

CHAPTER ONE

INTRODUCTION

1.1 BACKGROUND

The term "violence against women" means any act of gender - based violence that result in or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (UN Declaration,1993).

Violence against women (VAW) and girls occurs all over the world, regardless of age, class, ethnicity, and culture. It can include physical, sexual or psychological violence and can have serious implications for a woman's physical and mental health. Gender-based Violence (GBV) also contributes to the cycle of poverty for many women, children, and families by disempowering women, restricting their participation in the community, and degrading the health status and economic capacity of the family as a whole. Around the world, at least one woman in every three has been beaten, coerced into sex or otherwise abused in her lifetime. Most of the abuser is a member of her own family (JHU, 1999). Endemic of violence against women exists in all the countries throughout the world. Today, the home and family are not a safe place and institution for the protection of women's human rights. Unless and until such violence is eliminated, it is difficult to take seriously and claim that women are empowered or women's rights are respected and protected.

The programme of action adopted at the International Conference on Population and Development (ICPD) 1994 that all countries should implement the convention on the elimination of all forms of discrimination against women, women from all forms of discrimination and from sexual harassment, and to implement fully the Declaration on the Elimination of violence against Women and the Vienna Declaration and Programme of action adopted at the World Conference on Human Rights in 1993 (UN, 1994).

While both men and women experience violence, the risk factors, patterns, and consequences of violence against women are different than violence against men.

Referring to violence as 'gender-based' highlights the need to understand violence against women in the context of the behaviours, norms, and attitudes that legitimise and perpetuate the subordinate position of women in South Asian Society. Women and girls around the world experience countless acts of violence throughout their lives, simply because they are women (UN Declaration,1993).

Violence against women is not a random, accidental or private matter but structural phenomenon. It is both a manifestation of the power imbalance between men and women and social mechanism which forces women into continuing subordination. Patriarchy or male domination is the underlying socio-cultural structure in most of the countries around the world.

Women are victimized various kinds of the violence in our society which are polygamy, blaming (especially old women and widows of witchcraft), early marriage, dowry, allegations of extra-marital affairs, cast-based discrimination, battering, less wages, forced prostitution, domestic violence, sexual abuse or torture, sex trafficking, sexual harassment denial of citizenship (especially for Terai Dalits), incest and rape.

Nepalese society is passing through the pain of poverty, deprivation hunger and through cultural violence, which damages the social peace. Our religion teacher to women to be loyal and kind with husband to do serve because he is god of wife, so she bears many types of violence. Women who have not born child and who have born several daughters are vulnerable, because of social and family prejudice.

On the other hand so many other violence are created in society our tradition and culture, which are child marriage, polygamy, Deauki, Jhuma, Badi , and witches etc. among them majority of events of violence are being taken every day in Nepal. Violence is a reality for many women in the context of Nepali culture. The lack of infrastructural and legal protection mechanism has lead to failure to address violence. Although violence against women is established as a political problem worldwide, it still fails to be recognized as a political issue in Nepal. Violence against women primarily centers on patriarchal socio-cultural norms and practices, and it played out primarily in the private sphere. There is a ' culture of silence' around the issues of VAW.

Violence against women has been a burning issue in the contemporary world as it violates the basic human right of victims. It is known as gender-based violence and it is preponderantly inflicted by men on women also compromises health, dignity, security and autonomy of its victims. According to CBS (2001) half of the population is covered by women majority of them are violated. It hampers the growth of prosperity of society and make more difficult for the full development of the potentialities of women.

Violence includes rape, trafficking in women and girls, forced prostitution, violence in armed conflict, honor killings, dowry-related violence, female infanticide and feticide, female genital mutilation and other traditional harmful practices (UNICEF 2001). Violence may kill, torture, and aims physically, psychologically, sexually and economically to women and girls. Violence occurs to those women who are more vulnerable, helpless, and poor, whose voice is often under. Women fall prey of violence inside and outside the home. Some legal provision and policy have been formulated to combat the violence against women inside and outside of home but they are not sufficient. So, this study was focused on female constituent assembly members' perceptions on violence against women.

1.2 Statement of the Problem

Domestic violence is a form of violence that occurs inside the home, in context of Nepal, like in almost all the South Asian countries domestic violence is one of the many forms of gender based violence. Gender based violence is present in every country, though there are variations to the patterns of violence. It cuts across boundaries of countries, class, caste, age, education, income, ethnicity and culture. Even though most countries have criminalized violence against women, domestic violence against women is still prevalent and sanctioned under the disguise of cultural practices or through the misinterpretation of religious texts. It not only needs to be eliminated because it is detrimental to the physical and mental health of women, but it also violates the basic fundamental human rights of women. Other reasons for eliminating domestic violence are the cost to society: directly through use of social services, police investigation and medical care; and also indirect cost because of decreased productivity level (economically) and decreased participation level

(socially). It is also insidious because of its inter-generational effect, reducing enjoyment of life for the future generation and transmitting violence to the next generation.

Nepal has been declared as secular state (18 May 2006 by the declaration paper of House of Representatives) but discrimination, violation, untouchability and sexual exploitation is in practice (SDR, 2001). Women are treated as second citizen of the nation and discriminate at the each aspect of individual, community and national life. Majority of girls and women are forced into religiously, culturally and traditionally institutionalized prostitution practice such as Deuki, Jhuma and Badi (SAATHI, 1997). Similarly, Chhaupadi is one of the widespread forms of violence against women is far western hilly community. Chhaupadi is a social system in which girls and women in the period of menstruation and pregnancy are forced to stay alone far from the home and sleep in unhygienic place with animal also deprived from nutritious food, shelter and high chance of being infected by various types of vulnerable situation towards health. Child marriage and polygamy system prevalent in our society, similarly discrimination between sons and daughters in husband affiants, education, decision-making process, participation in community activities and unequal payment for equal work, sexual harassment and over workload in work place includes violence against women.

Our social, cultural and traditional value create so many violence against women in the form of child marriage, polygamy, Deuki (A female devoted to god; especially according to religious faith the people of western Nepal in the districts of Doti, Baitadi devote their daughter to the God. The girl remains unmarried throughout her life), Jhuma (The sherpa people of nor then region in Buddhist community devote their girl child in the stupas to look after the God. These virgin girls are called Jhuma), Badi (Community of women in western region of Nepal especially in some villages of Dang district. These women earn by prostitution. They give birth to child who again becomes prostitute person on Badi. The government has give special permission to give citizenship to Badi's sine they had no father's name (As per the law of Nepal either father's or husband's name is written in the citizenship) and witches etc. Majority of violence against women take place where there is socio-economic states of women is low. Some groups of women such as women belonging

to minority groups indigenous women, refugee women, women migrants, including women migrants workers, women are poverty living in rural or remote communities, destitute women, female children, women with disabilities, elderly women , displaced women, foreign occupation, civil war, wars of aggression, including hostage taking, are all particularly vulnerable to violence (U.N., 1995).

Nepalese women and girls have also compelled to face various forms of violence such as no right of parental property, which creates economically dependency of women and it creates the marginalization of women and breaks overall empowerments of women. They do not have control on their own sexuality and reproductive health and right. This situation is being a great challenging for the campaign of bringing women in the main stream of the nation. The prevalence of violence against women in the country is an open secret. Although violence against women is established as a political problem worldwide, it still fails to be recognized as a political issue in Nepal. Nepal does not have separate law addressing violence against women. Therefore this research paper, after clarifying the violence as a gender-based violence and looking into the historical development of law on violence against women, had make an attempt to look briefly into the situation of violence against women and the existing legal system in Nepal. This research paper has also looked at legal mechanism addressing domestic violence against women in Nepal. It has also attempted to identify the problems in the existing system and had made recommendation on the required intervention to protect women from domestic violence and to provide appropriate remedy to the victim.

More specifically, this study seeks to answer the following research questions:

1. What is the knowledge of 'violence against women' in female constituent assembly members'?
2. What are the reasons of violence against women?
3. What are the future strategies to stop any forms of violence against women?

1.3 Objectives of the Study

The general objective of the present study is to explore the female constituent assembly member's perceptions on violence against women. The specific objectives

are as follows:

1. To find out the knowledge and understanding of the true nature of violence against women in female constituent assembly members'.
2. To identify the reasons of violence against women.
3. To suggest the future strategies in order to stop any forms of violence against women.

1.4 Significance of the Study

To eliminate the gender- based violence, we must know the root causes and situation of violence against women. There are various forms of domestic violence and this study is based on violence against women. This study will attempt to find out the causes of violence against women that will help to the researchers who want to research on this particular field. Also academicians, scholars, development workers, government organization, Non-Governmental Organization, women activists and students will also be advantaged from this study. Similarly, there has not been extensive study about this topic. So this study will fill an important gap of such type of study in Nepal.

1.5 Limitation of the Study

There is some limitations of this study (research) which in listed below:

- This study is limited to 50 female constituent assembly members. So, finding of this study cannot generalize to the all of the member.
- This study will focus only on the aspect of violence against women.

1.6 Organization of the Study

The study has been organized in Seven different chapters. It starts with an introduction, under which the study outlines the general background, statement of the problem, objectives of the study, rationale of the study, limitations of the study, organization of the study and operational definitions. The second chapter deals with the review of relevant literature. The third chapter outlines research methodology and the fourth chapter comprises socio-economic and demographic profile of the respondents, the fifth chapter comprises knowledge of violence against women. The sixth chapter analyzes of violence against women and last chapter consists of summary, conclusions and recommendations.

CHAPTER TWO

LITERATURE REVIEW

2.1 THEORETICAL REVIEW

The Beijing Platform for Action (1993) defined the term violence against women (VAW) as “any act of gender based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of acts such as coercion or arbitrary deprivation of liberty, whether occurring in public or private life.” According to this definition, Violence against women encompasses but is not limited of the following:

- a. Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.

- b. Physical, sexual and psychological violence occurring within the Community, including rape, sexual abuse, sexual harassment and intimidation at work in educational institutions and elsewhere, trafficking in women and forced prostitution.
- c. Physical sexual and psychological violence perpetrated or condoned by the state.

Universal Declaration of Human Rights 1948 imparts that all human beings are born free and equal in dignity and rights. Everyone is entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights without distinction to any kind, such as race, colour, sex, language, religion, property, birth or other status. The declaration is against the gender-based violence (Johnson, M.H.G., et al, 1998).

2.1.1 Types Of Domestic Violence Against Women

In simple words, domestic violence against women can be defined as any kinds of gender based violence that occurs within the domain of house. As mentioned below, it may be of categorized into five types:

- 1. Physical abuse:** Abuse committed with an objective of giving physical pain is known as physical abuse. This includes slapping, beating, arm-twisting, and stabbing, strangling, burning, choking, kicking, threats with a weapon, murder, traditional harmful practices like female genital mutilation and widowhood abuse.
- 2. Sexual abuse:** Those abuse which occurs due to women's incompetency (may be due to unwillingness or any other reasons) in fulfilling the sexual desires of men. This includes coerced sex through threats, intimidation or physical force, forced prostitution, or any unwanted sexual act.
- 3. Psychological abuse:** Psychological abuse includes all intimidating and threatening behavior, persecution, abandonment or threats of abandonment, confinement, surveillance, verbal abuse and mental torture.
- 4. Emotional abuse:** Emotional abuse includes causing fear, shame, public embarrassment, continued threats and taunts, isolation and humiliation.
- 5. Economic abuse:** Economic abuse includes acts such as denial of funds, exploitation, controlling access to healthcare, food, basic necessities and denial of rightful income.

2.1.2 Forms of Domestic Violence Against Women

Domestic violence is undoubtedly the most prevalent form of violence against women and girls. If domestic violence is seen broadly as any act of violence within the house – it includes differential treatment of girls, wife beating and abuse, torture of daughters-in-law and neglect and torment of widowed women in the family. The various forms of domestic violence against women can be categorized as below:

Son preference leading to female foeticide

Son preference is universal and not unique to Nepal only. It is transcultural phenomenon historically rooted in the patriarchal system. Son preference is playing a major role in the low valuation and neglect of female children. A son is considered to be a family pillar, who ensures continuity and protection of the workforce and will bring an extra pair of hands, once he will get married. Sons are the source of family income and have to provide for parents in their old age. They are also the interpreters and the performers of rituals, especially on the death of the parents. Therefore the birth of the son is welcomed with celebration as an asset to the family, whereas girls are seen as liability. Consequently, the sex bias or son preference places the female child in the disadvantageous position not from the birth but from the fetus itself. Abortion, even though was illegal in Nepal and has been legalized few months back only, there are many parents who have conducted abortion in the private clinics only because it is the female fetus. In this manner the female fetuses are killed brutally. Further, abortion performed by unskilled birth attendants, under poor sanitary conditions led to increased maternal mortality.

Battering of mother during pregnancy

Pregnancy is generally perceived as a very normal situation as of a sick person and mostly no proper care was provided to women during the pregnancy period, which directly affect their health in the old age. Rather, after the delivery many other kinds of violence takes place against women justifying it through traditional practices like *cheupadi*, which is still prevalent in the society. Son preference also plays a crucial role for violence against women during the period of pregnancy. The continuous pressure from the family and the society to be a mother of a male child keeps reminding a woman of a torture if she will give birth to a girl child. Further, if the girl child born, the trend of continuous violence through defamation and sometimes through physical handling get added to other kinds of mental torture.

Neglect and marginal treatment to girls

In our society girls are generally discriminated with regard to food, nutrition, education, health care services and other necessary belongings, which is utmost important for their normal upbringings and growth. Women and girls are supposed to eat less and usually after the man and boys of the family had eaten. With regard to education and health care facilities, priority always goes for boy child. This has a direct impact on the poor health status and career of girls and women, in the future.

Child sexual abuse

The sexual vulnerability of the girl child in and around her home is increasing day by day. In most of the cases, sexual abuses are subjected by their own near and dear ones, they may be neighbour, brother, uncle or even father. Though many of the cases of sexual abuse i.e. pedophilia, rape and molestation, incest of children, go unreported the number of those that are reported is enough to unnerve our society. Not unexpectedly, family rarely talks about the rape of their young daughter; when the rapist is father or a brother, the chances of reporting is even lower. A mother would often suppress and wash away the event, not only because of a sense of shame and outrage, but also out of fear of reprisals from her husband, son or other relatives. And if a mother mustered enough courage to approach a police to lodge complaint against rapist of her daughter, if it is her own father no one will be ready to believe that a father could sexually assault his own daughter, it will further increase a threat to the life of mother and the daughter.

Confinement within household

As entire family works towards transmitting its cultural and social capital, which underline the subordination of women to its younger members. Family as an institution plays an important role in oppression and exploitation of women. Hierarchic gender relations confine girls and women to definite roles and obligations i.e. stereotype works, confining girls within the household chores in the name of physical chastisement etc. This lead to the devaluation and discrimination against women.

Child marriage

In Nepal, marriage continues to be universally regarded as essential for a girl, irrespective of class, caste, religion and ethnicity. Control of her sexuality and its safe transference into the hands of the husband is of primary importance for the parents. Due to the sexual vulnerabilities of girls and increasing rate of dowry demands by the time is an important cause of early marriage. Child marriage robs a girl of her

childhood, time necessary to develop physically, emotionally and psychologically. In fact, early marriages inflict great emotional stress as the young woman is removed from her parent's home to that of her husband and in-laws. Her husband, who wills invariably by many years her senior, will have little in common with a young teenager. It is with this strange man she has to develop an intimate emotional and physical relationship. Health complication that results from early marriages includes the risk of operative delivery, low weight and malnutrition resulting from frequent pregnancies.

Dowry related abuses and deaths

Dowry demand and dowry related crimes i.e. abuses and even deaths, are increasing day by day in our society, especially in the *terai* region of the country. Our social stigmas have taught women to bear up with every humiliation, beating, molestation and even be burnt but not speak out because the honour of the family will be put in jeopardy. And thus the women becomes very vulnerable to violence within the four walls of their homes and if she dare to leave that home and returns to her parent's house she would 'endanger' the chance of her younger sister's suitable marriage (presumably because other eligible boy's parents would then fear that the girl would not fulfill their dowry demands). So the parents of the woman, who suffers from the physical and mental torture seldom stand by her or save her from this prosecution; consideration of social prestige deter them from interfering in the exercise of rights conferred by the ideal of *pativartya*.

Wife beating

Wife beating or in more extremes cases wife battering is the most common form of abuse worldwide irrespective of class, caste, religion and community. The odd slap or blow was regarded as routine husband like behaviour, it was only if the beatings were very severe did women perceive of themselves is being abused. Wife sexual infidelities, her neglect to household duties and her disobedience of her husband's dictates are all considered legitimate cause for wife beating.

Marital rape

Rape by anyone is a heinous form of violence against women, however rape within the relationship of marriage; by one's own husband, is one of the most traumatic violence against women. Husband is the one from whom, also due to social, traditional and cultural values, a wife expects love, care, affection and the most security, however marital rape does exists in many marital relationship. And to the

fear of social ostracization and stigma women rarely comes out with reporting of such crimes against their body.

Control on the reproductive roles of women

Women do not have right on their own body and reproduction. She has to be mother especially of a boy child. Woman is targeted for various types of family planning measures including abortions without her wishes.

Forms of violence in different life stages amongst Nepalese women

Phase	Type of violence
Infancy	Female infanticide, abandonment, emotional and physical abuse, differential access to food and medical care
Childhood	Incest and sexual abuse; differential access to food , medical care, and education; child prostitution
Adolescence	Dating and courtship violence, economically coerced sex, sexual abuse in the workplace, rape, sexual harassment, forced prostitution
Old age	Abuse of widows, elder abuse
Prenatal	Forced abortions, battering during pregnancy, coerced pregnancy
Reproductive	Abuse of women by intimate partners, marital rape, dowry abuse and murders, partner homicide, psychological abuse, sexual abuse in the workplace, sexual harassment, rape

Adopted from Heise, L. 1994. Violence against Women: The Hidden Health Burden.

2.1.3 Factors Contributing to Domestic Violence against Women

Violence against women in the family stems from the concept of male superiority and power. In most countries, the male has been historically and traditionally considered the provider and more powerful figure, and that is the basis for the exercise of control over the female. The failure to perform prescribed duties (male frustration at his inability to provide for his family or the inability of a woman to run the household efficiently) by both men and women is a common cause of domestic violence. The prevalence of violence against women is the consequence of women's subordinate position in their family and society, and is indicative of their devalued status as a social group. It is critical that the subordinated status of women is seen as a common thread that runs through the lives of all women, and that it is not the experience of

some women due to their unfortunate individual circumstances. Therefore, the factors that contribute to domestic violence against women is interrelated and interlinked to each other, however attempt has been made to clarify each issue for the sake of clarity.

Patriarchal society

Nepal is a patriarchal society which always privilege male and legitimizes gender hierarchy within the family and the use of violence against women. The process of socialization further reinforces the norms and values of patriarchy. Even when there seems to be a close correlation between the abuse of alcohol and violence against women, it is useful to relate it to the social environment which grants such privilege to men that they can waste resources on alcohol.

Discriminatory laws

Another mechanism which institutionalizes male privilege over females is the law. Not only are laws inadequate to protect women from male violence, but there are also many discriminatory provisions in the law which reflects society's values and intentions regarding the position of women and men. The study conducted by Forum for Women, Law and Development has revealed that there are 118 legal provisions, 67 schedules, spread in different laws and the Constitution that is discriminatory against women. A recent report of the high level committee formed by HMG/Nepal to review discriminatory laws against women pointed out 138 discriminatory provisions in various laws.

Social practices

There are also many other factors to be considered such as the social practices of early marriage and frequent pregnancy which inhibit the development of women and reduce options for education and skill development as well as the inherent health risks that these practices entails. Furthermore, cultural norms hold women responsible for keeping the family together. A traditional role expectation of wife is that she has to assume a subordinate position in the marital relationship. Husband wants to continue with his position of dominance, which is one of the most important causes of women's abused marital status.

Culture, religion and tradition

Without exception, religion and culture have a great impact on the lives of women in this region. Although there are many positive aspects of religion and culture, many laws, policies and cultural practices are still influenced by patriarchal values that

consider women as inferior to men; or which accord separate and discriminatory roles to men and women based on inflexible concepts of gender. In the life cycle of a woman there still remain many cultural practices that accentuate and reaffirm the subordinate position of the girl child and the woman. Cultural values and norms that privilege the male child and men are still prevalent in many cultural and religious teachings and traditions, and become the base of societal conditioning. Whether it is Buddhism, Islam, Christianity or Hinduism, the teachings and male interpretations are limiting and inhibiting to women. Increasingly there is a challenge to these so-called divine interpretations and cultural practices that sanction the pattern of gender power relations.

Portrayal of women by media

The role of media in portraying women as either victims, or submissive objects at homes is also one of the major contributing factors that contribute to domestic violence against them. The tremendous impact of print media has both negative and positive sides. The problem is that these media publish all the information about the victim, including her picture. As a result of this, she is being identified in the locality and faces social problems. So she becomes victimized by the society for the second time. The media do not publish much about the perpetrator; therefore, he can live in his hideout without any fear for as long as he wants. Yet another contentious and remaining problem is the portrayal of women in film, drama and advertisements.

Economic dependency

Women are economically dependent on men. This dependency causes them to tolerate the violence. Due to the dependency of women for economic support on men or their families, both natal as well as husband's house they have no other option but to meekly follow men. Poverty entails a lack of option to women and that lack of option forced them to accept their inferior position in the family.

Lack of awareness

Women due to illiteracy, lack of education and mobility is unaware of their rights and therefore do not voice against their sufferings rather they take it as their misfortune. Silence of women encourages men to maintain the dominance in every sphere.

Lack of skills

Most of the women lack skills that could bring them with economic benefits and are not able to get a formal income generating opportunities. Because of the economic

dependency of women on men, the life of women is controlled by men. It is men who control the apparatus of the society. Women are thus denied access to different opportunities that men are entitled to get. Thus they end up in life without any job getting skills or awareness as to their rights.

Traditional up-bringing

Women are brought up in such a situation that they have believed that they are inferior to men. Women have a tendency to perceive the violence as natural behaviours that happens everywhere. They have seen their mothers and sisters suffering from violence.

Vicious cycle of poverty

The basic thing that was affected by poverty is a child's education. This is due to a combination of poverty and the girl's role in a household. On one hand, she has to look after her young brothers and sisters; on the other hand, her parents cannot afford to send her to school. Since she does not go to school, she is married off at a very young age. She would not be very mature and educated, and so is unable to adjust in her in-laws' family. Her in-laws would dominate her, which most of the time takes the forms of both physical and emotional violence. She has no chance of breaking free of this cycle of torture and oppression. The fundamental factors for domestic violence against women is the prevalent patriarchal norms, values, traditions and customs that legitimize and maintain unequal power relations between men and women in all social structures.

2.1.4 Impact of Violence

Domestic violence cause immense damage to the reproductive health and well-being of women throughout the world, directly or indirectly.

Psychological Problems

Violence disturbs the emotional lives of women and families. UNFPA (2000) found out that many women considered the persistent psychological effects of domestic violence to be more severe and debilitating than the physical ones. It can also lead to suicide and those persons who are sexually violated they can fall in prostitution and drugs abuse.

Violence and STDs

Violence refers to sexual abuse, forced and unprotected sex puts women in risk of acquiring STDs, including HIV/AIDS, many women are afraid to ask their partners to

wear condoms during sex for fear of violent reactions Rape victims are especially at risk of infection UNFPA (2000) states that up to 30 percent of women raped in the US.

High Risk Pregnancies

Domestic violence has been linked with increased risk of pregnancies, miscarriages, premature labour, fetal distress and low birth weight. A study in Leon Nicaragua found that violence against pregnant women was associated with a threefold increase in low birth weight babies (UNFPA 2000). Stress and anxiety brought on by persistent violent behavior during pregnancy can reduce a women's ability to obtain adequate nutrition, rest, exercise and medical care. This way retard fetal growth (UNFPA 2000).

Violence as a Barrier to Family Planning

Researchers have found that abused women tend not to use family planning services, even if readily available, for fear of reprisals from husbands. Women in Zimbabwe and Kenya, for instance, often hide their contraceptives pills because they are terrified of the consequences (UNFPA, 2000). Similarly, abused women who participated in focus group discussions in Peru and Mexico said that they did not discuss contraceptive use with their husbands (UNFPA, 2000).

2.1.5 Legal Reform and Policy (At International and National Level)

The 1994 International Conference on Population and Development recognized that empowering women and improving their status are important and essential for achieving sustainable. ICPD programme of action states advancing gender equality and equity and the elimination of all kinds of violence against women and ensuring women's ability to control their own fertility are cornerstones of population and development related programmes (UNFPA, 2000).

Similarly, Fourth World Conference on Women (FWCW) held in Beijing in 1995 identifies 12 critical areas of action needed to empower women and ensure their human rights: Women and poverty, education and health, violence against women, women and armed conflict, women and economy, women in power and decision making, institutional mechanisms for the advancement of women and the media, women and the environment and the girl child (UNFPA, 2000).

The constitutions of Nepal stipulated that non-discrimination and equality are fundamental rights. The national country code in its 11th Amendments sets out women's right to property and a conditional right to abortion, an increase in minimum age of marriage (16 to 18) and equality in grounds for divorce. However, Nepal's state laws as well as traditional values, still inferior to women (HDR. 2004).

2.1.6 Existing Legal System on Domestic Violence against Women in Nepal

Nepal does not have separate legislation on domestic violence nor is domestic violence a separate crime under the general law. There are provisions spread in the Country Code, 1963 (the Civil and Criminal Code of Nepal) and various laws that deal with violence against women. These areas as below:

a. Assault

Physical violence is dealt under the Country Code, 1963; which incorporates physical assault as a crime. The Country Code includes both ordinary to serious physical injury as assault and institutes a fine up to Rs. 10,000 and imprisonment up to 10 years, as the punishment, depending on the nature of the assault, its effect and weapons used. The victims can also claim compensation. However, this Chapter on Assault does not have any provision regarding mental torture and verbal abuse.

b. Verbal abuse

Verbal abuse can be dealt under the Defamation Law. The State does not initiate the case; hence a victim has to go to the court by herself and follow the lengthy procedures. The role of police in these cases is limited only to the preparation of Case Report and the victim does not get any support from other government machinery while initiating the case. Hence, very few cases of family violence are initiated under this law.

c. Incest

Incest has been defined as a crime involving sexual intercourse between persons who are relatives within seven generations. Incest is strictly prohibited in Nepal. Marriage within the incest relation except under the customary practice is void. The punishment varies according to the distance of relation between the people involved in incest. Incest within the following relation is punished as follows:

- Having sexual intercourse with mother is punishable with life imprisonment.
- The crime of having sexual intercourse with sister of the same parents or with daughter is punishable with 10 years imprisonment.

- The crime of having sexual intercourse with women in the relation of father's ancestral lineage is punishable with six years imprisonment.

- The crime of sexual intercourse with other women of relation within seven generations of father or mother's ancestral lineage, other than those mentioned above is punishable with an imprisonment of two years.

Incest law can be invoked only when there is intercourse between two people, however mostly, in this kind of offences it is women who get victimized by the law and society. When a girl filed a case of incest against her uncle, the Supreme Court defined that the Country Code, 1963 had repeatedly made a mistake of not including an uncle's daughter's daughter under the definition of incest. In this situation they could not define the law which had been mistakenly enacted. The law, which was enacted 20 years before and has been amended from time to time, is the basis of the rule of law. Hence, any person outside such criteria is not justifiably considered as an offender.

d. Child marriage

Child marriage is prohibited under the Nepali law. According to the Chapter on Marriage of the Country Code both sexes have to be 20 years old to marry without parental consent. Men and women can marry at age 18 with the consent of their parents.²⁰ If the marriage is contracted contrary to this provision, the principal offenders having attained majority, out of those committing the offense, shall be liable to the following punishment:-

(i) Where the marriage of a girl below 10 years of age is contracted/procured, punishment of imprisonment for a term from six months to three years and a fine of one thousand to ten thousand rupees.

(ii) Where the marriage of a girl over 10 years and below fourteen years of age is contracted/procured, punishment of imprisonment for a term from three months to one year and a fine of up to five thousand rupees

(iii) Where the marriage of a woman over fourteen years and below eighteen years of age is contracted/procured, punishment of imprisonment for a term not exceeding six months or a fine of up to ten thousand rupees or both

(iv) Where the marriage of a woman or man below twenty years of age is contracted/procured, punishment of imprisonment for a term not exceeding six months or a fine of up to ten thousand rupees or both

(v) Out of the priest, matchmaker and other abettors who knowingly performs the acts of marriage prohibited under the above-mentioned provisions, one having attained majority shall be punished with imprisonment for a term of up to one month and a fine of up to one thousand rupees

(vi) In case where marriage has not yet been contracted but it has already been set after performing the rites and rituals, the principal who has arranged it shall be punished with a fine of up to five hundred rupees and the marriage set shall be invalidated.

However, the person who contracts or arranges marriage without knowledge that marriage is arranged or contracted lying that it is within the limitation of law is not liable to punishment. In case the marriage has been contracted before the man or woman has attained the age of eighteen years and no offspring is born to them, the man or woman who has so got married before his or her age of eighteen years may, if he or she does not accept the marriage after he or she has attained the age of eighteen years, such marriage will be void.

e. Bigamy

Bigamy is punishable by law in Nepal, however law itself in certain circumstances allow men to commit bigamy.²³ The recent amendment to the Country Code has increases the provisions of punishment for committing bigamy law. It has made provisions of imprisonment for a term from one year to three years and a fine of five thousand rupees to twenty-five thousand rupees, as well.

f. Assault and bigamy; grounds for wife to seek divorce

Domestic violence against women has been given as a ground for women to seek divorce from her husband. If the husband marries another woman, or if the husband throws his wife out of their house, or if the husband assaults his wife causing grievous bodily harm women can ask for divorce. Further, if woman is not capable of earning her livelihood, she can claim alimony for the period of five years or until she remarries.

g. Laws relating to sexual abuse against women

Chapter on Indecent Assault of the Country Code, 1963 incorporate certain aspects of physical sexual abuse against women within and outside the domestic sphere. It prohibits touching any organ from head to foot of a woman above the age of 11 years except one's own wife with the intention to have sexual intercourse and prescribes a

punishment with a fine up to five hundred rupees or imprisonment of up to one year. However, this law is not pragmatic as not a single case has yet been filed using the same provision.

h. Measures to control dowry related crime

In the context of increasing rate of crime relating to dowry, the Social Practice (Reform) Act, 1986 has attempted to prohibit dowry related crime by limiting the cash and jewelry to be given to women in their marriage. It also prohibits the unnecessary expenses on marriage.

i. Women can ask for her share if ill-treated

A wife shall be entitled to get her share of property from the share obtained by the husband if she is abandoned without providing any maintenance by the husband alone or together with his parents, or if she is treated cruelly or if the husband has brought or kept a second wife. She should be given maintenance if she has been abandoned only by the parents of her husband.

j. Marital rape interpreted as crime

Recently in *Meera Dhungana for FWLD vs. HMG/Nepal*, the Supreme Court has interpreted marital rape as rape. This interpretation by the Court has recognized the right of wife to deny sexual intercourse to her husband.

k. Government Policy to Deal with Violence against Women

In Nepal, government policy and its commitment to the Beijing Platform for Action (BPFA) have placed a focus on eradicating discrimination between men and women and to provide with the equal rights. Among strategies adopted is the involvement of NGOs, GOs and local bodies in the process of preventing all forms of violence against women so that the protection of women's human rights could be possible. The Ministry of Women, Children and Social Welfare has also prepared a National Plan of Action for five years to deal with the gender-based violence, including the review of all discriminatory laws and the enactment of domestic violence legislation. As a result Domestic Violence (Crime and Punishment) Bill was drafted and introduced in the Parliament.

l. Domestic Violence (Crime and Punishment) Bill

The 'Domestic Violence (Control) Bill, 2057' has been drafted with the establishment of the Ministry of Women and Social Welfare of Nepal. This Bill was later improved and reformed by the Domestic Violence (Crime and Punishment) Bill, 2058 which has incorporated various positive concepts to protect domestic violence against women, which are as below:

Definition of domestic violence includes physical and psychological violence: The bill has comprehensively defined domestic violence. It had incorporated physical and psychological violence within the definition of domestic violence.

Provision relating to reporting: The Bill is liberal with regard to reporting of the crime. It accepts both verbal and in writing reporting of the crime. If the case does not get resolved through quasi-judicial bodies or mutual understanding, victim can file a case direct to the Court. Furthermore, third party also can make a report on behalf of women victim.

Interim relief: The Bill has also made provisions for the interim relief to the victim of the domestic violence. The court can issue the order of interim protective measure for the period of case proceedings.

Compensation: The Bill has made provision for compensation for the victim. The amount of compensation shall depend on the nature and extent of act of violence.

Rehabilitation: The Bill has made the provisions which obligate HMG to establish rehabilitation home for the victims of domestic violence.

In camera court: The concept of in camera court has been introduced by this Bill. Court can hear the case in camera in request of victim.

Priority to domestic violence case: For a speedy trial the Bill has include special provisions of giving priority to hearing of the domestic violence cases.

2.2 Emperical Review

2.2.1 Global Contest

Worldwide it is estimated that between 600,000 and 800,000 individuals are trafficked each year for forced labor, the majority for commercial sexual exploitation. Approximately, 80 percent are women and girls, and up to 50 percent are minors. About two million children, mostly girls are believed to be sex slaves in the commercial sex industry (NHRC, 2005).

Gender-based violence is spread all over the world. Violence kills more than 1.6 million people every year. One-fifth of them belong to the south Asia. Millions of people are suffering from physical, mental, reproductive, sexual and social health problem for the every death due to the violence another 20 to 40 people required medical treatment, resulting in a huge burden on the health system (WHO, 2003).

Each year thousand of women and children are trafficked and enslaved, million more are subject to harmful practices. Violence kills and disable as many women between

the age of 15 & 44 (UNFPA, 2005). Similarly, an estimated million women and girls are brought and sold worldwide, into either marriage, prostitution or slavery (UNFPA, 2002).

Studies in India, Jamaica and Mali show that 20 to 30 percent of adolescent girls had experienced sexual violence. In South Africa 30 percent of young women indicated that their first sex was coerced (UNFPA, 2005). Child marriage is also a form of violence. Eighty-two million girls in developing countries get married before their 18th birthday. It is 60 percent in Nepal, 76 percent in Niger and 50 percent in India (UNFPA, 2005).

Worldwide about 130 million girls and young women have experienced female genital mutilation and an additional two million are at risk each year. FGM is practiced in about 28 countries with prevalence rates ranging from 5 percent in the Democratic Republic of Congo to 98 percent in Somalia (UNFPA, 2003).

According to UNICEF (2000), there exist six kinds of violence against women in South Asia, mainly, Sexual abuse, incest and rape by family members and others, recruitment by family members into prostitution, neglect by family members, even to the point of death, Feticide and infanticide, dowry demands and Wife abuse (SAATHI, 2001).

Domestic violence has been increasing day by day. Not only in developing countries, developed countries also has been bearing this problem. In Australia, Canada, Israel, South Africa and the United States, between 40 and 70 percent of female murder victims were killed by their male partners (UNFPA, 2005).

Around the world, at least one woman in every three has been beaten, coerced into sex, or otherwise abused in her lifetime. Most often, the abuser is a member of her own family (JHU, 1999).

A health profile published by World Health Organization in 2000 has summarized the prevalence of domestic violence in some South Asian countries, which is presented in Table

TABLE 2.2.1: PREVALENCE OF DOMESTIC VIOLENCE IN SELECTED COUNTRIES OF THE REGION

<u>Reference</u>	<u>SAMPLE</u>	<u>FINDINGS</u>
SAATHI (1997)	<u>NEPAL</u> 1,250 respondents from five districts, both urban and rural	88% reported knowing about occasional domestic violence
Sonali (1990)	<u>SRI LANKA</u> 200 low-income women from Colombo, convenience sample	60% were beaten, husbands used weapons in 51% of the cases
Ministry of Home Affairs, Government of Bangladesh	<u>BANGLADESH</u> 7,860 women and children reported to be victims of violence during January-December 1997	Homicide (31%), rape (28%) and torture (26%) were the most common types of violence reported. There were 117 cases of 'acid throwing' about a tenth were 'dowry' related violence. The others were cases of trafficking in women and children.
Jigme Dorji Wangchuk National Referral Hospital, Thimpu	<u>BHUTAN</u> Cases of assault registered between 1993 and 1997	A total of 85 cases, including four cases of sexual abuse against minors. Most of the perpetrators of the assaults were known persons.

Source: WHO, 2000.

2.2.2 Nepalese Context

In Nepal, in every society, violence against women existed in a number of forms the time immemorial. It was believed that women or girls are not subjected to be independent or free. Until the date of marriage, she is to be under control of parents especially father, after marriage she becomes property of husband so he deserved right to decide about her life. After death of husband she has to be under patronage of her son so, father, husband and son were protected as master of her life and were

authorized to make any decision of her life whether she likes or not. Women are largely denied from education, legal and civic, economic and individual identity rights. Besides, socio-culture and psychological violence of their rights women are frequently victimized by physical violence such as physical assault /hurt, rape, insufficient food allocation and so forth (Adhikari & Mabuhang, 2004).

According to CBS (2001), women literacy rate is very low (42.49%) and socio-economic, health and political participation are very poor. Female, are seen as second-class citizens by culture, religion and law. Female are discriminated by birth.

Estimates show that about 5,000 Badi (Community of women in western region of Nepal especially in some villages of Dang district. These women earn by prostitution. They give birth to babies who again become prostitute person on Badi.) girls are sex workers in Nepal. It is reported that 35 to 50 percent of Badi women involved in prostitution are under the age of 15 (Bidari 2004). Deauki women have 5-15 clients per month, about 17,000 Deauki live in the Far-Western of Nepal (Bidari, 2004). A study by Bidari (2004) indicated that 70 percent women reported that they are victimized in the name of tradition and culture. Another source indicated that 200,000 women and girls are sold in Indian market. Each year 5000-7000 women and girls are Trafficked to Indian Brothels (JIT, 2002).

Women are treated due to polygamy (71%) and the other (77%) followed by the in-laws (27%) and children from another wife (11%) (SAATHI, 2001). As can be seen from this finding, more than one family member participates in ill-treating the less favored wife. The misbehavior cited by them from these sources includes withholding access to resource (35%), insulting them (39%), mental torture by household (34%) and co-wife (29%). Only a minority (7%) said since they already had a bad relationship with the husband during the monogamous (SAATHI, 2001).

Domestic violence manifests mostly as wife beating is a pattern of coercive controls that one-person exercises over another. Abuse use physical and sexual violence emotional insults and economic deprivation to domestic and manipulate their patterns, bettering not only harm the women physically by abusing fear and other forms of emotional and psychological distress. But prevents her doing what she wishes or

forces her to behave in ways unacceptable to her (SAATHI, 1997).

SAATHI (2002) stated that due to the incidence of violence respondent also felt socially disadvantaged and complicated. Majority of them (58%) felt that their family member blamed them and want to avoid them and reporting the incidence of domestic violence to law enforcing was found to be low as can be expected only 22 percent had ever attempts to report the cases. The remaining was carrying on with their normal daily lives, just as before the incidence.

According to Hindu mythology, both men and women organized from God, men come out one-half of his being and women of other half. However, a lot of discrimination had been made between men and women at that period, that women must worship her husband God (Manu Smirti). Similarly, the queen of Ayodhya, Sita was abducted by the king of Lanka, Rawan (Acharya, B., 1894). Draupadi, the queen of Indraprastha was naked by Dushashan (Chalise, C., n d.). Polygamy, which was practiced in Nepal from the ancient time until now, is due to the consideration of low self-esteem of the women. In Hindu scriptures, there is on the one hand glorification of womanhood and on the other a degradation of women. Some passages show that women are highly respected and honored such as the Manusmriti, a holy book of Hindu literature highlighted the importance of women as “ The gods rejoice where women are worshipped” (Subedi, 1997).

Chanakya, a Hindu scholar denigrated women as “By nature a woman is deceitful and pushy, a liar foolish and greedy. She is impure and cruel" (Acharya, 1997). A further denigration of women can be found in 'Ram Charit Manas' regarded as a great poem of Hindu literature. Women were not considered as full human being and presumed that she is subject to be suppressed (beaten) as like animals and drums to made work in the way men think or want (Adhikari, 2004).

Philosophers like those that Confucius, Milton and Aristotle are being prejudiced by thoughts of time preached that women being inherently inferior to men should always remain in a subordinate position to men. Great philosopher, Socrates, opined that the women are the sources of all-evil and Sextillion, in amore graver form stated that women is the gate of hell and mother of all evils. Projection of these philosophical thoughts in society put a great impact and lowered down the position of women. The

various forms of violence against women and girls in the ancient times were child marriage, sati system custom of Devdasi system (Tripathy, 1998)

2.2.3 Conceptual Framework of the Study

Women in Nepal are systematically losing their basic, fundamental right to be free from violence. By failing to respond to the high incidence of violence and by discriminating against victims of violence in the prosecution of its criminal laws, the Nepalese government has failed to meet its commitment as a member of the United Nations and has violated international human rights law. The Nepalese government should immediately take the steps to eliminate the serious violence currently being suffered by women in Nepal.

Fig 1: Conceptual framework

This conceptual framework was developed based on the findings of literature review. It gives a clear picture about the variables of VAW. Lack of education and awareness, patriarchal culture, lack of decision-making power and low economic access are the major factors of violence against women.

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter gives the details of the procedures adopted for the research study. This chapter deals with topics like study area, data collection method, questionnaire design, data processing and technique of data analysis.

3.1 Selection of the Study Area

The Constitution Assembly was selected for the study. The Constitutional Assembly was formulated for the first time in Nepal. The major role of CA is formulating the constitution of Nepal. It represents the proportion population of the different caste/ethnic groups. This study includes the women CA member for different caste ethnic groups without considering their political affiliation. So, the study was represents the women's perception who have participated for the formation of new constitution for new Nepal, on violence against women in Nepal.

3.2 Research Design

The research was basically designed to describe the perception of women CA member about violence against women. The overall research design of this study consists of data collection by questionnaire. The research design was descriptive and analytical in nature particularly based on quantitative information through structure and unstructured questionnaire.

3.3 Nature and Sources of Data

This study has been included both primary and secondary data. The primary data has been included a large amount of assorted information items collected from the study area. The primary data was the major source of information of this study which was collected from June 1-20. Likewise, secondary data were collected from articles, books, and public and unpublicized journals and reports.

3.4 Sampling Procedure and Sample Size

In Constitution Assembly, 2063, there are 197 female members. Among them 50 women CA member were included in this study without considering their political affiliation. These 50 women were selected by using purposive sampling method.

3.5 Data Collection Techniques

The questionnaire methods have been used to collect the primary data. Questionnaire has been made including a number of questions to be asked to the respondents, as per the research objectives. The some questionnaires were filled by researcher herself asking questions to the respondents and some were filled by respondents themselves.

3.6 Data Analysis and Interpretation

The collected data have been analysed by using different technique. The gather data have processed with the help of computer by using SPSS software package. This package was used for data entry, verification, editing and tabulation of the study results. Similarly, data have been presented in the form of suitable frequency tables, charts or bar diagrams. Simple statistical tools like percentage, ratio and average have been used during the analysis.

CHAPTER FOUR

BACKGROUND CHARACTERISTICS OF RESPONDENT

This chapter describes social, economic and demographic characteristics of the respondents. Respondent's religion, occupation status, as well as economic background and educational status are presented.

4.1 Religious Composition

Table 4.1 speaks about religious composition of interviewed women. The data indicates that overwhelmingly majority of the respondents practice Hinduism (60.0%) and least (8.0%) follow Christianity.

Table 4.1: Distribution of respondents by religion

Religion	Number	Percent
Secularism	17	34.0
Hindu	13	26.0
Buddhist	8	16.0
Muslim	8	16.0
Christian	4	8.0
Total	50	100.0

Source: Field Survey, 2010.

Figure 1: Distribution of respondents by religion

Source: Field Survey, 2010.

4.2 Caste/Ethnic Distribution

Table 4.2: Distribution of respondents by caste

Caste Ethnic	Number	Percent
Brahmin/Chhetri	22	44.0
Janajati	22	44.0
Dalits	2	4.0
Muslim	4	8.0
Total	50	100.0

Source: Field Survey, 2010.

Among the total respondents most of the respondent were Brahmin/chhetri (44%) and janajati (44%). Dalits were only (4%) (Table 4.2).

4.3 Mother Tongue

Table 4.3: Distribution of respondents by mother tongue

Mother Tongue	Number	Percent
Nepali	23	46.0
Maithali	12	24.0
Bhojpuri	1	2.0
Tharu	4	8.0
Tamang	1	2.0
Awadi	4	8.0
Gurung	1	2.0
Limbu	1	2.0
Others	3	6.0
Total	50	100.0

Source: Field Survey, 2010.

Among the total number of respondent (46%) were Nepali, and second largest language (24%) were Maithali and Bhojpuri, Tamang, Gurung Limbu were least i.e.,(2%,...) only shows (Table 4.3) according to their mother tongue.

4.4 Occupational Composition

In the field survey, all the respondents were asked about the nature of their work they are usually engaged before CA members. It is obtained that political activities taken place in massive scale. Among the total respondents, 38 percent respondents were engaged in agriculture and 8 percent respondents were engaged in services (Table 4.4).

Table 4.4: Distribution of respondents by their occupational status before CA members

Occupation	Number	Percent
Agriculture	19	38.0
Services	4	8.0
Student	5	10.0
Political activities	22	44.0
Total	50	100.0

Source: Field Survey, 2010.

Figure 2: Distribution of respondents by their occupational status before CA members

4.5 Landholding

Women are backward in every aspect. They are also deprived from the equal property right. In this study, all the respondents were asked about whether they have land ownership or not?

Table 4.5: Distribution of respondents by their land ownership

Land ownership	Number	Percent
Yes	20	40.0
No	30	60.0
Total	50	100.0
If yes, amount of land in Ropani		
<2.00	4	20.0
3.00	12	60.0

>4.00	4	20.0
Total	20	100.0

Source: Field Survey, 2010.

Table 4.5 present's situation of respondents of their land ownership. According to this table, 40 percent respondents had land ownership and majority of them 60 percent had no land ownership. Among them 60 percent respondents have 3 Ropani, 20 percent have >4 Ropani and 20 percent respondents have only <2Ropani land.

Figure 3: Distribution of respondents by rtatus of their land ownership

4.6 Educational Status

Education is the third eye of knowledge and it is the key for personality development. It generates knowledge, skills and self-confidence. In the study area all respondent can read and write.

Table 4.6: Distribution of respondents according to their literacy status

Literacy status	Frequency	Percent
Literate	50	100.0
Way of education		
Formal education	42	84.0
Informal education	8	16.0
Total	50	100.0
If literate, Level of education		
Below secondary level	9	23.7
SLC	13	34.2
Above SLC	16	42.1
Total	38	100.0

Source: Field Survey, 2010.

Further information has taken from the literate respondents most of the respondents getting formal education (84%). According to their level of education (42.1%) were completed above SLC and (23.7%) were below secondary level (Table 4.6).

4.7 Husband's Education

Husband's education can affect the life of women. Generally, we believe that where there is high educational status there can be less violence. In the field survey, this study had tried to understand education status of husbands. Table 4.7 represents that out of 50 respondents 48 percent respondent's husbands were above SLC and 18 percent were only SLC completed. Rest of the 34 percent husbands was below secondary level.

Table 4.7: Distribution of the respondent by their husband literacy status

Husband level of education	Frequency	Percent
Below secondary level	17	34.0
SLC	9	18.0
More than SLC	24	48.0
Total	50	100.0

Source: Field Survey, 2010.

CHAPTER FIVE

KNOWLEDGE AND CAUSES OF DOMESTIC VIOLENCE AGAINST WOMEN

This section deals about respondent's knowledge about types of violence against women, way of information, knowledge about legal provision to control such acts and the causes and effects of domestic violence against women.

5.1 Knowledge on Domestic Violence Against Women

The knowledge about violence against women was universal for the study population. The major sources of information were newspaper, radio, TV, family members. Table 5.1 indicate that majority of the respondents have got information from newspaper (68%). It was followed by Radio (52%) and TV (50%) respectively. The respondents had also obtained the information through friends and family member.

Table 5.1: Source of information on VAW

Knowledge on VAW	Number	Percent
Yes	50	100.0
Sources of information		
Friends	22	44.0
Radio	26	52.0
TV	25	50.0
Newspaper	34	68.0
NGOs/GOs/INGOs	18	36.0
Family member	25	50.0
Others	24	48.0
Total	50	100.0

Source: Field Survey, 2010.

5.2 Opinion on VAW

From the table 5.2 it is clear that out of 50 respondents, 90.0 percent of respondents thought that VAW is harassment due to dowry. It is followed by 82.0 percent thought girls trafficking, 76.0 percent thought sexual harassment.

Table 5.2: Distribution of respondents' opinion on violence against women

Opinion on VAW	Number	Percent
Violence act due to alcoholism	37	74.0
Unequal right on property	37	74.0
Unequal pay for equal work	28	56.0
Force pregnancy	37	74.0
Harassment due to dowry	45	90.0
Humiliation due to cast/ethnic	25	50.0
Sexual harassment	38	76.0
Girls trafficking	41	82.0
Prostitution	21	42.0
All of the above	13	26.0
Others (specify)	8	16.0
Total	50	100.0

Source: Field Survey, 2010.

5.3 Knowledge about Legal Provision

Legal provision means ways of legal treatment if any women to be violated. Women awareness about legal provision can play very important role of control any gender-based violence. If persons are aware about the legal provisions, there will be certainly highest chances of becoming success of antiviolence initiatives. At the time of field survey, some information was derived from respondent about their knowledge on legal provision, which is presented below by different characteristics.

The (Table 5.3) indicates that out of the total respondents, 66 percent respondents reported that there was a gender biased in legislative system in Nepal. The perception of women was differ based on their background characteristics. The majority of respondents belong to Brahmin caste (90%) reported that there was gender biased in legislative system in Nepal. Likewise, higher percent of informal educated women reported gender biased in legislative system in Nepal.

Table 5.3: Perception of gender biased in legislative system by background characteristics of the respondents

Background characteristics	Any biased in Legislative System					
	Yes		No		Total	
	N	%	N	%	N	%
Caste/Ethnicity						
Brahmin/chhetri	20	90.9	2	9.1	22	100.0
Janajati	10	45.5	12	54.5	22	100.0
Dalits			2	100.0	2	100.0
Muslim	3	75.0	1	25.0	4	100.0
Education						
Informal education	8	66.7	4	33.3	12	100.0
Secondary level	25	65.8	13	34.2	38	100.0
Husband education						
Below secondary level	8	47.1	9	52.9	17	100.0
SLC	9	100.0			9	100.0
More than SLC	16	66.7	8	33.3	24	100.0
Religion						
Hindu	25	83.3	5	16.7	30	100.0
Buddhist			8	100.0	8	100.0
Muslim	4	50.0	4	50.0	8	100.0
Christian	4	100.0			4	100.0
Total	33	66.0	17	34.0	50	100.0

Source: Field Survey, 2010.

Table 5.4: Distribution of respondents according to their attitude towards on discrimination in different aspects

Area of discrimination	Number	Percent
In term of property right	13	39.4
Right for citizenship	9	27.3
In traditional rights	13	39.4
All of the above	12	36.4
Others (specify)	4	12.1
Total	33	100.0

Source: Field Survey, 2010.

The respondents thought that violent against women may due to discrimination in term of property right (39.4%), in traditional rights also (39.4%) (Table 5.4).

5.4 Knowledge about Legal Provision for Second Marriage

Nepali cultures has been protecting for second marriage but legally have been avoided. According to the field research, most of the respondents accepted the propose of punishment for husband on the accuse of second marriage. The table 5.5 shows that out of 50 respondents 48 percent agree punishment for second marriage and 44 percent strongly agree. But 8 percent disagree on second marry for man when

he has first wife at home.

Table 5.5: Distribution of respondents according to their opinion on punishment for second marriage for man when he has first wife at home

Background characteristics	Opinion on punishment for second marriage							
	Strongly agree		Agree		Disagree		Total	
	N	%	N	%	N	%	N	%
Caste/Ethnicity								
Brahmin/Chhetri	9	40.9	10	45.5	3	13.6	22	100.0
Janajati	10	45.5	11	50.0	1	4.5	22	100.0
Dalits			2	100.0			2	100.0
Muslim	3	75.0	1	25.0			4	100.0
Education								
Informal education			12	100.0			12	100.0
Secondary level	22	57.9	12	31.6	4	10.5	38	100.0
Husband education								
Below secondary level	5	29.4	8	47.1	4	23.5	17	100.0
SLC	6	66.7	3	33.3			9	100.0
More than SLC	11	45.8	13	54.2			24	100.0
Religion								
Hindu	14	46.7	12	40.0	4	13.3	30	100.0
Buddhist	4	50.0	4	50.0			8	100.0
Muslim			8	100.0			8	100.0
Christian	4	100.0					4	100.0
Total	22	44.0	24	48.0	4	8.0	50	100.0

Source: Field Survey, 2010.

5.5 Knowledge about Sexual Violence

The table 5.6 shows that most of the respondents think sexual violence as rape 84 percent. It is followed by trafficking and forced prostitution 68 percent. Last position is demanding sex regardless of partner's condition 24 percent.

Table 5.6: Distribution of respondents according to the knowledge of sexual violence

Sexual violence includes	Number	Percent
Rape	42	84.0
Marital rape	17	34.0
Demanding sex regardless of partner's condition	12	24.0
Forcing her to perform sex acts	13	26.0
Harassment through language	21	42.0
Trafficking and forced prostitution	34	68.0
Forcing her to watch pornography videos	21	42.0
All of the above	20	40.0
Total	50	100.0

5.6 Knowledge about Dowry Related Violence

The table 5.7 presents the distribution of respondents according to their knowledge about dowry related violence by different characteristics. Out of the 50 respondents 27.3 percent have no knowledge about dowry related violence. According to their husband educational level 23.5 percent have below secondary level have no knowledge about on violence.

Table 5.7: Distribution of respondents according to the knowledge dowry related violence

Background characteristics	Dowry related violence					
	Yes		No		Total	
	N	%	N	%	N	%
Caste/Ethnicity						
Brahmin/chhetri	16	72.7	6	27.3%	22	100.0%
Janajati	20	90.9	2	9.1%	22	100.0%
Dalits	2	100.0			2	100.0%
Muslim	4	100.0			4	100.0%
Education						
Informal education	12	100.0			12	100.0%
Secondary level	30	78.9	8	21.1%	38	100.0%
Husband education						
Below secondary level	13	76.5	4	23.5%	17	100.0%
SLC	7	77.8	2	22.2%	9	100.0%
More than SLC	22	91.7	2	8.3%	24	100.0%
Religion						
Hindu	23	76.7	7	23.3%	30	100.0%
Buddhist	8	100.0			8	100.0%
Muslim	7	87.5	1	12.5%	8	100.0%
Christian	4	100.0			4	100.0%
Total	42	84.0	8	16.0%	50	100.0%

Source: Field Survey, 2010.

5.7 Knowledge about Traditional Abuse

The table 5.8 presents the distribution of respondents according to their knowledge about traditional abuse. Out of the 50 respondents 82.2 percent have accepted polygamy; dowry related violence and untouchability are the major traditional abuse. It is followed by 73.3 percent said accused of witchcraft, 64.4 percent child marriage and 62.2 percent deuki systems are traditional abuse.

Table 5.8: Distribution of respondents according to the knowledge of traditional abuse

Traditional abuse	Number	Percent
Deuki	28	62.2
Badicustoms	12	26.7
Jari	21	46.7
Child marriage	29	64.4
Accused of witchcraft	33	73.3
Polygamy	37	82.2
Dowry related violence	37	82.2
Un touch ability	37	82.2
All of the above	24	53.3
Others (specify)	8	17.8
Total	45	100.0

Source: Field Survey, 2010.

5.8 Causes of Violence Against Women

There are many causes of VAW in Nepal. According to the table 5.9 the main cause of VAW is lack of education and less awareness of women 68 percent. Out of the 50 respondents, 44 percent says economic dependency. It is followed by failure of legislative system 42 percent and alcoholism drug abuse is 34 percent.

Table 5.9: Distribution of respondents according to their opinion about causes of violence

Factors for VAW	Number	Percent
Lack of education and less awareness of women	34	68.0
Failure of legislative system	21	42.0
Alcoholism drug abuse	17	34.0
Economic dependency	22	44.0
All of the above	12	24.0
Others (specify)	16	32.0
Total	50	100.0

Source: Field Survey, 2010.

5.9 Causes of Dowry Related Violence Against Women

The primary reason for dowry related violence against women is due to cultural practices (44%), strong patriarchal values at all structures of the society found in Nepal. It is followed by incapability of women (32%) and poverty and illiteracy (24%) are the major causes of dowry related violence (Table 5.10).

Table 5.10: Distribution of respondents according to their opinion about causes of dowry related violence

Causes	Number	Percent
Due to cultural practice	22	44.0
Incapability of women	16	32.0
Poverty and illiteracy	12	24.0
Total	50	100.0

Source: Field Survey, 2010.

5.10 Causes of Beating and Humiliation Against Women

Table 5.11 shows that 36 percent respondents said causes of beating and humiliation is due to the lack of knowledge and others causes are alcoholism 32 percent and male domination 32 percent.

Table 5.11: Distribution of respondents according to their opinion about causes of beating and humiliation

Causes	Frequency	Percent
Lack of knowledge	18	36.0
Alcoholism	16	32.0
Male domination	16	32.0
Total	50	100.0

Source: Field Survey, 2010.

5.11 Impact of Violence

The major impacts of violence against women were psychological and physical. In this study most of the women (92%) reported that the impact of violence were both physical and physiological. There was variation of the impact of violence based on the background characteristics of women. By caste/ethnicity, the women belongs to Brahmin and Muslim community reported that the impact of violence were both. Women with secondary level of education, reported that the impact of violence were both. Likewise, the husband level of education SLC and above and the women belongs to Hindu, Buddhist and Christian religions have reported both types of impact of violence (Table 5.12).

Table 5.12: Distribution of respondents according to their opinion on effect of violence

Background characteristics	Impact of violence					
	Psychological		Both(Physical +psychological)		Total	
	N	%	N	%	N	%
Caste/Ethnicity						
Brahmin/chhetri			22	100.0	22	100.0
Janajati	3	13.6	19	86.4	22	100.0
Dalits	1	50.0	1	50.0	2	100.0
Muslim			4	100.0	4	100.0
Education						
Informal education	4	33.3	8	66.7	12	100.0
Secondary level			38	100.0	38	100.0
Husband education						
Below secondary level	4	23.5	13	76.5	17	100.0
SLC			9	100.0	9	100.0
More than SLC			24	100.0	24	100.0
Religion						
Hindu			30	100.0	30	100.0
Buddhist			8	100.0	8	100.0
Muslim	4	50.0	4	50.0	8	100.0
Christian			4	100.0	4	100.0
Total	4	8.0	46	92.0	50	100.0

Source: Field Survey, 2010.

Table 5.13: Distribution of respondents according to their opinion on psychological effect of violence

Psychological violence include	Number	Percent
Verbal abuse	38	76.0
Rejection in participation in decision making	29	58.0
False acquisitions	34	68.0
Humiliation in the name of women	16	32.0
Public humiliation	25	50.0
Prolonged silence after arguments	8	16.0
Siding with relations	16	32.0
Sudden abandonment	12	24.0
Taking children away	12	24.0
All of the above	20	40.0
Others (specify)	12	24.0
Total	50	100.0

Source: Field Survey, 2010.

The major types of psychological impacts of violence on women were verbal abuse (76%), false acquisitions (68%), rejection of participation in decision making (58%) and public humiliation (50%) respectively. The women were also suffer from other types psychological violence such as humiliation in the name of the women,

prolonged silence after arguments, siding with relations, sudden abandonment and taking children away. However, the percentage was below 35 (Table 5.13).

CHAPTER SIX

EXPERIENCE AND PREVENTION OF DOMESTIC VIOLENCE AGAINST WOMEN

This chapter deals about the experience of different forms of violence, frequencies of violence act, number of preparatory by relation with volumes effects of violence on the daily and future life. This chapter also deals with prevention of victims according to different characteristics of respondents.

6.1 Experience of Violence

Table 6.1: Distribution of respondents according to their experience of violence

Background characteristics	Ever felt violence being women					
	Yes		No		Total	
	N	%	N	%	N	%
Caste/Ethnicity						
Brahmin/chhetri	14	63.6	8	36.4	22	100.0
Janajati	16	72.7	6	27.3	22	100.0
Dalits	2	100.0			2	100.0
Muslim	1	25.0	3	75.0	4	100.0
Education						
Informal education	8	66.7	4	33.3	12	100.0
Secondary level	25	65.8	13	34.2	38	100.0
Husband education						
Below secondary level	13	76.5	4	23.5	17	100.0
SLC	7	77.8	2	22.2	9	100.0
More than SLC	13	54.2	11	45.8	24	100.0
Religion						
Hindu	20	66.7	10	33.3	30	100.0
Buddhist	4	50.0	4	50.0	8	100.0
Muslim	5	62.5	3	37.5	8	100.0
Christian	4	100.0			4	100.0
Total	33	66.0	17	34.0	50	100.0

Source: Field Survey, 2010.

The women who are the member of constitution assembly were also suffered from violence. Out of the total respondents, 66 percent were ever experience of violence in her life. There was variation on the experience of violence based on background characteristics. All the women's belongs to Dalit community was experience of violence and this percentage was around 73 percent and 64 percent for Janjaties and Brahmin/Chhetri women respectively. There was inverse relationship between level

of education of women and the experience of violence. However, the impact of husband's level of education on the experience of violence was mixed. By religion, Christian and more Hindu women were suffered from violence.

6.2 Types of Violence Experience

Out of the 50 women, 33 women were experience of violence. The major types of violence were torture due to birth of daughter (27.3%) and sexual harassment (24.2%) respectively. likewise other common types of ever experience violence were humiliation due to alcoholism, force to pregnancy and Verbal assault\ curse (Table 6.2).

Table 6.2: Distribution of respondents according to their experience of violence

Types of violence	Number	Percent
Force to pregnancy	4	12.1
Sexual harassment	8	24.2
Humiliation due to alcoholism	4	12.1
Torture due to birth of daughter	9	27.3
Verbal assault\ curse	4	12.1
Others	4	12.1
Total	33	100.0

Source: Field Survey, 2010.

Table 6.3: Frequency of violence events occurs

Frequency	Number	Percent
Daily	8	24.2
Weekly	4	12.1
Monthly	4	12.1
Sometimes	17	51.5
Total	33	100.0

Source: Field Survey, 2010.

To find out, frequency of violence a question was asked to respondents as "How often such types of events occurred?" Among them, majority replied that they are victimized sometimes. It is followed by daily 24.2 percent. Similarly, 12.1 percent told that they are being victimized weekly. Finally, (12.1%) answered that they have tolerated such violence monthly (Table 6.3).

According to field survey, majority of the respondents are victimized by husband. Out of 33 (24.2%) respondents replied that they are victimized by their mother in law (Table 6.4).

Table 6.4: Distribution of respondents victimized by relatives

Relation	Number	Percent
By husband	9	27.3

By mother in law	8	24.2
By brother in law	4	12.1
By other caste	4	12.1
By society	4	12.1
Government	4	12.1
Total	33	100.0

Source: Field Survey, 2010.

6.3 Dowry Rlated Violence Experience

Table 6.5: Distribution of respondents according to their experience of dowry related violence

Background characteristics	Ever felt dowry related violence					
	Yes		No		Total	
	N	%	N	%	N	%
Caste/Ethnicity						
Brahmin/chhetri	3	13.6	19	86.4	22	100.0
Janajati	7	31.8	15	68.2	22	100.0
Dalits	2	100.0			2	100.0
Muslim			4	100.0	4	100.0
Education						
Informal education	4	33.3	8	66.7	12	100.0
Secondary level	8	21.1	30	78.9	38	100.0
Husband education						
Below secondary level	4	23.5	13	76.5	17	100.0
SLC	2	22.2	7	77.8	9	100.0
More than SLC	6	25.0	18	75.0	24	100.0
Religion						
Hindu	3	10.0	27	90.0	30	100.0
Buddhist	4	50.0	4	50.0	8	100.0
Muslim	5	62.5	3	37.5	8	100.0
Christian			4	100.0	4	100.0
Total	12	24.0	38	76.0	50	100.0

Source: Field Survey, 2010.

The table 6.5 presents the distribution of respondents according to their facing themselves dowry related violence by different characteristics. Out of the 50 respondents 24 percent have experience about dowry related violence. According to their husband educational level 25.0 percent have more than SLC level experienced about on violence. Table 6.5 clear shows that there is no significance difference between husband level of education and experience of violence.

6.4 Experience of Traditional Abuse

The table 6.6 presents the distribution of respondents according to their experience on traditional abuse. Out of the 50 respondents 18 percent have experienced on

traditional abuse. It was according to caste ethnicity janajati women experienced higher traditional abuse 36.4 percent than Muslim women (25.0%).

Table 6.6: Distribution of respondents according to their experience of traditional abuse

Background characteristics	Did you ever felt traditional abuse?					
	Yes		No		Total	
	N	%	N	%	N	%
Caste/Ethnicity						
Brahmin/chhetri			22	100.0	22	100.0
Janajati	8	36.4	14	63.6	22	100.0
Dalits			2	100.0	2	100.0
Muslim	1	25.0	3	75.0	4	100.0
Education						
Informal education			12	100.0	12	100.0
Secondary level	9	23.7	29	76.3	38	100.0
Husband education						
Below secondary level	5	29.4	12	70.6	17	100.0
SLC	3	33.3	6	66.7	9	100.0
More than SLC	1	4.2	23	95.8	24	100.0
Religion						
Hindu	5	16.7	25	83.3	30	100.0
Buddhist			8	100.0	8	100.0
Muslim			8	100.0	8	100.0
Christian	4	100.0			4	100.0
Total	9	18.0	41	82.0	50	100.0

Source: Field Survey, 2010.

6.5 Way Out to Prevention for Victim Women

Most of the respondent (60.0%) thought that awareness rising and counseling is needed for the victim women of violence. It was followed that family meditation (34.0%) and victim support program (26.0%) are the major program which are suitable for victim of violence (Table 6.7).

Table 6.7: Distribution of respondents according to their opinion on effect of violence

Types of support for victim	Number	Percent
Awareness rising and counseling	30	60.0
Family meditation	17	34.0
Provision of safe rehabilitation	8	16.0
Victim support program	13	26.0
To give skillful training	8	16.0
To fulfill basic needs	4	8.0
All of the above	12	24.0
Others (specify)	20	40.0
Total	50	100.0

Source: Field Survey, 2010.

6.6 Prevention of Dowry Related Violence

Most of the respondent (36.0%) thought that change social practices are needed for the prevention dowry related of violence. It was followed that empowerment of women (24.0%) and improvement of legal status (24.0%) respectively are the major area of prevention dowry related of violence (Table 6.8).

Table 6.8: Distribution of respondents according to their opinion on prevention from dowry related violence

Prevention by	Number	Percent
Change social practices	18	36.0
Empowerment of women	12	24.0
Economic ownership	4	8.0
Improvement of legal status	12	24.0
Unity of women	4	8.0
Total	50	100.0

Source: Field Survey, 2010.

6.7 Prevention from Traditional Abuse

Table 6.9: Distribution of respondents according to their opinion on prevention from traditional abuse

Prevention by	Number	Percent
Parental property rights	13	26.0
Education	29	58.0
Social awareness	4	8.0
Empowering law	4	8.0
Total	50	100.0

Source: Field Survey, 2010.

Traditionally women are dominated by male in every sector of society. It is not only solved by short term solution due to deep rooted cause. Some preventive measures suggest by respondent which are education (58.0%) and parental property rights (26.0%). Others are social awareness (8.0%) and empowering law (8.0%) is needed to strength for prevention from traditional abuse (Table 6.9).

6.8 Suggestions of Respondents

Domestic violence is a reality for many women in the context of Nepali culture. The lack of infrastructural and legal protection mechanisms has led to failure to address domestic violence. Home is not a safe place for many women, there is complete

failure of state mechanism. At this condition women have become more vulnerable to violence so respondents have suggest some suggestion which are violence should be ended (36.0%), awareness and knowledge about the importance of women (24.0%) are equal and implementation of law (16.0%) (Table 6.10).

Table 6.10: Distribution of respondents according to their suggestions

Suggestion	Number	Percent
Violence should be ended	18	36.0
Awareness	12	24.0
Implementation of law	8	16.0
Knowledge about the importance of women	12	24.0
Total	50	100.0

Source: Field Survey, 2010.

CHAPTER SEVEN

SUMMARY, CONCLUSION AND RECOMMENDATIONS

The Constitution Assembly was selected for the study. This study includes the women CA member for different caste ethnic groups without considering their political affiliation. So, the study was represents the women's perception who have participated for the formation of new constitution for new Nepal, on domestic violence against women in Nepal. Being a patriarchal society in Nepal, women are obliged to bear such kinds of harmful behavior because of their sex. Our social norms values, custom and discriminator law directed the lives of women as second citizens.

According to the census 2001, out of total population, more than half population covered by women. Being human there should be equal rights among them. But women are treated as "Body machine" or "second class citizen". And their duties considered only in unproductive or household work like cooking food, washing clothes, cleaning pots and cutting grass etc. It can lead them to become far from the mainstreaming of the nations, which can stop the overall development process of the society or nation.

7.1 Major Findings of Research

The major objective of this study is to find out the knowledge and understanding of the true nature of violence against women in female constituent assembly members', identify the reasons of violence against women and suggest the future strategies in order to stop any forms of violence against women.

Major findings are majority of the respondents practice Hinduism (60.0%). Among the total respondents most of the respondent were Brahmin/Chhetri (44%) and Janajati (44%). According to mother tongue, 46 percent respondents have Nepali language. Among the total respondents, 38 percent respondents were engaged in agriculture occupation before the constituent assembly member. Among the 50 respondents 40 percent had land ownership and majority of them 60 percent had no land ownership. According to education status most of the respondents getting formal education (84%) and out of 50 respondents 48 percent respondent's husbands

maintained above SLC level.

The knowledge about violence against women was universal for the study population. Majority of the respondents have got information from newspaper (68%). It was followed by Radio (52%) and TV (50%) respectively. Out of 50 respondents, 90.0 percent of respondents thought that VAW is harassment due to dowry. Out of the total respondents, 66 percent respondents reported that there was a gender biased in legislative system in Nepal. Most of the respondents accepted the propose of punishment for husband on the accuse of second marriage. Most of the respondents think sexual violence as rape 84 percent. It is followed by trafficking and forced prostitution 68 percent. Out of the 50 respondents 27.3 percent have no knowledge about dowry related violence. Out of the 50 respondents 82.2 percent have accepted polygamy; dowry related violence and untouchability are the major traditional abuse. Main cause of VAW is lack of education and less awareness of women 68 percent.

Dowry related violence against women is due to cultural practices (44%), strong patriarchal values at all structures of the society found in Nepal. Causes of beating and humiliation are due to the lack of knowledge 36 percent and others causes are alcoholism 32 percent and male domination 32 percent. Women (92%) reported that the impact of violence were both physical and physiological. Major types of psychological impacts of violence on women were verbal abuse (76%), false acquisitions (68%), rejection of participation in decision making (58%) and public humiliation (50%) respectively.

Women who are the member of constitution assembly were also suffered from violence. Out of the total respondents, 66 percent were ever experience of violence in her life. Out of the 50 women, 33 women were experience of violence. The major types of violence were torture due to birth of daughter (27.3%) and sexual harassment (24.2%) respectively. Majority replied that they are victimized sometimes. It is followed by daily 24.2 percent. Most of them are victimized by husband. Most of the respondent (36.0%) thought that change social practices are needed for the prevention dowry related of violence. Traditionally women are dominated by male in every sector of society. Some preventive measures suggest by respondent which are education (58.0%) and parental property rights (26.0%). Domestic violence is a reality

for many women in the context of Nepali culture. So some suggestions suggest by respondents which is violence should be ended (36.0%), awareness and knowledge about the importance of women (24.0%) should be increase equal and implementation of law (16.0%) should be improved properly.

7.2 Conclusions

The research design was explorative and it aims to study the perceptions' on VAW female Constituent Assembly members' and both quantitative and qualitative methods are used in the research. The research found that the violence was prevalent among respondents. Domestic violence against women is high due to lack of awareness, low socio-economic status, discriminatory law and traditional norms and values.

In our society, deep-rooted conservative religious value and norms are existing, which keeps woman always inferiors to male. In study population, it is found that because of rigid and conservative cultural value and norms women have compelled to face such harmful act. The study found that out of fact that women from the marginalized group illiterate/ low income are more violated. So, overall empowerment and awareness is needed in the study area.

The prevalence of the child marriage is commonly found in the study area which is consider as the major barrier to build future career women and it make them of dependence to their male counterparts in several aspects which can leads VAW.

Efficiency of legal provision and mechanism also can play vital role to control VAW but majority of the respondents of the study area are not satisfying about the efficiency of existing legal provision and mechanism and they are not much hopeful to get justice, so majority of women keep secret domestic violence related problems.

7.3 Recommendations

With the analysis of the data obtained from the field study and conclusion made some suggestion for mitigating domestic, violence against women in Nepal. Thus, suggestion will help the policy makers and programmed managers who are working for women either in governmental or non-governmental level, to make their programs effective.

a. Creating Awareness and Empowering Women

In the research, it was found that the violence was due to lack of awareness. The women in the study area are mostly illiterate, due to lack of education and awareness, they cannot protest the violence against the, so, from gross root level women should be aware and empowered in every sector.

b. Men and Women should be Involved In Training and Income Generating Resources

Our society has patriarchy norms mostly men are involved in income generating work and it can lead to women dependence on men. Due to economic dependency male can victimize female. If women were involved in training and income generating resources, not only help in engaging them in generating income but also empowers them.

c. Discriminatory Law should be Corrected

Still higher proportions of women are experiencing gender-based violence due to discriminatory and ineffective legal provision. So legal reformation process should be adopted. Also there is necessary to amend all law which is based on gender discrimination.

d. Special Programmes Should be Launched

Prevalence of Violence incidence are found highly among the marginalized groups of society. Poorest and illiterate group. So there is necessary to implement special programmes to improve overall quality of life of such groups with focusing the women.

e. Preparatory should be Discourage/ Punished

Maximum cases of VAW are kept secret because of fear of further action's of preparatory and no hope of getting justice or proper legal treatment, so effective legal mechanism should be made to punish preparatory in order to discourage the preparatory .

f. Media should be Involved

To increase awareness and information Radio, Television and print media can play a vital role, so by making suitable programmes and broadcasting will be preferred at the national and regional or local level.

g. NGO, INGO And Private Sector should be Included

To control DVAW, only government sector is not enough. Various organizations

NGO, INGO and private sector also should be involved to control gender-based violence. If all sector work seriously, then only people can be aware and programme will be effective.

System of Social Respect should be Developed Towards Women

In 20th century, also women are treated as a second-class citizen. It has happened due to traditional superstition attitude towards women. So there should be change such kinds of norms and values and social respect towards women should be developed.

h. Alcohol should be Banned

The local homemade alcohol is easily available in study area. In many incidents, the perpetrator has drunk alcohol. So alcohol should be strictly banned to control DVAW.

i. Suggestion from Respondents

Empower Women Socially,

- By developing strong women networks
- By ensuring women's equal participation in and equal access to services
- By raising awareness of men, regarding women's rights and the plight of women
- By providing basic education to women
- By supporting women to re-marry if they lost their husband due to the armed conflict

Empower Women Economically,

- By providing advanced levels of skill-based training programs
- By promoting saving and credit groups

Empowered Women Socially,

- By implanting rules and laws to ensure the equal participation of women in political activities
- By supporting the establishment of political activities
- By raising awareness on the political rights of women

REFERENCE CITED

- Acharya, T.R. (1997). *Chanakya Niti Darpan*. Banarasi : Durga Sahitya Bhandar.
- Acharya, B. (1994). *Ramayan*. Kathmandu: Pashupat Yantralaya.
- Acharya, T.R. (1997). *Chanakya Niti Darpan*. Banarasi: Durga Sahitya Bhandar.
- Adhikari, K.P. and B.K. Mabuhang. (2004). *Baseline Survey on Domestic Violence Against Women in Banke*. Kathmandu: CDPS, Kirtipur.
- Adhikari, K. P. (2004). "Issues on Violence Against Women", *Population Magazine, Vol. II, 2004*. Kathmandu: CDPS.
- Bidari, Pramila. (2004). *Domestic Violence Against Women, A Study in Scatter Settlement in Kathmandu 2004*, Unpublished Dissertation Submitted to Central Department of Population Studies T.U, Kirtipur.
- Central Bureau of Statistics (CBS). (2001). *Report a Situation of women*. Kathmandu: CBS.
- Central Department of Population Studies (CDPS). (2002). *Text for population and social Justice* . Kathmandu: Tribhuvan University.
- Chalise, C. P. *Nepali Samchhipta Bharat*. Kathmandu: Nepali Bhasa Prakashini Samiti.
- Johns Hopkins University (JHU). (1999). *Population Reports, Services L., No. 11*. USA: The Johns Hopkins University, School of Public Health.
- Joint Initiative Against Trafficking (JIT). (2002). *Stocktaking of Existing Research and Data on Trafficking in Girls and Women*. Kathmandu: Beyond Trafficking. A Joint initiative in the Millenium Against Trafficking in Girls and Women (JIT).

- Johson, M. G. (1998). *Universal Declaration of Human Rights, A History of its Creation, and Implementation 1948-1998*. France: UNESCO.
- Nepal Human Right Commission (NHRC). (2001). "Trafficking in Person Especially on Women and Children": National Report, 2005.
- SAATHI. (1997). SAATHI and The Asia Foundation: *A Situation Analysis of Violence Against women and Girls in Nepal*, Kathmandu Prepared by SAATHI, In Collaboration with the Asia Foundation.
- SAATHI. (2001). *A study on the Psycho-social Impacts of Vidence Against Women and Girls with Special Focus on Rape, Incest and Polygamy*. Nepal, Kathmandu.
- Subedi, P. (1997). *Nepali Women Rising*. Kathmandu: Sahayogi Press.
- Tripathy, P.C. (1998). *Crime Against Working Women*. New Delhi: APH Publishing Corporation.
- United Nation Fund For Population Activities (UNFPA). (2000). *The State of World Population, 2000*. New York.
- United Nation Fund For Population Activities (UNFPA). (2005). *The State of World Population, 2005* New York.
- United Nations (UN), 1994, *Programme of Action, Adoped at the Internation Conference on Population and Development*. USA: United Nations.
- United Nations International Children's Educational Fund (UNICEF). (2001). *Collective Action Toward Gender Equality*. Kathmandu: Regional Office of South Asia, UNICEF.
- United Nations Fund for Population Actives (UNFPA). (2002). *The State of World Population, 2002*. New York.

United Nations Fund for Population Actives (UNFPA). (2003). *The State of World Population, 2003*. New York.

United Nations Fund for Population Actives (UNFPA). (2005). *The State of World Population, 2005*. New York.

United Nations Fund for Population Actives (UNFPA). (2005). *The State Of World Population*. New York: UNFPA.

United Nations(UN). (1995). *Report of the Forth World Conference on Women*. Beijing: UN.

World Health Organization (WHO). (2000). *Women of South- East Asia: A Health Profile* (New Delhi: Regional Office for South East Asia).

World Health Organization (WHO). (2000). “Women of South-East Asia”: *A Health Profile* (New Delhi, Regional Office for South East Asia).

World Health Organization (WHO). (2003). *Violence Against Women*. Geneva: World Health Organization.

TRIBHUVAN UNIVERSTY

Central Department of Population Studies, Kirtipur

Master Degree (M.A) in Population Studies

"Female Constituent Assembly Members' Perceptions on Violence Against Women"

Section 1: Personal Identification of the respondent

1. Name

2. District

3. Cast/Ethnicity

Chhetri	1	Kami	8
Brahmi Hill	2	Yadav	10
Magar	3	Gurung	11
Tharu	4	Damai	12
Tamang	5	Limbu	13
Newar	6	Others (Specify)	14
Muslim	7		

4. Which religion do you follow?

Hindu	1
Buddhist	2
Islam	3
Christian	4
Others (specify)	5

5. What is your mother tongue?

Nepali	1
Maithili	2
Bhojpuri	3
Tharu	4
Tamang	5
Newar	6
Magar	7
Awadhi	8

Bantawa	9
Gurung	10
Limbu	11
Others (specify)	12
6. Can you read and write?	
Yes	1
No	2
7. If yes, from where did you learn?	
School	1
Non-formal classes	2
At home	3
Others (specify)	4
8. Which level have you completed?	
Below grade 1	0
Grade 1: completed	1
Grade 2: completed	2
:	
:	
:	
Grade 9: completed	9
Completed S.L.C.	10
10+2, I.A.	11
B.A. or above	15
9. What was your major occupation before being a constituent Assembly Member?	
Agriculture	1
Cottage industries	2
Service	3
Business	4

Daily wages (agriculture)	5
Daily wages (non-agriculture)	6
Physically unable to work	7
Student	8
Others (specify)	9
Don't know	10
10. Have you got ownership of your any own land property?	
Yes	1
No	2
11. Is yes, how much land do you have?	
Acre	1
Ropni, Ana, Paisa,	2
Bigaha, kattha, Dhur	3
Muri	4
Others (specify)	5
12 What is your marital status?	
Married	1
Widow	2
Divorced	3
Separated	4
Unmarried	5
Not stated	6
13. Is you husband literate?	
Yes	1
No	2
14. If yes, what is his academic qualification?	
Below grade 1	0
Grade 1: completed	1
Grade 2: completed	2
:	

:	
Grade9: completed	9
Completed S.L.C.	10
10+2, I.A.	12
B.A. or above	15

15. What is your husband's occupation?

Agriculture	1
Cottage industries	2
Service	3
Business	4
Daily wages (agriculture)	5
Daily wages (non-agriculture)	6
Physically unable to work	7
Student	8
Others (specify)	9
Don't know	10

Section-Perception on Violence Against Women (VAW)

1. Have you ever heard about VAW?

Yes	1
No	2

2. If yes, from what source have you heard about VAW?

By friends	1
By radio	2
By TV	3
By newspaper	4
NGOs /GOs/ INGOs	5
By family members	6
Others (specify)	7

3. Which of the following you think is a VAW?

Yes No

Violence act due to alcoholism	1	2
Unequal right on property	1	2
Unequal pay for equal work	1	2
Force pregnancy	1	2
Harassment due to dowry	1	2
Humiliation due to cast/ethnic	1	2
Sexual harassment	1	2
Girls trafficking	1	2
Prostitution	1	2
All of the above	1	2
Others (specify)	1	2
4. Do you feel any biased ness between male and female in legislative system of Nepal?		
Yes		1
No		2
5. If yes, which of the following sector is biased?		
In term of property right		1
In marital family life		2
Right for citizenship		3
In traditional rights		4
All of the above		5
6. Is a man legally allowed to marry second wife when he has first wife at home?		
Yes		1
No		2
7. Do you agree, if a man marry second wife when he has first wife at home, the first wife should report this to concerned authority for the proper justification?		

Strongly agree	1
Agree	2
Disagree	3
Don't know	4

8. If agree why do you agree? Give reason.

.....

9. If disagree, why do you disagree? Give reason.

.....

10. What are the factors responsible for VAW?

Lack of education and less awareness of women	1
Failure of legislative system	2
Alcoholism drug abuse	3
Economic dependency	4
All of the above	5
Others (specify)	6

11. What are the effects due to violence?

Psychological	1
Physical	2
Both	3

12. In your opinion, what are the psychological violence?

Verbal abuse	1
Rejection in participation in decision making	2
False acquisitions	3
Humiliation in the name of women	4
Public humiliation	5
Prolonged silence after arguments	6
Siding with relations	7

Sudden abandonment	8
Taking children away	9
All of the above	10
Others (specify)	11
13. Have you ever heard about sexual violence?	
Yes	1
No	2
14. If yes, which of the following you think as sexual violence?	
Rape	1
Marital rape	2
Demanding sex regardless of partner's condition	3
Forcing her to perform sex acts	4
Harassment through language	5
Trafficking and forced prostitution	6
Forcing her to watch pornography videos	7
All of the above	8
Others (specify)	9
15. In your opinion, what kind of support is needed for the victim women of violence?	
Awareness rising and counseling	1
Family meditation	2
Provision of safe rehabilitation	3
Victim support programme	4
To fulfill basic needs	6
All of the above	7
Others (specify)	8
16. Do you know about dowry related violence?	
Yes	1
No	2

17. If yes, by which source do you heard it?

- Media 1
- Family 2
- Society 3
- All of the above 4
- Others (specify)

18. What are the causes of dowry related violence?

.....
.....
.....

19. In which cast's women are more victimized by dowry related violence?

.....
.....
.....

20. In your opinion, what should be done to wipeout dowry related violence?

.....
.....
.....

21. Do you know about traditional abuse?

- Yes 1
- No 2

22. If yes which of the following are the traditional abuse?

- Deuki 1
- Badicustoms 2
- Jari 3
- Child marriage 4
- Accused of witchcraft 5
- Polygamy 6
- Dowry related violence 7
- Un touch ability 8

All of the above	9
Others (specify)	10

23. In your opinion, what should be done to wipeout traditional abuse?

24. Have you seen a daughter in her school going age being forced to marry?

Yes	1
No	2

25. Have you seen a woman being neglected or beater for not bringing along dowry?

Yes	1
No	2

26. Have you seen a woman being neglected or humiliated by her family for giving birth only to girl children?

Yes	1
No	2

27. In your opinion, what are the causes for violence such as beating and humiliation within family?

.....

28. In your opinion, what are the causes for violence such as beating and humiliation in society?

.....

29. What do you think that you need to do yourself to help the people who have faced violence such as beatings and humiliations?

.....

.....

30 Have you seen a women accused as witch being beaten or humiliated?		
Yes		1
No		2
31. By whom she was accused?		
Husband		1
Other's family member		2
Society		3
Others (specify)		4
32. Have you seen a women attempt to commit suicide after not being able to tolerate injustice and humiliation?		
Yes		1
No		2
33. In your opinion, media would help to reduce violence?		
Yes		1
No		2
34. Which mass media is effective to reduce violence?		
TV		1
FM radio		2
Radio Nepal		3
News paper		4
All of the above		5
Others (specify)		6
35. Do you blame on culture and religion for violence against women?		
Yes		1
No		2
36. If yes, how and what they are?		

36. What are the causes prohibiting women from reporting incidence of violence against them?	
Ignorance and lack of education	1
Social pressure	2
Economic dependency	3
Male domination	4
Culture and tradition	5
Lack of trust in getting justice	6
No support system	7
Negative attitudes of concerned authority	8
All of the above	9
Others (specify)	10

37. In your opinion, what would be the possible solution by state to prevent VAW?

38. Women should have opportunities equal to men to hold positions of leadership.

Strongly agree	1
Somewhat agree	2
Disagree	3
Don't know	4

Section-Experience of violence

1. Have you ever felt violence being women?	
Yes	1
No	2
2. If yes, which of the following action do you have felt?	
Force to pregnancy	1
Sexual harassment	2
Humiliation due to alcoholism	3
Torture due to birth of daughter	4
Verbal assault\ curse	5

Accused as witch	6
All of the above	7
Others (specify)	8
3. How often such type of violence events occurs?	
Daily	1
Weekly	2
Monthly	3
Sometimes	4
4. By whom often you have to victimize?	
By husband	1
By mother in law	2
By brother in law	3
By sister in law	4
By step wife	5
By other cast\ ethnic	6
By society	7
All of the above	8
By others (specify)	9
5. If husband victimized when does he get violent against you?	
Alcohol abuse	1
Gambling	2
Tension	3
Household work	4
Others (specify)	5
6. How does your husband show violent behavior?	
Physical	1
Psychological	2
All of the above	3
Others (specify)	4
7. If physical what type of weapons he use?	
Wood stick	1
Hands and legs	2
Other s (specify)	3
8. If psychological what types of activities he show?	

- | | |
|-----------------------------------------------|---|
| Verbal abuse | 1 |
| Rejection in participation in decision making | 2 |
| False acquisitions | 3 |
| Insulting words | 4 |
| Public humiliation | 5 |
| Prolonged silence after arguments | 6 |
| All of the above | 7 |
| Others (specify) | 8 |
9. If others person, how does he\she show violent behavior?
10. Do you keep such incidence secrete or share with others and report else where ?
- | | |
|----------------|---|
| Kept secret | 1 |
| Share / Report | 2 |
11. If you share, with whom?
- | | |
|------------------|---|
| Family member | 1 |
| Relation | 2 |
| Friends | 3 |
| All of the above | 4 |
| Others specify | 5 |
12. What did they react?
- | | |
|---------------------------------|---|
| Responed and helped with action | 1 |
| Ignored | 2 |
13. If you kept secret, why? Give reason.
14. If you saw act of VAW then what did you react?
- | | |
|--------------------|---|
| Covinned them | 1 |
| Reported to others | 2 |
| Ignored | 3 |
15. Have you felt dowry related violence?
- | | |
|-----|---|
| Yes | 1 |
| No | 2 |
16. If yes, did you bring?

Yes	1
No	2
17. How much dowry did you bring from your mother's house? (In NRS)	
18. Did you felt sexual violence?	
Yes	1
No	2
19. If yes, which of the following you felt as sexual violence?	
Rape	1
Marital rape	2
Demanding sex regardless of partner's condition	3
Forcing to perform sex acts	4
Forcing to watch pornography videos	5
Harassment through language	6
Trafficking and forced prostitution	7
All of the above	8
Others (specify)	9
20. Does your family consult you for almost all important economic decision?	
Yes	1
Sometimes	2
No	3
No opinion	4
21. Did you felt traditional abuse?	
Yes	1
No	2
22. If yes, which of the following you felt as traditional violence?	
Deuki	1
Badi customs	2
Jari	3
Child marriage	4
Accused of witch craft	5
Polygamy	6

Untouchables	7
All of the above	8
Others (specify)	9

23. Do you think VAW should be included in school\ campus curriculum?

Yes	1
No	2

24. Do you have any other suggestions besides in above all?

.....

