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FORUM: THE WOMEN'S RIGHTS AFTER WAR PROJECT

Formal Inclusion, Informal Exclusion: Implementation of Women's Quota System and Political Participation in Post-Civil War Nepal

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Civil war, ethnic conflicts, and mass movements for justice and equity have transformed Nepal's politics and the structure of the state over the past two decades. Many of these intersecting conflicts were rooted in grievances raised by women and ethnic minorities, who demanded new forms of political inclusion and representation, and changes to the terms of social equality. Measures addressing many of these demands were successfully incorporated into the Constitution of 2015, which declared the country a republic. These major political reforms and the constitutional arrangement itself culminated in the settlement of the war and ushered in a period of peacebuilding and post-war reconstruction.[1]

Many international actors, including those linked to the UN and other international organizations, worked alongside Nepal's political leadership to initiate political reforms that aimed to heal the injustices at the root of various conflicts. These included international discourses associated with both ethnic politics and political feminism. On the ethnopolitical front, the 2015 Constitution disappointed many. Beyond the elimination of the Nepali monarchy's role in the state and the transformation of the former kingdom into a republic, the Constitution federated the country into new provincial governments, shifting some power to the local level. Crucially, and in perhaps the single most controversial or divisive feature of the constitutional settlement, was the fact that the federation of the new republic was designed along geographical – rather than ethnopolitical – lines. New provincial boundaries were drawn to avoid the creation of ethnically identified political units, gravely disappointing those who had identified the emancipation of Nepali society with the advent of ethnic federalism.

The 2015 Constitution's responsiveness to international feminist discourses and Nepali women's activism played out rather differently from the frustrated drive for ethnic federalism. Within the complex space of political feminism during this long period of constitutional transition in Nepal, several critical issues stand out. Of note were women's rights in private property, national citizenship, and political participation. Building on the 1995 Beijing Conference and 2000s UN Security Council Resolution 1325, which

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[1] Mahendra Lawoti and Anup Kumar Pahari, ed., *The Maoist Insurgency in Nepal: Revolution in the Twenty-First Century* (New York: Routledge, 2009); Prashant Jha, *Battles of the New Republic: A Contemporary History of Nepal* (Oxford: Oxford University Press, 2014); "Nepal Profile – Timeline: A Chronology of Key Events," *BBC*, 19 February 2018, https://www.bbc.com/news/world-south-asia-12499391.

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affirmed women's central role in transitions from war to peace, there was also a consensus that women's rights were central to building a more liberal, democratic, and peaceful Nepal. In part, this consensus involved the call for affirmative efforts to ensure women's participation in representative office holding within state and party systems. Within Nepal, advocates for the gender quota crossed partisan divides and were deeply entwined with the movements for ethnic and caste equality. Advocates also included many different civil society groups – including feminists, student unions, and women's organizations – in addition to Maoist political parties and leadership. The 2015 Constitution included an extensive system of quotas to foster inclusive democracy and ensure women and Dalits' inclusion in electoral politics. International advisors and experts saw women's political inclusion as a necessary component of building a more inclusive and secure peace going forward.[2] The final version of the constitution was widely considered to be one of the most progressive new constitutions in the world.

The quota system was, in essence, part of a new social contract: one that granted all Nepalis political voice and representation within a stable democracy. Yet how does such a constitutionally imposed regime actually function in practice, and what are the implications for a constitution that itself serves as part of a post-conflict transition? Research must scrutinize both the premises and effects of the Nepali women's quota system. Who has benefited from the gender quota? Which women have been able to secure positions in politics? And, has the quota fostered the inclusive democracy necessary to ensure all Nepalis have political voice? Because the government implemented the quota as part of the political settlement that ended the civil war, the shortcomings of the resulting electoral reforms may have implications for the longer-term peace of the country. Moreover, the success or failure of the quota system in Nepal may be rooted in the degree to which the granting of rights after war remains rooted in the hierarchical dynamics that came before it. Critically, the quota system is not just about women's empowerment; instead, it is intertwined with the degree to which the constitutional settlement has succeeded in addressing class and social divides and hierarchies long embodied in ethnic and religious identities in Nepal.[3]

The first local elections to take place in almost twenty years were held within this new framework in 2017.[4] Because the Constitution mandates that the political parties must incorporate at least forty percent female candidates at the local level and at least thirty-three percent at the federal Parliamentary level, the 2017 election and formal political participation of women were a historic social-political achievement in Nepal. From a purely numeric perspective, the involvement of women in local elections was a massive success.[5] As a result, Nepal stands fourteenth in the world in the percentage of women in

[2] Sarah Shair-Rosenfield and Reed M. Wood, "Governing Well after War: How Improving Female Representation Prolongs Post-Conflict Peace," *Journal of Politics* 79, no. 3 (2017): 995–1009; Jacqueline H. Demeritt, Angela D. Nicholas, and Eliza G. Kelly, "Female Participation and Civil War Relapse," *Civil Wars* 16, no. 3 (2009): 346–68; Heidi Hudson, "Peacebuilding through a Gender Lens and the Challenges of Implementation in Rwanda and Côte d'Ivoire," *Security Studies* 18, no. 2 (2014): 287–31.

[3] Vishnu Upreti, Drishti Upreti, and Yamuna Ghale, "Nepali Women in Politics: Success and Challenges," *Journal of International Women's Studies* 21, no. 2 (2020): 76–93.

[4] The Lower House of the Federal Parliament has 275 members. The First Past The Post (FPTP) electoral system has 165 members. The Proportional Representation (PR) system selects 110 members with the five-year term limit. The process is that all political parties participating in the election must have one-third of the women representatives. If they fail to meet the quota under the FPTP system, they must fulfill the one-third requirement through the PR system.

[5] Upreti et al., "Nepali Women in Politics."

the national legislature,[6] electing 14,352 (40.96%) women officials out of a total 35,041 seats.

Reflection

I was in primary school when the Maoists first launched their insurgency. It was 1996, and the insurgency began in Rolpa, in the western region of Nepal. The country was preparing for its first local elections since the restoration of multi-party democracy in 1990. Despite the fact that the democratic mass movement of the late 1980s had imposed a new constitutional arrangement on the monarchy and legitimized the return of contested political parties, the Maoists had launched their insurgency and were refusing to participate in the election. The Maoist programme included radical socialist calls for the transition away from a capitalist property relations, along with the abolition the Shah royal dynasty and its related aristocratic networks and institutions embedded at the heart of the state. In keeping with Maoist traditions, there was also a demand for ethnic emancipation and, within the state structure, the advent of ethnically defined federal provinces holding substantial devolutions of power.

Our family, including my mother, was among those who relished the return of contested parliamentary politics, which had been criminalized since the 1950s. It was challenging for women candidates to win in national and local elections. That year, my mother filed for candidacy to become a ward president in Mugu District.[7] I remember my father actively staying far away from the district. As his brother held a government position for an opposing party, my father did not want to campaign against his own brother's political party on behalf of his wife. As a child, with the return of "multi-party democracy," I watched the two of them move through this newly opened, and contested, political space. And I observed the subtext of their gendered social positions silently playing out: my father's choices, defined by his multiple conflicting loyalties and his refusal to break publicly with his patriline and brother on behalf of his wife, and my mother's courageous self-assertion as she tried to translate a life of ethically and socially motivated personal and family action into her first public, "official" step forward. Even though my mother was not running against her brother-in-law directly, my father nonetheless resisted being caught in a conflict between party affiliations.

As a ten-year-old girl, I joined with some of my friends to campaign for my mother. Looking back from where I stand now, in practice this amounted to little more than knocking on village doors and asking people to vote for my mom. To us, the activity was exciting; it seemed familiar but also momentous as we walked the village in our first "campaign." Above all, I vividly remember people talking about how *embarrassing* it would be for the opposition candidate "*to lose to a woman.*" To avoid this embarrassment, spoken and felt not as a matter of conflicting policy or even patronage, but as a conflict of

[6] But election results for the house of representatives show that Nepal elected most female members of the house of representatives through its PR system to ensure that the women's quota is fulfilled. Eighty-four of 110 PR seats at the House of Representatives are filled by women. This is nearly twenty-three per cent of the total allocation.

[7] Ward was the smallest unit of the Village District Committee (VDC) under the old local administrative system, and it continues to remain so under the recent newly federated system.

gendered honour at risk, the opposing campaign spent thousands of rupees across this ward to buy votes.[8]

Yet my mother's campaign was strong enough to pose a threat, so the opposition decided that vote buying was not sufficient. As the election drew near, they turned to other tactics. They began to organize what they referred to as the "illiterate" voters, who were drawn to my mother's candidacy and were lining up behind her, some silently, and others vocally. She was a civic-minded person, outspoken about her social optimism and religious skepticism, and open-handed to those in need. Perhaps the image of my mother pushing through the gender barrier resonated with those who were longing for their own layered emancipations in their class and caste positions. In any case, the opposition could not convince these poorest and least formally educated to vote against the first woman candidate in the district. Finding that they could not persuade the poorest voters to vote against my mother, they began resorting to more sinister tactics, teaching them to use the paper ballot in ways that would nullify their votes during the counting. My mother anticipated tricks of this kind. But, with three young children by her side, and her husband largely absent from the district during the campaign, she was unable to intervene, and ultimately lost the election.

Findings

The preliminary research presented here, undertaken as part of the Women's Rights After War project, confirms what comparative analyses of other gender quota systems all too often reveal: that, absent other interventions on multiple fronts and extended over time, the "success story" of women's political empowerment after war is marred by enduring hierarchies that distort the ways political inclusion happens and markedly limit its impact.[9] Indeed, evidence suggests that measurable progress in women's political inclusion in public office in Nepal is only present because of the formal schemes for representation established in the Constitution of 2015. My analysis of the 2017 local election results and research undertaken by others indicates not only the persistence of exclusive and hierarchical representation at both the federal and local levels, but perhaps even the

[8] Primarily young men campaigners from the opposition party bought votes through cash and gifts such as clothing or shoes. Some voters who would not vote against my mom were approached by the opposition party and offered money and gifts.

[9] This short reflection paper's findings further strengthen the existing conceptual work in previous scholarship. While the analysis of these two works (Simon Robins, "Human Rights Practice Where the Global Meets the Local in Post-conflict Nepal," *Critical Asian Studies* 44, no. 1 (2012): 3–30; Gitta Shrestha, Bishnu Upreti, and Åshild Kolås, "Women, Peace and Security: The Case of Nepal," in *Women, Peace and Security: From Civil War to Post-conflict Reconstruction* (Routledge, 2017), 99–120) does not focus on Nepal's 2017 local elections, the quota system for women, and lived experiences of local representatives, they present crucial points about how global human rights discourse and establishment of formal systems can further reinforce hierarchies in highly unequal societies. Analyzing the situation of Bardia's local victims of the Maoists Civil War, Robins (2012) argues that the global human rights discourse contributes to the further marginalization of already excluded groups by the human rights elites, almost always consisting of mainly upper class and caste groups, in highly unequal societies like Nepal, so the focus of Transitional Justice and rights discourse ought to be victim-centered and bottom up. Similarly, presenting key findings of the book from the women's participation (mostly indigenous and Dalit women) in the Maoists Civil War advocating for gender equality to women's political participation in two Constitutional Assemblies, the final chapter by Shrestha, Upreti, and Kolås (2017) examines whether or not the case of Nepal truly represents a success case in building women's empowerment in the aftermath of the war, and argue that not many women are in decision-making positions or are heard during the decision-making process, so the country is returning to its pre-war state of gendered social practices.

worsening of gender hierarchies.[10] Furthermore, gender inequalities are further entwined with persistent ethnic disparities in access to public office and public decision-making. Worryingly, these same ethnic disparities, alongside class, caste and geographical inequalities, undergirded the grievances that created the conditions for past conflicts.[11] These findings are consistent with a wide range of international comparative work about the limits of "top down" formal schemes and representation quotas in advancing political equality.[12] Such critiques should give us pause when uncritically celebrating women's formal political inclusion as a route to building more stable and inclusive states. The story of how the implementation of a formal legal quota to ensure women's equal political participation is functioning in Nepal confirms longstanding concerns about the limitations of such regimes.

The evidence from the 2017 watershed local elections in Nepal is telling. On the one hand, the results of the inclusion mandates are real and significant – the number of women elected to political offices was indeed a landmark achievement. Yet the dynamics and processes through which such inclusion occurred and continues to play out appear to frequently reproduce persistent gender roles and hierarchies or to translate patriarchal power into new and stubborn forms in the public sphere. Increased visibility, access, and participation for women can and do coexist with the persistence of gendered hierarchies.

These unintended dynamics are especially important to consider in post-conflict contexts, since the dynamics of the conflict remain connected to dynamics of persistent, post-war challenges to inclusion, access, and agency in electoral office. In the daily life of how this quota is implemented, our research finds that gender and caste hierarchy are often reinforced, at times more strongly than even before the decade-long Maoist civil war.[13] Nepal's experience with electoral gender quotas sheds light on the limitations of mandatory quota systems in the context of a vastly unequal patriarchal society and a formal constitutional settlement following violent civil conflict. Evidence from Nepal demonstrates that legislative regimes are unlikely to transform the social hierarchies that shape political access and participation across patterns of gender, caste, class, and other long-standing social and geographic networks. Nor can they undo the resistance, backlash, and other forms of violence women face when they enter new political spaces.

Two problems emerge with remarkable clarity. First, the movement for gender equality and political inclusion and empowerment may be poorly served – and even set back – by *how* quotas are implemented in the context of other enduring social and structural conditions. As demonstrated in my mother's story, the persistence of gender stereotypes meant my mother's adversaries were so preoccupied by what it would mean to lose to a woman that they devoted all their resources into ensuring she would not win. Similar

[10] See "Local Level Election 2074 Result Book" and the caste and position hierarchy of the elected officials: https://oldsite.election.gov.np/election/en/election-result-book.html; Sangita T. Limbu, "Researching Women's Political Inclusion in the 2017 Local Elections: Some Comments and Findings," *UNDP*, 23 February 2018, https://www.np.undp.org/content/nepal/en/home/blog/2018/researching-women-s-political-inclusion-in-the-2017-local-elections-some-comments-and-findings.html; Bhola Paswan, "Data Reveals Local Elections a Disaster for Gender Equality," *The Record*, 24 October 2017, https://www.recordnepal.com/data-reveals-local-elections-a-disaster-for-gender-equality.

[11] Limbu, "Researching Women's Political Inclusion"; Paswan, "Data Reveals Local Elections."

[12] Drude Dahlerup, "Introduction," in *Women, Quotas and Politics*, ed. Drude Dahlerup (London: Routledge, 2006), 1–31.

[13] The Maoists officially declared the "People's War" took up the arm against the government forces in 1996 in the Rolpa district of Nepal. The Maoists' campaigns thrived and capitalized on gender, minority, and Dalit equality slogans and promised earthshattering changes in government and society.

tropes and roles that continue to manifest within the family prevent many capable women from running at all. Second, to the degree that a prior civil conflict was wrapped up with sweeping aspirations and demands for gender equality, the insertion of a top-down quota regime that fails to achieve its lofty claims to inclusion and participation may weaken the constitution's contribution, endangering both the movement for equality and the post-war pursuit of peace.

Discussion of Fieldwork

As part of the Women's Rights After War project in 2020, we selected three geographically, culturally, economically, and linguistically distinct provinces from the scheme of geographically federated states within the new Republic in which to conduct our research. These were Province Two (Madhesh); Province Five (Lumbini); and Province Seven (Sudurpachim).[14] Despite major differences, all shared the fact that they had been severely impacted by the civil war, which drove our province-level case selection.[15] We then randomly selected one district from within each focus province, and thus our districts featured significant variations along factors of geography and ethnic prevalence: Rolpa in Province Five (a hilly district in the mid-west, where the Maoists' war originated); Kailali in Province Seven (a terai, southern district, home to predominantly Tharu, indigenous population in the Far-west that was labelled as a "red zone" during the war); and Parsa in Province Two (a terai, southern district in the eastern part of the country with a dominant Indian-descendent population that was severely affected by the war).

In January 2020, I spoke at some length with local women representatives in Parsa and gathered qualitative information about their lived experience of being in local politics. Among all those I spoke with – including elected representatives, people around them, and my own networks of friends in feminist circles with both aspiring academics and young activists – everybody accepted the idea that positive discrimination through systems such as quotas may be reasonable or even necessary to redress hierarchy and oppression in a patriarchal society where social and political inequality is deeply embedded. In the local elections of 2017, the number of women representatives increased from twenty four per cent in 1997 to forty per cent.[16] Yet, there is and remains a broad shared understanding that the power dynamics associated with seeking, getting, and using the power of "public" political offices more or less mirror the ways that "private" households function – mobilized by relatively clear hierarchies as well as associated gendered practices of honour, deference, and modesty.

As the COVID-19 pandemic made additional fieldwork difficult, we partnered with the Kathmandu-based Nepal Peacebuilding Initiative in order to move forward with the project.[17] Working with their collaborators at the district level, we collected phone and

[14] After much controversy over the boundary of provinces, the 2015 Constitution finalized the creation of seven provinces and granted the regions the right to name them. Some regions, such as Province number 2 – most recently known as Madhes – took seven years to name it.

[15] Nepal is extremely diverse and has over hundred ethnic groups and languages and three distinct ecological zones. See John Whelpton, *A History of Nepal* (Cambridge: Cambridge University Press, 2005) and "Nepal: General Country Profile," https://www.unicef.org/rosa/media/10576/file/Nepal.pdf.

[16] Vishnu Upreti et al., "Nepali Women in Politics: Success and Challenges," *Journal of International Women's Studies* 21, no. 2 (2020): 76–93.

[17] Nepal Peacebuilding Initiative, https://nepalpeacebuilding.org/.

in-person interviews with elites, alongside an extensive review of primary and secondary literature (including the existing laws and policies aimed and securing women's political inclusion). We also conducted twenty-seven qualitative interviews, which supplemented various informal conversations with local journalists, elites, and elected female representatives at the local level of the three focus districts.[18]

Our preliminary analysis of these data suggests that among the effects of the quota system may be the reproduction, rather that the disruption, of structural and gendered patterns of hierarchical political engagement. We have encountered no evidence that such effects are intended. Indeed, one goal of the ethnographic component of the research is to further explore how such effects, assumed to be unintended, emerge in the everyday patterns of quota implementation. Significant parties, including the Maoists most associated with radical demands for disruption of gendered and other structural hierarchies, appear to regularly handpick female leaders for reasons of party or even family loyalties. Despite the quota requiring that either the mayor or deputy mayor be a woman, only seven women were elected to mayoral positions (out of total 293 mayoral positions) across the country – a paltry two per cent of all mayors. This means that almost all women elected to local political seats serve in a subordinate position to a male Mayor.[19] So, what does it mean to have a formal system of inclusion within a social and political context where patriarchal violence continues, traditional gender roles endure, and the possibility of physical violence against women or minorities persists? How has the Nepali state's formal interventions in the name of "women's empowerment" shaped the role of women both in politics and in society? Our research suggests that this legal gender reform or women's empowerment intervention can reinforce existing socio-political cleavages by prioritizing women from particular ethnic, caste, and class backgrounds differently under the veil of progressive social policy.[20]

Several examples illustrate how deeper structural patriarchy was disrupting the spirit, if not the letter, of the inclusive quota system. At times, women in local governance and activism insisted that the quota system had generated tangible benefits and represented meaningful steps forward. As part of our fieldwork, in the regions of Rolpa and Parsa, remote districts, I asked whether or not women had indeed gained political power, a public voice, and recognition. In one extensive conversation, the middle aged vicechair of Jirabhawani rural municipality, answered this question first one way and then another: "Politically, women have made strides, but socially women are still considered second-class citizens. Politically it has changed. But socially, there is still no change."[21] I asked her to give me a concrete example of what this lack of social change meant to her. "Women are still the ones who do all the housework," she said, and shifting directly

[18] Formal and informal interviews and conversations with elites at the local level in selected districts formed part of the "background" research with the local women politicians. The justification for the elite interview about the local political situation and women's participation is that the conversations about the women politicians with people outside of party political spaces would provide more balanced insights into the status, class, and caste background of the women politicians, who are often treated as "rubber stamps" in analysis of Nepal's gender quota. See Salma Khatun's interview in Suresh Bidari, "Salma Breaks Her Silence: A Muslim Deputy Mayor's Lonely Struggle Against Domineering Men," *Nepali Times*, 7 September 2018, https://www.nepalitimes.com/here-now/salma-breaks-her-silence/.

[19] Paswan, "Data Reveals Local Elections."

[20] Marie Berry and Milli Lake, "Women's Rights After War: On Gender Interventions and Enduring Hierarchies," *Annual Review of Law and Social Science* 17 (2021): 459–81, https://www.annualreviews.org/doi/abs/10.1146/annurev-lawsocsci-113020-085456.

[21] In-person interview at Jirabhawani Rural Municipality, 20 January 2022.

to the question of political office, she added that women: "do not accept the offer of a role without men's leadership." I asked if this was strictly about the hierarchy between men and women, and she paused. "The same attitude," she said, "occurs because the woman is a daughter … she is the daughter-in-law of another's house. She should not or should do this as a daughter-in-law. Including the office." This statement opens a window into the vast ways that patriarchal systems shape the relations between women situated within such a system.

In my preliminary ethnographic encounters, various research participants recounted the micro-processes of quota implication in ways that suggested striking parallels and even homologous patterns reflected between the patriarchal household and formal political systems. Interviews such as this one offer a window into how the woman's place in the household was, in this local activist's own experience, reproduced in the context of public office-holding under the post-war constitution, ultimately characterized by deeply patriarchal familial and domestic relations. Without prompting, this woman explained the brute fact of excessive work undertaken by women both in and outside of the home: "Even if she works outside, she still carries the burden of the house, with many workloads. Due to this, the active participation of women has not been possible." After a long silence, the speaker turned our questions from our survey back at me with a rhetorical question: "The way quotas were recognized for women – legally, women participated in politics, but does this mean overall changes in women's role in politics?" And after a silence, she added: "The chance for women to participate in politics has opened up due to the formal legal system that guarantees woman's place in politics. No doubt."

Introducing legislation that mandates women's participation without shifting women's substantive power is a repeated fixture of the literature on quotas and their limitations.[22] The 2015 Constitution and the election laws mandate that, in local elections, one of the two prominent positions at the municipality levels must be filled by a woman. If the mayor is a male, the deputy mayor has to be a woman, and vice versa. When the female candidates' positions were more closely and deeply monitored, the "seats at the table" emerged as a discourse that seemed to reveal less about the measurable advances of the stated objectives of constitutional inclusion in the new political process, and instead revealed a discourse that served to obscure and insulate persistent hierarchical structures. Some of the in-person interviews and reports from my research reflected these patterns, in the ironic use of the phrase that "the seats were not quite close enough to the table." Interviewees suggested that the more substantial the decision, the farther the women's "seats" were.[23] My fieldwork with the Women's Rights After War project echoed these concerns, raised previously by Nepali and international journalists, as well as intellectuals, in their analysis of the 2017 election results.

A second example provides an even stronger illustration into the everyday patriarchal dynamics behind the discourse of "seats at the table." In Parsa, I met in person a deputy mayor. It was a foggy winter afternoon when I arrived at her house. While I had hoped to interview her in private, we were joined by five people, including her husband. I realized

[22] See Gretchen Bauer, "'50/50 by 2020': Electoral Gender Quotas for Parliament in East and Southern Africa," *International Feminist Journal of Politics* 10, no. 3 (2008): 348–68; Dahlerup, "Introduction"; Mingzhu Wang and Elisabeth Kelan, "The Gender Quota and Female Leadership: Effects of the Norwegian Gender Quota on Board Chairs and CEOs," *Journal of Business Ethics* (2013): 449–66.

[23] Limbu, "Researching Women's Political Inclusion"; Paswan, "Data Reveals Local Elections."

as we spoke that it was the husband who kept the phone of the deputy mayor (his wife) in his possession. When it rang, it was he who picked it up and answered. The living room was smoky with fire while we chatted. The smoke came from a couple of bamboo logs on a large iron pan on an elevated surface in the middle of the room. The husband was sitting in a *Khatiya*, a kind of bed in the living area that is common in *Terai* while the husband of another Dalit female ward member and her son were sitting on the chairs. There were three *muda*, low stools made of nylon thread and bamboo, set out for the deputy mayor, the Dalit ward member, and me. The deputy mayor's husband coached her through the interview, at times speaking up himself and directly responding to a question I had posed to her. He said that he himself was a former mayor and desperately wanted to run again for the 2017 local election, but his party did not give him the ticket. Because of that, his wife got involved in politics. She agreed and said, "if my *malik* (master, a respectful way of referring to husband) had gotten the ticket, I would never run for the political office." The husband then concluded the conversation with the solemn reflection: "the party gave her the deputy mayor ticket to heal my wounds" ("*party le mero ghau ma malam lagauna uslai ticket diyo*").

Filling women's seats in this way emboldens party clientelism and further entrenches longstanding patterns of inequality or privilege. In the Parsa and Rolpa districts where this portion of the research took place, the Maoists had officially declared the civil war in the Rolpa district in 1996. At the time of the interviews, it was (and still is) a stronghold of the Maoist Party. In my conversations with local journalists, elites, and elected women from rural and urban municipalities in this region, many reported that some deputy mayors were selected solely because they hail from career political families. For instance, two prominent Maoist leaders from Rolpa raced to make their family members mayor and deputy mayor. The Maoist male leaders arranged a deal where one's brother-in-law ran for mayor, and the other leader's sister would be picked for deputy mayor so that both families hold the grounds for power while following the quota rules.[24]

Our research thus far demonstrates that this kind of handpicking of quota candidates was pervasive, suggesting that the post-war political system is not as disconnected from the pre-war system as casual observers might hope. For example, a career politician of Parsa, a former VDC president under the old administrative system, had his wife run for deputy mayor position from Nepali Congress because he did not get the mayor ticket. He needed power in the house at any rate. I often encountered the claim that such clientelist behaviour, wherein parties fill the quota while shoring up their political networks through family and patronage, took place often. Perhaps, in the quota context, such behaviour prevailed even more often than not.

Conclusion

To some extent, the participation of women in the local election was a success story for the new government, international observers, and Nepali women's movements, and the results made newspaper headlines nationally and internationally.[25] Yet, when the female

[24] Phone interview between Baltimore, USA and Nepal, 9 August 2020.

[25] Saif Khalid and Alia Chughtai, "Nepal's Elections Explained," *Al-Jazeera*, 7 December 2017, https://www.aljazeera.com/news/2017/12/7/nepal-elections-explained.

candidates' positions were more closely monitored, the "seats at the table" were not close enough to the table to allow for genuine women's participation in substantive decision-making processes.[26] Furthermore, the national level representation male to female ratio (91.86%: 8.13%) remains highly problematic.[27] This huge gap is not accidental. The Constitution mandates an overall thirty-three per cent representation of women in political office. It is widely known within Nepal and in the cases of even advanced democracies that when it comes to filling the seats not mandated by reservation/quotas, women will never be selected in these systems.[28]

Ethnic politics were crucial to defining the complexities of Nepal broadly. In feminist thinking, during the conflict and the new Constitution, these intersections between gender and ethnicity have been essential for any considerations about political representation under the Constitution. Unpacking these intersectionalities – and how they shape both the causes and dynamics of the war, diverse social movements that cut across lines of seemingly unifying or homogenized gender identities and stubborn regional and ethnic disparities – would be essential to further critical research about women's rights after the civil war in Nepal. The local election results and analysis show that women's marginalization continues across all ethnic groups, while the disparities between women of different socio-political background persist as well. Women can fill a certain number of posts because of the quotas, but they rarely enjoy positions of power, whether as the mayor of a city, chair of a rural municipality, or the chair of a ward. Men dominate both in terms of numbers and executive positions. The representation of women belonging to different ethnicities is not uniform either. Again, Dalit women have a significant presence because of the Dalit Women Ward Member quota. Still, they have a negligible presence among non-Dalit quota seats and are absent from the three executive positions of mayor, chair, and ward chair. *Khas Arya* (hill upper caste) women dominate in the non-Dalit quota seats, followed closely by *Janajatis* (indigenous), and then Madhesis, Dalits, and Muslims. My analysis shows that the new rights and opportunities extended to women after multiple intersecting conflicts has not meaningfully transformed women's power.

The evidence from Nepal's early experience with its new constitutionally mandated gender quota system for women's political participation is, unfortunately, consistent with the critical assessments of such schemes elsewhere in comparative global perspective.[29] This consistency directs attention towards the challenges of achieving meaningful gender inclusion in political systems through legislative avenues alone. Additionally, in Nepal, it speaks to ongoing concerns concerning the failuers of the Constitution of 2015 to fulfil its egalitarian objectives. Had the Constitution more effectively delivered in addressing the fundamental social cleavages that fuelled much of the prior conflict, it may have been a more meaningful settlement – and may have resulted in better outcomes for women's political participation. Future research could contrast the seemingly relatively impactful or effective role of Nepali women in extra-governmental civic political

[26] Nandita Baruah and Jerryll Reyes, "Nepal Elections: More Women Have a Seat at the Table, but Will They Have a Voice?" *The Asia Foundation*, 13 December 2017, https://asiafoundation.org/2017/12/13/nepal-elections-women-seat-table-will-voice/.

[27] See Upreti et al., "Nepali Women in Politics," 88, Table 5: Elected Candidates in House of Representatives (Pratinidhi Sabha) and Provincial Assembly (Pradesh Sabha) of 2017 based on gender.

[28] See Upreti et al., "Nepali Women in Politics," Table #4 and #5 with election results on 86–8.

[29] Dahlerup, "Introduction."

movements with the flawed or gravely limited outcomes associated with the mandated office-holding under the 2015 quota system.

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