



THE ASIA FOUNDATION

# A Changing Asia: Women in Emerging Civil Societies

## ASIAN PERSPECTIVES SERIES

- 1 Introduction  
*Carol Yost*
- 3 The Nature and Role  
of the Nongovernmental  
Sector in China  
*Zhang Ye*
- 5 The Current Status of  
Civil Society in Japan  
*Kaori Kuroda*
- 8 The Integral Role of  
Women's NGOs in Political  
Development in Mongolia  
*B. Oyumbileg*
- 11 The Role of Women in  
the Political Reform Process  
in Thailand  
*Ruengrawee Ketphol*
- 15 Questions and Answers
- 20 Seminar Participants





In many societies, it is women's organizations that are prime agents for societal change, demanding responsive and accountable decisionmaking, more open and transparent processes, broad citizen participation that includes women, and expanded and equitable rights for all citizens, women and men.

CAROL YOST

Regional Coordinator, Women's Political Participation Programs

Director, Global Women in Politics

The Asia Foundation

# Introduction

**A**sian Perspectives: A Changing Asia, Women in Emerging Civil Societies is the seventh in an ongoing series of seminars sponsored by The Asia Foundation. Convening on September 18, 1998, at The Carnegie Endowment for International Peace in Washington, D.C., the seminar focused on the role of women and the non-governmental sector in the context of political, economic, and social change occurring in Asia.

## Opening Remarks by Carol Yost, Director of the Foundation's Global Women in Politics Program

I would like to welcome you to a seminar on “A Changing Asia: Women in Emerging Civil Societies” featuring Asia Foundation staff from China, Japan, Mongolia, and Thailand. Worldwide, the proliferation of civil society organizations (CSOs) is creating new opportunities for women to participate in and influence political processes and decisionmaking bodies. Increasingly, citizens’ groups are playing a crucial role in bringing women and other “powerless” groups and their concerns into the political process, enabling them to influence decisions, laws, and policies, and seek collective resolutions to problems. Organizations that have traditionally been involved in service delivery, including education, healthcare, and reproductive healthcare are now playing important roles in the policy arena, whether as community groups working to influence village development policy or as public interest organizations working to encourage broad citizen participation in formal and informal decisionmaking processes. Working with and through local, national, regional, and international partner organizations, the Foundation’s Women in Politics program explicitly seeks

to build the capacity of CSOs to increase women’s skills as effective leaders in and out of government; as informed, independent citizens and voters able to make their own self-directed choices; as agents for encouraging citizen participation and voicing the interests and concerns of women. The program provides technical assistance, training, and support to CSOs working to increase women’s involvement and influence in the public arena. In doing so, the program encourages a climate in which the government is accountable to the needs and demands of both their female and male constituents, while equipping women with the skills needed for involvement in all of the decisionmaking processes that affect their lives.

Operating in Asia, Africa, Latin America, and the Middle East through its Global Women in Politics program, a four-year partnership with the U.S. Agency for International Development, the Foundation plays an important role in facilitating sharing of models, strategies, tools and techniques developed in one country or region that can provide important lessons for organizations elsewhere. The Foundation also directs an innovative program to increase women’s economic and legal rights by giving women a practical understanding of how to use political process to access their rights and expand their economic opportunities. With enhanced skills and knowledge, women are increasingly recognizing the power of their number and are successfully seeking collective solutions to common problems.

The Asia Foundation is committed to increasing women’s effective political participation both as a critical means to achieving improvements for women in other areas

---

and an important end in itself, advancing civil society and promoting democratic governance. In Asia over the last decade, there have been enormous changes in virtually all societies from those that have no tradition of democracy such as China and Vietnam to new and emerging democracies such as Mongolia and Nepal, to older democracies that are undergoing devolution of power to the local level, such as the Philippines. Asia presents the whole spectrum of democratic development. We are seeing both a real change in the way that Asian societies are viewing these organizations as well as an important shift in the roles CSOs are playing. In some cases, the activities of CSOs are complementary to government services, while in other countries they have become a substitute for governments themselves; where governments are failing to act, civil society organizations are filling the gaps. In many societies, it is women's organizations that are prime agents for societal change, demanding responsive and accountable decisionmaking, more open and transparent processes, broad citizen participation that includes women, and expanded and equitable rights for all citizens, women and men.

Our panelists today are going to discuss the state of development of civil society in their country, noting some of the trends, progress, and impediments to development of a civil society sector, particularly highlighting the roles of women's organizations.

### Panelists

Zhang Ye directs our China Programs from Beijing. Educated at Smith College and the Kennedy School at

Harvard following undergraduate work in China, she is an expert on civil society organizations in China and a frequent writer and speaker on the topic.

Kaori Kuroda, our assistant representative in Japan, is very active in the women's movement and the emerging civil society sector in Japan. Japan does not have the tradition of nongovernmental organizations like some other countries, such as the Philippines or Bangladesh. Kaori is going to discuss the situation in Japan now and comment on the factors that encourage or inhibit civil society sector development in her country.

B. Oyunbileg is a program officer in our Mongolia office. She manages programs on strengthening citizen's participation in public affairs. Her work with women's organizations involves monitoring their activities in the areas of voter education and accountability and transparency of government, as well as activities that focus on domestic violence, legal literacy and aid, and economic empowerment.

Ruengrawee Ketphol is program manager for the Women's Political Participation programs for Thailand, Laos, and Vietnam in the Bangkok office. She has been a central player in the Thai Women in the Constitution Network project, which was a very successful advocacy campaign to guarantee women's rights in the new constitution and is now involved in a nationwide education campaign to increase women's knowledge of their rights and use the constitution to reform discriminatory laws, policies, and practices.

Zhang Ye will begin. 🎤

# The Nature and Role of the Nongovernmental Sector in China

by ZHANG YE

This is an unusual year for almost every country in Asia, as well as China. Early on, like many other countries in East and Southeast Asia, China has had to deal with the regional monetary crisis. Though China is not directly affected, Hong Kong's collapsing stock market and economic recession create a challenge for mainland China as well. In an effort to support Southeast Asia's economies, China made the commitment not to devalue its currency. Another significant development was China's National People's Congress election of a new central government with Zhu Rongji, a well-known reformer, as Premier. He came into office with a reform agenda to dramatically downsize government agencies and reconfigure state-owned enterprises on a large scale. At the same time, the new government's economic goal for 1998 is to achieve 8 percent growth.

As the nation began struggling with implementing a very difficult agenda, the record-breaking floods along the Yangtze River in China and the Songhua River in Northeast China caused thousands of deaths and left millions of people homeless. The government faced many problems on all fronts and felt inadequate to deal with such wide-scale natural disaster. Under these circumstances, nongovernmental organizations (NGOs) played essential roles in organizing and mobilizing citizens to counter the floods, and to deliver disaster relief. China Charity Federation—one of the biggest

NGOs in China—launched the first NGO-managed fund, which raised 600 million yuan for disaster relief. In less than two months, between August and September, NGOs at various levels raised 1.7 billion yuan with the help of other agencies—approximately \$2 million.

NGOs helped coordinate government agencies, enterprises, and volunteers to ensure that funds and materials were delivered to people in disaster areas. At the community level, volunteers organized and coordinated with one another to save lives, arrange children's boat schools in the south Yangtze River region, and relocate people and families to safer places. While the floods have been detrimental to the whole nation, they aroused citizen consciousness and helped the nation unite while providing civil society an opportunity to play a crucial role to further develop.

The development of China's NGO movement has been pioneered by China's women. The 1995 United Nations World Conference on Women greatly impacted China's women's movement, bringing 30,000 to 40,000 women from all over the world to Beijing. The preparation process and the conference itself created a momentum for the Chinese, as well as the for women of the world, to develop new tools, concepts, and teamwork to tackle common needs and problems.

New concepts, such as gender perspective, advocacy, empowerment, and the process of networking among

---

Chinese NGOs helped China's women to break out of the isolationism of traditional Marxist women's theory. Organizations are now able to use this new methodology to address women's basic needs as well as human rights issues. Many new women's NGOs were established at the height of the women's conference, such as women's hotlines, university-based women's studies centers, and legal aid centers, which deal with violence against women, women's personal and property rights, and unemployment issues. These new organizations are more independent and autonomous than traditional Chinese NGOs.

All of these events helped China to change rapidly and the institutional shift is dramatic. Existing institutions, such as the All China Women's Federation—which was called a mass organization, but was also a quasi-governmental organization—were given the task in the early development of the People's Republic of China (PRC) to act as a “transmission belt” between the party, the government, and women. During the current transition period and the introduction of a market economy, the organization has to find a new niche, be more responsive to women's needs and the market economy. In particular, local women's federations increasingly find themselves in a situation requiring them to be more accountable to women. At the same time, however, their budgets are being cut back considerably. These organizations generate income and rely on women they work with in the provinces in order to survive.

These two elements—budget constraints and the need to be more responsive—have combined to cause an institutional change. Organizations like the All China Women's Federation and women's federations at the local levels now

have to reconsider their roles—whether to serve only government policy or provide services and counseling to women and represent women's needs and voices. So increasingly we see the federations operating more like nongovernment organizations.

The Asia Foundation's China program focuses on building civil society. On the one hand, the Foundation is supporting or enhancing the enabling environment—helping legislators gain a broader, comparative perspective when they draft laws and regulations governing NGOs. We have supported groups to visit the United States and other Asian countries and will support another major conference in Beijing in the spring of 1999 to discuss laws and regulations governing NGOs in all countries. At the same time, the Foundation continues working with Chinese NGOs to increase their awareness of civil society. For example, we work with a rural women's magazine to highlight micro-credit projects that advance women's economic opportunities. We also work with a women's hotline in Shaanxi Province that deals with violence against women.

China stands a good chance of further developing its civil society, however long that process may take, and women will play a crucial role. It is through citizens' efforts that government, NGOs, and the business sector will find ways to work in partnership with one another. Community development will establish a new kind of social welfare system—dependent on the effective intersection and combination of resources from government, NGOs, and enterprises. The United States, which has a long civil society tradition, funding resources, and a willingness to be involved in China's transition and development, has a lot to offer. 🌱

# The Current Status of Civil Society in Japan

by **KAORI KURODA**

The Japanese civil sector has grown significantly and has become increasingly visible during the 1990s. This phenomenon is attributable to both external and internal factors, including:

- (1) Emerging civil society has become a worldwide phenomenon.
- (2) The end of the Cold War.
- (3) Citizens are becoming increasingly frustrated with inability of governments to deal effectively with domestic and international problems. Although, historically speaking, Japanese have tended to trust their government, constant scandals and lack of accountability and transparency are creating an increasing sense of distrust. As a result, a consensus has been reached that government alone cannot address problems effectively.
- (4) The 1995 Hanshin earthquake created a very similar situation to China's experience with this year's floods. This tragedy led the ruling coalition government to review the legal environment for nonprofits.
- (5) The Law to Promote Specified Nonprofit Activities (the so-called NPO law), which will enhance and reshape Japan's civil sector, was created in March 1998.

I would like to touch upon some of the background and the role and impact of citizens' advocacy in this legislation. Despite the growth of the civil sector in the 1990s, infrastructure to support this sector has remained weak. For incorporation as a foundation, Article 34 of the Civil Code,

the Nonprofit Public Interest Corporation Law (enacted in 1898), requires minimum basic capital of several million dollars and the approval of "competent government authorities." This approval system allows the government considerable discretionary authority and as a result, the majority of Japan's citizen-initiated organizations have remained unincorporated.

Although the need to review this civic law had been discussed among groups of academics, foundation officials, nongovernmental and nonprofit organizations (NGOs and NPOs) for years, the first attempt to recommend such a review was made in the late 1980s. A few other recommendations followed. In 1994, a broad-based coalition of citizens' organizations called "C's"—Coalition for Legislation to Support Citizens Organizations—was formed. C's prepared its own draft of the NPO law reflecting citizens' views that C's used to develop and implement an advocacy strategy. Core members of C's participated in hundreds of small meetings organized by local citizens' groups to stress the importance of such a law; published a number of booklets to present and explain the drafts submitted by different political parties; and organized and hosted a number of open symposia and fora to which Diet members in charge of this particular bill were invited. The coalition also expanded its contacts to work with other civil society networks, including community-based networks, networks of artist organizations, international NGOs, welfare organizations, and others. Such coalition building had never happened before—previously

the different groups existed separately and seldom worked together. In addition, C's approached the Keidanren (Federation of Economic Organizations) and Rengo (The Japanese Trade Union Confederation) for the first time. At the same time, C's initiated research projects on accountability for nonprofit organizations and on how to increase membership for small organizations.

An NPO bill submitted by the ruling parties in December 1996 still had burdensome requirements and controls imposed on citizens' groups. Citizens' networks lobbied very hard for amendments to remove these restrictions, particularly with the newly established Democratic Party of Japan. An amended bill was finally submitted to the Diet and was passed in the House of Representatives in June 1997. It was further amended in favor of citizens and was finally passed into law by both Houses in March 1998. This law simplifies the incorporation process for nonprofit organizations and is a significant step in creating a more supportive legal environment for the expansion of civil society

organizations in Japan. This law is unique in that it covers every detail of the documents to be required by the government, in an effort to eliminate any arbitrary power held by government officials. As long as applications adhere to the law, an organization will receive legal nonprofit status.

However, the legal environment for nonprofit organizations still has a long way to go. Although the new NPO law was passed as a special amendment to Article 34 of the

Civil Code, there is no clear distinction between the NPO law and the existing 1898 law in terms of targeted organizations except for the fact that the new law defines 12 nonprofit activities. I hope this unusual circumstance will eventually lead to a review of Article 34. In addition, tax breaks are still under discussion. The issue of taxation was only mentioned in a resolution attached to the NPO law.

It seems that a system is needed to provide nonprofits tax deductibility for donations, an important requirement for their survival and growth.

While growing steadily, even though there has been significant discussion on the subject as well as media coverage, the nonprofit and civil sector is still small. Civil society has become a popular subject; people like to refer to civil society as a driving force for decentralization, deregulation, and social change for Japan. But the profile of NGOs and NPOs has been inflated, creating a gap between image and reality.

Nonprofit organizations still have many challenges ahead of them, including: a lack of funding sources; a lack of tax deducti-

bility; a lack of professionalism; and insufficient citizen support are just a few. Now it is time to think about what else is needed to strengthen this sector. What kind of legal environment is sufficient? How do nonprofits increase membership? How do they attract supportive donors? Can they develop the capacity to play a truly constructive role in the resolution of issues? These are all questions that must be addressed.

Nonprofit organizations still have many challenges ahead of them, including: a lack of funding sources; a lack of tax deductibility; a lack of professionalism; and insufficient citizen support are just a few.

— Kaori Kuroda  
*Assistant Representative, Japan  
The Asia Foundation*

---

Finally, I would like to mention the important role of women in this whole process. Unlike other sectors in Japan, such as business or government, Japanese women play a very significant role in the NPO sector. Although good statistics are lacking because most NPOs are unincorporated, the 1996 JANIC (Japanese NGO Center for International Cooperation) directory indicates that 38 percent were founded or are headed by women. This

figure is quite large compared to the percentage of women managers in other fields, such as government officials, which was only 0.8 percent in 1995, or corporate general managers, which was only 1.5 percent in 1995. Adding domestic organizations involved in welfare, education, children, and consumer issues to this list, increases the number of NGOs and NPOs that are managed by women significantly. ♻️

---

# The Integral Role of Women's NGOs in Political Development in Mongolia

by **B. OYUNBILEG**

**N**ongovernmental organization (NGO) history in Mongolia began only six years ago. The first independent organizations started in 1992, the year our new democratic constitution was established—so civil society is only as old as our constitution. The current number of NGOs in Mongolia is 800. In the last year, NGO sector growth has slowed (I think it increased only by 50), due to the re-registration required by the new NGO law passed in January 1997. Despite the great diversity of missions and goals among NGOs, the first concern has been to provide people with social protection and social security, two areas that were previously the sole responsibility of the state. NGOs still cannot provide social services in the way that they would like, because they are still too weak and lack significant financial and human resources. Therefore, most NGOs are involved in pressuring the government by claiming people's rights—and there are too many rights to claim.

Another characteristic of NGOs in Mongolia is that they were first established in very strong affiliation with political parties in the late 1980s and early 1990s. However, they quickly realized the nonpartisan nature of their work and broke from the political parties. Nonetheless, they have not given up their interest in working in politics and in public policy areas. Women's NGOs were among the first

established—they were first to lead the newly emerging civil society by promoting and raising awareness about democratic values and practices. Women's NGOs in Mongolia are not limited only to women's issues. Women's NGOs aim to help people adjust to the new order and to take advantage of it. Being weak in almost every regard does not prevent these organizations from educating people about civil society, the basics of the market economy, the rule of law, and citizen's rights and responsibilities. In this effort, women's organizations were ahead of the government and much more efficient.

For instance, the organization of an NGO campaign in support of the NGO law was remarkably strong. A number of organizations participated in the drafting of the bill. Many of these same groups joined to mobilize the entire NGO community in support of the bill. The coalition was able to secure the endorsement of the president of Mongolia, and ultimately convinced the parliament to adopt the bill in 1997. This movement marked the first NGO-initiated and drafted law in the country. Until that time, The Asia Foundation was virtually the only major donor organization to provide much-needed support for the young NGOs, providing substantive expertise and technical assistance, opportunities to learn and gain experience, and training for NGO leaders.

Examples of successful coalition building can be drawn from among women's NGOs. For instance, the first women's NGO coalition organized a successful campaign for women's representation in Parliament. The number of women representatives in Parliament increased from three to seven in 1996. Another example is the National CEDAW (Convention for Elimination of All Forms of Discrimination Against Women) Watch Network of seven women's NGOs established in 1997 with the goal of monitoring the government's implementation of the United Nations Convention, which Mongolia signed in 1981. The network is the first permanent NGO coalition and the first to take government oversight as its mandate. It conducted a comprehensive analysis of the government's implementation of the U.N. Convention and presented it at a training of trainers' workshop for women leaders and rural women activists. The National CEDAW Watch Network ensured rural women's input into the CEDAW monitoring agenda, encouraging rural women's participation in monitoring on the local level. Through the media, it is implementing an information campaign to raise awareness of the CEDAW concepts, to introduce the network and its activities, as well as to discuss how Mongolian laws and practices comply with the U.N. Convention and, if they do not, to introduce changes.

The natural evolution of NGOs in Mongolia has been from urban-based NGOs to rural-based branches in the provinces. These branches, while organizationally linked

to their headquarters, are essentially independent both financially and programmatically. That is, they focus their attention on issues of local concern, such as unemployment, lack of information, the need to encourage job creation, and income generation. To assist rural NGOs in their ability to address local issues, The Asia Foundation has supported internship programs for rural activists at the headquarters of the Women's Lawyers Association (WLA) and the Liberal

Women's Brain Pool (LEOS), and enabled rural women's participation in almost every activity that took place over the last few years. Capacity-building activities were specifically designed to strengthen institutional management of rural chapters so that they are prepared to organize and implement local programs effectively.

While increasing public popularity and public respect for NGOs is occurring, most remarkable is the government's recognition of NGOs. A three-year effort of nonpartisan voter education activities by Women for Social Progress (WSP) resulted in a tripartite agreement between

WSP, the Secretariat of the State Great Hural (Parliament), and the National History Museum. Under this agreement, WSP is responsible for informing citizens of what is going on in the government.

This agreement ensures free access to parliamentary archives and other information. That information is published and distributed nationwide in a newspaper called, *Trust and Effort*. The paper contains parliamentary voting records on

Women's NGOs were among the first established — they were first to lead the newly emerging civil society by promoting and raising awareness about democratic values and practices.

—B. Oyunbileg  
Program Officer, Mongolia  
The Asia Foundation

---

specific issues of concern and comparisons of elected representatives' performance to positions in their campaign platforms.

Another important WSP publication is an index to parliamentary proceedings. For years, Parliament did not publish its proceedings, and although the new government has done so after the 1996 elections, this document has had limited distribution. To allow broader usage of the proceedings, WSP prepared a manual for citizens on how to use them together with an index that serves as a direct reference.

The WSP chapter in Uvurhangai province also concluded an agreement with the local representative government to serve as an information bridge between citizens and government on the local level. But the WSP branch went one step further and convened the community, NGOs, and businesses, as well as local government officials, to hold a dialogue on local priority issues. Half of the recommendations of the local community dialogue were accepted by the local council and included in their agenda. Currently, they are having a more focused discussion on an issue of priority—the development of small and medium enterprises. Suggestions of this dialogue will be presented to the upcoming session of the local council. The WSP community watch will follow the decisions of the local hural (council) and will convene again to develop an action plan on participation in the implementation of the local program.

The WLA has completed the first long-term strategic plan and developed its first individualized plans—strong signs of improved institutional development and program implementation capability at the local level. The WLA and the Center Against Violence (CAV) are leading another NGO campaign on legal advocacy for new legislation on domestic violence. Through various mechanisms, the WLA and CAV are engaging and cooperating with all other NGOs. Together they drafted the bill and are implementing a strategy to advance the bill, as well as to prepare for the efficient enforcement of the law after its adoption.

Another NGO that does not have a women's agenda but was initiated, founded, and is run by women is called the Center for Citizenship Education (CCE). The CCE is providing regular assistance to the country's new NGOs through training and information programs on institutional development, providing skills and knowledge to improve NGO participation in public affairs. The Asia Foundation's support enables the CCE to reach rural NGOs through its regional seminars, consultancy and information services.

There are, of course, numerous challenges that Mongolia's young civil society is facing, but despite its short history, the basic elements are in place and hopefully will lead to a sustainable and strong civil society in Mongolia. 🌱

# The Role of Women in the Political Reform Process in Thailand

by **RUENGRAWEE KETPHOL**

I have to thank Thailand's economic crisis because it brought with it the new Constitution. Without the crisis, I do not think that we would have this new era of political reform in Thailand.

First of all, I would like to share a couple of true stories illustrating what has been happening over the last several months in Thailand and how the economic situation has created both tragic and historic events. In one case, a recently unemployed young mother threw her four-year-old daughter out of a fourth-story window of the public hospital because the hospital staff told her that she had to pay \$200 for her daughter's surgery. She was about to follow her daughter when someone rescued her, after which she gave an interview.

She said that she did not know how to cope with the situation. Her husband had left her and disappeared for three days. Although he promised to come back, he did not return and she feared that he would be like her friend's husband, who always ran away in critical moments. When the media interviewed the hospital's representatives, they said, 'We already told her that we would provide surgery free-of-charge for her daughter.' You can guess who told the truth.

Another incident occurred two weeks after the new labor code became effective in mid-August. There was a protest by a pregnant woman holding a banner saying that she wanted to

get her job back. She was laid off on the understanding that the new code stipulated that pregnant women could not work the night shift. This incident demonstrates a misinterpretation of the intent of the law.

Finally, there is the example of how the Thai people exercise their rights. The shrimp farmers and the rice farmers came to Bangkok to voice their opposing views. The shrimp farmers claimed their right of freedom of occupation but the rice farmers claimed the rights to live in a sound environment. Although the two groups disagreed, they were citing different chapters of the same constitution to defend their rights.

In the last two or three years, demonstrations have increased in Bangkok. Last year, more than 700 demonstrations and strikes took place in Thailand, both in the major cities as well as in Bangkok. This widespread discontent clearly illustrates that the central government was not helping to solve problems at the grassroots level.

In the last couple of years, Thailand has tried to transform an open economy with assistance from the World Bank and the International Monetary Fund (IMF) through national economic and social development plans. Now, under the new Constitution, many provisions need to be implemented. Independent organizations working to protect people's rights, like the Office of the Ombudsman, human rights

commissions, and administrative courts, need to be established. These things are happening on the national level.

In the past two years, as Thailand was drafting its new Constitution, there has been an emergence of women's coalitions. At least 35 women's organizations came together in an effort to incorporate into the new Constitution. Many innovative strategies were drawn from groups and individuals during the drafting process.

Within the Women and the Constitution Project, although we never think in terms of lobbying, we take action proactively—to get into Parliament; to try to express ourselves; as representatives of the Women and the Constitution Network. We have proposals, but we had to fight with the security guard to get into Parliament. By observing Parliamentary debates we tried to offer some support for members of the Constitutional Drafting Assembly who are sympathetic with women's issues. We went to a series of meetings working on the first draft of the Constitution and tried to exchange our proposals with other groups, such as the handicapped. We exchanged views and pledged support for each other. With environmental groups, for instance, we offered to support community rights and requested they support gender rights. In the end, we finally succeeded: Chapter 30 of the new Constitution guarantees that women in Thailand have gender equality. Injustice and discrimination are illegal on the basis of gender and age. In addition, the government must implement and conduct affirmative action

In the past two years, as Thailand was drafting its new Constitution, there has been an emergence of women's coalitions. At least 35 women's organizations came together in an effort to incorporate into the new Constitution.

—Ruengrawee Ketphol  
*Program Manager, Thailand  
The Asia Foundation*

or measures to ensure that people can exercise the rights that have been guaranteed.

Another accomplishment was in the area of domestic violence, Chapter 53, which all women remember. We proposed including domestic violence protection in that chapter, but many male lawyers said there is already protection under family law and therefore we do not have to put it in

the Constitution. In one of the debates, broadcast live on TV and radio, the chairman of the Constitutional Drafting Assembly interrupted a female member by saying, 'Don't talk about that, it is too small an issue; reserve it for legislation, not for the Constitution.' But she said, 'We proposed this and it is on paper. This is very undemocratic if you do not allow me to speak on this topic.' She cried out and expressed herself emotionally, and many male members supported her—so we used whatever tactics that worked. As the core members of Women and the Constitution, we stormed into parliamentary sessions to watch the debates.

Only women's groups consistently monitored all the sessions until many males withdrew their opposition to this "women's" proposal.

After the Constitution was promulgated, we continued educating people about their rights. We lack trainers, however. Ten to fifteen of us had to go to 65 two-day workshops all over Thailand—from city to city and to villages near the jungle where there was never any kind of training before. We found that at first the women sat in the back, in the corners.

But on the second day, they stood up and said, ‘thank you.’ Some of them even said, ‘We studied three years in school, but it was not as valuable as this two-day workshop.’ This addicted me to the workshops because I like to talk to villagers. I have to go there every two or three weeks—I miss them. This type of reaction fuels me.

We educated the women about the rights they have, what mechanisms they can utilize to access their rights, including certain courts that can provide protection of their rights. But there are some other mechanisms provided by the new Constitution that need to be established within two years, including a human rights commission, administrative courts, and others. There are also some very good channels for accessing rights guaranteed in the Constitution. Chapter 28 says that if your rights are guaranteed by the Constitution, you can invoke them directly in court. Many participants in Asia Foundation-funded training remembered Chapter 28 when the workshops were finished. The other number that the participants loved was 50,000—50,000 eligible voters can sign petitions to propose legislation and also impeach or recall corrupt politicians.

Another topic we talk about in these workshops is how the electoral system has changed. There are two kinds of voting procedures for the 500 members of the House of Representatives. We focus on why you have to vote and what your power is when you mark the ballot. We also talk to them about decentralization. The Constitution specifies that local governments will be given more Administrative power, can utilize national resources, and enhance their autonomy. Budgets and responsibility must be increased for local governments. What we did was try to open a forum for local people to give input into what they need in the new local government code. They do not just need power. What they need more than that is accountable councilors and bureaucrats. Bureaucratic reform is necessary as well because the system is still very powerful and government officials think that local problems cannot be

solved in communities. They still do not believe that people have power and are able to solve their own problems.

The corruption issue was also addressed in the training. At one of our training workshops, an elected official asked, ‘What about the money that contractors give us? What do you call that kind of money—is that corruption? Is it a violation of law?’ It has become customary that people receive “commission money,” or corruption money. I was so surprised in that I had never heard people question whether it is wrong or right.

During the training, we used the phrase ‘women, men, and the Constitution.’ The content we presented to them had core elements on gender, equity, and participation. Why did we choose gender as the first subject? The gender issue itself is provocative—it makes people angry. We also included men in the training and sometimes it was the first time that men realized that, ‘Oh, we torture women, we victimize them.’ Sometimes men did not realize that they did that, whether by nature or by culture.

At the same time, we helped empower the participants. As a role play, we ask them to act out frequently cited stories. The first-most popular story was the abuse of power by the police—like false arrest and torture. The second-most popular story was about health services at the community or provincial level. When the poor and rich come to receive the same health services, the poor are discriminated against simply because they are poor. The third topic that was very popular was domestic violence. It was obvious that many husbands, particularly drunk husbands, beat their wives and children. When the victim goes to report the incident to the police, the authorities say, ‘This is a domestic affair, don’t bother us.’ This happens every day.

After the workshop, some participants go back home to review the electricity bills, the telephone bills, or the water bills. They take the bills to officials and ask why the price doubled in one month, or why they were charged to reconnect

---

the telephone when the line was never cut off. Now they understand the Constitution, where it says in Chapter 70 that government officials have a duty to provide services for the people and how they also have the right in Chapter 62 to sue government officials for abusing power. Had we done things like this before, I think that the woman I spoke about earlier would not have thrown her daughter out the hospital window.

The Women and the Constitution Project has networks throughout the country. I do not know who set up that network, but have injected new political issues into the group. If we look at the pyramid of power, we see that there were several networks there already. But what we have been trying to do is to build a pipe to link the grassroots level, to the national level, to the top, to the core organizations in Bangkok. That pipe conveys messages, courage, and serves to strengthen one another. There are three tiers: local, provincial, and national, and we try to use the existing structures that have been established.

The other program that we have been focusing on is decentralization. Over the last six years, The Asia Foundation program has been trying to increase the number of women in local governments. We believe that women are experts in gender issues—we do not have to worry too much whether women at the local level are gender-sensitive or not, because they always support social issues, education, income generation, etc. What we worry about is the situation at the

provincial and national levels—whether those women are sensitive to gender issues, because there are so many factors, such as families, parties, and money—factors that do not make women gender-sensitive at those levels. So we try to focus our resources at the local levels instead of the national level. We have been doing this very successfully. In the target area where candidate training was provided, the number of women who have been elected increased from 1 percent to 14 percent at the new local government unit.

With local decentralization, we have opened up forums for women and other local leaders to give feedback on local government legislation. We try to give them opportunities to network and form confederations or coalitions so their voices can be heard effectively in the legislative committees. We have also intruded into as many legislative committees as possible, and now the coordinator of the network sits on the local government legislative committee. I sit on the human rights legislative committee and others sit on the political reform committees.

I think that our programs and strategies fit into three aspects of reform: the legal aspect, political aspect, and cultural aspect. It may take years and years to reform cultural attitudes, but I think it is essential. We have to thank The Asia Foundation, because all these activities are solely funded by the Foundation. We hope that next year, assistance from Canada, Australia, and private organizations will support this program—a program that The Asia Foundation initiated. 🌱

# Questions and Answers

by *A Changing Asia: Women in Emerging Civil Societies* **PANEL**

**Q** First I want to congratulate The Asia Foundation and all the participants, particularly because as a member of a World Bank team in Thailand, I had a very good experience with our partnership. Thanks to The Asia Foundation in Bangkok, we organized jointly a consultation with nongovernmental organizations (NGOs) talking about the needs for legal reform. It was the first time that we had the pleasure of having the NGOs in our office. Although some of them did not respond to our invitation, those who came, in particular our friends from The Asia Foundation, gave us good insight into the tremendous changes going on in Thailand, as well as the opportunities. We also have an effort financed by the Japanese government to further identify some of the needs for legal reform, because we need to promote the inclusion of gender in the overall legal reforms. The constitution was a major achievement, but now we need to put into practice some of the legislation that is required. I think the advocacy groups and the NGO networking is fundamental. The financial institutions sometimes have a very limited conduit of discussion with the public sector. And we sometimes neglect the needs of civil society. So I think opportunities like this will be very important and I would like to promote them. I have only one question for our colleague from China, which is a gender human rights issue. How do you address the establishment of legal centers in China? We may need to learn from China to do that in other countries.

*Zhang Ye:* I think women's lack of legal protection is a common problem throughout the world. China's NGOs are only

starting to deal with the problem. Though the Chinese Constitution, women's laws, and marriage laws are all meant to protect women's rights, laws are abstract, not easy to implement, and access to legal services is lacking. At the same time, legal literacy is still a serious problem among women as well as men. Women's NGOs try to deal with all these problems. The legal aid centers of universities as well as women's hotlines all try to address women's rights issues. They provide legal services and refer women to other service and counseling centers. Through media and publications, they make women's voices heard by society.

At other levels, women's organizations that are engaged in development issues are trying to get more women involved in development programs and at the same time strengthen their institutional capacity so women's groups can have enough leverage to influence policy and eventually transform decision-making patterns.

**Q** I have two concerns that I would like to address to you. How do men look at gender relations? To me, it comes through as a bit elitist—the types of advocacy groups that exist, although there are links to the grassroots level. At the grassroots level, how do men and women relate to each other in terms of some of the advocacy that you are doing? And number two, how much freedom do you have to do what you want? Do you have the freedom to do what you think is best without thinking of, perhaps, the political repercussions within the country? Or, are you being constrained by that? How do you connect to the grassroots?

At the grassroots level, do you have a monitoring system to see how the gender relations interact in accepting your views?

**Ruengraawe Ketphol:** This is a difficult question. Two years ago when I tried to conduct gender training, I received a lot of resistance not only from men, but also from women. Over three or four years we have experimented using different approaches. Our target group is women, but for men, you have to use an innovative approach. Men never easily accept that they are the exploiters of others. I approach the issue in terms of human resource development: how many people's potential have been used? Only 23 or 25 percent of people have been used. I think that somehow this attitude has to be impartial, because if we look at men in biased terms, they feel that we are protecting only women. So we have to extend sympathy to men, too, in order to get cooperation and decrease resistance.

It is a new concept for the government to accept NGOs. It has just changed recently, because the Constitution guarantees the right to association, the right to form groups. And the NGOs have done good work in trying to balance grants made directly to the community level. For example, there have been conflicts over the World Bank-supported Social Investment Fund. It is a very controversial program that many NGOs and Thais are against because they feel we have borrowed enough. However, I am quite pragmatic. I think the cash is important and necessary for the unemployed who are returning to their homes now. What are they going to do when they go back home? They cannot live in their communities longer than one month because there is nothing that belongs to them — no land, no work. How can their families help them for six months, or even for one month, until they get another job? Immediate assistance at this time is very important, and even if we have to borrow money, I think it is legitimate.

**Q** I have done research and writing on the Asian values issue and teach about the comparative political economy of Asia. I was very interested in the panel discussion because it underscored to me that if you think about Asian societies, all of which de-emphasize the individual, and all of which are somewhat in varying degrees authoritarian in their hierarchical structure, they do not give much stock to women. Women constitute the single largest class or group in society that is dissatisfied with the status quo. In general, women therefore constitute the largest group advocating for human rights or other rights. So, it was a bit of an eye-opener for me to suddenly make the connection that women's rights issues, or NGOs emphasizing women's issues, are really much broader and have a much broader potential impact. And this is particularly true in the Thai example of the impact that women have had on the political process with regard to the new Constitution. Now my particular interest is in Japan and Japanese politics. I wonder if Ms. Kuroda would give us a little more background on how NGO networks operate in Japan. What kind of leadership do they have, if any?

**Kaori Kuroda:** In the particular case of citizens advocacy for the NPO law, as I mentioned, about 70 private nonprofit organizations and many individuals initiated a coalition to focus on the creation of an NPO law. That is C's. C's also expanded its national outreach through its own networking and through the establishment of contact with other citizen's networks and groups that had been involved in discussing a review of Article 34.

I can say that the citizens' network centered on C's and took effective approaches to the creation of an NPO law. The citizens' network vigorously lobbied Diet members and briefed many local grassroots organizations and small community-based organizations on the contents of the law and received feedback from them. As I said earlier, the citizens

network approached Keidanren and Rengo to involve them in the discussion.

Since the long-ruling Liberal Democratic Party lost in the election and a coalition government was established in 1993, the Japanese political scene was somewhat unstable, as many of you know. Many new parties were created and some abolished. The framework of the coalition government has changed from time to time. When an NPO law was discussed, the ruling parties consisted of the Liberal Democratic Party, the Social Democratic Party of Japan, and the Sakigake. The differences among the three parties in terms of policies actually allowed different ideas to come into play. This provided citizens' groups room for their opinions to be positively reflected.

Involvement of the Keidanren and Rengo, especially Keidanren, sharply expanded the discussion of social change in Japan first initiated among citizens' organizations. Now we tend to look at the civil sector as an emerging sector for the nation. Positive coverage of NGOs and NPOs by the media also helped the movement.

Some business leaders argued that the expansion of the civil sector might create new fields for employment and business opportunities. Keidanren decided to support the passage of the law not only because they believed in a strong civil society but, also, because they hoped that growth of NPOs would open up new fields in society which would benefit the business sector and Japanese economy.

The legislative process was not easy. For example, differences among political parties at one time resulted in divisions over the legislation among various citizens' networks. Finally, however, all the political parties involved unanimously supported the law. Different citizens' networks also got together because they concluded that the passage of the law should be prioritized. They continue to discuss future amendments to the law, particularly the issue of tax deductibility.

Immediately after the passage, some citizens' groups increased their briefings to local governments\* on the content

of the law and began discussions on implementation procedures once it takes effect. Diet members of different parties also are said to have started discussion on the issues.

\* According to the NPO law, implementation of the law will be at prefectural government level.

**Q** Is the women's NGO movement in Mongolia having an impact at the decisionmaking level—on the real changes in the government and at the other decisionmaking levels in your country for the future of women?

**B. Oyumbileg:** Yes. As I mentioned, women's organizations were established from political parties, because the primary reason for the emergence of those groups was political. After they realized their nonpartisan nature they broke with the political parties, but they never gave up their work in politics. The common approach for women's organizations is to target politics and decisionmaking, and they are promoting women's issues a lot. For example, they did an awareness campaign on the labor law, which prohibits women from working in certain jobs. Thanks to that campaign, women now know that their rights are restricted in terms of employment and that some are suffering from those restrictions. However, there has not been the usual big campaign regarding this law and changes are not going to be adopted soon.

As another example, the coalition of women working to increase women's representation in the government was extremely successful, in my mind. Because of that coalition, political parties had women's issues on their agenda during the 1996 election and developed a quota for the candidate nomination list. At that time, there were not very many empowered, bold, and committed women to run for Parliament, but they managed it and indeed women's representation doubled, although there has been a degree of backlashes in the executive branch of the government.

---

*Carol Yost:* I think it was Women for Social Progress that really got access to some of the notes and voting records, and has been applying pressure. Often, you cannot find out when Parliament is meeting or what is being discussed. WSP is pressuring for greater transparency, in terms of what is being discussed.

*B. Oyumbileg:* The government does not make any concerted effort to inform the public about who is voting for what. Citizens do not know how their representatives are voting and whether it is in accordance with what they promised in order to hold them accountable.

**Q** I was interested that each of you said something about violence against women. What is the genesis of this interest that is coming up about violence against women? Did it originate with the Beijing conference?

*Carol Yost:* Certainly, I think the Beijing conference did a lot to put this issue on the map, because it is such a huge issue in every single country. When we have conducted surveys across Asia, women often listed this as the number one problem they face. It deters their economic participation and their political participation and it certainly affects their family life, status, etc. We are addressing it through the Women's Political Participation program because it is such a priority issue. But the Beijing conference put domestic violence as a term and a concept on the map. Many countries, including Mongolia and China, did not have any term for domestic violence. In China, the translation was 'bothering your wife.' The Beijing conference changed that—it is not 'bothering your wife,' it is now, 'a crime against women.' There are various movements to find ways of addressing this through law, through culture, and government accountability on these issues. Worldwide, it is an enormous issue that is moving from the private into the public domain in many of these societies for the first time.

When we commissioned a survey in Cambodia, it emerged as a tremendous problem.

The question is, how do you deal with it? For instance, there was no legislation in Cambodia although now there is a new draft law, but the problem probably is not really the law, it is cultural attitudes. As in Cambodia, many women said they would never admit to being beaten, just as women in most societies would not because if a woman spoke out she would not be a perfect wife, so she conceals it from her family and friends. We support efforts to bring the issue from the private into the public domain, raise awareness, and try to encourage legislation that protects women—working on it in a number of dimensions.

Maybe B. Oyumbileg will talk a little bit about Mongolia and its work on violence. In 1994, when we had our first meeting in the region and women were talking about domestic violence, our Mongolian participant was unaware of this term. When we explained that it is when a man beats his wife, she said it is a big problem but there is no term for it.

*B. Oyumbileg:* That is correct. We did not have this term for violence against women. It was something that was not mentioned or addressed. But then when the term was introduced, all the women's organizations joined this movement in a flash and spread this concept. We are now talking about violence against women, which is an increasing problem and about how to address domestic violence. The women's movement is being engaged very intensively nowadays. Every women's organization is addressing violence against women, and some NGOs have a specific focus on domestic violence. With the initiative of women's organizations, the Center Against Violence was established, which now has its own shelter. This is a specialized women's organization that is leading all the efforts to provide services and educate people about violence against women, as well as conducting research on the status and dynamics of domestic violence in Mongolia. The Center

Against Violence's 1995 survey and the 1998 update show that although half of police arrests are cases of domestic violence, they are not labeled as domestic violence cases, but rather as "administrative" cases, like misbehaving in a public place. Violent men are not punished; they are brought in and then let go. The police do not even try to hold them responsible for wife beating. The women's movement is campaigning for a new domestic violence law. The Women's Lawyers Association and the Center Against Violence participated in the Singapore World Conference on Family Violence and they will participate in a study tour in Thailand and Malaysia to learn from these countries' experiences on how to advance this law, how to mobilize the community, and how to use it afterwards for better protection of women's rights.

*Zhang Ye:* I think generally it is believed that women's rights are human rights and that women should be given the basic right not to be beaten at home. But in most countries worldwide, wife battering is not considered a crime. It is considered part of the culture and a private matter. Laws do not protect women; policemen joke about it; and neighbors will not interfere. So when we talk about women's equal status and equal participation, the problem is that when people deal with domestic violence as a private, family matter, then women cannot participate in anything equally. If you challenge the whole gender structure, from there you can accomplish more and more—economic participation, political participation, equal access to education, and so on. I think it is a basic right.

*Carol Yost:* It is also an issue on which women mobilize and perhaps are much more active, even women who have never been politically active in the sense of voting or being

supportive. It draws women in, because it is such a huge issue once it gets out into the public domain and is recognized.

**Q** When you are training women in the political system in Thailand, is it even an issue that women are pushed into the social services ministries or that they are encouraged to run for office because they are morally different, as opposed to because they are people who have expertise and should be in the department of defense, etc. Has this come up as a concern among women parliamentarians in Thailand and also just in your training courses for training women in politics and women as politicians?

*Ruengraewee Ketphol:* There is an emergence of women role models in Thai politics, but it is still not enough. At the local level, I trust that women are caring and concerned about health and social issues. But at the provincial and national levels, many women politicians do not want to be labeled as just someone who is good on social issues, although there must be some women who volunteer to be labeled as someone who cares about social issues. At this time we still have to use some kind of reinforcement to increase the number of women in the political domain.

*Carol Yost:* As you can see by today's panel, The Asia Foundation has a lot of assets throughout Asia. We often say within the organization that our field offices and our field staff are the jewels in the crown of The Asia Foundation. I am glad that you have had this opportunity to get to know some of our key staff who are working on important issues in their societies and actually having some impact—not only on the empowerment of women, but on developing civil society, good governance, and other democracy issues. 🌍

# The Participants

## **Ruengrawee Ketphol**

Program Manager, Thailand *The Asia Foundation*

Ruengrawee Ketphol is a Program Manager in The Asia Foundation's office in Bangkok, where she is responsible for programs in the areas of women's political participation programs, parliamentary development, local governance (including elections), and human rights. She has also developed women's political participation programs for the Foundation in Laos and Vietnam. Ms. Ketphol was appointed this year as an advisor to the Standing Committee on Justice and Human Rights for the Thai House of Representatives. She has also advised the House Subcommittee on Women's Issues, the Ministry of Justice Subcommittee on the preparation on the International Convention on Civil and Political Rights report, and the Subcommittee on Women's Political Participation for the National Commission of Women's Affairs of the Office of the Prime Minister. From December 1996 to October 1997, Ms. Ketphol was a Member of the Nalehon Ratsima Provincial Hearing Committee appointed by the Constitution Drafting Assembly.

Ms. Ketphol joined the Foundation in 1992 as Program Officer in the Foundation's Cambodia office, where she managed Foundation assistance to nongovernmental organizations working in the areas of women's participation, human rights, and media. Prior to joining the Foundation, she conducted training of trainers on human rights in the Cambodian refugee camps on the Thai border for the United Nations Border Relief Operation. She was also a Joint Voluntary Agency Field Worker and Interpreter in the Indochinese Refugee section of the U.S. Embassy in Bangkok.

Ms. Ketphol received a B.A. in political science and has a certificate in gender training of trainers from Australian National University.

## **Kaori Kuroda**

Assistant Representative, Japan *The Asia Foundation*

Kaori Kuroda is The Asia Foundation's Assistant Representative for Japan. She organizes, develops, and implements Foundation programs in the area of civil society development. Ms. Kuroda has designed a capacity-building program for future NGO leaders and is working to develop local and regional networks for women in politics. She is also engaged in the Foundation's efforts to advance the U.S.-Japan Common Agenda, an agreement between the U.S. and Japanese governments to cooperatively address global development challenges through public-private partnerships.

Ms. Kuroda has worked with the Foundation since 1994. Prior to assuming the position of Assistant Representative, Ms. Kuroda served as Senior Program Officer in the Japan office. From 1991 to 1993, she was a Program Officer at the Center on Japanese Economy and Business at Columbia University School of Business, where she organized conferences, workshops, and lecture series. She has also designed and developed elementary Japanese workbooks (published in 1991), and taught Japanese as a second language for business students at the International Education Center in Tokyo.

Ms. Kuroda has a B.A. in American History and Culture from Seikei University in Tokyo. She received a Masters degree in Education from Harvard University. In 1993, she published the essay, "Harvard, Shu, To, Shun, Ka (The Four Seasons at Harvard)."

## **B. Oyunbileg**

Program Officer, Mongolia *The Asia Foundation*

B. Oyunbileg is a Program Officer in The Asia Foundation's office in Ulaanbaatar, where she manages programs on strengthening citizen's participation in public affairs. Her work with key women's organizations involves monitoring their activities in the areas of voter education and accountability and transparency of government, in addition to activities focused specifically on women in the areas of domestic violence, legal literacy and aid, and economic empowerment.

Prior to joining the Foundation in 1993, Ms. Oyunbileg worked for the U.S. Information Service, where she developed USIA citizen exchange programs. She also served as the head of the Information Center at the State and Social Studies Academy and as the head of the Informatics Division of the Center for Scientific and Technological Information.

Ms. Oyunbileg holds a diploma in mathematical modeling of economics from the Institute of National Economy in Moscow.

### Zhang Ye

China Program Director in Beijing *The Asia Foundation*

Zhang Ye is the China Program Director in Beijing for The Asia Foundation. She manages programs on local governance reform, nonprofit sector development, and legal development and reform. In the areas of women's economic opportunities, legal rights, and basic security, she is engaged in strengthening the advocacy and leadership capacity of local organizations. Ms. Zhang is also a researcher at the Institute of American Studies of the Chinese Academy of Social Sciences.

Prior to joining the Foundation in 1994, Zhang Ye served as Assistant to the Representative of The Ford Foundation in China. She also was Deputy Director of the North American Division of the Foreign Affairs Bureau of the Chinese Academy of Social Sciences in Beijing. Ms. Zhang is a recognized specialist and authority on NGOs in China, with a number of publications to her credit, including: "The Global Revolution on Association and Law of Association" (with Xin Chunying) in *CASS Journal of Law*, 1998; "The Chinese NPOs, Laws, and Regulations" (with Xin Chunying) for the *Comparative Nonprofit Law Project of the Asia Pacific Philanthropy Consortium*, to be published; and "The Voluntary Sector in China: Myth or Reality" in *Corporate Citizenship in Asia Pacific – Conference Report*, 1996.

Ms. Zhang is a graduate of the Beijing Second Foreign Language Institute in Beijing. She also holds a Certificate in American studies from Smith College and a Master's degree from the Kennedy School of Government at Harvard University.

### Carol Yost

Regional Coordinator, Women's Political Participation Programs and Director, Global Women in Politics Program *The Asia Foundation*

Carol Yost is the regional coordinator for The Asia Foundation's Women's Political Participation programs, and Director of the Global Women in Politics Program. The program supports in-country, regional and cross-regional initiatives in Asia, Africa, Latin America, and the Middle East to increase women's participation in political processes.

Ms. Yost holds a Master's degree from American University and a Bachelor's degree from Denison University.

Asian Perspectives Series *publications are produced by The Asia Foundation's Office of External Relations*

*Contributing editor: Justin Lowe*



THE ASIA FOUNDATION

465 California Street, 14th floor  
San Francisco, CA 94104 USA  
*Phone* 1 415.982.4640  
*Fax* 1 415.392.8863  
*E-mail* [info@asiafound.org](mailto:info@asiafound.org)

1779 Massachusetts Ave., NW  
Suite 815  
Washington, D.C. 20036 USA  
*Phone* 1 202.588.9420  
*Fax* 1 202.588.9409  
*E-mail* [info@dc.asiafound.org](mailto:info@dc.asiafound.org)

[www.asiafoundation.org](http://www.asiafoundation.org)