speaking up in the public gatherings and/or committee meetings where elite men from their own communities or families would be leading the discussions.

Do women feel that transformation is an issue and that it is the need of the day? If yes, what have they done to effect social transformations in their own villages or societies in order to improve women's space, dignity, etc.? Once again, such questions remain open for debate. We met women in some research sites (particularly in Morang and Lalitpur) who argued that they were determined to bring about changes in the social structure— including the norms and values prevalent in the society. In contrast, women in some other communities were determined to give continuity to some local customs and practices in the name of maintaining tradition and beliefs even though they may have been oppressive or at least promoting exclusion of women's own self (e.g., the practice of Chhuapadi in Deldhura, the feeling among women in Mustang that local socio-political organisations should be men's domain). Addressing such paradox in different socio-cultural contexts can be a challenge for policy.

In order to understand the depth of participation in decision making, we also asked the respondents whether their opinions expressed in the meetings or assemblies were heeded by others. Only 31.0% respondents perceived that their voices were given attention by their fellow members. Of this, 71.1% were men while only 28.9% (n=519) were women. Once again, the survey data support the statement made repeatedly by women in the FGDs that women's voices are not given much importance by men even when they speak up. Although only 7.0% of the respondents reported that they were not listened to, the proportion of those reporting 'don't know' is very high (62.0%)—which can be taken as a polite way of making a point their fellow villagers did not really pay attention to their opinions expressed in the decision making forums.

Women are being enlisted in public forums but their work loads at homes remain unchanged. This paradox appears to be responsible for inhibiting the village-women from asserting and/or exercising their agency. Even until a decade ago the need for women's participation in decision making process was a non-issue in some sectors. This is not so any more. Gender equity and the need for the representation of women in groups and committees have become a primary agenda in development activities as well as in the political spheres. However, as already noted above, a meaningful and effective participation of women (i.e., an enhanced agency) is not a reality yet. Given this, we felt it worthwhile to identify the constraints considered critical by local people in this regard.

As a consequence of the prevailing systems of male capture of and a bias in the rule making institutions, there is very limited provision for membership rights and enhancement of the capabilities of women. This has certainly constrained the exercise of agency and civil rights by village women in the state. In this regard, we are in agreement with Cornwall (2003) who suggested that women's empowerment should focus more on issues of power, voice, agency and rights. The mere representation of women in terms of some stipulated proportion or numbers in the public sphere cannot be considered sufficient for enhancing their agency and rights.

Another constraint could be the issue of awareness on relevant policies. There are many men and women who are still not aware of the policy provisions in relation to women's inclusion in local governance, resources management as well as in the service sectors. According to the survey data 60.7% female (n=780) and 51.8% male (n=894) respondents were unaware of the relevant policies.

A significant proportion of the respondents in the survey suggest that patriarchal social structure (39.8%) and women's lack of education and awareness (36.0%) are major hindrances inhibiting their participation in public decision making forums. Besides, poor communication skills among women (perhaps resulting from limited interactions with people outside their family and peers) and poverty (which perhaps keeps them busy at work) were the other important constraints reported in the survey.

Policy Recommendations
Symbolic capital such as networks of social relations, family connections, economic and social standing at the local level also seem to be important factors in determining women's agency. Given this, if gender justice is achieved, the state must transform not only its legal and regulatory framework but also the social and cultural institutions so that they all conform to the principles of equality of rights, opportunities, and voices for both men and women irrespective of their socio-economic backgrounds. There is also tremendous scope for policy to transform institutions so that they support the principle of gender justice. With this premise, we make the following policy recommendations:

1. Emphasis should be given in improving proper implementation of the policy—The existing policies seem to be fostering the exercise of agency by women in the public domain. However, the implementation of such policies appears to be very weak. All the national and international instruments related to addressing gender
issues do not seem to be working effectively because of weaker institutional set-ups. Systematic efforts to increase the capacity of implementing agencies are also not in place neither are there efforts for changing the mindset of patriarchially inclined agents.

2. Democratize the social and cultural norms and values including practices—The prevailing social and cultural norms, values and practices in the study sites are extremely constraining the promotion of women’s rights since they often promote exclusion of women both from the public and household domains. For example, in Dadedhura, women and girls can not attend public meetings during their menstrual period and such restrictions are examples of symbolic violence on women. Similarly, the traditional Mukitcha system’s rules in Mustang do not encourage women to participate in public meetings let alone become an office bearer. The policies related to women’s empowerment should challenge such undemocratic practices and correct the unfavorable practices by means of appropriate policy or legislative instruments.

3. Focus on power relationship in the domestic or private domain—Evidence shows that relationship between men and women in the family and community are a key site of gender specific injustice. Any strategy to advance women’s rights must focus on power relations in the domestic or private context. A paradox is that while most of the institutions, programs and events encourage women to be included in committees, there is no effort to see that women’s workloads do not increase because of their participation in public development activities. Policy and legislative instruments should (by means of affirmative action) direct the attention of concerned agencies to enhance the capabilities of girls and women at the household level and upwards.

4. Develop and reinforce the accountability structures and systems—The findings of this study indicate that the present level of accountability structures and systems appear to be more instrumental in reinforcing the prevailing male biases in development programs. Since there is a lack of incentive structures, the present level of accountability seems to be very low. As a result, those who should be accountable to provide services may or may not fulfill their assigned responsibilities since there is no reward for behaving in an accountable way nor any punishment for ignoring one’s given responsibilities.

5. Do not treat women as homogenous group—The present policies related to women empowerment in the respective sectors treat women as a homogenous group, despite the fact that women are heterogeneous at least in terms of class, caste and ethnicity. Any group of women’s access to capital tends to be mediated by the varying socio-cultural group as well as the political-economic landscape they belong to. Also the policies have overlooked the fact that women can be a separate social group while at the same time being present across all other social and cultural groups of people. Socially sensitive policies that address such gender issues can promote the rights of women in all social groups.

6. Focus on recognizing women as political actors (establish their identity)—None of the policies have emphasized the need for recognizing woman’s identity as a person by herself. In practice, women are rarely considered as parents and are rarely invited by the local school to their periodic functions or meetings in that capacity. Often, they are not reckoned by their own names but are generally referred as the ‘relative’ of one of the men in their family.

7. Reconfigure the rules of interactions in public spaces, enabling once silenced participants to exercise voice and agency—The rules of interactions in the public spheres (user groups in all sectors of decentralization) are more formal and andocentric—where women are likely to have no experience and competencies. Such a situation may be forcing women to remain silent in the public meetings/gatherings. There is a need to reach out beyond the usual aspects to democratic decision making. In particular, the challenge now is to change the rules of the game so that they become gender sensitive and thereby encourage the women to come forward and take leadership roles in par with men.

8. Construct the conditions required for free and rational individual choice—Women seem to be extremely dependent on their male relatives in their respective households. This dependency becomes manifested in public spheres when women refrain from giving their independent opinions on behalf of their own households. The fact that women come to assemblies or meetings but remain silent is attributed to their lack of individual choice in household matters (except for educated and economically independent women). Promotion of gender equality in access to capacity enhancement and productive resources can be effective.

9. Take measures to redress persistent disparities in command over resources and the voices of the weak ones—Now that the CA is in place and is ready to draft a new constitution along the principles of federal democracy (Nepal= Ganantarik Loktantra), appropriate measures must be taken by the political leader including the newly elected women CA members.

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