





Graduate Seminar in on Human Rights in South Asia

Organized by Institute of Human Rights and Peace Studies (IHRP), Thailand and Kathmandu School of Law (KSL), Nepal

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Program Schedule

12.40 – 13.10	Registration
13.10 – 13.20	Opening Remarks
13.20 – 13.35	Role of Kudumbashree Neighbourhood Groups on Economic Empowerment of Women in Kerala by Sreejith Krishnankutty
13.35 – 13.45	Questions and Answers
13.50 – 14.05	State Obligation to Implement the Right to Water for Residents in the Development Project of Thai Binh 1 Thermal Plant by Dinh Thi Thuy Nga
14.05 – 14.15	Questions and Answers
14.20 – 14.35	Exploring Global Citizenship Education Components in Nepali Secondary English Textbooks by Qin Sun
14.35 – 14.45	Questions and Answers
14.50 – 15.05	Challenges faced by communities moving away from Chhaupadi in Far Western Nepal by Fiona Gui Xian Wong
15.05 – 15.15	Questions and Answers
15.20 – 15.35	The Right to Vote of Persons with Physical and Visual Disabilities: A Case Study of Nepal by Gianna Francesca M. Catolico
15.40 – 15.50	Questions and Answers
15.55 – 16.10	Concluding of Seminar/Closing remarks

Table of Contents

	Pages
Role of Kudumbashree Neighbourhood Groups on Economic Empowerment of Women in Kerala -Sreejith Krishnankutty	4
 2. Water as Human Right:Impact of Thai Binh 1 Thermal Plant Project on Domestic Water Supply of Riverine People in Chi Thien Village, Vietnam - Dinh Thi Thuy Nga 	21
3. Global Citizenship Education in Secondary English Teaching in Kathmandu Valley: A Human Rights Perspective- Qin Sun	31
4. Mapping the Complexities of Change: A Case Study on the Eradication of CHHAUPADI in Far-Western Nepal- Fiona Gui Xian Wong	50
5. The Right to Vote of Persons with Physical and Visual Disabilities: A Case Study of Nepal	67

Role of Kudumbashree Neighbourhood Groups on Economic Empowerment of Women in Kerala

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Abstract

In Kerala, its quite obvious in recent time to measure the empowerment of women connected with state-sponsored community-based organisation Kudumbashree, that much of influence shown by this 4.3 million membered 20 years old women collective. Of course, Kudumbashree gets so much of attention from researchers and scholars from India and beyond. The studies mainly focused on the women's social, political and economic empowerment with various perspective. Here this research was done with an objective to figure out how Kudumbashree Neighbourhood Groups (NHGs) influence its members for the economic advancement and sustainability within their households. The results of the study indicate that Kudumbashree's role in the economic empowerment of their members is considerably low, that does not mean Kudumbashree does not have any influence on their members' life. The point is even if because of Kudumbashree's effective interventions change a lot in the societal mindset towards women and their empowerment in public domain, but coming into the cases of households and control over power and utilisation it was still not coming from the patriarchal clutches and deep-rooted cultural beliefs.

Keywords: Women, Economic empowerment, Kudumbashree, Kerala

I. Introduction

The necessity of empowering women has become one of the most important concerns of governments of many countries in the 21st century. Though everyone understands the importance, the actual empowerment of women is still an illusion across the globe, for, in one

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way or another, women are still subordinate to their male counterparts and are deprived of their rights. In India also, women remain largely as an underprivileged group. However, in contrast to other Indian states, the southern state of Kerala has made significant strides in its effort to the empowerment of women. One of the main factors attributed to Kerala's achievements in the field of women empowerment was the implementation of a state-sponsored mission called "Kudumbashree".

The Mission statement of the Kudumbashree focuses on poverty eradication and also provides further explanation about the mission's functions and its areas of intended interventions, which is to attain the higher goal of economic and social empowerment by providing adequate financial and technical assistance to women (Kudumbashree, 2018). Over the past 20 years, Kudumbashree has initiated pioneering interventions in the areas of an institutional building, capability building, social development, and improving livelihoods. Kudumbashree has a different conception of poverty from those of the conventional theories which only conceive of poverty in monetary terms. Kudumbashree conceives poverty as the deprivation of an individual's basic needs, basic facilities, and fundamental rights. This perception is almost in line with the capability approach articulated by Amartya Sen in 1980. Basic needs include food, shelter, and clothing and every human being is entitled to these basic needs. Accesses to education, employment, safe drinking water, sanitation facilities, transportation facilities etc. are considered to be the basic facilities. Freedom of expression, equal opportunities, social acceptance and participation in decision making, and democratic process are considered as the basic civil and political rights entitled to every individual. Poverty is defined as a deprivation of the above, and Kudumbashree approaches poverty eradication with this understanding. The mission utilises a women-oriented innovative participatory approach by enhancing their capabilities to find employment outside their homes, manage thrift and credit, start micro-enterprises, participate in Gram Sabha¹, combat corruption and atrocities committed against fellow women. Kudumbashree also helps to ensure the participation of the community in the local governance process, which would enable the local governments to strengthen their poverty alleviation mandate. This holistic approach makes Kudumbashree a unique poverty eradication model.

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¹ Gram Sabha means a village assembly, comprising all adult members of the village.

II. Background of the study

Kerala is a southern Indian state with remarkably high Human Development indicators with a certain sex ratio (according to 2011 census1,084 female per 1,000 males) and has also come in the first position with its consistent achievements in the area of social development. Kerala's developmental achievements, which are always higher than that of the national average, are even comparable with that of some developed countries. According to United Nations Development Programme's (UNDP) latest Human Development Index (HDI), though Kerala has a remarkably low maternal mortality rate, adolescent birth rate, and a high proportion of adult females with secondary education, as well as the highest literacy rate was in India, the contradiction is in the visible gender inequality within two significant areas of the society. One is in political participation; however, in Panchayat Raj Institutions (PRIs), there is a fifty percentage representation assuring due to the reservation policy of Decentralization. However, in the state's legislature and parliament, their presence has been considerably low. Likewise, that was reflected in decision making as well. The second is in labour participation; a state with an impressive literacy rate of women and most number of women graduates is also the state with the lowest rate of female participation in the workforce (Kerala State Planning Board, 2016).

There have been many studies and discussions on the disparity of political and labour participation of women in Kerala. Within the context of this disparity, the emergence of Kudumbashree, directly and indirectly, addresses most of the issues faced by women. In a broader sense, Kudumbashree helps women in Kerala to earn a living by starting microenterprises and giving microfinance. While analysing the impacts of 20 years of the interventions of Kudumbashree in the life of Kerala women, one can observe many pits falls in Kerala's achievement. Rather than the stated achievements and remarkable figures in development indicators of Kerala, the reality is that the subordinate status of women with the household has still not been changed, even though they are now more educated and politically active within the society. A closer look at the lives of individual women reveals that they face many challenges to their empowerment even within their households. This study is, therefore, attempted to focus on the role and influence of Kudumbashree's NHG's in the economic empowerment of women, how the financial assistance and training given to women help in elevating their subordinate status and on the extent of NHGs' influence and intervention in building the decision-making capacity of women.

III. Literature Review

III.A. Introduction

Apart from the peripheral saying about development and empowerment of women in Kerala, while coming into the lives of grass root level, Scaria (2014) presents a remarkable picture about the actual empowerment in a village. Rather than the conventional development indicators, women's access to education, health, etc. did not help them rise from their subordinate status within the households. Theoretical approaches that are used to trace down the inequality between men and women such as Gender and Development (GAD), modernisation/neoclassical approach, women in development (WID) and others all are using different parameters for the evaluation, and most of them are conventional and not too comprehensive. However, the results point out that social disparity and gender inequality were still existing within the household as a naked reality (Scaria 2014).

III.B. Empowerment Programme through Kudumbashree

Within the context of public empowerment, the primary motive of Kudumbashree is poverty alleviation through empowering women; for achieving the main goal, they did so many nonconventional ways of interventions in the lives of women in Kerala. Mainly through self-help groups, micro-enterprises, and others to impart capacity and develop entrepreneurship skill in women. Moreover, these state oriented concepts of civil society with remarkable features heavily dependence on innovative bureaucracy. The peculiarity of SHGs is that they are considered as the instruments of change, and they represent the interest of families and initiatives for income generation as well. Here the agents are women from most impoverished families, and they are labelled as flag bearers of development and change through the extended bureaucratic support in income generation and earning capacities. Though there are significant gaps in equality and access to decision making, women play a leading role in social development (Devika and Thambi, 2007).

Through Kudumbashree saying economic sustainability of women, Mallika (2014) portrays the actual picture and dilemma regarding labour participation of Kerala women with some empirical data. The burdens related to Kerala women's high level of unemployment and low level of economic participation is mainly because of the unaccounted and continuous household works. While analysing the decisions within the households and women's labour participation, it is clear that welfare of household is related to the availability of goods and services along with leisure time. Mallika's study mainly focuses on the women's labour market

issues of India and Kerala and that in a framework of U shaped the relationship between female economic participation and development (Mallika, 2014).

For empowering the economic status of less privileged women, Kudumbashree promotes saving habits among the members through the Microfinance programme. It provides easy credit to the members throughout the states without any hurdles. These thrift and credit societies are functioned at neighbourhood groups (NHG) level of Kudumbashree. This informal banking system helps women to borrow money for their needs from their collective savings. After the lessons learned from microfinance programme Kudumbashree started small Micro Enterprises (ME) to help women to become economically more self-sufficient through engaging them in different kinds of enterprises. With this innovative concept, Kudumbashree aims to eradicate absolute poverty through group-based financing programmes. With a minimum number 5, members can start MEs. MEs are engaged in various areas such as catering groups, tailoring, traditional delicacies, goat rearing, dairy units, rabbit rearing, poultry farming, horticulture, floriculture, paper products, direct marketing, food processing, etc. (Evaluation Division State Planning Board Government of Kerala, 2012).

According to Thekedam and Nimmi, the Kudumbashree's thrift and credit activities enhances the members saving habits and open easy access to credit. One of the main achievement of Kudumbashree through microfinancing is that it helps in freeing the poor women from the hands of unscrupulous money lenders. Though there are so many backlashes and problems relating to microfinancing, the projects have enough potential to strengthen the economy of its members as well as of the state (Thekedam and Nimmi, 2017).

III.C. The Role of Micro Enterprises, a close look

After the realisation of the significant impact of microfinance²In stabilising the lives of poor women, Kudumbashree pays more attention to start Microenterprises. They promote the same with sufficient training programmes and assist the women in getting the bank loan and later they tried to figure out the different ways of the marketing as well. The motive behind the promotion was clear that for achieving gainful economic empowerment to poor women that haven't made sufficient gains with other programmes. The Kudumbashree initiated MEs in such a way that, initial support for low capital, low risk and low-profit enterprises and later expanding low to medium capital and risk and thereby intending to elevate the profit also (John,

², Microfinance is the process of making financial services such as savings and credit available to the poor who lack access to formal banking institutions (Rajasekhar, 2000).

2009). Even though the intention is clear and assistance is provided, the efficiency of the MEs across the state is a big question. The major criticism was that it was going well in some

particular areas of enterprises such as catering, dairy products, and othe.rs and projecting those examples as success stories across the state. However, there has been no serious grounded level studies that inquire about the success of MEs and their influences.

In a study conducted by Sheeja Sukumar on financial management of women led Micro Enterprises in rural areas, she pinpoints the pitfalls of lacking knowledge and training on basic financial management that necessary to run for an enterprise and inadequacy of the proper and appropriate funding to raise the enterprises, etc. Even though she agrees it lifts a considerable amount of women from the gut of poverty, humiliation, and perpetual misery, its long-term impact was still a big question and that need to address (Sukumar, 2016).

Coming to the context of economic empowerment, Golla et al. (2018) point the necessity and critical condition of women for the economic advancement with their publication for the International Centre for Research on Women (ICRW). According to them, a woman is economically empowered when she is gaining the power to act and make economic decisions. In order to achieve the same, need to meet two interrelated components; the first one is advancement in economic condition that comes through the considerable economic gains and related success and the second one is the unavoidable factor of empowerment viz. power and agency in the context of decision making and utilization of resources (Golla, et al., 2018).

Through the engagement in NHGs and MFs, women developed a practice of savings; the consciousness of having some money in their own accounts make them capable of taking independent decisions. Eventually, the effect is transferred to the gender relations within the families. Upon receiving more knowledge and training, women start Micro Enterprises; it amplifies their income generating capacity, and personally, they earn more income and attain stability in their respective families. Once women earned for themselves and became the breadwinner for the family, it positively affects the gender and power relation within the household. Increased and visible confidence in the faces of women gaining more attention in the socio-political sphere and widening their network of engagement in the society as well. Widened network and increased independent mobility help them to develop a fair knowledge on how to deal with things and negotiate for better wages for the employment. Getting increased and better wages again helps them to gain more control over the utilisation and eventually makes a considerable change in gender and power relation within the family in favour of women.

IV. Nature and Sources of Data

The primary information required for the study has been collected through various tools and techniques. Greater quantities of data have been obtained through an in-person questionnaire. A set of questionnaire was developed with the help of supervisor in the English language. As the respondents constituted Malayalam speaking community, the questionnaire was translated into the Malayalam language by the researcher itself before distributing it to the respondents. Similarly, for qualitative data, Semi-Structured individual in-depth interviews were carried out with selected people who were closely related to Kudumbashree activities and conducted three Focus Group Discussions with three entirely different groups. Besides these, some cases/respondents/events have been observed by Non-participation way as well.

Secondary data includes extensive literature review, the relevant information regarding Kudumbashree NHG's collected from books, journal articles, periodicals, official website of Kudumbashree, district and state mission offices and other reliable sources that directly or indirectly aid the study.

IV.A. Results and Discussions

IV.A.1 Utilization of Credits and Economic Advancement

There has been a great belief within the public that Kudumbashree as a provider of loans and some peripheral activities to show that they are doing something. However, while trying to analyse how the member women perceive and convert the energy that may be in the form of credits, skill development programmes, employment training etc. they gained through Kudumbashree for their Economic advancement; the study gives some insightful reflections. This session thus discusses that reflections regarding the women's economic empowerment.

IV.A.2 Asset Creation is Neglected

From the primary data, it is clear the women greatly utilised all the possibilities of availing loans that they may get directly from the Kudumbashree or with the help of Kudumbashree and a majority of them are satisfied with the available loan as well. However, the question is how they utilise those loans, do they create an asset with those loans or engaged in any productive ventures? The reality is a bit bitter; one-third of the women avail loans mainly for their children's education. That may be fine in the sense that they invest it in a long-term

intangible asset. There is a related question arising regarding this, to whom the education fee was spent? Is it for a boy child or a girl child? Unfortunately, unknowingly with the conventional cultural mindset, most of them spent significant portion for their boy child's better education.

Apart from spending on children's education, a majority of them are availing loans for the family needs. What kind of family needs? The qualitative data directly and without any doubt shows that it is for their husband's and elder son's need. Even though women now claim that they have more accessibility and independence in money and its utilisation, the underlying fact is still that they are substantially controlled by the men in their home. Rather than on children education and family needs, women utilize the available loans for the fulfilment of the family needs and family health issues. It is further found that they care for their own personal needs as well.

In the sense of income generating, the women getting subsidised or low-interest loans through Kudumbashree for Cow farming, Goat rearing, Poultry, Individual and Group Farming, and for Micro Enterprises. It varies from 10,000 to 300 and 400 thousand Indian rupees according to the project proposal they have been submitting. Except in the case of group farming and newly started enterprises, all other activities are already in action without any aid or influence from Kudumbashree. In the research location, cow farming is quite common and so that there is many dairy cooperative societies are functioning as well. Because of the consistency and surety of income through these societies, many of them stick with dairy-related fields. In the case of group farming, women are engaging because most of the undertaken farming were seasonal and did not require full-time labour. Moreover, with the help of the agricultural department and local government, they are getting seeds, pesticides and fertilisers free of cost or in very less price. Also, regarding choosing the land for group farming, most of the time local government figure out land for them through MGNREGA scheme.

The thing that can be understood from the system of availing loan by women's and activities they are involving in for the generation of income; none is seriously looking for asset creation, and all the attention are for meeting day to day expenses rather than long-term and sustainable assets. There are exceptions as well, but the ignorance of asset creation is not a small thing while looking through the lens of women's economic empowerment. The primary data regarding the sources of repayment options and their other options for credit underline this argument. There are no substantive options for the women rather than their savings, agricultural income, from their family members and friends, from other SHGs and informal lenders. However, one good thing has happened because of easily available credits from Kudumbashree,

the women move away from the net of informal lenders, but that was not justifying the failure of asset creation.

It is also experienced that besides looking on the correct repayment of availed loans from the members, Kudumbashree dramatically lags in monitoring how effectively and successfully the members are utilising the availed loans. Hence, it can be concluded that women's are utilising the financial assistance from the Kudumbashree for survival but not for sustainability.

IV.A.3 Micro Finance and Micro Enterprises

Microfinance is one of the flagship programmes of Kudumbashree with a claim as one of the significant factors in helping women for their economic empowerment. Initiatives of Micro Enterprises were started and spread across the state under Kudumbashree very recently only.

More than 40 years back, the visionary Prof. Muhammed Younus from Bangladesh popularising the concept of Microfinance with an ideology "peace prevails only when hunger is quelled" (Murria and Verma, 2013). Microfinance came into Indian contest in the late 90s, and so many NGOs initiated for the same. The government formulated several schemes to widen its accessibility to people and get engaged directly and indirectly with NGOs by providing all the supports. The Nationalised bank NABARD plays a vital role in it. While looking into why microfinance is getting this much of attention, there are so many narratives regarding how it contributes to the empowerment of poor and vulnerable. Looking into how it is affecting women, the accessibility of credit enhances their opportunity to take part in income and asset generation activities and thereby improving alleviating poverty (Rajasekhar, 2000). Two decades ago Kudumbashree and its Microfinance activities were started with the same motive. However, this part discusses how the women at the bottom level perceive this ideology and experience in their life.

"The flow of money and its handling tremendously increased than our yesterday's", one of the Kudumbashree members said during the data collection. Of course, it was true and have visible evidence. As per state mission's statistics on March 2018, all over Kerala there is around 400 Billion (4008 Crore) Indian Rupees as members thrift and 1,625 Billion rupees as used for internal lending. Coming to the research location as on April 2018, there are 20 Million Rupees as thrift and 71 Million as for internal lending. The table shows the amount of credit received through MFs. Around 44 per cent of these avail as loan money up to 20,000 and was increasing to 75,000 and more according to their saving. The point researcher noted down is

why there is a considerable disparity in members' availing for credit. The answer is that the loan is given according to the saving they have. The members of Kudumbashree are coming from various income levels; these differences in family income reflect their investment as well. Also the 1:4 ratio of credit to saving is also becoming a barrier for poor people. That is why there is 43 per cent of the respondents in the survey said the adequacy of the credits they received from NHGs are only as a support to their intended needs.

However, the women greatly rely on MFs for their immediate needs rather than extending their weak hand into counterparts and informal lenders. In that aspect, the money flows through their hands giving some pride feeling and happiness of doing something independently. Sadly the meaning of empowerment or achieving economic independence seems far from the observation of the current situation.

Analysing the influences of MEs in Kudumbashree member's life, the majority of them become an entrepreneur because of their backwardness and educational qualifications pushing them out from the mainstream of job market. When Kudumbashree offers a platform with initial assistance to start an enterprise, the women find it as a new hope, and they come forward and join the chain. All respondents from Kadampanad village who were running MEs are first generation entrepreneurs, and the motive behind joining it is family's financial struggle and wishes to start some income generating activities by themselves to support their family. Sixty-seven of the current 32 entrepreneurs from the village have any no occupation rather than MGNREGA. Mainly they are housewives, and sometimes they work as supporting hands in their husband's or son's enterprises.

In order to start the enterprises, the members submit a request to ME convenor of CDS committee stating all the information regarding the proposed project. After the verification of request and before granting the financial assistance they are sent to attend some training related to accounting, enterprise management, etc. and after that, they get an initial loan of an amount of 50,000 Rupees. It is 50,000 for one person, and if the ME is run by more than one, then they will get a multiplied amount of 50,000 with a number of members. There are different micro enterprises including Tailoring units, Beauty parlour, Bakery unit, Stationary shops, Electrical Hardware shop, Bag unit, Lotion and Soap powder unit, Packing cover unit, etc. Most of the enterprises except lotion, soap units invested an average of 100,000 to 200,000 rupees. In that context, the researcher enquired how these financially struggling women raise this much of money to invest until and unless they are getting only 50,000 from the CDS. It later came to be known that majority MEs are registered under CDS and availed loans are not started recently or newly. They all are already in function by these members themselves or by their family members. Then the question is how this money is utilised and in which way it contributed to

the economic empowerment of women. Of course, exceptions are there but a majority of assistance received in the name of MEs was not utilised for the sole aim of the project, and sadly in few cases, women do not have any single role as well. The 50,000 rupees was not adequate assistance for an electrical hardware shop or a medium size stationary shop. They already invested some hundred thousand in building the foundation, then what else to do with this money other than to take it as a support. There is no mechanism to monitor how these MEs are working or whether if there are any difficulties and the funds are adequate or not. Because of this, the MEs running smoothly on track but the struggling ones end up silently. The CDS mostly focus on the proper repayment only; sadly by doing so, it was greatly neglecting the underlined intention of financial empowerment of women.

There are also some good practices such as the MEs are entirely run by women in the area of Tailoring and Bakery. They are earning an average of 10,000 per month, and in seasons they are getting more than 15,000. There are some more opportunities for further financial assistance from CDS through district mission to MEs for Expanding their project (expansion fund) and for buying or developing innovative machines (innovation fund), etc. Even though all these are available, very few make use of it and step back because of the risk and uncertain profit.

The qualitative data does not show any remarks on the influence of MEs in women's economic empowerment. The concept is good, but the way of implementation and monitoring does not align with its sole aim. In short, MEs does not have any particular role in changing the power relation of women in their household rather than another option for getting a loan to a husband.

V. Truncated Empowerment

Although there is a number of studies and literature praising the women's empowerment through Kudumbashree, the ground reality is a bit different than the generalised thought. Of course, there are some remarkable achievements and flag ship programmes in the name of Kudumbashree women. However, while exaggerating these achievements knowingly or unknowingly ignoring, the fact remains that it was not the story of a majority. There are tangible steps and programmes from Kudumbashree state mission and district mission, but coming into the CDS level and analysing how it was going on or how it has impacted the lives of women the situations are not same compared to generalised statistics and statements of success stories. The researcher's experience from the observations and qualitative data show that the

empowerment of women is truncated in nature and now it was not the condition to say Kudumbashree's influence is significant and deep-rooted.

One of the main things that came into the attention is the fact that while developing plans and projects, every system is considering women as an object of development. Sadly the systems are not in a position to understand that instead of treating them as objects of developments they have to treat women as agents of developments. Until and unless this existing mind set gets changed, women's empowerment is never going beyond plans and papers. Coming into the context of why there is such disparity of empowerment within the Kudumbashree women, the first and foremost answer is the existing patriarchal belief and cultural norms. The educated and highly progressive Kerala men are still not in a position to accept that their women also have the same rights and opportunities within the family and society. This societal mindset along with women's natural affection and responsibility to family and hesitation to come from the cultural barriers is significantly influencing them in so many ways of their empowerment.

The women are much aware on the necessity of acquiring financial empowerment rather than ever before, because of that itself they are actively engaging into all the option that is coming in front of them with a motto of economic empowerment. However, analysing how these engagements and habit of earning money influence their power and agency within households, need to be discussed exploring a few more interrelated aspects as well.

Even though the amplified voice of women that gained through Kudumbashree in the social sphere with increased mobility and public presence have been considered as achievements still if the question is raised on how this acquired empowerment in the field of social and political sphere reflecting in their power and control over different aspects of daily lives especially in economic aspects the situation is not giving too much hope. The realised fact from the bottom is the followings. Within the families, no significant change has happened from the earlier stage of the conventionally following of the old power structure, and sadly these empowered women have no complaint on the same.

While looking into the situation of empowerment within the families, there is one common thing found in most of the families beyond their cast, creed, social status, education and everything is the conventional perception on empowerment has not changed yet. Even if the women themselves are claiming that they are empowered in many ways, but they keep that empowered personality of themselves just outside their doorsteps. They still behave like conventionally good and responsible wife to husband, disciplined daughter to father and caring mother to son inside the house. It may be because they are not ready to come out of the way

they have practised earlier and do not even know how much they adapted to cop up with that biased mindset.

Upon concluding the session, it can be said that there is no doubt on Kudumbashree's role in imparting self-reliance and internal strength in their members. However, that was massively limiting in the public spaces and not transferring into their respective families.

VI. Economic Sustainability: A feel good factor

In economic aspect, one of the significant advantages of being engaged with Kudumbashree is women's finding a doorstep option for availing credit for their daily needs and dealing with some urgency without extending arms to angry husbands and informal lenders. With all the given training from Kudumbashree, the immediate credit option from their savings gives a feel-good factor on Kudumbashree in their members' mind. Because of this, the immediate response to any queries related to Kudumbashree to its members is positive. The qualitative enquiry towards the situation within the families and control over economic decisions shows that of course now a day women were more active in economic activities including MF and MEs, they are buying their stuff; somehow they are even capable of meeting their children's educational needs without depending on their counterparts.

However, looking into the aspect of how they elevate this economic enrichment they gained for reasonable control over their lives and sustainability, the situation is not too good. The thing is, even though they are the one receiving a loan and every benefit, the decision making was not at all an independent process for them. A majority of them does not have any control over material resources rather than have some control and independence in external non-material resources.

Upon considering the situation, Kudumbashree is giving a feel-good factor to its members, and somehow to the society; the thing is while looking into Kudumbashree's programmes and activities there is a lot of different and intentionally sound programmes for the social-political and economic empowerment of women. However, after launching the programmes and distributing loan or incentives, the underlying attraction to catch the people is no substantive monitoring or follow up actionstc. For example, in the case of MEs some amount of money is sanctioned in the name of member women, she submitted the documents of the proposed enterprises she is going to start and its capital investment, expected turn over, etc. In most of the cases of MEs, most of them avail loan for their husband's existing enterprises but while they are applying they state that everything is new and everything is for the betterment and financial autonomy of the self and thereby contributing to their family. The implementers

may be aware of this, but they do not care much. Actually what they are doing is giving some aid (kind of donation). And not in a mood to monitor how it stands with the objective of the programme and is any significant change happened in their life with the same.

In short, they are giving something and feeling of doing something substantially and maintaining that feeling among all that they are taking good actions for the beneficiary of women and picking some exceptional cases into the public attention and generalising the scenario.

VII. Conclusion

In conclusion, because of Kudumbashree, the poor women from the villages developed a habit of saving and their financial transactions improved from ever before. Most of the members have a saving of 10,000-15,000 Rupee, and they are greatly utilising the loan facility for their various needs including their children's education. However, their asset creation and control over the financial capital is considerably low. Even if investing in child education is a future asset, apart from them there was a serious carelessness from the side of women to create the substantial asset for the future.

Regarding the training programmes designed from district mission, papers as a project all sound good; however, while in the stage of implementation, the grim reality is understood. The point is not only the district mission's programmes but also state mission's programme has the problem. They spot down a programme that may be a great success in some other part, but most of the cases while trying to replicate such programmes it was not producing the same success rate and not even suitable programme for some areas. In short, this is to be considered a major problem to correct for more and more successful and inclusive intervention of Kudumbashree. There is also a complaint from the side of women regarding the Training programmes; rather than conducting the majority of the training at state, district or block centres, the programme should be conducted in nearby places to ensure its usefulness. According to the women, they are missing some useful training because the venue for the training is far from their residence.

The researcher's opinion on Kudumbashree's role in the economic empowerment of their members is considerably low; it does not mean Kudumbashree does not have any influence on their members' life. The point is, even if Kudumbashree's effective interventions have contributed to the change of societal mindset towards women and their empowerment in the public domain.

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Water as Human Right:Impact of Thai Binh 1 Thermal Plant Project on Domestic Water Supply of Riverine People in Chi Thien Village, Vietnam

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Abstract

The research studies on the typical context of Chi Thien village, an area having newoperated coal-power plant as the development project in the northern part of Vietnam. As the focus of the research, domestic water supply is studied. Conventionally, villagers harvest rainwater into big reservoirs that later on were demolished for house renovation after the agricultural compensation for the coal plant construction. Since the establishment of the Thai Binh 1 Thermal plant, locals are recommended not to drink raining water because potential negative impacts of coal ash to human health. Findings of the research indicate that local households have been provided with tap water service since 2014 by the Chieu River water plant of local authority. However, doubts on the low tap water quality and its unstable frequency, rainwater returns to be the preferable choice for their domestic water supply. There is a regular check on water affirmed by the engineer from Chieu River plant. Neverheless, for the confidentiality, it was not allowed to publish regardless of the request to have evidence on qualified tap water. This is considered as the violation to right to information and the participation to environmental decision making of the villagers. For certain disadvantages of water situation, locals people have adaptation by buying reverse osmosis (RO) water filters (wealthier family only) and need to pay for water consumption expense with low quality received. Study on domestic water is actually a study on human well-being, human rights and state obligation to ensure the water sanitation, the accessibility and affordability to people. The role of the Vietnamese government is analyzed in addressing these potential impacts caused by the coal plant project towards adequate standard of living and the highest attainable standard of health in Chi Thien. The thesis is a social research using qualitative research methodology of in-depth interviews and referral samples to approach the topic and elicit reliable information, particularly on opinions and hands-on experiences of villagers.

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Keywords: right to water, domestic water supply, coal plant, state obligation.

I. INTRODUCTION

The establishment of Thai Binh 1 Thermal plant project in Chi Thien village has followed the Vietnamese Master Plan on National Power Development with vision to 2030 to increase the total capacity of power plants over the coutry (Decision No. 1208/QD-TTg, 2011). The Master Energy Plan has oriented coal and coal-fired power plants as biggest power capability and highest percentage of the total investment for energy development in Vietnam. The entire construction area of the plant construction items is located on the agricultural land (Decision 5276/QĐ-BCT, 2008), which had displaced almost all riverine people in Chi Thien village from their traditional works as farmers. Since the 2009 for the plant construction, many villagers were recruited together with a huge flow of people from different provinces to be constructive workers. However, the job was temporary within the limited time of construction. These villagers became unemployed after the thermal plant was completed in early 2016.

Towards the domestic water supply in the village, local people conventionally harvest rainwater for household chorses. Within the construction duration of Thai Binh 1 coal plant, tap water service was provided to Chi Thien village and available in most of households after 2014 as the policy of the local authority. Nevertheless, quality of tap water has remained doubtful, making people hesitate to consume and lead to adaptation with behavior changes to ensure their water daily demand. Therefore, eventhough supplied with tap water since 2014, people still rely on the conventional supply from rains in cooking and drinking. Underground water in Chi Thien village is only used for washing due to its naturally high salinization. There are three or four wells in the village having fresh water which can be used for domestic water supply as observed by the author.

II. CONCEPTUAL FRAMEWORK AND RESEARCH METHODOLOGY

The research studies on impacts of the coal-power plant project on domestic water supply in the typical context of Chi Thien village. Results from other studies on impact of coal plants in water resources are not used as a framework for findings in Chi Thien to fit in. Otherwise, the factual situation of domestic water supply in Chi Thien is the core subject. Data from the field was collected and analyzed to understand the nexus between the domestic water supply and the coal plant project in the context of Chi Thien. Also, impacts of the coal plant project were objectively studied in the conjunction with local domestic water supply.

With the small-scale of the study, qualitative methodology is employed in data collection and analysis. Firstly, secondary data was collected as literature review. The research studies on

literature review to understand terms, concepts related to the main theme of human right to water. Literature review is conducted before the data collection to look through previous research on impacts of Thai Binh 1 Thermal Plant Project on the domestic water supply of riverine nearby as well as to indicate and confirm the data gaps. In the next step, the primary data is collected through the in-depth interviews with six key informants and referral sampling to 15 participants. As the study views on the perspective of human rights, it considers the vulnerable and marginalized group as core subject. Based on grassroots' narratives, the study approaches the problem from bottom-up with research methodology of in-depth interview and referral sampling to elicit information.

III. THE STATE OBLIGATION TO IMPLEMENT RIGHT TO WATER IN CHI THIEN VILLAGE

Although water has not been recognized to "as a self-standing human right in international treaties" (OHCHR, 2010), the access to safe drinking water has been interpreted in terms of adequate living standards for the state obligations. The Committee on Economics, Social and Cultural Rights provides the entails of enforcement of the right to water in the General Comment 15 for the legal bases of the right to water. States have the obligation to respect, protect and fulfill all the provisions in treaties in which they are the state party. The Covenant on Civil and Political with the "right to life" and International Covenant on Economic, Social and Cultural Rights is legally binding to its members, which Vietnam has ratified on 24 September 1982. Importantly, Vietnam is bound with the convenant by having no reservation but declaring³ the the agreement as long as it is in accordance with the principle of sovereignty equality of States.

Additionally, obligations of states are also bonded by domestic law. To specify, the Decree on Clean Water Production, Supply and Consumption 2007 of Vietnam has incorporated the rights and obligations of stakeholders engaging in activities related to production of clean water. Its Article 8.1 of the Decree indicates the right of water consumers to participate in the management and oversight of water supply activities. Especially, Article 50.3 on Examination of water-measuring equipment describes the procedure for complaints on water as well as the

³ The provisions of article 48, paragraph 1, of the International Covenant on Civil and Political Rights, and article 26, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, under which a number of States are deprived of the opportunity to become parties to the Covenants, are of a discriminatory nature. The Government of the Socialist Republic of Viet Nam considers that the Covenants, in accordance with the principle of sovereignty equality of States, should be open for participation by all States without any discrimination or limitation.

obligation of providers for resolution. In the committed five working days, the water providers must to examine the water problems related to customers' requests. The customers can also

request to state management if they are not satisfied with solutions of local water supply. Their concern is supposed to solved with fifteen days of working.

Therefore, the action of keeping confidentially the tap water test by the provider (Chieu River water plant) in Chi Thien village has not only limited the right to information but restricted the right to participation of villages who are customers consuming tap water. This does not follow the willingness and commitment written on Decree on Clean Water Production, Supply and Consumption of Vietnam. Moreover, the board committee of Chieu River water plant as well as the related authority has not fulfilled their obligation to resolve complaints from customers on their tap water supply service with insufficient amount of water and water cut-off happening frequently

The State Obligation to Respect

Thai Binh 1 Thermal plant Project is invested by a governmental group - EVN Vietnam Electricity. Report on Environmental Impact Assessment was also approved by Vietnam's Ministry of Resources and Environment as the Decision 461/2009/QĐ-BTNMT on 16 March 2009. Therfore, the government has the obligation to ensure the quality of the local living environment where established the coal plant.

Besides the obligation on domestic law, Vietnam has also ratified the ICESCR to be bond with progressive realization and immediate obligations to achieve progressively the full realization of the rights (Article 2.1, ICESCR). Common violations of the state obligation were disrespect and failure to let the enjoyment of the right be interfered. In terms of right to water, the state obligation to respect can happen when "state disconnects to the water supply" (OHCHR, 2008). This is analyzed in detail as below.

• Pollution to disconnection

It is undeniable for impacts from ash fallout to atmosphere, making the rainwater unsafe for domestic consumption. In this aspect, the establishment of coal plant has polluted the raining water, restricting the access to conventional water supply of local villagers. The conventional custom of consuming rainwater for domestic chores might be not be disturbed without the approval of the coal plant project. Even in recent, as rainwater is encouraged to use very carefully due to potential pollution from ash fallout, it is still the preference of villagers for drinking and cooking because of worriedness on the current tap water service. Therefore, the

obligation to respect with no interference to the enjoyment of the human rights to water and sanitation has been not well-implemented in the case of Chi Thien village.

Lack of the access to water sanitation

Domestic water, according to Article 2.13 of the Vietnamese's Law on Water Resources in 2012, is appropriate for supplying domestic water or can be treated into domestic water. The location of Chieu is covered by paddy fields that practices of spraying pesticides. The chemical elements from pesticides are partially absorbed by plant but also get into soil and dissolve underground water. During in-depth interview, the plant engineer mentioned on the protection of regulation to ensure quality of water resource to be domestic water source. Translation by the researcher is below:

"Eight hundred meters from downstream and 200 meters from upstream in the protected area for domestic water source which means no discharge from industrials and civilians activities to the river is allowed. Every three or six month, Provincial Natural Resources and Environment Office of Thai Binh takes samples for to re-check the quality of water. This report is confidential to public even the description on water treatment system of Chieu River system is not allowed to release", spoken by an engineer from Chieu water plant.

As the Article 2.20 of Vietnam's Law on Water Resource 2012, it also defines a hygiene protection zone for domestic water-supplying area. In which mentions the radius of area of water source taken from must be protected under regulations preventing it from pollutions in producing domestic water. However, when being asked about the possibility and method to prevent farmers on nearby paddy fields use spraying pesticides, the engineer also confessed difficulties to ensure to have no chemical from agricultural activities absorbed into Chieu river.

Domestic water, according to Vietnam's The Law on Water Resources 2012 is the "clean water" suitable for cooking, drinking and hygiene to humans. Tap water produced by Chieu River water purification plant is supposed for domestic water supply to villagers in Chi Thien. However, the characters of collected samples in data collection indicate a low quality of this domestic water supply with characteristics of smelly odor, black particles and yellow color sometimes. Based on the villagers's observation, the quality of tap water is not really hygienic. This also raises up a question in quality and capability of technology in the Chieu water plant.

Therefore, with the disadvantages above, the upstream of Chieu river is not suitable to be domestic water source; and the quality of water purified from Chieu river is not qualified to be

used as domestic water supply. Therefore, the right to water has not been possibly well-respected in the case.

III.ii. The State Obligation to Protect

OHCHR Special Rapporteur- Rights to Water and Sanitation by UN Human Rights Council indicates the obligation to protect that states are required to enact and enforce necessary protections of the rights and protect individuals from abuses by third parties (UN General Assembly, 2014). Violation occurs when the state fails to regulate non-state service providers to ensure an affordable water price for consumers. Also, responsibilities towards human right protection is required from non-state actors that they should exercise due diligence to avoid any potential action to abuse human rights.

As Thai Binh 1 Thermal Plant is a governmental project, therefore, it requires the state obligation to protect individuals from third parties to influence on. However, since the government approved the thermal project according to the 2030 Energy Master Plan, it has threatened the protection on living enjoyment and water sanitation in Chi Thien village where the coal plant is constructed in.

It can recognize the government's effort with the compensation provisions including renovating schools, clinic and main roads and possibly. However, impacts from coal ash has limited the sanitation and hygiene amount of raining water in local domestic water supply in Chi Thien village.

In term of social and economic aspect, locals have to spend additional money to ensure their water sanitation as well as their enjoyment of life. Compensation seems to be ineffective to facilitate lives of farmers after losing their cultivation land. After finishing the short-term working as constructive workers for coal plant, the ex-farmers have to seek for another job. Moreover, having no paddy field for cultivating, farmers have to buy rice, vegetables and other agricultural food that they never did before. The expense on tap water bills and water purifier machine is also additional amount the villagers spend currently.

With the purpose to enhance the social-economic development for local province, the implementation of coal plant has created changes in society's fabric, caused additional daily expenses.

III.iii. The State Obligation to Fulfill

In cases of Thai Binh 1 Thermal Plant Project, threats to the obligation to fulfil can be seen from:

 Problems in implementing and monitoring strategies, plans and programs related to domestic water supply.

There is no water test is published and accessible to villagers. It is claimed to conduct a regular test on water quality but because of the confidentiality the result is not allowed to release. The information on tap water quality is important for consumers to trust in the tap water service provided. Therefore, the claim on confidentiality is not persuading. In another word, keeping confidentially the result of tap water test has limited the right to information of consumers, the right to participation of a citizen and the respect to environmental justice.

Moreover, providing tap water alone is not comprehensive to protect the state obligation to fulfill the right to water. In a Special Rapporteur on the Human Rights to Safe Drinking Water and Sanitation, Mr. Léo Heller⁴, the Special Rapporteur on the human rights to safe drinking water and sanitation 2014 has discussed on the holistic understanding of access to water and sanitation that even having a tap but delivering unsafe water is not considered as the solution to water sanitation problems.

• Failure to allocate available resources

The above findings depict an understanding to know the upstream of Chieu river is not suitable for domestic water resource. There are other available resources from Tra Ly river nearby or other rivers can ensure the hygiene and sanitation of domestic water supply. But they are not chosen in reality. The suitable water is far away from the current location, which can cost higher expense on running the system.

III. CONCLUSION

Human right to water recognizes the importance of water to human life in which affordability of water sanitation together with water facilities for all individuals. Water is always needed to be recognized as a human right for its importance to survival and the foundation to realize other rights. Implementation right to water is incomprehensive to approach on the aspect of water itself but necessary to perceive it in an inclusive network of factors that can limit or enhance the water sanitation, accessibility and affordability. This requires obligations from the state and other relevant stakeholders to respect, protect and fulfill the right

⁴ His mandate was to examine these crucial issues and provide recommendations to Governments, to the United Nations and other stakeholders.

to water for a fair distribution that all members in society have an access and affordability to domestic water supply.

Thai Binh 1 Thermal Plant is considered as the development project, aiming to supplement the electricity amount into for solving the energy shortage in VietNam. However, the operation of the plant has limited on sufficient and safe rainwater because of ash fallout released from the coal plant into air. The right to development is not only about the development in economics itself but to apply the human rights approach to the development considering elements such as health care, environmental protection and water sanitation with state obligation under the relevant international human rights instrument (Marks 2004, p. 34). Although the tap water service and coal plant project is not related, the construction of coal plant has led to agricultural land acquisition, putting many farmers in the situation of unstable job and unstable income. There are now extra expense on food and water bills spent by households in Chi Thien, restricting their adequate standard of living and the highest attainable standard of health.

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Global Citizenship Education in Secondary English Teaching in Kathmandu Valley: A Human Rights Perspective

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Abstract

The increasing global demand for an educational response to global challenges of justice, peace and sustainability inspire global efforts in promoting global citizenship education (GCED). This research is a thematic analysis conducted to examine the extent to which GCED is present in current government prescribed secondary English textbooks in Nepal, adopting the GCED topics and learning objectives framework proposed by UNESCO. The study finds that almost all proposed GCED topics, except one, are too different extent reflected in the reviewed textbooks. The textbooks are highly contextualized to reflect the Nepali living experiences. Particular efforts have been made in instilling nationalism and multiculturalism. This raises the critical need for teacher training that could equip teachers with sufficient knowledge and skills to facilitate critical inquiries in the teaching and learning processes.

Keywords: Global Citizenship Education, Secondary School, English Teaching, Textbook, Nationalism, Critical Inquiry

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I. Introduction

In 2015, the United Nations adopted 17 Sustainable Development Goals (SDGs). Goal 4 is dedicated to achieving inclusive and quality education for all. Ten targets are specified covering comprehensively on different aspects of educational development. The 7th target, commonly known as SDG Target 4.7, is dedicated to the global mainstreaming of global citizenship education (GCED) and education for sustainable development (ESD). The global indicator of this target is set to be the extent to which GCED and ESD are mainstreamed in i) national education policies, ii) curriculum, iii) teacher training, iv) student assessment.

GCED is proposed to involve the knowledge, skills, and attitudes of three domains: cognitive domain, social-emotional domain, and behavioral domain. The cognitive domain seeks to impart knowledge of local and global issues on the one hand and fostering critical literacy on the other. The social-emotional domain focuses on cultivating a sense of belonging to the common humanity, as well as the respect for cultural diversity. The behavioral dimension encourages learners to take proactive actions to live an ethical life and contribute to be part of the solutions to local and global issues that affect the peace, justice, and sustainable development.

GCED is understood to be best conducted by embedding into the formal curriculum. This study is conducted to review Nepali government prescribed secondary English textbooks, in order to understand the extent to which GCED is already present in the current curriculum.

The textbook review teased out existing textbook contents that correspond to the UNESCO GCED topics and learning objectives framework, in order to understand to what extent GCED is reflected in secondary English teaching materials in the valley.

Upon reviewing the textbooks, the researcher has found that almost all of the proposed GCED topics, except "local, national, and global systems and structures," have been to certain extents reflected in the current textbooks, with a particular focus on promoting multiculturalism. They also encourage students to understand, interact with and participate within the communities they are living. The textbooks reveal a robust agenda of instilling nationalism, national identity and national pride to learners, which may seem to be in contrast with the purpose of global citizenship, which focuses on cultivating the sense of belonging to common humanity. This fact, as shall be elaborated, raises the need for teaching training in facilitating critical inquiry.

The second part of this article will present the background of this research, including a brief introduction of GCED, the framework adopted for this research, as well as the research

method for this study. The third part details the research findings. The fourth Part presents the conclusion.

II. Research Background

2.1 The Conceptualization of GCED

A review of the literature shows that scholars have different views of what GCED should encompass.

Nussbaum (1997) argues that GCED should train the individual mind to refrain from any ideological affiliation. Three essential capacities should be focused in cultivating 'citizen of the world': 1) critical thinking – the person should have the capability of not taking a stand without scrutiny; 2) a sense of responsibility and belonging to the common humanity; 3) "narrative imagination" – to be able to feel sympathetically of what others' fee; (Nussbaum 2002, p.299). In developing a deep understanding of the "other," art, literature and philosophy, she argues, should play significant roles.

A similar understanding of GCED focuses on how we could become aware of and overcome our own "blindness" (William James, cited in Chan 2002, p.203), mental status of impediment or "imprisonment" (Chan, 2002, p.203). The blindness is the "walls" people build between 'me' and 'you,' 'your pain', and 'your sufferings' (Chan 2002, p. 203). It refers to the knowledge boundaries that everyone has taking time and space into account. GCED must be able to cultivate a lifelong willingness and readiness to overcome such "blindness," how to wake up learners' awareness of 'I do not know', and their willingness to embrace and to be enriched by the 'don't know.' In addition to these aspects, Appiah (2007) thinks a "global citizen" should also strive for equality of liberties and resources among all people of all cultures. A 'global citizenship education,' he therefore argues, should focus both on the cultivation of the individual heart and mind and the knowledge of human rights.

Torres (2017) understands the emergence of GCED within the context of civic education and sees GCED as an added value to the already existing system in response to social changes brought by globalization. Learners in this context should acquire skills and knowledge to work collaboratively with people coming from diverse cultural backgrounds. GCED, in this context, should embrace human rights as fundamental principles and brings "cultural, artistic and ethical" knowledge and competencies to formal education curriculums. These additional

humane aspects of study could allow individuals to acquire skills to think and analyze in a more critical and empathetic manner, which serves crucial roles for them to assume responsibilities for the common good (Torres 2017).

GCED was formally brought into the global education agenda in 2012 when the then United Nation Secretary-General launched the Global Education First Initiative. Since 2014, UNESCO has made GCED one of its key educational objectives in response to the growing demand for education to play a role in tackling 21st-century global challenges, such as the rise of violent extremism, environment derogation, climate change and prevailed human rights violation.

2.2 UNESCO GCED Framework

For this study, GCED is defined under the UNESCO framework, because UNESCO is the key exponent of GCED at the highest and fullest national level.

According to UNESCO (2015, p. 14), "global citizenship refers to a sense of belonging to a broader community and common humanity. It emphasizes political, economic, social and cultural interdependency and interconnectedness between the local, the national and the global."

UNESCO states that the goal of GCED "is to empower learners to engage and assume active roles both locally and globally to face and resolve global challenges and ultimately to become proactive contributors to a more just, peaceful, tolerant, inclusive, secure and sustainable world" (UNESCO 2016a, p. 2).

Currently, UNESCO is promoting GCED across three domains of learning: a) the cognitive domain: this focuses on facilitating learners to gain knowledge about global issues and universal human rights principles; b) the social-emotional domain: this strikes the cultivation of the sense of belonging to the common humanity; c) the behavioral domain: this encourages learners to take action to contribute to solving global problems (UNESCO 2015).

The topics of each domain are listed as follows (UNESCO 2015, p.29):

Cognitive Domain	Social-Emotional Domain	Behavioural Domain
1. Local, national, and global systems and structures (C1)		7. Actions that can be taken individually and collectively (B1)

2. Issues affecting interaction and connectedness of communities at local, national and global levels (C2)	5. Different communities people belong to and how these are connected (S2)	8. Ethically responsible behavior (B2)
3. Underlying assumptions and power dynamics (C3)	6. Difference and respect for diversity (S3)	9. Getting engaged and taking action (B3)

2.3 Research Methodology

The sample of this research are the two textbooks prescribed by the Curriculum Development Centre (CDC). These textbooks are available on the CDC website for public download.⁵

The researcher conducted the thematic analysis of the government prescribed English textbooks for Grade 9 (Joshi, Joshi and Dhungana 2017) and Grade 10 (Joshi, Dhungana and Pandit 2017), identifying textbook contents that resonate with UNESCO propose 9 GCED teaching and learning topics. Each topic is given a code (as shown in the bracket in the table above), e.g., for the first topic in the cognitive domain, 'local, national and global systems and structures,' the relevant context is coded with 'C1'. The researcher conducted a mapping exercise, identified texts that correspond to these topics, and coded relevant textbooks contents with these nine codes respectively.

Upon finishing coding the content, all the contents relating to one topic were grouped together (as shown in Annex I & II). Once the grouping is finished, the researcher then identified key categories of contents under each topic, which shall be amplified in the following section.

⁵ http://nkcs.org.np/cdc/library/opac_css/index.php?lvl=cmspage&pageid=6&id_rubrique=109.

III. Research Findings

In this paper, references to the textbook pages will appear in codes signifying the grade number and page number of the referred contents. For example, G9P50 is a reference code to page 50 in Grade 9 government prescribed textbook; G10P23 is a reference code to page 23 in Grade 10 textbook. Reference to additional teaching materials found would be specifically referenced.

The research did a 'mapping exercise' matching relevant textbook contents with topics proposed in the UNESCO framework. The results of this study will be presented in the following three subsections, respectively corresponding contents in the reviewed textbooks to cognitive, social-emotional and behavioral domains in UNESCO GCED framework. At the beginning of each subsection, one can find a summary table highlighting the categorical issues under each topic.

3.1 Cognitive Domain

Local, national and global systems and structures	Issues affecting interaction and connectedness of communities at local, national and global levels	Underlying assumptions and power dynamics
	Public health related issues Environmental related issues Human rights related issues Other issues: globalization and the rising importance of English, tourism, sports, earthquake and disaster relief	Challenging the traditional practices that are human rights violation in the country Critical reflections of development, westernization, and modernization of the country Public affair related issues (public information accessibility, government accountability, and anticorruption)

a. 'Local, national and global systems'

No content in the reviewed textbooks reflects this topic.

b. 'Issues affecting interaction and connectedness of communities at local, national and global levels'

Broadly four categorical issues are reflected:

Firstly, there are public health-related issues. Relevant contents include excessive use of chemicals in vegetable cultivation (G10P71-73), smoking and its health impacts (G10P88), epidemic symptoms and prevention methods, such as typhoid fever (G10P136-137) and bird flu (G9P25-27).

Secondly, there are environmental issues. Relevant contents include excessive use of plastic bags (G9P171), climate change (G9P175), global warming (G10P91), cutting off trees excessively (G10P190), the threat to biodiversity (G10P88).

Thirdly, there are human rights related issues. Relevant contents include holocaust (G10P211-212), older people's rights (G10P154-158), child labor (G10P154-158), human trafficking (G10P83-86) and some traditions that are considered to be gender-based violence (G9P145).

There are other issues mentioned under this topic as well, such as globalization, the rising importance of English (G9P13), tourism (G9P118), sports (G9P175), earthquake and disaster relief (G9P171).

c. 'Underlying assumptions and power dynamics.'

For this topic, in identifying corresponding contents in the textbook, I paralleled the topic with the second objective under cognitive dimension – "learners develop skills of critical thinking and analysis," looking for contents that have the intentions of facilitating students to think from different perspectives.

Critical thinking materials are generally appearing in the reading, writing and speaking exercises of the textbook. For example, G10P21 sets the following speaking task: "some people argue that depending on other countries is always harmful to us. On the contrary, other people claim that almost every country directly or indirectly depends on others in the global world. We must strengthen our relationship with our neighboring countries". This question provokes students to rethink their country's landlocked situations and what kind of foreign policies would be in the country's best interests.

There are three categorical issues mentioned under this topic.

Firstly, there has been contents in the textbook challenging the traditional practice that is human rights violation in the country, such as the Sati tradition (G9P145).

Secondly, there have also been critical reflections of development, westernization, and modernization of the country. G9P57 presents the second reading of people's diverse points of views about whether to build a cinema hall. From this diverse view collection, on the one hand, students get a chance to gain awareness of the procedure of public consultation; on the other hand, students can see how people with different backgrounds assessing the same development issues from its economic, social and cultural impacts.

Thirdly, there have been public affair related issues present in the textbook, such as debating motions "all museum should be free to the public" (G10P20, reflecting on public information accessibility), "renewable forms of energy should be subsidized by the government" (G10P20, reflecting on the sustainability issues and government accountability), and a speaking practice on G10P79 to make sentence using "if + past simple + would verb". The example given is about anti-corruption: "A: what would you do if you were a teacher? B: I would educate my students to fight against corruption and corrupt people."

3.2 Social-Emotional Domain

Different levels of identity	Different communities people belong to and how these are connected		
Local	Empathy	Linguistic diversity	
National	Interconnectedness and shared	Religious diversity	
Ethnicity	humanity	World diverse cultural	
Different layers of	Solidarity	exposure	
	How different religions share		
friends, society	common languages of peace and	1	
	love	multiculturalism	

a. 'Different levels of identity'

The key focus of the materials has been on the local and national identities. An evident example of this focus on instilling national identity is reflected in this writing task: "people have their own customs, beliefs, art, way of life and social organizations. They are the backbone of civilization and identity. Nowadays, due to western influence, we are neglecting our own culture and following the western culture. This leads us to nowhere. Write an essay on 'our culture, our identity' in about 300 words" (G10P21).

There is less mentioning of ethnicity and other layers of identity. There is no mentioning of regional or global identities.

b. 'Different communities people belong to and how these are connected'

Empathy is often considered as a good quality of people (G10P102, G10P123, G9P139) in the textbooks. The interconnectedness and shared humanity (G10P107-108), solidarity among different communities (G10P174-175), as well as how different religions share common languages of peace and love are also mentioned (G9P19).

Nepal is a country of linguistic and ethnic diversity. It is crucial therefore for students to see the connectedness of people coming from different backgrounds. For example, G10P107-108, there is an article introducing a well-known Nepali poet, female and minority rights fighter Yogamaya. The article presents a few of her poems which would contribute to the cultivation of a sense of belonging to the common humanity. The poem reads, "I am the child in your lap, you are the babe in mine, There is nothing between us, nothing at all, your eyes have tears, just like my own." The commentary goes on, "these lines ... embody the very principle of equality. They call for parity and mutual respect. They are tender reminders of the sensitivity of all of our common needs, joys and sufferings".

c. 'Difference and respect for diversity'

Nepal is a multi-ethnicity, multilingual country. The textbook pays special attention to linguistic diversity and religious diversity issues.

For example, G9P15 attends to the country's nature of linguistic diversity, going beyond discussing English language learning, the textbook suggests students put what they have learned into practices by "[preparing] a list of any five activities that will help [people] to learn your [native] language better ..." This is a direct acknowledgment of cultural diversity and the value of native and minority languages.

As for religious diversity, G9P96 has a task for students to collect their favorite religious stories from different sources and share them with their classmates. This is an experience for students to learn more about world religions and religious diversity. They may also have the opportunity to find out points about different world religions that connect with each other.

The textbooks also include materials discussing manners, etiquettes and other cultural practices in different parts of the world (G10P1-2, G10P140, G10P141, G10P142). There are poems written by a number of English-speaking writers, which provides a hint of world English

literature, and an article discussing art and museums in Paris (G10P35-37), which mentions a number of artists including Picasso and Gauguin, as well as a number of museums, both contemporary and classical ones, such as Pompidou Centre and the Louvre.

While making such cultural exposure possible, sometimes, it risks tendencies of cultural misrepresentations or over generalization. For example, G10P3 says, "in China, your host will keep refilling your dish unless you lay your chopsticks across your bowl; in America, you should eat your hamburger with both hands and as quickly as possible. You should not try to have a conversation until it is eaten". These statements may be true to an extent, but one could hardly say that they could apply to the whole country regardless of the internal diversity of the country. So here, in introducing the culture, there is a danger of telling a single story, which has the potential of reinforcing stereotypes and even prejudices.

One can easily observe the promotion and advocacy for multiculturalism. An identical feature of the textbook, therefore, is sensitizing the idea of respect for diversity. G9P102, for example, discusses a place of memory for the writer - Manechauka. The writer talks about the beauty of nature in the place, streams, and forests, as well as a unique bazaar where "people from different castes and religions are happily and peacefully living there. Everybody respects each other. They enjoy many different cultural programmes. They respect all occupations". The writer remarks at the very end that people there "taught me to enjoy and live in a multicultural society sharing about and caring about each other's culture and religion." This article clearly promotes multiculturalism and respect for cultural diversity.

3.3 Behavioural Domain

Actions that can be taken individually and collectively	Ethically responsible behavior	Getting engaged and taking action
Awareness raising of human rights related issues through reading materials and study activities such as making a pamphlet Speak the polite languages with good manners Values and behaviors for harmonious and supportive communities Mindfulness and meditation	Etiquettes and politeness For multiculturalism For national unity Respect older people and listen to their advice Honesty, integrity, courage, self-restraint	Encourage community engagement To raise awareness of human rights violation Appreciation of locally grown food, and action to reduce the carbon footprint Debate on 'peace and development', 'wealth and wisdom'.

a. 'Action that can be taken individually or collectively'

For this, there are reading materials and activities suggested in the textbook serving the purpose of raising awareness about human rights related issues. For example, G9P37 reproduces a pamphlet about the benefits of breastfeeding for mother and baby. On the one hand, this material raises awareness of public health issues; on the other hand, it gives an example of raising public awareness about a particular issue through pamphlets.

There is a focus in these textbooks to teach students to speak polite, proper English in different situations. The formal expressions are the language of respect and language of peace which students could be practicing on a day-to-day basis. For example, G9P25-27 is a conversation between a reporter and a doctor discussing the nature and prevention of bird flu. This text is introduced as a means of teaching how to make polite requests, such as the usage of 'would you mind ...?' 'could you please ...?'

The textbook also attempts to sensitize specific values and behaviors that could contribute to making the community a more harmonious and supportive place. G9P146, for example, is a description of a best friend and qualities of a friend, including respecting 'not only teachers at school but also non-teaching staff,' self-discipline, positive towards every situation, patience, punctuality, a helping nature which helps him to be sympathetic and empathetic towards others. All these listed characteristics are qualities that the education would like to

instill in young minds. These are values and behaviors an individual could undertake to make their communities a more harmonious and supportive place.

Interestingly, there are a few mentioning of mindfulness (G9P177, G9P182) in the textbook. G9P177 introduces meditation and its benefits. It introduces a practice that could 'develop the ability to concentrate and absorb knowledge correctly,' which would lead to the understanding of the value of the right view. There have been researches showing the impacts of mindfulness on students' emotional intelligence development. Here the text provides a hint of awareness raising of this practice amongst students.

b. 'Ethically responsible behavior.'

In the textbook, etiquettes and politeness are promoted. Honesty, integrity, courage, self-restraint are all promoted talents. On G9P134-138, there is a text about universal etiquettes. It encourages students to have etiquettes such as cleanliness, politeness, punctuality, and orderliness, from how these etiquettes could make themselves and the society healthy, lack of conflicts, happy and function well. The text also lists out 14 things a person can do to live a successful, happy and healthy life.

Literature naturally bears value tendencies one way or another. This textbook promotes values of multiculturalism and respect for ethnic and religious diversity (G9P102). It also in support of national unity in asking students to write an essay about "national unity is the backbone of national development," which instills the importance of protecting national unity to students' minds (G9P124).

There is also a value tendency of respecting and taking care of older people expressed in the text (G10P154-158). Listening to older people's advice is also presented as a cultural norm - G10P48-49 is a text of an aunt advising her nephew not to give up schooling for work in metropolitan cities; G9P30 tells a story of a baby fish not listening to its mother's advice and thus being foolishly attracted to a worm, hooked and died. There are two questions asked in the book following this story: 1) why was the young trout foolish? 2) what lesson does the poem teach us? Here there is a clear punishing tone towards the little fish who did not listen to the advice.

Although some of these good stories do promote specific moral ideas, the story itself, in its narration, could sometimes be problematic. For example, G9P18 shows a story about a camel and a jackal, the camel helped the jackal to cross a river to get food, but upon reaching the other side of the river, the jackal completely forgets about the camel's welfare and only

considered about its own pleasure. So on the way back, the camel shook the jackal off from its back, and the jackal fell to the river. The textbook uses this story to tell a moral precept that what one sows one shall reap. On the one hand, indeed the story tells about a story of such a moral principle; on the other hand, this is a story about retaliation. This kind of stories may have unconscious influences in feeding the tendencies of using violent retaliation in response to injustices, which may have negative impacts on cultivating a culture of peace.

c. 'Getting engaged and taking action.'

The reviewed textbooks take proactive approaches in this aspect, encouraging students to get engaged with the communities (G9P37). It gives out creative tasks for students to visit professions in their locality, as well as social activists, to understand their concerns about reforms that need to take place in the community.

There are also debate tasks set for students to express their points of views and listen to diverse points of views. Students are also asked to "think of conditions you are not satisfied within your school or in the locality. Find out the responsible persons and criticise them" (G9P62). G9P64 gives students the task to draw a picture of their community including all the bad habits that had happened or are happening. G9P74 asks students what they would do if they were elected as the executive president of the country. All these tasks are invitations for students to think about what needs to be done in their own society and reflect upon issues that affect their nation as a whole.

G10P86 suggests two activities for the students to do after they have learned a text on human trafficking: the first activity asks students to make posters to raise awareness of human trafficking; the second activity asks students to research on organizations working on combating human trafficking, and come up with some strong stories. These activities give students opportunities to study more about the issue and learn about what they can do to help to stop this human rights violation.

3.4 Instilling Nationalism and Fostering Global Citizenship

It is worth mentioning an overall feature of the government prescribed textbooks. The reviewed textbooks are very Nepali contextualized. All texts, except for a few poems, relate in one way or another to the Nepali context. All the names of characters in the textbook are Nepali names. The textbook pays particular attention to the country's history (G9P33), cultural and linguistic diversity, festivals, and natural resources as well as tourist sites in the country. There

is a deliberate effort in instilling nationalism in young minds, as explicitly pointed out in the preface of the textbooks (Joshi, Joshi and Dhungana 2017, preface).

The aspiration of global citizenship seems to be difficult where nationalism prevails. Nationalism inspires an exclusive and particular image of a community with a defined territory. Generating such feelings may unite people internally and encourage love and responsibilities for fellow members of the nation, but it risks invoking fear or rejection of the "Others," the outsiders, who do not belong to the imagined "nation." This risk of the division is at odds with the global solidarity "global citizenship" seeks to invoke.

The changing position of Martha Nussbaum, an active cosmopolitan education advocator, could also provide insights into this tension, and perhaps will also show the positive side of the prevalence of nationalism. In the 1990s, Nussbaum was famous for her position arguing that patriotism is the enemy of cosmopolitanism. It separates one group of people from another and generates senses of division rather than solidarity (Nussbaum 1994). 20 years later, she changed her mind and argued that patriotism as a political emotion has a durable power of encouraging individuals to think beyond one's personal interests, to act for the country, for the people, for the future of the nation (Nussbaum 2015). Such emotion could serve as a starting point of a broader devotion for the betterment of humanity.

When Nussbaum (2015, p. 208) talks about patriotism, she defines patriotism as "a strong emotion taking the nation as its object." The textbook preface uses the word nationalism without defining the term. When teachers discuss nationalism in this context, they also talk about "love towards motherland" and "love our culture." In the present discussion, this study uses the terms "patriotism" and "nationalism," acknowledging that it can be problematic to equate them – "discussions of both patriotism and nationalism are often marred by lack of clarity due to the failure to distinguish the two (Primoratz 2017).

As Nussbaum (2015) suggested, the critical issue that can determine whether patriotism can serve as the "starting point" of the love beyond the 'self' lies in whether learners are facilitated to approach patriotic materials with a critical mind.

Ultimately, what GCED aims to cultivate is a conscious and critical mind that would not easily fall into any dogmatic thinking. From this perspective, despite the nationalistic nature of the current textbook, so long as teachers can facilitate critical thinking with given materials, the objectives of GCED could still be fulfilled.

IV. Conclusion

This study is a mapping exercise, matching government prescribed secondary school English textbooks contents with three domains of GCED topics proposed by UNESCO. Findings suggest that the current textbooks have touched upon almost all the proposed topics except 'local, national and global system and structure,' which is a topic that, based on the researcher's inquiry to English teachers in other studies, is well covered in the 'social studies' subject. The contents encourage students to think critically about social and environmental issues facing their communities and to respect and preserve cultural diversities.

Regarding the cognitive domain, textbook contents reflect public health, environmental, and human rights related issues to raise public awareness. It also covers other issues that reflect the connectedness between the local and the global, such as earthquake and disaster relief, tourism and the rising importance of English in the globalized world. The textbooks pay special attention in encouraging students to develop their critical thinking skills, challenging some of the harmful social practices, as well as stimulating critical reflections of westernization and modernization of the country.

Regarding the social-emotional domain, the textbook focuses a lot on cultivating local and national identity. There is a lack of explicit mentioning of a broader sense of belonging to the regional and global community. The textbook emphasizes empathy and strikes on several occasions about the interconnectedness and shared humanity amongst different communities. Given Nepal's multicultural reality, specific attention has been paid to cultivating the respect for diversity.

Regarding the behavioral domain, the reviewed textbooks raise awareness of human rights related issues through some reading materials and study activities. It also encourages little things the individual could do to contribute to peace, such as speaking politely and doing meditation. The textbook promotes certain ethical etiquettes, personal characteristics, and beliefs. It embraces multiculturalism, cultivates the appreciation of the local, with a particular focus on encouraging community engagements.

The textbook is very much Nepali contextualized and focused on instilling Nationalism. To better serve the purpose of GCED, teachers need to be trained to be able to engage textbook materials critically and facilitate students' critical inquiries.

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Challenges faced by communities moving away from Chhaupadi in Far-Western Nepal

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Abstract

Chhaupadi is the practice of menstrual hut seclusion in the Far- and Mid-western regions of Nepal that also prescribes a slew of other menstrual restrictions and taboos that constitute human rights violations. Although both the government of Nepal and activists have worked to make Bedkot municipality in Kanchanpur district a Chhaupadi-free municipality, it is unclear what challenges the community has faced as a result of these efforts. This case study used semi-structured interviews with the residents of Ward 1 and 2 of Bedkot municipality to find out what challenges have been faced by those directly affected by anti-Chhaupadi efforts. The findings of this study reveal that Chhaupadi-eradication efforts resulted in emotional distress, loss of property, and social discontent among the residents of these Wards. This study concludes that resorting to "quick fixes" to eradicate deeply-rooted cultural malpractices like Chhaupadi brings about significant harm and dissatisfaction among the affected population. To better bring about sustainable change within communities would thus require concerted and persistent efforts from all parties and stakeholders involved.

Keywords: menstruation, menstrual taboo, cultural malpractice, women's rights, Nepal, Chhaupadi

I. Introduction

"Chhaupadi" is a word from the Raute dialect of Achham, a district in Far-western Nepal, that means menstruating woman, where "chhau" means menstruation and "padi," woman (Raut and Tandon, 2011). This word has come to be synonymous with Chhaupadi pratha, or the practice of menstrual hut seclusion that is still widely practiced in Far-western Nepal, especially in the hilly districts like Achham. In recent times, this practice has been receiving increasing attention both domestically and internationally thanks in no small part to the reports of women and girls dying for the sake of this practice (Bhattarai, 2018; Horton and Selk, 2017; Khatri Chhetri, 2016). The suffering of women and girls for this kuriti, or improper cultural practice (Khadka and Middleton, 2014), has been widely condemned, but it has deep-seated roots in the communities that practice it and eradicating Chhaupadi has thus proved to be a formidable challenge.

While *Chhaupadi* is characterised first and foremost by the seclusion of menstruating women and girls, this seclusion may be carried out in various forms, some of which are more visible than others. In the western regions of Nepal, women are commonly visibly secluded in menstrual sheds or *chhau goths*, with the duration of seclusion ranging from three to four days to seven to 10 days (Gautam, 2017). There are many different types of goths and menstrual restrictions to be observed. Paudel (2017b) provides a comprehensive overview of the various types of goths that can be found in western Nepal, which she divides into three main categories, namely animal sheds with cattle, animal sheds without cattle, and sheds specifically for menstruating women which might range from make-shift tents to well-kept, concrete structures (Paudel, 2017b).

Notwithstanding the different physical conditions of menstrual seclusion, menstruating women and girls are required to observe restrictions related to worship and food: menstruating women and girls are prohibited from doing *puja* and must stay away from anything related to worship (idols, images, temples, etc.) (Sharma, 2014), while dairy products, meat, vegetables, citrus fruits, and pickles must be avoided (Gautam, 2017; Paudel, 2017b). There are also restrictions on touch: a menstruant may not touch any of her male relatives especially, but in general others avoid physical contact with her. Livestock, especially cows, fruit-bearing trees, vegetables, pickles, and water sources must also be avoided (Joshi, 2016). Restrictions on mobility must also be observed as menstruants have to avoid areas dedicated to worship and are not allowed to enter their homes, especially the kitchen, and by extension are not allowed to prepare food (AWON, 2012; Basyal, 2016; Hyatt, 2015). Their presence is also not welcomed

at cultural or community events, and some girls are also prevented from going to school while on their period (Paudel, 2017b).

Women and girls must abide by strict restrictions lest they pollute the things and people around them and further anger the gods (Basyal, 2016; Joshi, 2015; Mishra, 2014). Should any of these restrictions be broken, women and girls risk being blamed for any of the misfortunes that befall their families, relatives, and communities. Therefore, to abide by the traditions and customs of their community and to avoid having to shoulder blame gratuitously and having their families ostracised from the rest of the community (Lamsal, 2017), most women and girls in this region continue to observe the custom of *Chhaupadi* alongside the accompanying menstrual restrictions. The *chhau goths* are often ill-equipped to shelter the women and girls adequately from the elements as well as sexual and natural predators alike. Living in the *goths* thus puts women and girls at risk of falling sick, being attacked by snakes and other wildlife, and being sexually assaulted. To make things worse, all this has to be endured while they are weak from a loss of blood and a lack of nutrition.

In recent times, efforts to eradicate the practice of *Chhaupadi* have intensified in Farwestern Nepal. However, there has been a lack of effort to document and study how the relevant communities are accepting and/or adapting to these changes. Accordingly, to better understand how *Chhaupadi* can be eradicated more effectively, this case study sets out to explore the challenges that communities have faced as a result of anti-Chhaupadi efforts.

II. Methodology and data collection

Interviewing was the primary tool used for the second phase of data collection for this qualitative study. This phase of interviewing was also conducted in two phases, with the first being interviews with community members and the second being key informant interviews (KII). Respondents for both these phases were selected through two types of purposeful sampling, namely criterion sampling and snowball sampling.

The process of selecting participants for this study was facilitated by a local woman community leader. The main criterion I used in selecting participants were that their practice of *Chhaupadi* had undergone some changes as the aims of the interviews was 1) to better understand the processes through which these changes were brought about, and 2) to find out more about the personal experiences and perspectives of the interviewees with regard to these changes. The full list of key questions that were used to guide the interviews with the community members can be found under section II of the Appendix.

From the initial pool of participants who were selected, more participants were recruited through snowball or referral sampling. Although snowball sampling is not ideal for generating a representative sample, it proved to be an effective way to get respondents to open up about the "sensitive" subject of *Chhaupadi* that is shrouded in much taboo and shame (Biernacki and Waldorf, 1981). In order to obtain a wider range of perspectives, the researcher also sought out participants from different generations/age groups. All in all, there were 13 respondents in the "community member" category who were between 18 – 63 years old, though about half of the participants were between 30 – 40 years old. All respondents in this category were female and most of them were originally from the hilly districts near Kanchanpur such as Achham and Daledura. Some respondents were interviewed as a group because they expressed that they were more comfortable being interviewed that way. Table 1 provides more information about the respondents.

Table 1: List of "Community Member" Respondents*

Interview No.	Name	Age	From	Caste
1	Komala	38	Dadeldhura	Bhramin
2	Soneeya	63	Achham	Dalit
3	Aditi and Bidita	30, 27	Achham	Dalit
4	Shanti, Nalinee, Tulasi	32,18, 35	Dadeldhura	Dalit
5	Lakshmi	49	Doti	Bhramin
6	Anjuli	43	Doti	Dalit
7	Ishwari	42	Achham	Chettri
8	Rani	38	Dheradun, India	N/A
9	Dipti	32	Kanchanpur	Dalit
10	Nikita	33	Achham	Chettri

^{*} Names have been changed to protect confidentiality.

Verbal consent, including consent to record the interviews, was obtained from every participant after a brief introduction of myself and the study. All the interviews were conducted in a semi-structured format and were guided by a set of key questions. Both the loosely-structured interview format and the open-endedness of the questions allowed the interviews to take on a more conversational tone, which was important to ensure that the questions were put forth to the respondents in an "unbiased manner" and that the respondents did not feel like they were being judged be it for their private lives or their professional duties (Yin, 2003).

III. How change happened

Considering the fact that a significant proportion of the efforts to eradicate Chhaupadi have been focused on education and awareness raising, it was heartening to find out that such efforts did manage to effect behavioural changes and reduce the number of menstrual restrictions observed in some families. At least three respondents (Komala (#1), Lakshmi (#5), and Ishwari (#7)) reported that their initial and primary sources of information about sexual and reproductive health and MHM were educational campaigns run by NGOs in order to combat Chhaupadi. Furthermore, these respondents also reported that learning about the above topics helped them dispel their previous convictions about menstrual restrictions and understand that Chhaupadi was in fact a cultural malpractice that should be discontinued for the wellbeing of women and girls. While they were still fearful of divine repercussions in the beginning, they eventually understood that "it was not a sin to bleed". They came to this realisation through a process that can be best described as a form of experimentation or trial-and-error from their perspective, in the sense that they "tested" the boundaries of certain menstrual restrictions and found that no divine repercussions befell themselves or their family members. As the saying goes, "seeing is believing," so when these women saw that the divine repercussions that were used to justify the restrictive menstrual taboos that had been imposed upon them their entire lives were not actually true and were in fact "man-made," as Komala put it, they became more confident in relaxing their observation of menstrual restrictions. Subsequently, they even began sharing their knowledge toeducate their family members in an effort to change the latter's perception about Chhaupadi.

However, it turns out that these changes in perception did not happen overnight, quite the contrary—Komala (#1), reported that while her first exposure to the educational campaigns to combat *Chhaupadi* was as early as a decade ago, she and her daughters only started staying at home during their periods less than five years ago. While this slow change in behaviour can partly be attributed to the time-consuming trial-and-error process described above—it took Komala more than a year to start changing her mentality about *Chhaupadi*— the bigger challenge in Komala's case was the resistance she faced from the main decision maker in her household—her mother-in-law.

Furthermore, these women's efforts to educate and change the minds of non-relatives proved even less effective, for community members often dismissed their "teachings" as

⁶All quotations have been paraphrased.

baseless. Both Komala and Lakshmi reported that while other people in their community did not force them to live in *chhau goths* during their periods, these community members were not open to the anti-*Chhaupadi* teachings that the women wanted to impart.

"I think that other people should follow my system [of staying at home during menstruation], but they insist that [Chhaupadi] is their culture and system and tradition. At least they say that I can do what I like, but they are not interested in following my system" (Lakshmi, 49).

Moreover, these women's neighbours also did not welcome their presence when the women were menstruating, and the women had to make sure that they respected the menstrual restrictions observed by their neighbours within the latter's compounds. This meant that they were not allowed to approach the homes of such neighbours when menstruating.

Since the bill criminalising *Chhaupadi* was passed in August 2017, there have also been educational and awareness programmes targeted at eradicating the practice. These efforts, which covered the new law on Chhaupadi, were part of a campaign to make Bedkot a "Chhaupadi-free" municipality (Samiti, 2017) and were carried out with the underlying intention to compel community members to get rid of their chhau goths. While actual records of these programmes were not available, community members and government representatives alike reported that these educational programmes involved two to three visits from a group comprising workers from the local NGO Conflict Victim and Single Women Development Centre (CVSWDC) and local community leaders (henceforth, demolishment group) over the course of two to three months. It also turns out that the nature of these awareness-raising efforts was not purely educational—community members were told that if they did not get rid of their chhau goths, not only would it be done for them, the municipality council will also withhold access to public services from them, though it was not specified what these services included. A local community leader involved with the demolishment group reported that two warnings were issued with a 10- and seven-day period between them respectively before the demolishment group implemented their chhau goth-destroying campaign, after which Bedkot was declared *Chhaupadi*-free⁷. As a means of consolation, affected community members had

⁷ On Poush 3, or 17 December 2017, an official district-level event was held to officiate this declaration. Based on the retellings of this event, it was a high-level meeting that involved government officials of various levels—all key informants who were government officials (Ward 1 Chairperson, Deputy Mayor of Bedkot municipality, and Deputy Chairperson of Kanchanpur district) attended the event. Bandana Rana, current CEDAW committee member, was the guest of honour who officiated the declaration.

been promised compensation in the form of building material such as wood will be provided to those who had their goths destroyed.

Several changes occurred as a result of the demolishment group's campaign. Firstly, some women like Ishwari and her sisters-in-law did indeed move into their homes during their periods. Many ad-hoc arrangements had to be made to accommodate them indoors, such as a rearrangement of the main cooking and worship areas. There were complaints about the designated room becoming too crowded when more than one woman was menstruating at the same time and the extra caution they all needed to take to avoid "contaminating" things related to worship and cooking, but all in all, the women experienced an increased sense of security and comfort especially because they now had access to electricity (lights, fans) during their periods.

"We used to have a separate *chhau goth*, but then the activists came to damage it and now we stay in a separate room in our house when we are menstruating. Me and my three sisters-in-law used to share that *goth*, but now we stay in the kitchen and have moved the kitchen to another room. Our house is very small so it is very difficult to manage the space, but at least now we can use the light and table fan in the house. We did not have that in the *chhau goth*." (Ishwari, 42)

Other women were not as fortunate, however, especially those whose families originated from Achham. In these cases, most of the women were not allowed to stay in their homes during their periods despite the fact that their goths had been damaged—it was simply too "risky" for them to do so for the gods will be angered. Instead, their families and resorted to a few other alternatives: 1) repair or rebuild the damaged goths, 2) have the women use a different goth or stay in a room at a relative's home, 3) have the women stay outside the house in a makeshift shelter. Though none of the respondents themselves had to resort to option 3 above, they reported that a cluster of seven to ten Acchami households segregated from the rest of the community by some fields had kept women out of the house in those conditions. Anjuli (#6), whose father- and mother-in-law were *Dhamis*, also expressed that even if her *goth* had been damaged or destroyed by the activists, she and her family would simply reconstruct it, and that she would not stay in the house in any case.

"When the activists came, they did not destroy our *goth* because we made it look like a goat house by putting our goats in it and also some grass for them to eat. But if it was damaged we will just rebuild it. I will stay in there no matter what, my father- and

mother-in-law are *Dhamis* so they are very strict, they take religion very seriously." (Anjuli, 43)

It is thus evident that while the destruction of the *chhau goths* could and did bring about changes in the lives of those it affected, those changes would/were not always in the desired direction.

If the demolishment group's actions can be considered as a form of external imposition, then there were also forms of internal imposition that brought about change, viz. imposition from within the family. One case in point is a family in Ward 2: inspired by the demolishment group's campaign, the father of an Achhami household8 decided to completely get rid of his family's *chhau goth* and to keep his wife and daughter in a separate room in their home when they were menstruating. It was also reported by the neighbours who referred the researcher to the household that the father did not have a problem with making physical contact with his daughter when she was on her period. However, these reports were denied by the man's wife, Nikita (#10), who also expressed misgivings about her husband's "boldness" in destroying the chhau goth primarily because she was afraid not only about what the rest of the community would think about it but also how her in-laws (who were living in Achham) would feel about it when they found out. In any case, however, she was glad that her daughter would now be living be within the safety of their home even when menstruating. Nikita's misgivings about her husband's actions to move away from Chhaupadi came as a surprise to the researcher, as the opposite scenario is more often the case, viz. people who practice *Chhaupadi* are reluctant to admit to doing so to outsiders. Gautam (2017) reported as much about a study where "100% of the respondents were practicing the *Chhaupadi* ritual but they [did] not want to disclose it."

There was also change that came about due to rebellion on the women's part. These "rebels" resisted the practice for one of two reasons: 1) they were from parts of Nepal and India where *Chhaupadi* was non-existent, 2) they had spent some time living in places where *Chhaupadi* was non-existent. Women who made up the first category were only exposed to *Chhaupadi* when they got married and moved in with their husbands and in-laws. It was essentially a culture shock for these women when their in-laws and community members forced them to live in *chhau goths* during their periods. This was compounded by the fact that something that used to be a relatively private affair to them had now suddenly become a public

⁸The father had recently left the country to work in Dubai and was thus not available to be interviewed.

one that subjected them to the unwelcomed scrutiny of the larger community. Feelings of fear, discomfort, and indignation characterised their experiences of living in a *chhau goth*, and all of

this drove them to rebel against a practice they considered unjust. Rani (#8), who hails from northern India, was so determined to never live in a *chhau goth* again after her first experience that she decided to leave Bedkot and stay in Mahendranagar whenever she was on her period. Eventually, after a temporary falling-out with her in-laws, Rani managed to establish once and for all that her daughter would never live in a *chhau goth*, and even went on to become a member of the demolishment group.

Things were not as smooth going for Dipti (#9), however. Like Rani, Dipti was only exposed to *Chhaupadi* upon marriage and felt oppressed by the practice her in-laws and neighbours were imposing on her. Nonetheless, unlike Rani, she did not have the means to physically escape her community and did not receive moral support from her husband nor parents, who advised her to be a "good daughter-in-law" by obliging her in-laws' demands. Today, neither Dipti nor her daughter live in a *chhau goth* anymore, mainly because her in-laws have passed away and Dipti is now the primary decision maker within her household⁹, but also because her economic status has improved over the years and allowed her to build additional rooms in her home. Therefore, while Dipti was not able to directly rebel against the norms of her community, she rebelled by simply not carrying on with the practice when the main enforcers of it in her life left the scene.

This brings us to the last and most natural, albeit slightly morbid, point of how change ensued—through the death of the older generation. This study found that more often than not, the main enforcers of *Chhaupadi* were those of the older generation, or more specifically, mothers-in-law enforced *Chhaupadi* on their daughters-in-law. Reports in local newspapers about *Chhaupadi* have also reported as much¹⁰. Daughters-in-law such as Aditi (#3) and Bidita (#3) reported that their mother-in-law, who was in her 60s, was so strict about the menstrual restrictions that she would patrol the compound of their home when the women were on their periods to make sure that they would not get too close. Such treatment made the women feel disrespected and humiliated and even recalcitrant, but they held their silence as their positionality did not allow them to speak up.

⁹Dipti's husband is working abroad.

¹⁰See http://lokaantar.com/samachar/36544.

Mothers-in-law like Soneeya (#2) themselves expressed that she would uphold the practice of *Chhaupadi* until her death, and that she would not allow anyone in her household to stop practising it as long as she was living. Should they decide to act differently, they may do so only upon her passing. Consequently, it might appear that the demise of an elder might signify a weakening of *Chhaupadi*'s hold on a family, but while the younger generations looked forward to fewer restrictions, they were still not completely ready to do away with all restrictions. For one, respondents whose in-laws were still alive and enforcing *Chhaupadi* expressed that even upon the passing of their in-laws, they would only be comfortable with moving into their homes if and when additional rooms could be built so that the puja areas could be protected, but they were also adamant that their daughters would not be subjected to menstrual hut seclusion.

"Our ancestors passed down this tradition to us so we cannot go against it. My daughter will stay at home when she starts menstruating because staying outside is risky. We will build a good room for her and make sure that the puja and cooking areas are all separate so that my daughter can stay inside." (Bidita, 27)

In any case, the passing of someone from the older generation would signify a redistribution of power within a household which could have the effect of liberating women from some of the more extreme restrictions of *Chhaupadi*. However, this effect is ultimately limited by the views and attitudes of the main decision maker within a household, be they the father, mother-in-law, or daughter-in-law.

IV. Impact of change and corresponding challenges

Unsurprisingly, the demolishment of *chhau goths* brought about a slew of problems for the affected community members. The loss of property not only created financial problems for a community that was already struggling economically but also caused emotional and psychological distress for those who had to adapt to abrupt and drastic changes in their lifestyles. Women who were glad about being able to stay in their homes during menstruation nonetheless experienced stress from figuring out and adapting to new arrangements. Moreover, their appreciation of the increased comfort and security was shadowed by a fear of divine repercussions and a dreadful thing of having to shoulder such blame. This worry and fear robbed them of peace of mind and made them wary about the misfortunes or illnesses that befell people related to them. Indeed, respondents reported that those who experienced misfortunes following a relaxation of restrictions became more convinced of the need to uphold such restrictions and

reverted to old ways soon after. This was further corroborated by statements such as the following:

"The activists forced us to change our habits and this means that our gods will be angry with us. If nothing happens then we will continue staying in our homes, but if something bad happens then we will move back into the *chhau goth* because it means that god is punishing us" (Shanti, 32).

Furthermore, on top of having to bear the above economic loses and emotional anguish, the compensation promised by the demolishment group never materialised. This was primarily due to a disconnection between the community and the administrations. On the one hand, community members reported that they did not know how to go about demanding this compensation, while on the other hand, government officials said that no one from the community had filed any documents to make the claims. It turns out, however, that for those claims to actually go through, the process is much more complicated—community members will need to get in touch with a designated community leader who will then report their grievances to the ward and municipality, after which an assessment will be carried out to determine the actual compensation that will be given out. When this study was carried out, no such meetings or interactions had been carried out, nor did it seem like the affected community members were aware of such a process.

The destruction of the *chhau goths* also had the indirect impact of increasing inequality within the community. For one, the demolishment group spared the *chhau goths* of those who were of higher socioeconomic status whereas those who were more vulnerable within the community (poorer, lower social status), became easy targets for the demolishment group to achieve their target, although some households also managed to protect their *chhau goths* by camouflaging them as goat sheds. Affected community members expressed resentment about this blatant biasness and felt further victimised by the demolishment group. Needless to say, the women who were still not allowed to stay in their homes during their periods were even more victimised when they had to adapt to ad-hoc and makeshift living arrangements. Security risks became even more heightened as they deal with physical discomfort and emotional distress.

Those who initiated a change in their observation of *Chhaupadi* on their own accord were not spared from challenges as well. The most salient challenge was isolation from their families and the larger community. In Rani's case (#8), while her rebellion against *Chhaupadi* did not anger the gods, it definitely incurred the wrath of her in-laws. They cut off communication with her for months and refused to accept any food or drink from her, so Rani

did not serve them anything as well. Those in her neighbourhood who disapproved of her actions also gossiped about her and ostracised her, calling her husband weak and passive for not being able to "control" her enough. Likewise, women like Komala and Lakshmi (#5) who set out to educate the community about the evils of *Chhaupadi* were seen as mavericks who were threatening a tradition close to the heart of the community and thus also faced ostracization. Although they moved freely within their homes and compounds¹¹ during their periods, they did not dare get too close to the compounds of their neighbours. In this sense then, even though the women were no longer physically secluded in *chhau goths*, they were still isolated from the rest of their community during their periods.

The challenges were not confined to the realm of the human community, however, in the sense that the supernatural was also closely linked to the obstacles these women faced. For one, they became sitting ducks for blame to be directed at them whenever the slightest illness or misfortune befell somebody related to them. *Dhamis* who continued preaching about the polluting effects and dangers of menstruation reinforced the fear and distaste the community had for menstruating women and those who challenged *Chhaupadi* became targets of blame as a result. Indeed, it was this fear of divine repercussions that kept the women from disregarding restrictions concerning worship, cooking, and the consumption of dairy products.

V. Feelings about change

On one hand, respondents who were able to stay inside their homes during menstruation were happy that the *chhau goths* were destroyed as they considered it a source of misery during their periods. Although they thought that the action taken by the demolishment group was biased and somewhat overboard, they were still grateful for the change in their lives primarily because of the increased sense of security and comfort they now had. Moreover, they considered it a symbolic act of their dissatisfaction towards the tradition that they could not have carried out by themselves due to the societal forces that bound them. Some even clapped their hands when the activists carried out the destruction of the *chhau goths*. By allowing the demolishment group to carry out the destruction, it allowed them to externalise the blame for discontinuing menstrual hut seclusion, allowing them to stay inside their homes free from the castigating gazes of the community. This change in turn led to more openness within their households towards menstrual restrictions and some women were even allowed to share toilets with their

¹¹Free to the extent that they did not "contaminate" *puja* and cooking areas.

family members as they gradually accepted the presence of menstruating women within the household.

On the other hand, respondents also felt angry, bitter, and sad about the demolishment group's actions and the corresponding changes in their lives. First of all, the changes were too sudden and had been imposed upon them before their "hearts and minds" were ready to accept it. Gradual change was what they really wanted. Feelings of loss were tied to the notion that *Chhaupadi* was a culture and tradition that made up their identity and was part of their heritage, especially when the *chhau goth* had been passed down through the generations. The feelings of anger and bitterness were directed towards the demolishment group and the government officials primarily because the promised compensation for the damage never materialised but also because of the perceived biasness of the *chhau goth*-demolishment campaign.

"I don't know how to contact the activists who promised the compensation, I only know that they are Ekelmaila (CVSWDC as referred to by the locals). I am very angry for what they did, they are liars who made empty promises! If I see them again I want to beat them! [Gestures with hands and laughs]" (Ishwari,42).

Apprehension about the changes in their observation of *Chhaupadi* was another common sentiment expressed by the respondents. This was primarily a result of religious belief—because they had been taught that menstruation was polluting and would anger the gods, a relaxation in the menstrual restrictions, as welcomed as they were, gave rise to fear of divine repercussions nonetheless. Beyond this, there was also a fear about what others around them thought. Respondents were thus torn between not wanting to be ostracised by the community on one hand and wanting to live inside their homes and see other relaxations in menstrual restrictions on another.

Last but not least, it was thought that change was really not necessary in this context, viz. the way the community was practising *Chhaupadi* was completely fine. A few factors informed this line of thought. For one, older respondents were convinced that there was nothing lacking form the current conditions of women in *chhau goths*. This is because, according to them, in earlier times, before their families moved to Kanchanpur, women did not even have *goths* to stay in; in fact, they did not even have any makeshift shelter—all they had was the

shade of the trees, and even then, they had to stay a significant distance away from their homes and communities¹². Over the generations, however, things improved gradually; menstruating women were allowed to stay within closer proximity to their homes and makeshift shelters evolved into *chhau goths*. Today,the *chhau goths* can be found as close as five meters from the house—something that was completely unimaginable "back in the day." Essentially, these respondents were saying that women these days did not know how "lucky" they were and asking for a further relaxation in menstrual restrictions was out of line.

VI. Conclusion and recommendations

Based on the findings and analysis above, it is evident that initiatives to eradicate deeply-rooted harmful cultural practices need a significant degree of sensitivity to minimise collateral damage. Target-driven initiatives that focus on numbers instead of the people involved risk causing more harm than good to a community, especially when there is a lack of follow-up efforts to check in with the community on their experiences and progress. At this point, it is more than overdue for stakeholders to do away with a "quick fix" mentality and approach to a problem as entrenched and serious as *Chhaupadi*; one-off efforts will not do much to change a practice that is regarded as tradition by its practitioners, and in fact, such efforts might even cause significant economic, physical, and psychological harm to the community, as discussed above.

Economic empowerment, especially of women, should be higher up on the list of priorities, because, as the findings discussed above reveal, education and awareness raising alone cannot be translated into behavioural change if the relevant parties simply do not possess the material means to put those changes into action. This means that the efforts and resources invested in raising awareness and education will be for naught as they will not have any tangible impact on the lives of those affected. With economic empowerment, at least the community will be able to take the first step of allowing menstruating women and girls to stay in a separate room within the safety of their homes. Undoubtedly, some might argue that a separate room will not be necessary if the people simply understood that menstruation was not something dirty, impure, or dangerous, but changing minds to that extent without implementing corresponding material changes is a formidable and time-consuming endeavour. Indeed, helping menstruating women and girls be accommodated in a separate room within their homes can be considered a preliminary step towards broader and more substantial change, for this will

¹²Respondents cited distances between 50-100 metres away from the homes.

allow households to better familiarise themselves with the presence of menstruating women in their homes and in doing so learn that the divine wrath they have been taught to fear might not be as real as they believe after all. Taking gradual steps like these to ease people into more substantial change is essential to ensure the wellbeing of the community as a whole, to mitigate the potential harms that come with drastic and abrupt changes.

Ultimately, it must be recognised that deep-rooted discrimination and violence against women cannot be eliminated in one fell swoop; they are all part of the larger structure of the patriarchy that has reigned for as long as recorded history and require persistence, determination, and a certain amount of ingenuity to be overturned for the liberation and empowerment of women. Quick fixes will only cause more harm to communities that are already disadvantaged and marginalised, and women within such communities will consequently become more vulnerable to more discrimination and violence. A problem like *Chhaupadi* must be tackled with concerted effort from all fronts before it can truly be eradicated, and only then will places like Bedkot Municipality truly be able to call themselves *Chhaupadi*-free.

Graduate Seminar in on Human Rights in South Asia REFERENCES

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The Right to Vote of Persons with Physical and Visual Disabilities: A Case Study of Nepal

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Abstract

In Nepal, persons with physical and visual disabilities are highly-discriminated because of deep-rooted social stratification and neglect. They are confronted with barriers that hinder them from exercising their right to vote. This study looks into the various challenges that persons with physical and visual disabilities face in exercising their right to vote. In relation to the barriers, Nepal's current compliance with the Convention on the Rights of Persons with Disabilities (CRPD) was examined. This research precisely goes into Article 29 that explicitly states that persons with disabilities must relish equal opportunities in voting and running for elections. For the qualitative sampling methods employed for this study, election observers, disabled peoples' organizations, the Election Commission of Nepal, and voters with visual and physical impairments were interviewed. The research findings show that Nepal has not fully complied to the Article 29 (a) of CRPD. Due to Nepal's sporadic topography and ban on the mobility of vehicle on the election day, voters with physical and visual disabilities, are coerced to walk for hours to reach the nearest polling precinct. The polling booths do not have grab bars, ramps, or other disability-friendly facilities. Although they are prioritized and given a separate line during polls, Braille ballots are not made available for persons with visual impairment. They have been yearning to have accessible polling booths and automated elections in lieu of the arduous manual electoral scheme. A number of visually-impaired voters echoed concerns about maintaining the confidentiality of their ballot, given that relatives and election assistants ink the ballots on their behalf. These challenges impede persons with disabilities in claiming their basic human rights, chiefly their right to vote.

Key words: persons with physical disabilities, visual disabilities, Nepal, elections, right to vote

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I. Introduction

In Nepal, the voters who suffer from physical, mental, and intellectual disabilities encounter setbacks in registering for the elections, have no access to polling precincts because of their physical architecture, and experience mishaps in communicating and comprehending the complexities in the voting procedure.

The right to social justice of persons with disabilities is consecrated under Article 42 of Nepal's Constitution¹³. They are given the right to have equal access to education, health, employment, housing, and social security. The civil and political rights of persons with disabilities are duly recognized under domestic laws. The first two measures implemented were the Disabled Protection and Welfare Act of 1982 and the Protection and Welfare of the Disabled Persons Rules of 1994. The laws state that persons with disabilities are entitled to free healthcare, education, and acknowledge their economic and social rights (p. 607). The right to vote and equal suffrage was first emphasized in Article 25 (b) of the International Covenant on Civil and Political Rights (ICCPR) while Article 6 of the CRPD recognizes that women are doubly-disadvantaged and are prone to multiple forms of exploitation and discrimination. Similarly, Article 5(c) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) recognizes the right to vote and candidacy of ethnic and religious minorities. Even Article 21 of the Universal Declaration of Human Rights embellishes the citizens' right to participate in elections by freely choosing their representatives in a genuine and periodically-held election. These provisions on electoral rights not only highlights citizen's right to vote but also their freedom of expression, right to information, equal representation in politics, among others.

Nepal has ratified the CRPD in May 7, 2010, making it the 86th country to ratify the said convention (OHCHR, 2007). It is also the 53rd country to ratify the Optional Protocol (OP), which provides an individual complaint mechanism akin to other UN treaties. But its ratification was only translated into legislation with the recent passage of the Rights of Persons with Disabilities Act, a landmark law that enables persons with disabilities to file candidacy and vote for the upcoming elections (The Himalayan Times, 2017a; the Himalayan Times, 2017b). The Act, which took three years to maneuver, also outlaws discrimination against voters with disabilities and encourages government agencies to provide them with educational materials in

¹³ Article 42 of the Nepali Constitution states that: The citizens with disabilities shall have the right to live with dignity and honor, with the identity of their diversity, and have equal access to public services and facilities.

disabled-friendly formats. What makes this law significant is that it has assimilated a humanrights based approach to address issues concerning persons with disabilities.

The aforementioned Act that replaced the antiquated Disabled Protection and Welfare Act 1982 aims to recognize the rights of citizens with disabilities enshrined in the CRPD, including electoral rights. Section 11 states "Persons with disability, on an equal basis as of other person, shall have the right to be a candidate in elections in a fearless environment, and have the right to cast vote voluntarily with or without someone's support (Disability Rights Act, 2017)." Despite the passage of this law, a colossal number of disabled Nepalese can't access polling precincts in their districts. Blind voters are dismantled of their right to secret voting as they can't cast their votes without non-disabled guardians (Kathmandu Tribune, 2017).

Because of the country's caste system, persons with disabilities, especially from the Dalit (the most oppressed caste), Madhesi (indigenous people of Southern Nepalese region of Tarai), and Janajati (indigenous) castes have difficulties in obtaining their citizenship cards and Voting Identification Cards (VICs), thus making them ineligible to exercise their voting rights. In addition, political participation is mostly out of reach for persons with disabilities living in economically-lackluster districts (Achham, Kalikot, Jajarkot, Jumla, Dolpa, Bajhang, Bajura, Mugu and Humla). Still, a number of voters opt not to cast their vote because of the perceived failure to return home on the same day of the poll, especially in the highland belt of Nepal.

Against the backdrop, this study examines the various challenges of persons with physical and visual disabilities face in exercising their right to vote in Nepal. It also examines the Nepali government's status of implementation of Article 29 (a) of CRPD. Finally, it concludes with some appropriate measures to concerned government agencies and other stakeholders in facilitating electoral participation of persons with physical and visual disabilities.

II. Research Methods

Qualitative sampling methods, particularly purposive sampling, were employed for this study. The researcher interviewed six voters with visual impairments and five voters with physical disabilities. The researcher conducted a Focus Group Discussions with the Nepal Disabled Women Association (NDWA) and one-on-one interviews with the rest of the respondents. The intended respondents have voted at least once during their lifetime, either in Kathmandu Valley or in other provinces. Intersectionality was a key highlight of this research and the interviewees were from diverse ethnic and religious groups in Nepal. Likewise, the

research involved six experts and key informant interviews from Kathmandu Valley-based disability rights NGOs, government agencies, and INGOs ardently engaged in monitoring and observing the previous elections.

Whilst there are three stages during the electoral process, this research spanned two stages: pre-elections and during elections. Persons with physical and visual disabilities confront hurdles during the registration process itself and the voting procedure. Stigmatization and social exclusion are the roots of poor access to voting, physical barriers and existing legal instruments do affect and influence the level of satisfaction of voters with physical impairments. Presence of highly-adept electoral assistants and disabled-friendly ballots and signs within polling precincts were meticulously examined during the data collection process.

II.A Key Findings

Based on the analysis of the research data, this study has two major findings: challenges relating to the right to vote for persons with physical and visual disabilities and the Nepal government's status of implementation of Article 29 (a) of the CRPD.

A. Challenges related to the right to vote for persons with physical and visual disabilities

Persons with physical and visual disabilities face various challenges before and during elections. These include geographical difficulties, ECN's prohibition on vehicles during polling day, the failed implementation of Electronic Voters Machines (EVMs) during last year's elections, physical inaccessibility of the polling booths, barriers to the secrecy and accessibility of the ballot, lack of disability-sensitivity training for election staff, and the government's distorted perception towards persons with disabilities.

Due to geographical difficulties, the accessibility of polling booths is a critical issue during elections. The accessibility for persons with physical and visual disabilities are further aggravated by the ECN's ban on public and private vehicles on the election day. Only those who secured permits from the ECN or police are allowed to operate during elections. These vehicles include ambulances, vehicles used by emergency services, security agencies, national observers, diplomatic officials, press, and the commissions. The popular belief behind this move is to obstruct political parties in moving around the village and carrying out fraudulent activities in order to disrupt the electoral process.

Opposition by major political parties and factions, including logistical nightmares and budget limitations has hindered the government's aspiration to roll out the EVM system

during the past elections. Persons with visual disabilities are deeply perturbed by their dependence on others in casting their vote. This withholds their pursuit towards protecting the secrecy of their votes. Although ingraining the EVM system in Nepal has its ensuing risks, voters with visual disabilities find EVM as a more accessible compared to the manual process of stamping the party symbol among a boundless list of parties on the ballot. In the meantime, voters with physical disabilities scrutinized about the country's ongoing reconstruction efforts, which led to the impassable roads en route to the polling booths. Tidy and accessible WASH facilities, grab bars, ramps, and pathways for wheelchair users are clearly unavailable in many schools used as polling precincts. Polling officers need ample sensitivity training in assisting voters with physical and visual disabilities who are alone during the polls.

B. Nepal government's status of implementation of Article 29 (a) of CRPD

Article 29 (a) of CRPD is fully integrated in Nepal's laws and policies but falls short of willful implementation. The deprivation of their voting rights of persons with physical and visual disabilities is an indication of their relentless ostracization not only from the electoral process but from the citizenry. Nepal's local laws are congruent to the CRPD but Article 29 (a), or provisions regarding the suffrage and candidacy of persons with disabilities, were barely given due importance in the laws and policies of the government. In relation to the barriers, Nepal has not fully complied and enacted Article 29 (a) of CRPD because of the pervasiveness of the hierarchical caste system and inability to provide adequate disabled-friendly facilities and services during elections. These challenges impede persons with disabilities in claiming their human rights, chiefly their right to vote.

All stakeholders have directly and indirectly expressed their apathy in supporting the rights of persons with disabilities. Government institutions and political processes must be effectively constrained by the provisions of the Constitution and bylaws. But as a party to a multitude of UN treaties, the government is obliged to fulfill their duties to respect, protect, and fulfill the right to vote of persons with physical and visual disabilities. Electoral rights of disabled citizens are eagerly stressed in Article 29 (a), which complements Article 25(b) of the ICCPR and Article 5(c) of the ICERD. Another duty of the government is to ensure that the voting right of persons with disabilities is universal, duly-recognized, and inalienable.

III. Conclusion

Nepal has administered elections in different political systems and constitutions over the past decades and even so, persons with disabilities have been traditionally expelled

from experiencing inclusive, fair, and accessible polls. Persons with physical and visual disabilities had shouldered numerous woes while reaching to their polling precinct and casting their vote during last year's polls. The research found the various challenges relating to the right to vote for the persons with physical and visual disabilities and the implementation of the Article 29 of the CRPD by the Nepal government falls short when it comes to its actual realization.

Even though this research targets the voters with physical and visual disabilities, the findings of this research also apply to persons suffering from hearing impairment, learning and intellectual disabilities, and those with psychosocial disabilities. Despite bearing different needs for their respective disabilities, they all share the same thirst to vote in an accessible and inclusive election.

The government must ensure the inclusion of persons with disabilities in the mainstream agenda to achieve an equitable society. The efforts of Disabled People's Organizations (DPOs) in championing disability rights have steadily surpassed everyone's expectations, including government stakeholders. It is time for the Nepalese government to enhance its collaboration with DPOs in the field of political participation. Article 8 of the CRPD directs state parties to lead in raising awareness on the rights of persons with disabilities and eroding demeaning practices and beliefs about disability. The Nepalese government must steer the wheel in realizing their rights and capabilities and undertake sincere reforms.

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