



Policy Brief



Voices for Change: Gender Justice in Nepal's Local Governance

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Introduction

This policy brief provides an overview of gender issues in local governance policies, structure and functioning. Some of the key issues are highlighted and policy recommendations are made on the basis of a study carried out in 9 VDCs and one municipality of six districts of Nepal covering all physiographic regions- Terai, hill and mountain. Despite Nepal's lauded decentralized policy and related legislative framework, there is no evidence to claim any significant breakthrough made towards challenging masculine doxa and historically shaped male dominated decision making process. Gender balanced representation in key leadership positions in local governance is still an ideal. Similarly, local governance structure and functioning mechanisms are largely shaped by male dominated politics and cultural norms. As a result there is no realization and recognition of gender as important dimension of decentralized inclusive democracy.

Policy Context and Practice

Decentralized governance in Nepal began in the early 1960s which was further supported by the Decentralization Act in 1982 and more recently by an important and progressive Local Self-Governance Act, 1999. In all these policies and legislative instruments, local governance entities were not treated as self governing units. Instead they were simply perceived as service providing agents of national government with very limited decision making autonomy. The only space that women (The context of gender justice can be understood in Nepal as justice for women because of discrimination against women) have in such "weak" local bodies are some tokenistic representation afforded by policy provisions related to reservation in the ward committees and executive committee of Village Development Committee (VDC), municipality, and District Development Committee (DDC). As a result, women constituted only 18.6% of the total elected representatives of the local bodies in 1999. If there would not have been reserved quotas for women, their representation would have been limited only to 3% (women elected in non-

reserved seats). Moreover, in key executive leadership positions such as chair and vice chair of all tiers of local bodies, there were only 0.4 % women. The lack of gender sensitivity among male leaders of the political parties and their discriminatory attitudes and behaviors towards women resulted fewer candidacy of women in the elections. Even through the reservation provided by the legislation now allows for the protecting socio-political interest of women while carving some political space for them, women are still lagging behind. The roles and responsibilities assigned to women by social, religious and cultural norms that are shaped by patriarchy exclude women from public life. These social rules also shape women's own perception and undermine their capacity. Fatalism and the socialization processes that discriminate women at household and societal levels have further contributed to the development of a fatalistic doxa and weaker agency among Nepali women.

Issues

There are a number of factors which inhibit women from articulating their interest, concerns, rights and voices. Some of the factors and conditions under which local bodies operate and their structural constraints are as follows.

- Women's social and economic dependence - With few exceptions such as monetary allowances for widows, there is no system to ensure social security and protection for women. Restrictions on mobility, dependency on male relatives in the household, limited access to social gatherings and economic opportunities (mainly employment) have reinforced women's social and economic weakened agency.
- Gender construction of women's identity – Women's identities are not acknowledged as individual citizen rather they are seen as the relatives of male members. Their entitlements are arbitrated by family, kinship, culture, custom, values and norms that maintain status quo.
- Women suffer the most from gender, class and

caste discriminations - Gender discrimination matters across all class, caste, and ethnic groups. Among women, those who are from disadvantaged and vulnerable social groups such as *dalits*, *indigenous nationalities* and poor, suffer the most.

- Feudal patriarchal structure and traditional system - Patriarchal systems have been so well internalized by Nepali society that women's involvement in decision making is viewed as an invasion of a sphere traditionally reserved for men. Lack of respect and acceptability of women as a leader by both men and women is prevalent.
- Social norms, women's own perception, capacity and awareness - Social norms discriminate women while seating, eating, meeting, dressing, moving, speaking, laughing and so on. Lack of information and culturally constructed stereotypical perception (e.g., women are shy, they lack confidence, have low self esteem) undermine women's capacity and knowledge.
- Work burden, use of non local language and inappropriate meeting time – Women's participation in public affairs only adds to their burdens and takes up even more of their already limited time. Attending public meetings for them are new additional tasks without reducing the existing domestic tasks.
- Electoral process, commitment of top leaders and compliance - In 1999, none of the major political parties allocated women candidacy above the minimum 5 percent required by the 1990 constitution. Similarly, in the constitutional assembly election of 2008, none of the political parties allocated women candidacy above the minimum 33% required by 2007 interim constitution.

Policy Recommendations

1. Women's liberation movements – Without empowerment of women to get ready for liberation movements and solidarity among organizations working for women rights, no structural change seems to be possible.
2. Constitution making and women's political representation – Women's property and political

rights should be explicitly ensured in the constitution itself.

3. Accountability structure – Space for gender justice in local governance is to be clearly reflected in plans, policies, organizational mission, structures, legislation, rules and procedures.
4. Special policy provisions for women in key leadership positions at all levels horizontally and vertically - Mandatory provisions in policies and legislations to facilitate the involvement of women in key leadership positions are needed at all levels and spheres.
5. Capacity building package – Policy provisions should be accompanied with capacity building package to enable women to carry out responsibilities more effectively; and to enhance their public oratory capacity.
6. Institutionalizing gender budgeting – Priority and up scaling of gender focused programs at all levels of governance including political parties and development sectors is necessary for at least another few years.
7. Special interventions at household and societal level - Practicing positive discrimination policy for women, constitutional guarantee of property rights, emphasis on girl's education, gender sensitization targeting both men and women, awareness on women's rights and law enforcement mechanism to prevent domestic violence against women are some of the key elements of policy reform and commitment at personal, professional, organizational and societal level.



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