

# Nepal, Buddhism, Women and Children's Rights

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## NEPAL

### Religious Practices Oppress Women

KATHMANDU, Jul 28, 2011 (IPS) - The recent gang-rape of a Buddhist nun and her expulsion from her sect have sparked a debate about the deep-rooted religious traditions and biases that foster discrimination and violence, especially against women, in this South Asian state.

The public outcry against the nun's expulsion forced the Nepal Buddhist Federation to reconsider, saying now that once she recovers, the victim can return to her nunnery.

But it is only a minor triumph. While public debate on a discriminatory socio-religious practice led to its retraction, thousands of women continue to be victims of other religious rituals in Nepal.

The expulsion debate started after the 21-year-old nun was attacked on June 24 while travelling in eastern Nepal. Bad weather disrupted the journey and the young woman, easily recognizable as a nun by her shaved head and red robes, was persuaded by the bus driver to spend the night in the vehicle.

She was later raped by five people, including the driver and his two helpers, who also looted the money and other belongings she was carrying.

"It is a nightmare," says the nun's uncle, Surya Bahadur Tamang. "We took her to a private hospital in Siliguri but the doctors said they would certify it as an accident since rape would mean police intervention. How can we fight a legal case against the culprits if the doctors don't support us?"

When the nun's family brought her to Kathmandu for further treatment, the state-run hospital they went to refused to admit her at first. By then, however, media reports about the attack had begun to appear and Nepal's National Women's Commission as well as indigenous organisations intervened, forcing the doctors to treat her.

But more suffering awaited the victim. A joint statement supported by 15 organisations— including Nepal Tamang Lama Ghedung, an organisation of Buddhist monks, Nepal Buddhist Federation, and Boudha Jagaran Kendra (Buddhist Awakening Centre)— condemned the attack but said she had lost her celibacy and her religious status. The rejection triggered widespread debate, with Buddhist groups from across the world criticising it.

"There is a great deal of shock and disbelief at the very idea of such an action by both Buddhists and non-Buddhists in the U.S. and abroad," wrote Matthew Frazer, an American who established the Yeshe Tsogyal Foundation to defend Buddhists targeted by violence or abuse. "Such an action reflects badly not only on Nepal, but on Buddhists in general to the rest of the world. It will set a very perilous precedent that can be used to take similar actions against future victims."

The Syracuse Buddhism Examiner reported last week that the attack had shaken up the Buddhist

community in New York state. “The rape issue is taken very seriously here,” the Examiner said, at the same time offering help and the space to discuss rape issues.

Others like the Australian Anthony Best, now a monk known as Bhante Sugato, are mobilising support through blogs and social networking sites like Facebook and Twitter.

The nun belongs to the Tamang community, a Tibeto-Burman people once living in the high Himalayan ranges who migrated to Tibet, India, Bhutan and Nepal. They are among Nepal’s most disadvantaged groups, lacking education and access to economic resources. They are also among the worst victims of human trafficking.

Poverty has led to the perpetuation of a religious practice—the Jhuma tradition—among Tamangs and other Buddhist communities of western Nepal.

“As land is scarce in the mountains, families with several children seek to prevent it from being split up,” says Uttam Niraula, executive director of the Society for Humanism Nepal (SOCH Nepal), a non-government organisation campaigning against superstition and paranormal practices. “While the eldest looked after the family, the one in the middle was sent off to become a monk or nun. This is the Jhuma tradition.”

SOCH Nepal recently worked with Nepal’s women, children and social welfare ministry to produce a draft law to prevent discrimination and violence in the name of social malpractices, many of which stem from religion, like Jhuma and two more celebrated traditions, the Kumari and Deuki.

The Kumari - Nepal’s famous Living Goddess - is the tradition of choosing a girl at pre-puberty, sometimes as young as three years old, as the guardian deity of the city and installing her in her own palace, away from her family. She does not go to school and is not allowed to walk outside. Her reign ends when she nears puberty and is replaced by another young girl.

The Deuki system, similar to India’s notorious Devadasi or temple slave custom, exists in far western Nepal where families “gift” a young daughter to a temple, abandoning her to a fate of poverty, exploitation and often enforced prostitution.

“All these customs violate a child’s rights and are clearly banned by Nepal’s Children’s Act of 1992,” says Niraula. “The Act says a child should not be separated from the parents, should be allowed to go to school and play and should not be dedicated to god. It specifically says that a child under 16 can’t be made to become a nun or monk. But the implementation is weak. The new act will have tougher deterrents.”

But the government faces an uphill task trying to implement the new law, even if parliament passes it.

In 2005, lawyer Pundevi Maharjan filed a public interest suit, arguing that Kumaris should be allowed to go to school, stay with their families and enjoy the rights granted to all children by the constitution. Though Nepal’s Supreme Court vindicated Maharjan’s stand, the Kumari still continue to lead a sequestered life, with a succession of governments fearful of antagonising the powerful Newar community, whose deity she is.

Buddhists, too, are not ready to see the Jhuma tradition end.

“It will be a violation of our cultural rights,” says Ang Kaji Sherpa, general secretary of Nepal Federation of Indigenous Nationalities. “The government needs to consult the stakeholders and initiate social reforms first instead of trying to impose a law unilaterally.”

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