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Sexuality in Ancient and Modern Nepal: A Historical and Contemporary Analysis

¹Anup Adhikari, ²Vijay Aryal*, ³Bhagwan Aryal, ⁴Aryan Dhakal ¹Central Department of Population Studies, Tribhuvan University, Kathmandu, Nepal ²Department of Population Studies, Tribhuvan University, Prithvi Narayan Campus, Pokhara; ³Central Department of Education, Tribhuvan University, Kathmandu, Nepal; ⁴Global Ecology Magnet student at Poolesville High School, Maryland, USA

*Corresponding Email: vijay.aryal@prnc.tu.edu.np

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Abstract

Sexuality is a dynamic and contested domain by deeply ingrained patriarchal norms, and the sociocultural landscape fosters tensions between traditional beliefs and emerging discourses on gender, sexuality, and individual rights. Through Legislative advancements, including constitutional provisions for gender equality, sexual minorities continue to face systemic discrimination, violence, and stigma. It explores how traditional and evolving socio-cultural dynamics influence gender, sexuality, and individual rights in Nepal. By employing a mixed-methods approach anchored in qualitative content analysis, the research integrates historical and socio-legal frameworks to examine the historical roots and contemporary manifestations of sexuality. The study draws sources such as legal documents (e.g., Muluki Ain, Nepal's Constitution) and historical texts (e.g., Manusmriti), like peer-reviewed articles and NGO reports. Analytical techniques include thematic analysis to identify recurring patterns, comparative study to trace shifts in societal attitudes, and critical discourse analysis to interrogate power structures shaping gender contribution on addressing inequalities; patriarchal attitudes undermine women's autonomy and perpetuate gendered double standards. The need for comprehensive grassroots education, social transformation, and legislative reforms to dismantle entrenched hierarchy systems is underscored by the study and support to contribute broader discussions on gender equity and social justice within Nepal's evolving socio-political landscape.

Keywords: Sexuality, patriarchy, gender equality, women autonomy

Introduction

Sexuality in Nepal is a complex and evolving topic. It is situated at the intersection of traditional patriarchal norms and modern, individualistic ideals (Forum

for Women, 2007). This creates a unique social climate where long-held beliefs clash with progressive ideas about gender, sexuality, and individual rights. Despite legislative advancements in protecting women and the LGBTI community, these groups continue to experience significant discrimination and prejudice in Nepali society. Sexual and gender minorities, in particular, face deeply rooted stigmas and numerous obstacles in various aspects of their lives (Greene, 2015).

Understanding sexuality in Nepal requires a comprehensive analysis of both its historical roots and contemporary manifestations. Historically, women have often been viewed as inferior, their bodies subject to control, and their rights frequently violated (Forum for Women, 2007). Traditional roles within the household and marriage have limited women's autonomy where she has the role of a wife's "duty" to perform sexual intercourse with her husband, exemplifying this constraint (Tamang, 2003). Examining language and gendered sexual roles is crucial for understanding male-to-male sexual behavior in Nepal, offering insights into how these relationships are conceptualized within the culture (Kafle & Ghimire, 2024).

Nepalese Patriarchal structures demand strict control over women's sexual behavior that often revolves around a woman's sexuality being inferior to a man's (Tamang, 2003). This distinction leads to women's sexuality being viewed as a matter of character and moral essence, requiring them to adhere to strict behavioral expectations to protect their purity and honor. Conversely, men are often granted more sexual freedom, like desire and pleasure, considered natural and necessary for them, but not for women. This gendered double standard perpetuates inequality and reinforces women's dependence on men (Greene, 2015).

The experiences of sexual and gender minorities in Nepal are marked by violence, discrimination, and a lack of recognition (Forum for Women, 2007; Kafle & Ghimire, 2024). The challenges faced by the GSM community emphasize greater understanding and acceptance (Kafle & Ghimire, 2024). By exploring the life experiences of these minorities, we can gain a clearer understanding of their daily struggles and assess how society has changed in recent years regarding social attitudes toward gender and sexuality (Greene, 2015). Therefore, the study aimed to explore how traditional and evolving social dynamics influence gender, sexuality and individual rights in Nepal and its situation by investigating the lived experiences of women and sexual and gender minorities; the research seeks to provide deeper insights into these complexities based on the review of literature, policy and legal documents.

Methods and materials

This study employs a mixed-methods approach to explore the complexities of sexuality situated at traditional patriarchal norms and modern individualistic ideals in

Nepal. By integrating historical and socio-legal frameworks with qualitative content analysis, the research provides a comprehensive understanding of how gender, sexuality, and individual rights have evolved in Nepal. Established guidelines for gender-sensitive research, ethical protocols for marginalized communities inform the methodology (Bahner & Lindroth, 2023), and inclusive approaches to studying sexual and gender minorities (The Williams Institute, 2015).

The research design is structured into two phases. The historical analysis phase examines ancient, medieval, and colonial influences on gender and sexuality through textual analysis of religious scriptures (e.g., Manusmriti, Vedic texts), legal codes (e.g., Muluki Ain), and historical records. This phase traces the codification of patriarchal norms and their impact on societal attitudes toward women and sexual minorities (Spiel et al., 2019). The contemporary analysis phase focuses on post-1950s reforms, including modern legislative changes (e.g., Nepal's Constitution, Supreme Court rulings) and socio-cultural transformations. Data sources include legal documents, policy reports, empirical studies, and NGO/INGO publications (The Williams Institute, 2015).

Data Collection involves diverse sources to ensure in-depth analysis. Such sources include legal documents (e.g., constitutional provisions), historical texts (e.g., religious scriptures), government policies, peer-reviewed journal articles, books, reports from NGOs/INGOs, and newspaper archives (Spiel et al., 2019; The Williams Institute).

Data Analysis The study employs qualitative content analysis (QCA) to systematically examine themes, patterns, and discursive shifts in Nepal's sexual discourse. QCA enables the exploration of manifest and latent meanings of evolving gender and sexual dynamics. Three analytical techniques ensure comprehensive analysis. First, Thematic Analysis identifies recurring themes—patriarchal norms, legal reforms, LGBTQ+ rights, and socio-cultural barriers—across historical and contemporary contexts (Chetri & Karki, 2024). Second, Comparative Analysis contrasts pre-modern and modern perspectives, tracing shifts in societal attitudes and legal frameworks (Greene, 2015). Third, Critical Discourse Analysis (CDA) interrogates legal and policy documents, exposing power structures that shape gender norms and sustain inequalities (Kafle & Ghimire, 2024).

To ensure validity and reliability, the study incorporates triangulation by cross-referencing data from multiple sources. Peer reviews by experts in gender studies enhance scholarly rigor (Bahner & Lindroth, 2023), while reflexivity ensures that researcher biases are critically evaluated throughout the study.

Ethical Considerations are upheld by adhering to ethical protocols for marginalized communities (Bahner & Lindroth, 2023), ensuring accurate representation of narratives, avoiding misinterpretation or misrepresentation of sensitive issues, and maintaining academic integrity through proper citation practices.

Historical context: from matriarchy to patriarchy

Ancient Nepal: Vedic influences and gender roles

In ancient Nepal, Hindu culture coexisted with indigenous practices, which created a complex tapestry of gender roles. Women from the ruling classes during the Lichchhavi period (400–750 CE) enjoyed relative autonomy, participating in political and economic spheres. They could establish religious trusts and images in honor of their dead relatives, appearing in inscriptions as donors' wives and donors. Queens Kṣemasundari and Guṇavati, for instance, are excellent examples, having established Shiva lingas and Śaiva images (Chetri & Karki, 2024; Sarkar, 2025). The concept of Kumari prepubescent girls keeping as living goddesses symbolized the sacred femininity rooted in Hindu-Buddhist syncretism. However, Vedic texts like the Manusmriti introduced hierarchical norms, positioning women as dependent on male guardians: fathers, husbands, and sons. The Manusmriti codified gender roles and legitimized female subordination by religious and cultural tradition. By embedding patriarchal values in religious teachings, these texts provided male supremacy a divine or moral justification (Chetri & Karki, 2024).

Sexuality in this era was dualistic: women were venerated as mothers but policed as wives. There was also the traditional idolization of feminine purity and power in Nepal, where women were generally religiously depicted as deities (Evason, 2017). The Devi Sukta in the Rigveda affirms female power to be the cosmic spirit (Sarkar, 2025). The Manusmriti emphasized chastity, linking women's purity to familial honor (Chetri & Karki, 2024). Rituals like Teej and Rishi Panchami required women to fast for "purification," reflecting the early stigmatization of menstruation. In rural agrarian communities in Nepal, women are pushed out from home every month during their periods. It is an ancient Hindu practice called chhaupadi, which has been deep-rooted for centuries in Nepal and also in some parts of India and Bangladesh. It is a superstition that menstrual blood is impure (Cousins, 2019).

Medieval shifts: Entrenchment of patriarchy

By the medieval period (1200–1768 CE), patriarchal norms dominated. The sati system (widow immolation), polygamy, and child marriage became widespread, institutionalizing women's subordination (Kafle & Ghimire, 2024; Manandhar, 2022). Sati, also known as suttee, is a historical practice in which a Hindu widow would burn alive on her deceased husband's funeral pyre, either voluntarily or through coercion.

The practice of sati pratha has been prevalent in Nepal since ancient times and peaked during the medieval period (Das, 2018). During this time, not only widows but, in some cases, mothers, slave girls, and even boys were immolated, often against their will. For women, burning their husband's funeral pyre was considered a religious duty. It was believed that by doing so, the woman would sanctify her ancestors and ensure spiritual salvation for her dead husband (Manandhar, 2022). The Muluki Ain (1854) legal code) formalized caste and gender hierarchies, penalizing inter-caste relationships and restricting women's inheritance rights to those who remained "chaste" after widowhood (Today, 2021). The civil code of 1854 imposed several restrictions on the sati system, such as widows below the age of 11 not having to observe sati, which was later changed to 16 through an amendment in 1863 (Manandhar, 2022). Jang Bahadur Rana, who discouraged the sati system, told his wives to commit sati after his death out of fear that his brothers might seek political revenge against them (Manandhar, 2022). In 1920, Prime Minister Chandra Shamsher enforced legislation abolishing the widow-burning custom, punishing anyone who violated the law as a murderer (Das, 2018; Sharma, 2023).

Colonial and modern eras: External pressures and internal resistance

The 19th-century Rana regime (1846–1951) reinforced Brahmanical patriarchy, but the 1950s democratization movement sparked incremental reforms. The Rana dynasty, a Chhetri dynasty, held authoritarian control in Nepal from 1846 to 1951, diminishing the Shah monarch to a symbolic figurehead and establishing hereditary succession of the Prime Minister and other government positions within the Rana family (Ghimire, 2024). The Muluki Ain (legal code) during the Rana regime favoured the wealthy, enabling them to subordinate poor, marginalized social groups in terms of occupation, social practices, and economic status, particularly affecting gender inequality through its orthodox Hindu beliefs regarding marriage, labour, and economic assets (Nepal, 2025).

Prime Minister Chandra Shamsher's abolition of sati (1920) and slavery (1926) marked early legal shifts, yet social practices lagged. Chandra Shamsher enforced legislation that abolished the widow-burning custom, punishing anyone who violated the law as a murderer (The Editors of Encyclopaedia Britannica, 2018). Despite the legal changes, society's behavior did not change quickly. Political parties were not allowed during the Rana regime, but a group called the People's Council (Praja Parishad) started an underground movement (Lotter, 2017).

Contemporary Nepal: Legal progress and persistent inequalities

Legal reforms and gender equity

The 2006 Comprehensive Peace Agreement (CPA) catalyzed transformative legal reforms to institutionalize gender equity and LGBTIQA+ rights in Nepal. Post-CPA, the 2007 Interim Constitution marked a watershed moment by enshrining gender equality (Article 13), prohibiting discrimination based on sexual orientation and gender identity (Article 20), and guaranteeing reproductive rights and ancestral property equality for women (Article 20) ("The Interim Constitution of Nepal 2063," 2007). It also mandated proportional inclusion of women in state structures (Article 21), reflecting demands from civil society groups like the National Women's Commission, which had long advocated constitutional parity (Baniya et al., 2017; Upreti & Kolas, 2016). Likewise, the Supreme Court's 2007 directive recognized third-gender citizenship and prohibited systemic discrimination, laying the groundwork for subsequent LGBTIQA+.

The judiciary has played a significant role in expanding these protections. Similarly, in 2023, the Supreme Court ordered the government to register same-sex marriages, citing constitutional guarantees of equality (Article 18) and marriage rights (Article 69) (Ghimire, 2023). This ruling, stemming from petitions by the Blue Diamond Society, compelled Parliament to redefine marriage beyond heteronormative frameworks, though legislative delays persist due to conservative opposition (Ghimire, 2023). Similarly, the 2018 Criminal Code criminalized chhaupadi—menstrual exile practices rooted in Hindu stigma—imposing penalties of three months' imprisonment or fines (NPR 3,000) (Thakuri et al., 2021).

While these reforms signify progress, gaps endure; the Civil Code (2017) retains ambiguities in requiring third-gender individuals to provide medical proof for citizenship updates, undermining self-identification rights (Ghimire, 2023). Scholars like Upreti and Kolås (2016) emphasize that legal frameworks alone cannot dismantle patriarchal hierarchies without parallel shifts in societal attitudes and grassroots education (Upreti & Kolas, 2016). For instance, despite the Gender Equality Act (2006) mandating 45% civil service quotas for marginalized groups, women hold only 23% of parliamentary seats as of 2025, which illustrates systemic barriers to substantive representation (Baniya et al., 2017; Upreti & Kolas, 2016).

Women's sexuality: Control and resistance

The societal value system emphasizes women's obligations but often fails to establish or uphold their rights, as wives have a "duty" to perform sexual intercourse with their husbands. Women are often seen as objects or property of men, with marital rape not traditionally recognized as a crime(Forum for Women, 2007). Such attitudes,

along with women's words not being taken seriously, contribute to domestic violence going unreported and unpunished. Research shows that gender-based violence and the rights-based approach of working women are most commonly depicted through means such as teasing, winking, and coercing sex and dates. Patriarchal attitudes towards women's sexuality are demonstrated in societal values that consider sexual freedom, desire, and pleasure needed and inherent to men but unnatural to women. Nepali society systematically controls all areas of women's lives, from preventing women's ability to work to imposing societal definitions of marriage and policing women's sexuality (Greene, 2015; Misra, 2019).

Reproductive health indicators reveal significant disparities, particularly in rural areas. While Nepal has made progress in reducing maternal mortality, the rate remains high, with approximately 1,200 annual deaths and around 30% of rural women lacking access to modern contraception (UNFPA et al., 2020). Factors contributing to this include the lower social status of women, illiteracy, economic dependency, patriarchal societal structures, and socio-cultural barriers that restrict women's autonomy in making decisions about their bodies (Dahal et al., 2022). A study implies that women do not have any control over their reproductive rights as well (Dhobi, 2024).

Harmful traditional practices, such as Chhaupadi and witch hunts, continue to endanger women's lives, particularly in marginalized communities. Over 60% of women in Far-West Nepal still endure menstrual huts despite the practice being outlawed (Forum for Women, 2007). This practice violates many human rights, including sexual rights and the rights to mobility, education, and work guaranteed in Nepal's Interim Constitution (2007) and international human rights instruments. Women also face violence and dispossession through witchcraft accusations stemming from superstition, lack of education, and economic dependency (Dahal et al., 2022). The control over female sexuality is patriarchal and has caste relations. This is also related to the regulation of marriage and sexual relations, which is the primary means utilized to maintain caste boundaries (Misra, 2019). These practices underscore the urgent need for comprehensive interventions to challenge patriarchal norms, promote gender equality, and ensure the safety and well-being of all women in Nepal.

Sociocultural barriers to sexual autonomy Patriarchal norms and sexual double standards

Nepali society glorifies male sexual agency while policing female desire. A 2016 study found that 90% of respondents (Kathmandu) believed women's sexuality required strict control to prevent "social chaos". The societal value system emphasizes women's duties but fails to establish and implement their rights, as demonstrated in

the example of the wife's "duty" to engage in sexual intercourse with her husband. Women are likely to be regarded as mere objects or pieces of property owned by men; accordingly, marital rape was traditionally not regarded as a criminal act (Forum for Women, 2007).

Proverbially, women are "pure as goddesses in youth but polluted in adulthood "(Evason, 2017). This perspective aligns with cultural values that consider sexual freedom, desire, and pleasure necessary and natural for men but unnatural for women (Forum for Women, 2007). Negative attitudes towards young women in Nepal begin at birth, or even earlier, as illustrated by the proverb "Chhora paye khasi, Chhori paye farsi (A party of mutton goes on a son's birth, but a pumpkin on that of daughter's)" (Bishwakarma, 2020). This proverb reflects the cultural norm that gives sons priority over daughters from the start of life.

Religious and caste-based discrimination

Hindu-Buddhist cosmology reinforces caste-endogamous marriages, penalizing inter-caste relationships. The Nepalese caste system borrows largely from the classical Hindu Chaturvarnashram model, which consists of four broad social classes or varna: Brahmin, Kshatriya, Vaishya, and Sudra. The system classifies social classes into hierarchical endogamous groups called jaat (Kafle, 2021). Rooted in a deep-seated upper caste Hindu obsession with ritual purity and cleanliness, the 1854 Muluki Ain categorized castes and ethnic groups based on whether one could accept water from them, exemplifying caste hierarchies even in the modern day. Hindu influence has transformed the social attitudes of certain groups, who now aspire to higher status by modeling their behavior on high Hindu castes (Fürer-Haimendorf, 1978).

Dalit and Janajati women face intersecting oppression, with Dalit feminists highlighting caste-based sexual violence (Bhushal, 2008; Forum for Women, 2007). Although caste-based discrimination, including "untouchability," was legally abolished and criminalized in 1963, the traditional social stratification of Nepal persists. Despite state-imposed assimilation within pan-Hindu society structure, the traditionally non-Hindu groups and communities are not necessarily tied by the customs and traditions of the caste system (Kafle, 2021). As Nepal transitioned from a Hindu monarchy to a secular state, the widening gap between groups due to their responses to Hindu society has resulted in differing rankings in the regional status system (Fürer-Haimendorf, 1978).

Impact of globalization

Globalization, marked by increased digital media access and delayed marriages that significantly influence youth in Nepal, contributes to evolving attitudes

toward sexuality (Shrestha et al., 2025). However, limited sex education exacerbates risks, with 21% of unmarried youths engaging in premarital sex, often unprotected (Kakchapati et al., 2021; Regmi et al., 2008). Bhaktapur Municipality, Nepal, revealed that 54.8% of adolescents demonstrated adequate awareness of adolescent sexual and reproductive health (ASRH) (Rekha et al., 2024). This knowledge deficit, coupled with gender norms and power dynamics, results in limited agency for young women in decisions about sex and contraception. While access to quality education is needed for informed sexual health choices, economic vulnerability hinders access to vital healthcare services, affecting family planning and contraception decisions (Shrestha et al., 2025). Despite improvements, gaps persist in comprehensive sex education, and stigma surrounding sex hinders open conversations, increasing misinformation and risky behavior (Shrestha, 2023). The digital landscape, with its wide range of information, can significantly influence perceptions and behaviors regarding sex and relationships.

Conclusion

The evolution of sexuality in Nepal illustrates a complex interplay between historical patriarchal norms, contemporary legal reforms, and evolving sociocultural dynamics. The early veneration of feminine energy in ancient traditions to the patriarchal structures during the medieval period has navigated a fluctuating landscape of gender roles and sexual norms in Nepalese society. Colonial and modern eras brought external pressures and internal resistance. These were marked by the increasing formation of policies and court orders to support legal shifts and persistent social inequalities. Patriarchy also continues to exert significant control over women's sexuality, with far-reaching implications for their reproductive health and overall well-being. Harmful traditional practices, such as Chhaupadi and witch hunts, persist in marginalized communities. At the same time, sociocultural barriers, including patriarchal norms, sexual double standards, and religious and caste-based discrimination, further impede sexual autonomy.

For the improvement we need to build a more equitable and inclusive Nepali society, a comprehensive approach is essential to address both legal and socio-cultural dimensions of gender and sexual inequality. This requires advocating for transparent and protective legal reforms for sexual and gender minorities through implementing educational programs to challenge patriarchal norms and promote comprehensive sexual and reproductive health education. Empowering women and marginalized communities, raising awareness about harmful practices, fostering open dialogue, and actively involving men and boys are also crucial for improving sexuality concepts and practices in Nepali society. By addressing historical legacies, advancing legal

protections, challenging discriminatory norms, and promoting inclusivity, Nepal can move toward a more just and equitable society.

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