



Joshi, Dr. Sunil Kumar. (2008, May 22). Violence Against Women in Nepal -- An Overview *The Free Library*. (2008). Retrieved November 30, 2008 from [http://www.thefreelibrary.com/Violence Against Women in Nepal -- An Overview-a01073875052](http://www.thefreelibrary.com/Violence+Against+Women+in+Nepal+--+An+Overview-a01073875052)

## Violence against Women in Nepal -- An Overview

Dr. Sunil Kumar Joshi <sup>1</sup>, Jagannath Kharel <sup>2</sup>

---

<sup>1</sup> Member, International Network on Research on Violence against Women  
Mentee, Mentor VIP (violence, injury prevention and disability), WHO, Geneva  
Asst. Professor of Community Medicine, KMC, Sinamangal

<sup>2</sup> Freelance Social Scientist and Researcher

Contact Email: [drsunkkj@gmail.com](mailto:drsunkkj@gmail.com), [jnkharel@gmail.com](mailto:jnkharel@gmail.com)

Copyright (c) 2008 Free Online Library

---

### Abstract

*Historically, violence against women and girls (VAW&G) has been in existence and a widespread in Nepali society but still unreported problem in Nepal. Data on the issue is hard to come by as there are very few studies done on the subject. Violence against women (VAW) has started being openly discussed and addressed only in the last decade. The lens of looking at women has changed significantly that shifted from being child bearers and providers of health care in the 60's and 70's to a slow realization of their critical productive role in rural economy in the 80's, and to the recognition of women as citizens in need of equal legal and political rights in the 90's. Without comprehensive, carefully documented research on violence against women, it is impossible to know whether women are experiencing more violence in some countries than in others, or whether they are reporting it more often. In the absence of proper research, it is difficult to compare and assess the scope of violence as well as the effectiveness of programmes to end it. With research, advocates can better understand obstacles and develop appropriate methods for combating them. Research can motivate government and civil society to take action once the extent of a problem is proven.*

The eyes of the whole world kept wide opened when they knew about the deed of a 73 years old father in Amstetten, Austria, who kept her daughter in captivity for 24 years in a windowless cell, raped her and fathered her seven children. This is most probably the worst case of reported domestic violence against women in the modern world. Domestic violence has been found to be a serious problem in

every country where the problem has been studied. Historically, violence against women and girls (VAW&G) has been in existence and a widespread in Nepali society but still unreported problem in Nepal. Data on the issue is hard to come by as there are very few studies done on the subject. Violence against women (VAW) has started being openly discussed and addressed only in the last

Joshi, Dr. Sunil Kumar. (2008, May 22). Violence Against Women in Nepal -- An Overview *The Free Library*. (2008). Retrieved November 30, 2008 from [http://www.thefreelibrary.com/Violence Against Women in Nepal -- An Overview-a01073875052](http://www.thefreelibrary.com/Violence+Against+Women+in+Nepal+--+An+Overview-a01073875052)

decade. The lens of looking at women has changed significantly that shifted from being child bearers and providers of health care in the 60's and 70's to a slow realization of their critical productive role in rural economy in the 80's, and to the recognition of women as citizens in need of equal legal and political rights in the 90's. The reluctance to amend discriminatory laws or formulate new ones is also influenced by socialization process which continues to be reinforced by lawmakers giving excuses like "the social structure will breakdown", "Infidelity will increase", "Women cannot handle economic matters", "Giving women rights will create disharmony in society and families". All these factors and many more have contributed towards the filtering of these socio-cultural values from one generation to another. When we scratch beneath the surface of violence against women, we can find it as a result of unequal power structure with mostly men exercising their might based on a hierarchy of power having the right to speak. Studies have shown that their frustration often comes out on their weaker counterparts (women, girls and other men) making their own rules at home and in the society. Their denial to human feelings and emotion explode on women and girls by creating fears and insecurity among them in relation to social economic power of male members in their family. This is why men are angrier and prefer to act more dominant role.

Violence against women was not explicitly declared as infringe on their human rights until the 1993 UN World Conference on Human Rights. The World Health Organization stated that at least one in five women is physically or sexually abused by a man at some time

of her life; and research suggests that up to a third of all women are more at risk from their husband, fathers, neighbours or colleagues than from the strangers.<sup>1</sup> VAW has come to be recognized as a legitimate human rights issue and as a significant threat to women's health and wellbeing.<sup>2</sup> Violence against women is now clearly recognized as a priority for international attention. In 1993, the United Nations Assembly adopted the Declaration on the Elimination of Violence against Women. The general taboo of not accepting this form of violence was related to strong patriarchal society and limited freedom of expression of such social evils. It has therefore been openly discussed as the most common form of gender based violence is domestic violence. Violence against women and girls continues to be a global epidemic that kills, tortures, and maims physically, psychologically, sexually and economically. It is one of the most pervasive of human rights violations, denying women and girl's equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms.

Violence against women is present in every country, cutting across boundaries of culture, class, education, income, ethnicity and age. Even though most societies proscribe violence against women, the reality is that violations against women's human rights are often sanctioned under the garb of cultural practices and norms, or through misinterpretation of religious tenets. Moreover, when the violation takes place within the home, as is very often the case, the abuse is effectively condoned by the tacit silence and the passivity displayed by the state and the law-enforcing machinery.<sup>3</sup>

Across the world, violence against women is recognized as a symptom of unequal power relations between men and women. Socially and culturally determined gender norms perpetuate gender hierarchies and are embedded in structures such as the family and the community. Violence against women is actually violence against mothers, sisters, wives, daughters and daughter-in-laws. The woman is the most abused object which stems from the home. The domestic violence against women has its rural and urban dimensions. Various studies revealed the fact that a higher level of domestic violence against women exists in the urban and highly educated families. Gratuitous and persistent violence against women has been largely overlooked by Nepali culture in the name of keeping a woman in her place", to obstruct her right to speak, to make decisions and to control her sexuality.

The Nepal Human Development Report 2004 also reinforces domestic violence to be a grave and unaddressed problem. Most perpetrators of domestic violence escape persecution under the Nepali criminal justice system. Though the National Human Rights Commission works on the issue, other human rights concerns in this war-torn country take precedence. Domestic Violence in Nepal, a study conducted by Minnesota Advocates for Human Rights revealed that in Nepal, violence against women frequently takes the form of verbal harassment and emotional abuse in addition to physical violence. In the opinion of several women's human rights advocates, psychological abuse (often described as "mental torture") is more pervasive than purely physical abuse. Many Nepalese women being interviewed by the delegation

emphasized that the extended family structure frequently fosters abuse by persons other than the husband. Therefore, to accurately capture the experience of Nepali women, the delegation documented both psychological abuse and abuse perpetrated by members of the extended family<sup>4</sup>.

A Report on Violence by Amnesty International (2001) has also reported that women have been the victim of mental and physical abuse, rape and other human rights violations by both Maoists and government security forces. Population Briefs, a newsletter of the Population Council (September 2005), reports a high level of physical abuse in homes among pregnant women in Nepal. A survey by a Kathmandu-based NGO CWIN found a majority of children who run away from home do so because of violence within them. And, a media monitoring team, National Network against Girl Trafficking has confirmed an increase in the cases of domestic violence in 2004. A situation of violence against women and girls in South East Asia by Hayward & Finney in 2000 has presented gender based violence as a violation of women's rights. The South East Asian region has one of the highest incidences of gender based violence in the world.

Domestic violence against women (DVAW), by its nature may not be seen in isolation in Nepalese society where the neglect and abuse of females is the routine of the day in almost all families and communities. Recognizing the need of awareness about it, women rights activist organizations are bringing this issue in the forefront by initiating advocacy work against DVAW. A health profile on women of South East Asia

(2000) mentions the various evidence based studies of different countries regarding domestic violence. The maternal mortality study conducted by Family Health (1998), revealed that higher suicide rate among women of reproductive age group. Another report from Nepal reported that maternal mortality accounts for the highest number of women's deaths each year, followed by suicide. Almost five hundred cases of suicide were reported to Nepal police in 2003-2004 (Asia foundation, 2004). The census recorded half million women living in polygamous marriages (DFID), and other studies have shown that polygamy is a serious cause of depression for women in Nepal (SAATHI 2001).

A research done in 2000 by a non-government organization SAATHI revealed that 66 per cent of the women in the country endure verbal abuse, 33 per cent emotional abuse, and in all cases 77 per cent of the perpetrators were the family members. Fifty eight percent of women who suffered domestic violence confirmed daily abuse. In a situation analysis conducted by SAATHI in 1997 on violence against women in Nepal revealed that 93% were exposed to mental and emotional torture, 82% were beaten, 30% were raped, 28% were forced into prostitution, and 64% reported polygamy.<sup>5</sup> Similarly, Deuba & Rana in 2005<sup>6</sup> mentioned that domestic violence has been reported to result in high maternal death, preterm birth and high prenatal mortality, abortion, miscarriage and impact on long term health of women. A study conducted by them among 300 mothers of hospital deliveries and 50 mothers who delivered in the communities showed that domestic violence was a frequent phenomenon during pregnancy.

Most frequent types of injuries included black eye, bruises, sprains and face injuries as a result of hitting, slapping, kicking, pulling hair, burning with cigarette etc. Verbal abuse, neglect and deprivation also resulted in emotional distress of the pregnant women. Some 42% of women reported forced sexual intercourse during pregnancy. They asked the trained attendants, auxiliary nurse midwives and obstetricians regarding the most common complications observed with these victims of violence during pregnancy. These findings show that violence against women is prevalent and often results in severe physical and psychological ill health to the pregnant women and children. Women are thus denied the most fundamental of Human Rights: namely life, liberty, bodily integrity and dignity of the person. All these socio-cultural factors are seen as laying a strong foundation for the existence and continuity of violence against women in Nepal.

Social, cultural, economic and religious factors reiterate male dominance and allow systematic discrimination and violence to pervade women's lives. Nepal has one of the highest indices of son preference in the world. A study done by Adhikari and Dahal in 2004) in Banke district among 235 women and adolescent girls revealed that overwhelming majority of the women reported that they were often abused with verbal curse, followed by mental torture (85.2) and harassments because they only gave birth to daughters. Reasons behind underreporting are to save family prestige, and privacy, fear of husband and mother in-law, love and affection with husband and family members, fear of breaking family relation, fear of social traditional and

socio-cultural values, fear of further beating, physically assault, marginalization, uncertainty of justice, lack of faith in justice and support of other.

Lack of infrastructural and legal protection mechanisms have led to further increase in domestic violence. Home is no more a safe place for women, yet women have no other choice than to stay at home with the perpetrator. Out of the so far, 60 percent are cases of domestic violence and 72 percent of the women facing domestic violence live with their husbands or in-laws where they face violence. In Nepal, 11 per cent of younger men (below age 30) and 8 per cent of men (aged 30-39 years) justified wife-beating for refusing sex. Men use threats of abandonment, seeking sexual gratification elsewhere, remarriage and quarrel to force sex upon wives early in marriage<sup>7</sup>. As a result, for most present generation women, married life means depression, mental torture, self immolation; bride burning for dowry demand.<sup>8</sup>

The forms of violence that women encounter differ according to changes in socio-cultural practices, educational background and others. For example, dowry-death was not seen in the past but it is prevalent in the Terai (the plain region of Nepal along the border of India) which can be assumed as the influence of Indian culture. Likewise, Chhaupadi (a tradition to isolate a woman by keeping her in a shed like unhygienic room with no ventilation or window for at least 4-7 days during her menstruation period) is practiced in Far Western Region of Nepal. Similarly, in 2003, Central Women Legal Aid Committee (CWLAC) recorded 251 cases of domestic violence, 9 cases of

rape, 3 cases of trafficking, 1 case of abortion, and 14 cases of others; while 386 victim women were delivered legal advice by the helpline of CWLAC.

As in many other countries, the laws relating to violence against women in Nepal is also neither adequate nor human right sensitive to redress the problems. In the Ninth Five Year Plan, the issue of legal provisions to ensure women's rights and institutional legal provision to prevent Violence against women, especially domestic violence was raised. Although the Constitution does not allow discrimination based on sex, caste, creed or colour there are more than 150 discriminatory provisions against women in the forms of denial access to and control over resources, restricted mobility, low representation in decision-making positions in civil services, politics and public sectors, lack of opportunities for advancement and the attendant problems resulting in longer working hours, illiteracy, poor health, high maternal mortality rates, increasing number of trafficking of women and girls, violence against women and girls, witch-hunting and so on.<sup>9</sup>

Many cases are found where perpetrators of domestic violence escape persecution due to ineffective criminal law of Nepal. Also, by law men are the sole inheritors of property. Wife battering is covered by general physical assault legislation. It is only punishable but depending on the nature, effects of the assault and the weapon used. But there is no provision of punishment for mental torture and verbal abuse.<sup>10</sup> 11th amendment in the law in 2002 did broaden women's property rights but they cannot still sell, rent or otherwise transfer property without the consent of her spouse and sons.

Little or no access to land restricts women's ability to obtain credit, be financially independent and move out of violent relationships and homes.<sup>11</sup> With the continuous efforts and pressure of women's right activists and other civil society institutions, the government has passed a Domestic Violence (Crime and Punishment) Bill 2058 in the year 2002, realizing the need of comprehensive, effective and human right sensitive law but that bill has not seriously act due to the political instability. The latest amendment 2002 has brought a landmark provision relating to equal rights to women and guarantees women's human rights. Supreme Court has to face the challenge due to several discriminatory laws against women. News about the verdict of Supreme Court that abolished a law stated in the Civil Code in the chapter of Marriage which allow a man to marry another woman if she is proved unable to give birth to a child within ten years after their marriage was published on March 31, 2006 in Kantipur national daily. The Women's Rights Division of Human Rights Watch fights against the dehumanization and marginalization of women with solidarity to end traditions, practices, and laws that harm women. Ultimately, the struggle for women's human rights must be about making women's lives matter everywhere all the time which means taking action to stop discrimination and violence against them.

It is also a profound health problem that saps women's energy, compromises their physical and mental health, and erodes their self-esteem. In addition to causing injury, violence increases women's long-term risk of a number of other health problems, including chronic pain, physical disability, drug and alcohol abuse, and depression.

Women with a history of physical or sexual abuse are also at increased risk for unintended pregnancy, sexually transmitted infections, and miscarriages<sup>12</sup> Emotional torture was reported by 93 percent of total respondents and beating was identified as the most common form of physical violence against women and girls in Nepal (82 percent), followed by rape 30 percent and forced prostitution by 28 percent. Polygamy was reported without fail by respondents 64 percent in every target district and could be easily be assumed to be the most prevalent form of traditional VAW and G.<sup>13</sup>

Gender based violence has direct effect on women's ability to exercise autonomy in the use of reproductive health services, and limits women's abilities to protect themselves from sexually-transmitted and reproductive tract infections. UNFPA (2005) stated that the quality of life in families and communities is reduced by violence. Children who witnessed or experienced abuse suffer long term psychological effects, and are themselves more likely to become perpetrators of violence. Violence against women directly impacts their participation in the work force and democratic processes. So the creation of more gender equitable societies needed the preventive measures as a prime importance. Gender specialist urge for the inclusion of boys and men to promote gender equality and justice in the country. Only then they would want their female members to be safe and have opportunities enjoyed by males.

The study called Samata performed in 2005 revealed that majority of the respondents (80%) suffered from psychological abuse. Psychological abuse was one of the safest methods for

the perpetrators. Second major type of violence faced by women was physical assault. 31.6% women were suffering from physical violence. Ten percent women were suffering from sexual abuse and harassment. The study findings further pointed out that, out of 60 respondents 40 respondents had different types of health problem due to domestic violence. Among them, majority (30%) had chronic conditions like irritable bowel syndrome and chronic pain syndrome. Twenty Five percent were suffered from mental health problem. Mental health problem ranged from mild to severe. Twenty percent women were suffering from reproductive health problem. The common reproductive problem was pelvic inflammatory disease. Fifteen percent had physical health problem due to severe beating. Backache, problem in vision and poor subjective health were common physical health problem.

Similarly, Dalit (lower caste community) women are extremely vulnerable to sexual exploitation in our country. Among the Dalit communities, one landless group, the Badi, has for years survived by means of prostitution. Currently, they are demanding their right with state and currently raised voiced from street movement. Various studies have revealed that the number of young women from Nepal being trafficked to India is increasing, and they are forced to work as prostitutes in the Indian brothels. Deuki or Devaki is also largely practiced in Nepal. Deuki is a custom of buying and offering girls to temples; most of these young girls resort to working as commercial sex workers to earn a living. Numerous cases of women being branded and killed as witches in Terai region are reported frequently on the Nepalese media. Common practice

of traditional healer (Jhankri) and claim the women to be witches and punishing them have lead to very painful incidences enhancing the violence against women in Nepalese society. By clearly defining the various and specific forms of domestic violence, it can no longer be regarded as a private problem within the household, nor can the rhetoric of public versus private be used to confer impunity to perpetrators of domestic and social crime which are violations to human right.

According to UNICEF (2000) there exist six kinds of violence against women and girls in South Asia, mainly sexual abuse, incest and rape by family members and other, recruitment by family members into prostitution, neglect by family members, even to the point of death, feticide and infanticide, dowry demand and wife abuse. Violence not only harms women physically, it also leaves deep psychological impact on both the victims and their family. Even their communities and the nation as a whole are affected by violence against women.

### **What is the next step?**

Without comprehensive, carefully documented research on violence against women, it is impossible to know whether women are experiencing more violence in some countries than in others, or whether they are reporting it more often. In the absence of proper research, it is difficult to compare and assess the scope of violence as well as the effectiveness of programmes to end it. With research, advocates can better understand obstacles and develop appropriate methods for combating them. Research can motivate government and civil society to take action once the extent of a problem is proven. Research on the

way in which agents of the state respond to incidents of violence has been a critical tool in gaining government commitments to end impunity.<sup>14</sup> As the Beijing Platform for Action makes clear, there is a need for a stronger evidence-base planning regarding the magnitude and the nature of the problem, in particular the identification of risk and protective factors in different cultural contexts. There is also a need to understand and measure the health consequences of VAW and the synergies between them, in order to assess the real "burden of disease" related to VAW. Moreover, there is a need for information on interventions that are effective, feasible and sustainable in resource poor settings and the promotion of "research and data collection on the prevalence of different forms of violence against women and research into the causes, the nature and the consequences of violence against women and the effectiveness of measures implemented to prevent and redress violence against women".<sup>15</sup>

However, doing research on VAW in Nepal requires a lot of patience, devotion, compassion and commitment from the part of investigators, field researchers and enumerators. Researcher should be prepared to deal with violence against female, illiteracy, poverty, language barrier, culture/religions barrier and ethnic/caste barrier. They need to go out in the field as learners with "open mind" and learning everything. Women are usually shy to the external surveyors. If the questions are related to personal and private matter such as violence they prefer to talk with women enumerators. Single women may be too shy or fearful to talk in general way. They have no freedom to expression in front of male and senior female members of their

family and /or community. Trained surveyors from the same geographic region and similar ethnic group may not be available leading to difficulty in proper data collection. It has to be noticed that women have heavy workload and they have very little time to spare for researchers. To demand their time at researchers' convenience bearing a high opportunity cost will be "exploitation of women". So, it needs to be compensated with kind or development/or awareness/ advocacy /or support for them. Also, in women's situation of absolute victimization, it is not only unethical for researcher to be unfriendly from their situation but it is also inhuman not to be compassionate. Another ethical dilemma in doing research on VAW is, should researchers be indifferent in the name of objectivity or, should researchers become advocates of gender equality, discrimination and violence and engage in activism for women. It is to deal with the researcher's compassion, consciousness and importantly ethics and loyalty toward research on VAW.

## Conclusion

Although patriarchal systems and social norms of privacy limit quantitative evidence, there is sufficient documentation conforming that the impacts of violence on a reproductive health are wide ranging and severe. Violence kills and disables many women between the ages of 15- 44, and its toll on women's health surpasses that of traffic accidents and malaria combined (UNFPA, 2005). Domestic violence 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 to control over the female (UNIFEM, 2000). In the WHO Newsletter titled "Global campaign for violence prevention" which notes gender-based violence is a daily and often deadly fact of life for millions of women and girls around the world. Domestic violence is a particularly insidious form of gender-based violence. In the place where they should feel the greatest safety and security-the family women and girls often face terror from physical, psychological, sexual and economic abuse. Violence against women has gained increasing recognition as a human right issue, as a reproductive health issue, and as a developmental issue that affects not just women themselves but society as whole. So it is necessary to provide recommendation that if the women do not report the incidence of violence against women as a result it may become the most unreported crime in Nepalese society.

Till now, violence against women has been virtually invisible in Nepal, either because women are ashamed to discuss it, or because it is considered as a natural part of culture. Therefore, prevalence data are often needed to convince policy makers of both the pervasiveness of violence and its serious implications for women's health and development. Even though very few researchers and rare organizations initiated the survey in these issues covering very specific area or region, we are still unable to gain proper attention as per the dimensions of VAW in Nepal due to the lack of large studies in this sector. Hence, studying violence against women in Nepal is of paramount importance.

## References

1. <http://www.panos.org>
2. Ellsberg Mary and Lori Heise, 2005, Researching Violence against Women, a Practical Guide for Researchers and Activists, WHO and PATH
3. Innocenti Digest No. 6, June 2000, Domestic Violence against Women and Girls, UNICEF
4. Graham Kathleen and Johanna Bond, Domestic Violence in Nepal, Minnesota Advocates for Human Rights, p.4-6, September 1998
5. Arzu Rana Deuba, The Situational Analysis of Violence Against Women and Girls in Nepal, SAATHI/TAF, 1997
6. Arzu Rana Deuba, Pinky Singh Rana, Linkage between Domestic Violence and Pregnancy, Samanata, 2005
7. <http://www.mnadvocates.org/sites/608a3887-dd53-4796-8904>
8. [www.amazon.com/](http://www.amazon.com/)  
[www.sadashivan.com](http://www.sadashivan.com)
9. [www.mgep.org.np](http://www.mgep.org.np)
10. Nepal Country profile, 2001
11. [www.wecanendvaw.org/nepal%20detail.htm](http://www.wecanendvaw.org/nepal%20detail.htm) (retrieved on 27th Nov 2006)
12. <http://www.infoforhealth.org/pr/111edsum.shtml> (accessed on 4th January 2006)
13. Say No to Gender Based Violence, UNIFEM, 2003
14. Bureau of Statistics, Report on Violence between Intimates, US Department of justice, 1994
15. Krug EG , World Report on Violence and Health, WHO, 2002