

# **Inclusive Policy and Performance of Women Representatives in Central Alignment of local level of in Nepal**

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## **Abstract**

This paper is dealing Inclusive policy as one of the beauties of inclusive democracy through affirmative action to ensure gender equality in this era. It significantly tries to recognize women as one of the backward cluster in the society and how they are working in sectorial diversities at local level as a representatives of people. For ensuring equal access to decision making process, women's inclusive participation at local level is means to strengthen root to democracy. This paper tries to deal with the role of policy to enhance performance of women representative's through secondary and primary data.

*Keywords:* inclusion, performance, marginalized, democracy, participation

## **Introduction**

Inclusive policy has taken as a focal issue to be discussed in Nepalese legal and political discourse in recent decade. It has get space due to backwardness of marginalized groups of the society i.e. women, Dalit, Madhesi and ethnic communities. Nepal is in the era of liberal democracy. The liberal democracy

has made inroad into many countries. The elements of the new order, however, did not necessarily provide political stability and peace in those newly democratized states (Chua, 2004). It has recognized all the spheres of the society as a part of social inclusion for nation building process.

With the successful completion of election of local, provincial and federal elections in 2017, the discourse of political representation has been shifted to the turning point of institutionalization of federal democracy in Nepal. It further become apparent with the elections of 2022. The political system of Nepal has been transformed into federal republic democracy from unitary governing system. With the peaceful settlement of ten years insurgency and restoration of parliament in 2006 AD with popular April movement, the inclusive democratic practice has got new dimension.

The Constitution of Nepal, 2015 creates an obligation to ensure gender equality and social inclusion in every sphere of representation of people in decision making. There is visible and tangible presence of women in public life as representatives of local government in inclusive manner. Indeed, to evolve inclusive societies several instruments are needed. There are four interrelated policy interventions to promote social inclusion i.e. institutionalizing political pluralism, recognizing cultural diversities, abandoning the center-periphery distinction and delegitimize hierarchy

(Oommen, 1997). The policy intervention is necessary to promote capable representation of women which is dictated by the nature of the society in Nepal.

Nepalese society is patriarchal in its nature. The history of efforts made for inclusive representation of women and ensuring gender equality is not so long. Nepal has gone through three revolutions in the last sixty eight years. The first one was in 1951, which overthrew the ruling Rana Regime, and established a democratic regime with monarchical democracy. In 1990, people fought to wrestle power from the king who had abrogated the democratic constitution and established democracy by the people movement and in 2006 people of Nepal has fought for the transformation of political system and mainstreamed the political party which was in armed conflict through peace process in 2007. In this context, this paper aims to explore the opportunities and challenges related to inclusive policy and performance of women representatives at local level.

### **Methods and Materials**

This paper has been discussed with the help of secondary and primary data. For Primary data, it had been collected from Panchakanya Rural Municipality, Nuwakot. Out of 11 women representatives, eight women representatives were selected through purposive sampling. Comparative as well as qualitative and

quantitative analysis has been done throughout the process of analysis of the status of women in Nepal in regard of Inclusive policy.

### **Discussion and Analysis**

#### **Brief History of Women's Struggle for Inclusive Participation in Nepal**

In Nepal, women have been struggling against the patriarchal system of the government during revolution 2007 BS, 2017, 2037, 2046, 2062/2063 B.S and 10 years people's war too which has achieved some important rights on women. After constituent assembly election monarchy system is overthrown and established republic system in Nepal. Women played vital role in the every political movement. (Mahila Surachha Dabab Samuha, 2012). 197 women have been elected in first constituent assembly member. Communities or district level politics is base for the National politics so politician women leader are Key person of the politics from grass root level (Mahila Athot, 2009). There is the need of grooming of women political leaders from their effective participation in local, province and federal level.

There have been individual women's struggles before, but the first women's organizations emerged in late 1940's when the political movement for democracy gained strength. The women's organizations created in that period were primarily off-shoots of the political parties-organized as their sister organizations. Mostly, they were established by the wives or relatives of

political leaders like Mangala Devi Singh, Sahana Pradhan, Sadhana Pradhan, Shailaja Acharya etc. At that time, the main motto of women's participation in politics was to overthrow Rana Regime and establish democracy (editorialexpress.com). From that era, women's started to fight for opportunity, identity and equality for the democratization of the society.

In 1947, August 8, a Nepal woman Association was established with the chairmanship of Mangala Devi Singh as a women's wing of Nepali Congress. The very first public rally in Nepal was for civil rights and was staged on 30 April 1947 in Kathmandu. Sahana Pradhan, Shailaja Acharya, Mangaladevi Singh and Sadhana Pradhan had taken part in that rally (Thapa and Bhandari et.al, 2015). This movement had shaped the political participation of women in leadership of democratic movement in Nepal.

In 1955, women had get right to caste vote and be a part of electoral process as a right to adult franchise. Only one woman was elected to the Kathmandu City Municipal Board in the very first local election (UNESCAP and LOGOTRI, 2001). Dwarikadevi Thakurani was the first woman to become a Member of Parliament way back in 1958. She also became the first woman two years later (Kathmandu Post, 2017).

After the promulgation of Panchayati System in 1962 which is regarded as the dark age in the history of democratic system in Nepal. In this system, there

was no clear cut policy of inclusion of women in political decision making process. After restoration of democracy in 1990, the Nepalese society entered into the pluralistic system and women leadership also got the space to groom them but the fight against patriarchal system was a barrier for them. Women's access to positions of power, political or otherwise has not improved much in the last 10-15 years except at the grass roots level, although the constitution reserves 33 percent seats among the candidates of political parties in parliamentary elections for women. At the grass roots level only 20 percent reservation by the Local Self Governance Act (LSGA -2055) has made a difference. It has secured at least one ward member must be women in local government.

The Constitution of Nepal, 2015 has become a milestone to ensure women's right with due respect to inclusive democracy. After 20 years of waiting, the local level election has been conducted in Nepal in three phases. The present federal constitution has secured 40 percent participation of women in local level election with compulsory candidacy of women in village or municipality as a mayor or deputy mayor. Likewise, there is compulsion of candidacy of two women's in ward member by the political parties i.e. one is from free women and one is from Dalit women. With the successful completion of local

election, there is a light of hope with women's strong participation in political decision making with mandatory provision of constitution.

Last half-a-century has witnessed the emergence of various words such as minority, majority indigenous groups, ethnic community, inclusion, exclusion, development, under development, equality, inequality, *janajati*, dalits, marginalized groups, old Nepal, new Nepal, *chhotanagrik*, *badanagrik*, human rights, empowerment, women, men, third gender, LGBT, multiculturalism, multinational state, social security, social justice among others. These words, which were rarely heard before, were frequently used to describe Nepali society. The constitution has secured inclusive democracy and laws have followed it in all three spheres of government including women in governing authority.

This constitution had extended the fundamental rights of the citizen by including right of women, right of children, right to social justice and others. The sense of inclusive governance has been further intensified through the constitution of Nepal 2015. The constitution of Nepal is progressive in regard of inclusive policy is praise worthy and it has assured forty percent representation of women in local level but still there is a need of their active and effective participation of women in local level decision making process. This discussion paper has tried to deal with opportunities and challenges of

women representatives and change in their recognition with comparison to other South Asian countries.

### **Current Status of women's Representation in local level of Nepal**

The successful completion of local, provincial, and federal elections in 2017 and 2022 is an historic milestone turning point for the institutionalization of inclusive democracy in federal structure of Nepal. Local level elections had been held after almost two decades. All three spheres of election held on previous years are a key vessel for acting upon the Constitutional obligation towards gender and social inclusion in the government and ending the political impasse that beset the country for many years. The first local level election in federal context were held in three phases. It was held on 14<sup>th</sup> may, 28<sup>th</sup> June and 18<sup>th</sup> September of 2017. The first phase was held on province number three, Four (Gandaki) and Karnali Province. The second phase of election was held on Province number one, two and five and third phase held on Province number seven (Sudurpaschim). A total of 35,041 local representatives were elected across 753 local units: 6 metropolises, 11 sub metropolises, 276 municipalities, and 460 rural municipalities (Election Commission, 2017). Of these 35,041 elected representatives, 14,352 or 40.96% were women (Election Commission, 2017). This shows that there is high representation of women as a basis for political representation at grass root level.



The 2017 local elections were significant in advancing female political representation in Nepal. For example, the Election Commission mandated that at least 40.4% of total nominees be female, including a rule mandating that the chief and deputy chief nominations put forth by each political party in each local unit be gender-even. That is, if a political party nominated a man for the mayor's position, a woman had to be nominated for deputy mayor, or vice-versa. Because of this affirmative action, 40.9% of elected local seats are now held by women. Given the state of local, regional, and national politics in Nepal so far, and the lack of female representation in the past, the 40.9 % figure should be considered a watershed event. (Asia Foundation, 2018)

Out of 35041 elected representatives in local level of Nepal 14352 are women who are representing on this number for the first time of the history of Nepal. Only 2% of the mayor and chair positions out of the total 753 went to the women, while 91% of the deputy positions went to women. For the posts without mandated gender quotas (the two open competition ward committee member seats and the ward chair seat) women's representation is negligible. Out of the 13,484 non-quota ward member positions, only 2% went to women. Similarly, out of the total 6742 ward chair seats, women won only 1%. Only seven out of 263 mayors are women whereas only 11 women have won the chair position out of 490 rural municipalities (the record, 2017).

The second local level election held on 13 May 2022. This election is only the second local election since the adoption of the new constitution and transition to federalism. It provides a new opportunity for local participation in government. This shows that there is a praise-worthy position of women representatives in local levels for decision making through good governance. The gender justice has been regarded as a major turning point for ensuring women's participation with mandatory provision on the constitution.

A total of 14,402 women have been elected out of 55,699 women candidates in the local levels from the local election, 2022. This accounts for 40.89 per cent of the total elected representatives of local level covered by women (Election Commission, 2022). In comparison to local election, 2017, 13 women leaders had won mayor seat which was seven before in municipalities whereas in rural municipality only one number is increased as before 11 women won the seat of chair at rural municipality and now it became 12.

The number of deputy mayor has been decreased to 562 covered by women which were 700 in local level election, 2017. While women covered 93 percent of the deputies and vice-chairpersons, this time, only 75 percent of these seats are occupied by them (Election Commission, 2022).

This shows that although there is legal protection for the access of women in decision making process the collision between political parties at local level deteriorates the status of women in local level and their performance in Nepal.

### **Policy Analysis based on Legal Structure**

Nepal has entered in to the federal structure of political system with inclusive democratic norms. After the peace success of 2007 April movement, the women's representation got institutionalized in parliament through the promulgation of the Interim Constitution of Nepal, 2007 with 33 percent representation of women in every spheres of government which become more progressive through the promulgation of the Constitution of Nepal, 2015.

### **Policy under the Constitution of Nepal, 2015**

#### **a. Provision on Constitution regarding Mayor/deputy mayor and Chief/deputy chief**

Article 215 and 216 of the constitution of Nepal, 2015 has secured the provision of mayor and Deputy Mayor of Municipalities and Chief and Deputy Chief of rural municipalities. In these articles there is no clear cut provision for the fifty percent participation of women on executive level as in the article 70 regarding president and vice-president of the state. It has clearly mentioned that election to the president and vice-president shall be made as to have representation of different sex or community. If

we do literal interpretation of the constitution, there is less chance for the representation of women with free competition.

**b. Minimum two women ward member must elected in local level**

Article 222 (3) has secured minimum two ward member should be elected from women in wards of rural municipality whereas Article 223 (3) has secured the same. In this regard, the constitution of Nepal has ensured forty percent compulsory representation of women in ward level of local governance which is a best practice in South Asia. This provision has ensured women's political affiliation and their recognition as a leader in the society. It is said that women do politics with the cup of tea and they are not involve in corruption merely in exceptional case. This provision should ensure good governance and empowerment of women leadership for decision making process.

**Policies under the Local Election Act, 2017**

Local level election was conducted after two decades with new legal and constitutional setups. The Local Level Election Act, 2017 has institutionalized the inclusive participation of women to implement the constitutional spirit in real manner. It has ensured the candidacy of women in local level for representation of gender equality through reservation policy of the government.

**a. Fifty percent compulsory candidacy in executive authority  
(Mayor/Deputy Mayor and Chief/Deputy Chief)**

Section 17 (4) of the Local Election Act, 2017 has secured that political parties should submit nomination paper with ensuring 50 percent representation of women either on mayor or deputy mayor, chief or deputy chief of rural municipality and district coordination committee. There is a clarifying clause that if any political party is nominating for only one post, there is no necessity to compulsion of women candidate. If any political party nominates both male for candidacy in executive position, their nomination is void.

This policy has both positive and negative aspects in its implementation process. On one side it seems that it has secured women's representation in one of the major executive post of local level and on the other side if political parties do political setting and they register candidacy in different position with different gender then there is no possibility of win to the women candidates. In recent election people understand that only deputy position is for female and 91 percent of deputy position is hold by women in local level of Nepal. Women are also not ready for fighting in the position of mayor or chief and political parties also did not encourage women for that post.

**b. Representation of two women ward member in ward committee is compulsory**

Section 17 (5) of the Local Level Election Act, 2017 has guaranteed forty percent representation of women in ward committee. There is a two reservation seats for women in ward level i.e. one from Dalit community and one from open for the election of ward member. If any political party gives their candidacy of two women but both of them are from non-Dalit community, it will be void. But if any political party has registered only one member as candidate this provision will not be prevailed for them. It has ensured forty percent of ward committee should compulsorily be female. It has enhanced women representation from marginalized community too by increasing seats for women which is ensured by the constitution. It has revitalized women's participation in political movement and their access in decision making process. It has secured the position of women to speak up for the society and themselves through socio-economic, political and legal empowerment of women in Nepal. Nepal has set best example to groom women leadership from the grass root level in the world by this provision and its proper implementation in the two subsequent local level election, 2017 and 2022.

## **International Practice of women's representation in local level**

Women's political participation all over the world is not significant and women face many problems in the political sphere for their representation in governing authority. South Asia is distinct in its diversity of culture, tradition and ethnicity. Local government is must close to the life of women in grass root level. The best practices and experiences gained for the political empowerment in South Asia is with initiation taken by the government and constitutional setups. In this discussion paper it has tried to compare women's representation in local level of India, Pakistan, Srilanka and Bangladesh with Nepal.

### **a. Women's representation in local government in India**

India is regarded as a mother of democracy in South Asian Region. It has parliamentarian democratic system which has promulgated its Constitution on 1949 after independence from colonization. India did not have reservation policy for the women in local governance level before 73<sup>rd</sup> and 74<sup>th</sup> amendment of it (1993) of the constitution amendment act.

India has three tiers of urban and rural local development.

Elections to both the urban and rural local bodies in India are ward based with one third of the wards being reserved for women candidates. Some other wards are reserved for candidates from socially underprivileged

sections. There are about 1 million elected women representatives in panchayats and municipal bodies in India. There is also a one third reservation for women for the position of chairperson on these local bodies (UNESCAP, 2010). This indeed, makes a historic beginning for the effective participation of women in the decision making process at the grass root level in executive positions of women in India.

**b. Women's representation in local government of Pakistan**

Pakistan is one of the countries of South Asia facing political instability from time to time. The Constitution of the Islamic Republic Pakistan was promulgated in 1973 after the independence from India. As a part of democratization process, the government of Parwez Musharaf in 2000 which had provided three tiers of government at local level. An important feature of the Local Government Plan is the provision of a 33 percent quota for women at the district, municipality (tehsil) and union councils, the local legislative bodies mandated to approve by-laws, taxes, long-term and short-term development plans and annual budgets (IDEA, 2002). These reserved seats are filled through direct election on Union councils while on district and sub-district level councils, these reserved seats are indirectly elected. There is no clear cut provision for women's inclusion in executive level in Pakistan.



**c. Women's representation in local government of Bangladesh**

Bangladesh is a parliamentary democracy largely influenced by the British parliamentary system. Bangladesh experienced a number of military coups after achieving independence in 1971, and several military governments tried to restrict activities of political parties. A quota system was introduced in the local government (Union Parishad) elections in 1997. Each Union Parishad has nine constituencies and one chairperson position open for men and women to compete for. Each block of three constituencies has one reserved seat for directly elected women. There is 25 percent seat is reserved for women in Bangladesh (Asia Foundation, 2012).

Although Bangladesh had women prime minister to lead previously but there is no reflection of women representation in local level of government due to closed society.

In this regard, Nepal is in top position in comparison to other South Asian Countries for the representation of women in local level. At large the constitutional guarantee has played vital role to lead by women in local government authorities with their meaningful participation. Nepal has a major breakthrough in South Asia to secure minimum 40 percent representation of women which should be a lesson learnt to other

countries for women empowerment. Nepal has significant status in advancing women's representation in local level with leading 91 percent of judicial committee.

### **Opportunities and Challenges to the local Women Representatives of Nepal**

The women's participation is a key to mainstreaming women in national political mechanism through their active participation in governing system. Local government is a place where women leadership can be flourished as a governing authority to maintain status of equality in broad sense. The constitutional provision is praise worthy for women's participation in politics which should be implemented in practical manner. The women's participation has become key issue in local development in political decision making process through candidacy in election process in municipalities and village executive in grass root level of Nepal.

In present scenario, women are leading in local levels as representatives of people since half decade. There are challenges to them to show their meaningful existence in formal decision making process because they are suffering from the problem of tokenism. Inclusive policy has secured women's representation in black letter of white paper of constitution which has created both opportunities and challenges. They should overcome through these

challenges by their meaningful performance to fulfill their duty as local representatives of people.

The women representation is being secured by constitutional and legal framework itself is an opportunities to be represented in the governing process of Nepal for them. The constitution itself has recognized the positive change with special provision for women empowerment in political decision making process with plenty of challenges. After being elected since one and half year, women are still tackling for their meaningful representation through their performance in local bodies of Nepal.

The inclusive policy itself is an opportunity to women who are elected with reservation quotas. After being elected there are many more opportunities to them. They have to build up their confidence through their capacity enhancement and performance in the favor of local people, not for their own political parties.

In this paper, the researcher has met only eight women representatives out of 11 of Panchakanya Rural Municipality of Nuwakot District and discussed about specific opportunities to them with general application to the country in nutshell. Most of them are from political family background beyond Dalit women. The husband and family members has encouraged them to take part in

local politics. They are in the learning and doing phase for upgrading their performance with the support of community, family and political parties.

One of the Dalit respondent quoted that she had got chance to be a women representative due to constitutional obligation. Before the nomination of election, she didn't have any idea about politics and her role as representatives.

Another women responded that she was school teacher before election and due to family pressure she left her job and fight for election.

### **Opportunities to local women Representatives**

The locally elected women are real faces of the locality who can understand the root cause of their backwardness at holistic approach. They can find out the solution of their own societal problem in collective manner. Major opportunities to the women leadership of local level are to nourish their capacity through evidence based actions in the society. They have an opportunity to deal with collaborative leadership skills for their growth along with social transformation.

Among the eight respondents of the Panchakanya Rural Municipality, only three of them have knowledge about inclusive policy before being candidate of local election. The major opportunities of them are to perform for the betterment of life of people, public speaking and searching for the solution of the problem of local people. Women representatives are drafting their plan of

action at local level which needs more knowledge and skill. They have opportunities to support women through budget allocation and about 10 percent of total budget has been allocated for women, youth and child in local level.

Another opportunity is to maintain gender equality and minimize the problem of discrimination on the basis of caste and untouchability problem. Although, women representatives has been elected on the basis of inclusive policy, they are learning and doing activities in fruitful manner in due process of decision making and enforcement of federal structure of government. They have an opportunity to institutionalize federal democracy as a change agent for sustainable development of the country through good governance. As majority of deputy positions are hold by women and leadership of judicial committee are leading by them, there is an opportunity to give justice in the society through best negotiation skills. Women representatives have a chance to prove themselves that if they got an opportunity, they can transform society not only for the betterment of women but also for all members of the society. In the initial phase, women are just regarded as a token to fulfill constitutional burden but after being elected, they are actively participated in every decision making process of rural assembly and executive authority. Women who are being elected as deputy position and member can increase their position

through their performance. Local women representatives have an opportunity to be a change maker not as an agent of political tokenism.

### **Challenges to local women Representatives**

Inclusive policy of the government to mainstream women through special provision for women representation is both challenge and opportunity for effectiveness of women's representation. Exposure of women representative through their effective performance at local level is great challenge to them. The major challenges of them are creation of self-esteem and the ability to recognize their leadership among society, understanding dynamics of power and its interconnection to the social, economic, political and cultural dynamics. Another challenge of women representatives from local level is time management and their mobilization as per the need of the society. Most of the women representatives are not from political cadres' background and it is a great threat to understand political tricks at one hand and on the other hand, husbands are working as representatives and women are shadow power of them. Dalit women representatives are more vulnerable in the situation and they are facing caste discrimination within a team.

Women representatives are facing mental harassment that they cannot do anything and they have to prove it by their performance that they are change maker. Women representatives are still unaware about their right and duties.

At a same time, voice of women representatives is not addressed by the rural assembly and rural executives which is another challenge. There is no support from the family in fullest. Another aspect of challenge of women representatives are lack of easy access to transportation facility, economic dependency, lack of self-confidence to deliver their views and representation in plan formulation process. There is lack of legal literacy among women than men which challenges the decision making status of them. People have more believe to male leaders than female which should be tackled by women. To build cross-sectional platform for local women representatives is another challenge in the society where as cultural disparity and untouchability problem is another challenge. An infrastructural limitation across places is another challenge to the women. They are dependent to their husband, son or other male representatives for their involvement in movement at local level. Justice dissemination is another challenge of women representatives at local level. Fair and impartial way to deliver justice is necessary to perform in fruitful manner. Almost women representatives are facing pressure from their family, political parties and relatives in one hand and on the other hand their husband are influencing them as a shadow to take decision in any issues at local level. Women are still dependent and husband is deciding from beside of cotton. At the local level husband has left his job and moving with his wife in

every programs and there is a need to give space in a Dias to the husband of women representatives.

### **Conclusion**

The inclusive policy is crucial to ensure effective and efficient performance of women at local level as representatives of people. The inclusive policy is first step towards the way of good governance and democracy. If women get chance to lead, they can lead their society in a way beyond corruption and irresponsible to the people.

Inclusive policy itself is a great opportunity to women for being elected at local level. Women representatives have step out their first step to their performance. But still there is a need to reform in the policy level for more active and effective participation in decision making process. To develop strong nexus between inclusive policy and performance of local women representatives there is a need of application of reformative approach through every spheres of the society.

### **Recommendation**

Inclusive policy is a means to end inequality through equity. The government of Nepal is following reformative approach to ensure women's representation at local level for strengthening local democracy. There is a need to rethink



sectorial diversity of women for the representation that whether the needy people are getting the benefit or not.

In this regard, the following are major recommendation for concerned authority and stakeholders for empowerment of local women representatives in Nepal:

- The constitution should be amended with clear provision for compulsory representation of women in head or deputy head position at local level as per in the provision of head of the state and vice-president.
- The law should made to determine only a twice time representation of same women representative at local level through inclusive policy.
- Political parties should reform their constitution, rules and regulations for compulsory representation of thirty three percent women leader in executive committee of central to local level.
- Various programs such as special orientation, training, awareness development, skill development etc. should be conducted for the empowerment of women with in political parties should be implemented.

- Inter-party networks should be developed by local women representatives for peer learning and building solidarity with in women representatives.
- Legal literacy program should be conducted for local women representatives. .
- State should make a policy for economic empowerment to local women representative through income generating activities.
- Concerned authority and state should facilitate for personal transformation and development of local women representatives.

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