

Chapter 4 *Women's Political Participation and Decision-Making Position*

A. Political Representation and the Electoral Process

The current Constitution, as mentioned earlier, recognizes the socioeconomic disadvantage faced by women, and incorporates specific provisions to provide some political support to women. The Constitution specifies that all political parties must have at least 5 percent female candidates in the election to the House of Representatives, the Lower House, and at least three women in the Upper House. The Constitution guarantees equal rights to all citizens, but the Citizenship Chapter of the Constitution and the subsequent Act discriminate against women. First, they do not recognize maternal descent for natural citizenship rights and, second, they accord unequal treatment of the foreign spouses of male and female citizens. Equal property rights to earn, enjoy, and transact wealth are guaranteed to all citizens within the laws, which themselves are discriminate against women (Chapter 3-A).

The system of development administration is decentralized to the VDC and municipality levels, which comprise several wards. VDCs consist of nine wards, while the number of wards in the municipalities depends on the population and area under their supervision. Each ward has an elected ward committee of five persons chaired by the elected ward Chairperson. According to the Ordinance, later passed as the Act on Election to the Local Institutions (1997), each ward must have at least one woman on the ward committee. All ward members constitute the VDC assembly, while the ward chairpersons constitute its executive committee, which is responsible for day-to-day operations.

At least one woman is nominated to each VDC or municipality executive committee. Further, VDC chairpersons and vice-chairpersons, parliamentarians elected from the districts and six nominated members, including one woman, constitute the district assembly, and they elect the DDC chairperson, vice-chairperson, and members of its executive committee. Each DDC also must have at least one woman nominated to it (Figure 4.1).

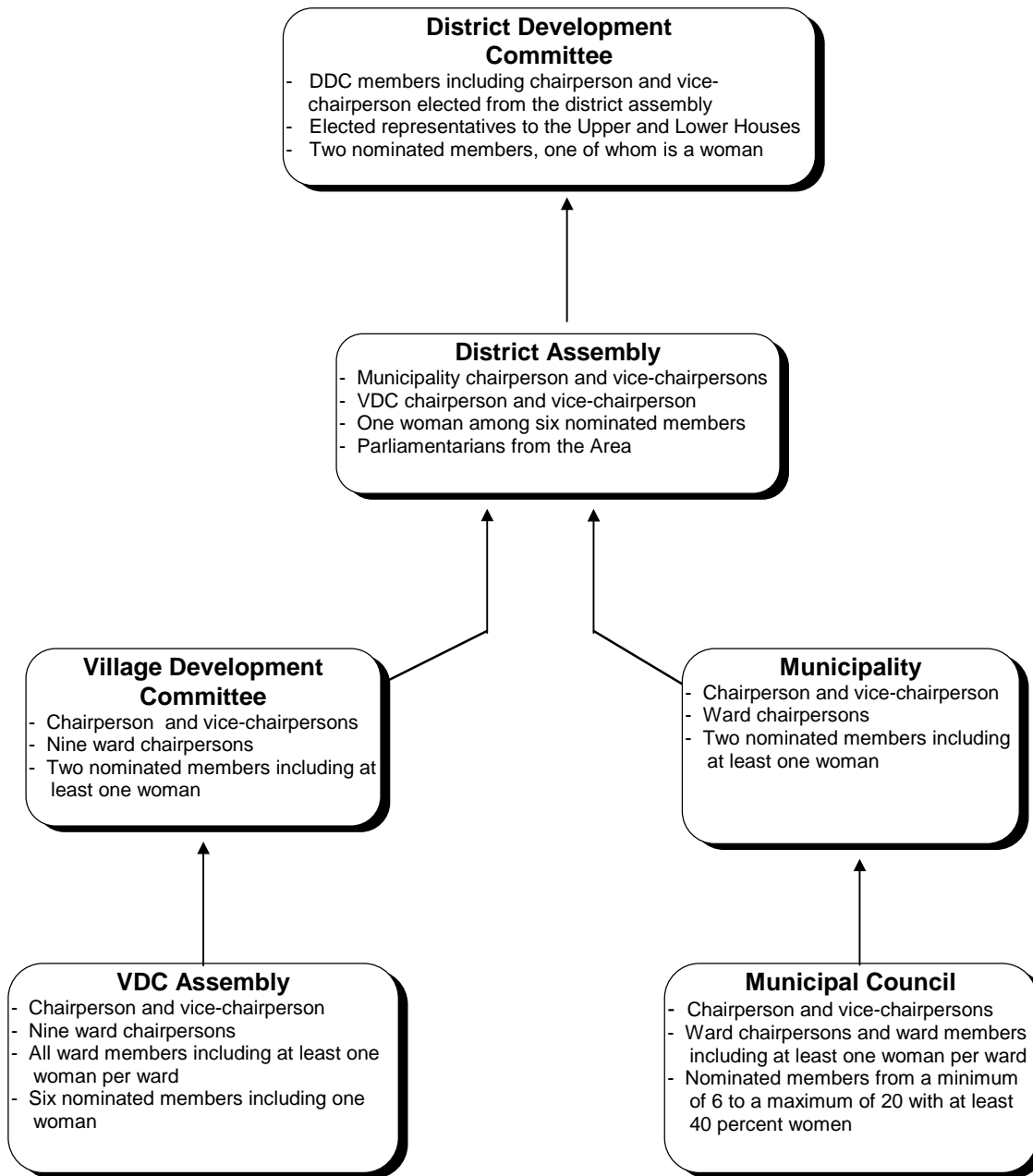
Ensuring participation at the grassroots level alone is not adequate for representing 50 percent of the population. It is mandatory to nominate at least one woman to VDCs and DDCs, but representation by nomination is unlikely to bring appropriate people to these bodies, because party interest or nepotism is likely to be an overriding factor in such nominations.

B. Women's Political Participation and Representation

Women's political participation and representation at decision-making levels are two different issues. Participation is a necessary but insufficient condition for representation because representation does not flow automatically from participation. Women all over the world have participated widely in political movements in times of crisis but, once the crisis is over, they are relegated again to the domestic arena.⁴⁵

⁴⁵ Barbara Nelson and Najma Chaudhary, *Women and Politics Worldwide*. (New Haven, Yale University, 1994).

Figure 4.1: Administrative Structure and Representatives of Women



Such a situation has also been evident in Nepal. Nepalese women participated widely in the political movements of 1951, throughout the underground struggle for democracy during the Panchayat era (1960—1990) and in the mass movement of 1990. In fact, it was women who were instrumental in revitalizing the mass movement in April—May 1990.⁴⁶ But once the multiparty system was restored in the formulation of the Constitution and subsequent allocation of ministerial positions, the bargaining of various male-dominated interest groups — centering on ethnic, religious, and other issues — drowned women's voices. Constitutionally, the provision of equality applies only partially to women as they face discrimination in citizenship rights, as discussed above. Moreover, the provisions concerning equal property and economic rights have not so far been applied to women, as discussed in Chapter 3.

Women's participation as voters and their awareness about their own rights have increased in general. Their willingness to participate in the political process has increased in the last decade. Rural women who knew about women's organizations increased from 4.7 percent in 1978 to 15 percent in 1992 (Table 4.1).

Table 4.1: Selected Indicators of Political Awareness
(percent)

Indicator	Rural	Urban
	1992	1992
Knows a Woman's Organization	14.9	32.4
Participates in a Woman's Organization	0.7	6.8
Aware about the New Constitution	20.4	41.2
Aware about Constitutional Discrimination Against Women	6.2	13.2
Aware about Divorce Rights ¹	58.6	68.0
Aware of Fundamental Rights	8.9	23.2
Willing to Participate as Local Representative	17.6	29.2
Women Voting	1986/87	1991/92
Regularly	21.5	84.6
Once or twice	52.9	0.9

¹ Knows at least one cause for which she can have divorce.

Source: Shtrii Shakti, 1994

Nevertheless, despite constitutional provisions and the participation of women in the 1990 movement for democracy, women have not been able to increase their political representation at various levels. Neither have they increased their access to positions of power and decision making (Appendix Table A4.1). The proportion of women in Parliament in 1996 was actually smaller than in the 1989 Panchayat parliament. Similarly, the representation of women at VDC and district levels had not changed much until 1996. There are no women mayors or DDC chairpersons even now.

Only recently has the situation changed substantially at the grassroots level. The Act on Local Election (HMGN, 1997) required all political parties to field at least one candidate at the ward level. Representation of women is also mandatory at VDC and DDC levels. Among the nominees there must be at least one woman. As a consequence of this Act, more than 100,000 women have participated in VDC

⁴⁶ Meena Archarya, "Political Participation of Women in Nepal." In *Women and Politics Worldwide*, edited by Barbara Nelson and Najma Chaudhari. (Yale University Press, New Haven, 1994); Mira Basnet, *The Role of Women in the Movement for Democracy in Nepal* (Nepali) (Variety Printers, Kathmandu, 1997).

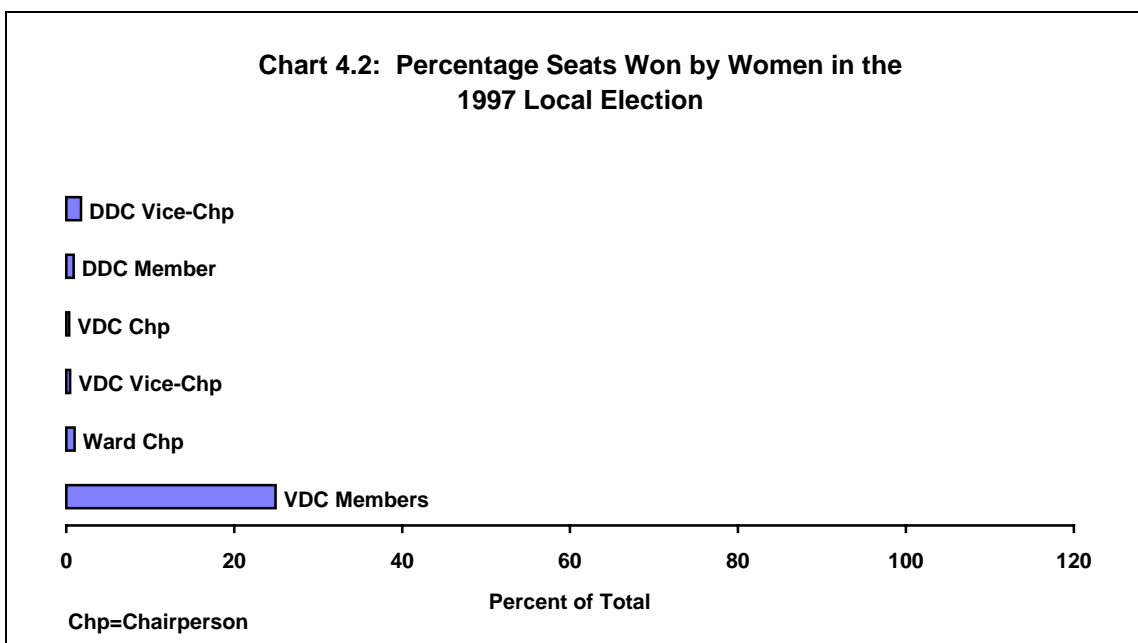
level elections as candidates and more than 36,000 have been elected to the village assembly.⁴⁷ Even though participation at the initial stages may be taken in certain places, it is generally expected to work as good schooling for women political activists. The main issue now is to sensitize these women and their political counterparts on women's agenda. Without a woman's agenda, the gender situation will not improve very fast. Women's *participation* may improve, but without addressing any of the gender discrimination issues at local and national levels.

Issues on Women's political participation and representation

- Broad-based political participation of women not being translated into representation
- "Mandatory" female representation at local level a good start but women rarely in executive positions
- Further sensitization on women's issues necessary

However, very few women have been elected to executive positions of these local institutions in 1997. Only 289 women have been elected as ward chairpersons in a total of 3,993 wards. Among nearly 8,000 chairpersons and vice-chairpersons, only 26 are women. Their proportion declines progressively as one moves to higher decision-making positions (Figure 4.2). There are no women mayors, vice-mayors or DDC chairpersons.⁴⁸ Only one woman has been elected to the position of vice-chairperson of a DDC. Altogether, only three women have run for the positions of DDC chairperson and vice-chairperson. Among 26 women

who have run for DDC membership, only 8 have been elected. This is less than 9 percent of 924 members in the 57 DDCs to which election has taken place. Thus, there has been only marginal improvement in women's representation in elected institutions, except at the very grassroots level.



⁴⁷ Election Commission computer printout.

⁴⁸ P. Bhusal, *Democracy and Women's Movement: Nepali Women in Search of Political Role* (Kathmandu, 1998); Kapil Shrestha, *Women's Political Participation in Nepal: Perspectives and Challenges* (Kathmandu, 1998).

Representation in political parties is not increasing either. In 1991/92, women constituted only 7.8 percent of the executive committee members of the nationally recognized political parties.⁴⁹ The proportion has declined slightly. At the time of writing, the five political parties represented in the Parliament have a total of 12 women in their central executive bodies among a total of 197 members. On the other hand, major political parties have issued directives regarding the minimum representation of women in executive committees, elections, and nominations at all levels. Such requirements range from 5 percent to 20 percent. The cabinet members as of October 1999 had one woman minister.

C. Women in Administration and the Judiciary

Women's representation in government administration is increasing only slowly, both at the gazetted (officer) and nongazetted (nonofficer) levels: for example, from 3 percent in 1978 to 5 percent in 1997, and from 2.8 percent in 1978 to 3.5 percent in 1997, respectively. But the level of representation itself is low for both positions (Appendix Table A4.2). There are only three "special class" women, the highest position in the decision-making echelons of government service. The revisions to the Civil Service Act in 1998 are expected to facilitate the entrance of women to civil administration. These include revisions to facilitate the regularization of personnel who have been working for a long time in projects such as Production Credit for Rural Women (PCRW), and to increase the maximum age limit for entry to government services to 40 years; and certain other preferential provisions for women (Box 5).

Box 5

SPECIAL FACILITIES TO WOMEN IN PUBLIC ADMINISTRATION

1. The maximum age for entry has been set at 40 years for women and 35 years for men.
2. The maximum age for lateral entry in second and first class posts has been set at 45 years.
3. No maximum age limit for those already in public service.
4. A one-time waiver of the maximum age limit for sitting in Public Service Commission examinations has been provided to those women who have been in public service without a break for last five years.
5. The time limit for probationary periods has been set at six months for women and one year for men.
6. Efforts have been made to transfer husband and wife to the same district when both are in government service.
7. Women become eligible for promotions one year earlier than men.

Source: 1998 Revision to the Civil Service Act, 2052 (1994).

The participation of Nepalese women in the judiciary is also negligible. Women constitute only some 4 percent of the judiciary's decision makers. There was one secretary, two women judges (special class), and a district judge as of 1997. In spite of the independent Judicial Commission and the Act for Judicial Service, which provide more scope for recruitment and promotion than the Public Service

⁴⁹ Those that received at least 3 percent of the votes cast in the 1994 parliamentary election.

Commission and the Civil Service Acts, women's participation is not encouraging. Among the total number of registered legal practitioners, women constitute only 4.7 percent and 24.8 percent of pleaders and agents, respectively.

Women's political participation and access to positions of power are restricted for several reasons. Women's mobility is restricted; they have fewer opportunities to mix with those in power; they have the sole responsibility for household maintenance and child care activities; and they face a political nepotism that favors men. Women's access to positions of power is further restricted by the inflexible entrance and promotion rules of the civil service, their own relatively poor educational status, and the primacy of family responsibilities in women's lives.

Given that there are 23 women graduates for every 100 men graduates in the country, the target should be to ensure that annual recruitment of women should be at least 20 percent of civil service positions. As yet, however, the Government lacks any clear-cut policy guidelines on women's recruitment and promotion.