

# **PROPERTY RIGHT STATUS OF WOMEN**



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Of Sociology/Anthropology, Mahendra Ratna Multiple Campus Ilam**

**In Partial Fulfillment of the Requirements for the Degree of  
Master of Arts in Sociology**



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**LETTER OF RECOMMENDATION**

This is to certify that the work incorporated in this thesis entitled **“Property Right Status of Women: A Study of Brahmin/Chhetri, Limbu/Rai and Dalit of Chamaita VDC, Illam”** completed by **Lalibung Lamichhane** was under my guidance and supervision. Therefore, I recommend this thesis for the final approval and acceptance for final evaluation of the degree of Master degree of Arts in Sociology.

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**LETTER OF ACCEPTANCE**

This Thesis entitled **“Situation Analysis of Property Right of Women: A Study of Brahmin/Chhetri, Limbu/Rai and Dalit of Chamaita VDC, Illam”** prepared and submitted by **Lalibung Lamichhane** has been accepted as the partial fulfillments of the requirements for the Master's Degree of Arts in Sociology.

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## **ABBREVIATIONS**

ADB	Asian Development Bank
CBS	Central Bureau of Statistics
CEDA	Center for Economic Development and Administration
FWLD	Forum for Women Land and Development
H/H	Household
HDR	Human Development Report
NGO'S	Non-government Organization
NHDR	Nepal Human Development Report
UN	United Nations
UNDP	United Nations Development Program
UNESCO	United Nations Education, Scientific and Cultural Organization
UNICEF	United Nations Children Fund
VDC	Village Development Committee

# CHAPTER ONE

## PROPERTY AND PROPERTY RIGHT OF WOMEN

### 1.1 Background of the Study

Male and female always comprise the two halves of the population in every society. However, the rights and opportunities are not equal between women and men in every society. The differences in the opportunities of life between male and female have forced female to bear an unequal position in society (FWLD, 2013). This unequal position can be seen in different sphere likely economic, political, social and cultural.

The different position of male and female in society is not a biological but it is socially constructed. That is called 'gender' by sociologists. On the basis of gender, male and female roles and responsibilities are assigned differently in different class, caste\ethnic and religious groups (Basing, 2004). She further said that gender is so difficult to understand that what is natural and what is socially constructed we cannot separate, because as soon as a child is born families and society begin the process of gendering. In many south Asian cultures, including Nepali, the birth of a son is celebrated, the birth of daughter is bemoaned; sons are showered with love, respect, better food and better health care (ibid). Moreover, the women right to land and their ownerships towards land also influenced by gender because of the cultural and sociological relationship.

Deprivation from the right of property is one among the various dimensions of inequalities suffered by women. The right of property is referred to mean claims, power, liberty and immunity in relation to things and reputation (Sangraula, 1997). It enables a person to hold possession of maintain ownership on, and realize disposal of the goods of property as per their choice. In Nepal women's property right was adopted under the 6<sup>th</sup> Act of Civil Code (Mulki

Ain) in 1975. On the contrary women should not be left independent at any time. Prior to marriage a female must be subjected to her fathers after marriage she is subjected to her husband and when her husband dead to her son. This belief made that she always dependent to male person of the family and such deprived her of any independency, which she could have enjoyed as a separate level entity (Ibid).

The present study has been investigated gender inequality and property rights among the rural women of eastern region of Nepal. This study mainly examines the access of women on parental/husband's property based on caste and ethnic composition at Chamaita VDC of Illam district. This study has also investigated the constraint regarding to achieve the parental/husband's property among the Chamaita women.

## **1.2 Statement of the Problem**

Nepal is one of the high population growth rate (1.35%) country in the Asian countries, where 51.50 percent population are female characterized with 57.4 percent literacy rate against the 75.1 percent of male (CBS 2011). Statistic showed that women were mostly involved in domestic chores. Women's and men's contribution in the economic activities of the home are 42.5 and 46.6 hours per week respectively (FWLD, 2013). However their decision making role in household activities is very low (13%), similarly, female infant mortality and child mortality are higher than male (HDR, 1998). Women's representation in the constituent assembly 197 women out of 601 constituent assembly members have been elected or nominated which is only one third (FWLD, 2013).

The universal declaration of human right, 1948 Article 17 accepts that everyone has the right to own property alone as well as in association with others and no one shall be arbitrarily deprived of his/her property. The Interim Constitution of

Nepal 2063 also granted the right to use all citizens to earn property, use it, to sell it and enter into other property related transactions under the law of land (Article 19). The Interim Constitution of Nepal 2063 section 3 under the article 13 (1) equality among all the citizens is granted and article 13 (2) state that ‘no discrimination should be made against any citizen in the application of general laws on the ground of religion, race, sex, caste and tribes.’ Despite these right provisioned, gender inequality exists between men and women especially in the field of education, economy, health, politics, household work, property right. While majority of women are engaging in the lower position such as household works, agriculture etc.

Women have suppressed by their male counterparts in the property right and in the name of gender equality (FWLD, 2013). Agrawal (1998) stated that women had no or very little access to the property rights especially land among patriarchal society in India, Nepal, Bangladesh, Sir Lanka and Pakistan. She further said that access to right on land is also varied according to caste and ethnic groups (ibid). In the case of Chamaita women, what is the situation regarding to their access on land and their right to ownership upon it?

In Nepal including Chamaita, different NGO’s/GO’s have been organising different conference, forum and rally for the equality between men and women. If so are women aware about their rights on land or not? The main issues of the problems are as follows:

- What is the current property right status of women?
- What is the role of caste/ethnicity to determine the access to parental/husband's property?
- What is the status of decision making power of women for buying and selling of their land?
- What are the major constraints not getting parental/husband property?

### **1.3 Objectives of the Study**

The general objective of this study is to find out gender inequality and property right of Nepalese women. The specific objectives are as follows:

- To explore the socio-economic and demographic characteristics of women at Chamita VDC of Illam district.
- To examine the access of women's right in their parental\husband property in terms of social background.

### **1.4 Significance of the Study**

This is a sociological study carried out based on gender perspective. This study has examined the status of women in property right and existing gender inequality. The importance of this study is that to show the scenario of present inequality against the women in rural area of Nepal with regard to property. It has tries to examine gender inequality and women's property right through caste and ethnic background of the people in Chamaita society. So this study is importance to know the differences on access to women on property right especially land. This study mainly focuses to the study of access of women's right in their parental/husband property by caste/ethnic composition, and examines the constraints for women to get parental/ husband property in the study area. Therefore, this study will be the supplementary sources to know the gender inequality and women's property right through caste and ethnic background of the people who will be interested on the issue for further study. Moreover, this study may be relevant sources of information for planner, policy-makers and development practitioners who will be interested on the issues.

### **1.5 Theoretical Framework**

Gender is a concept that deals with the roles, responsibilities and relationships between men and women which are determined by the social, political and economic context by the biology, 'as well as in this context, Oakley and Rogers

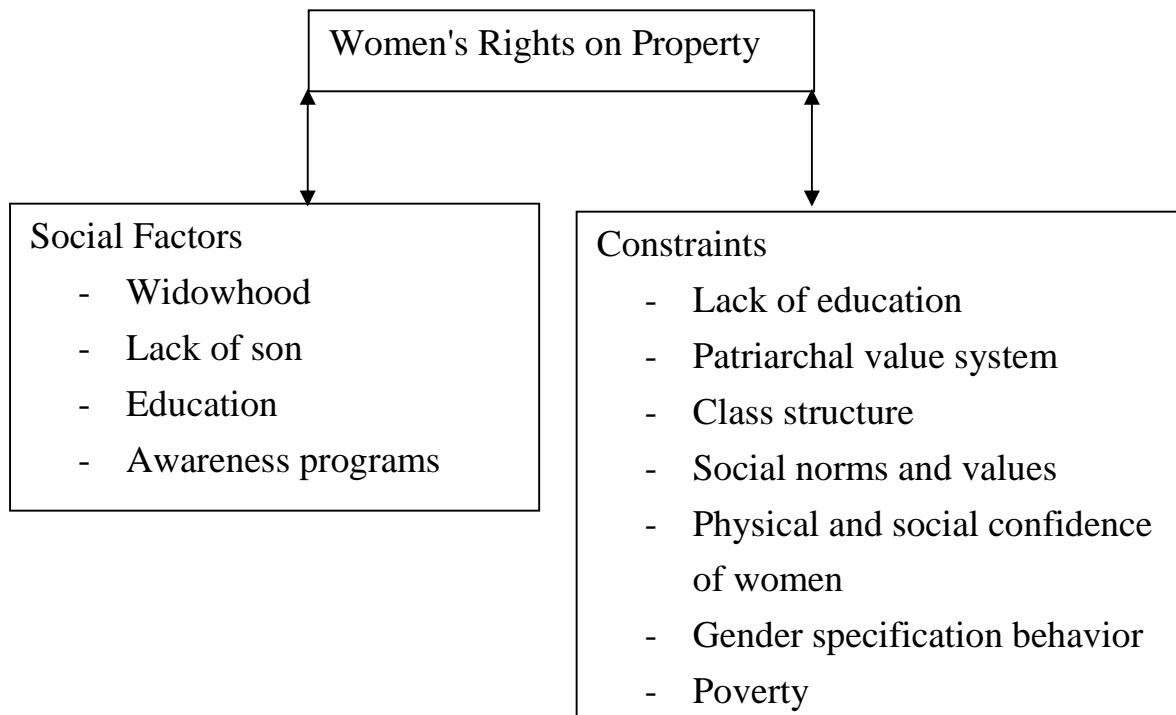
states that the "Gender is a socially and culturally constructed roles and responsibilities assigned to men and women in a given culture, society and location based upon their societal/cultural structures, gender is learned behavior, non-permanent that change over time' (Cited Lorber: 1994). Similarly Bhasin (2004), states that the term gender refers to the relations of power between women and men who are revealed in a range of practices, ideas, representations including the division of labor, roles and resources between men and women. Gender relations are both constituted by practices and ideologies which interaction with other structures of social hierarchy such as class, caste and race. They may be seen as largely socially constructed and varies over time and space.

The present research tries to understand a gender inequality, people of Chamaita VDC of Illam district and their socio-economic condition. Mainly, the research focuses on the access of women's right in their parental/husband property in caste/ethnic composition. Constraints of women to get parental/husband property among different caste/ethnic group.

## **1.6 Conceptual Framework**

In this research, I have developed a conceptual models based on the gender perspective framework that helped to analyze the gender inequality in caste/ethnic composition. The model shows the social factors of Chamaita VDC which increase the women's access in parental\ husband property Widowhood, lack of son, education etc. All these factors have increased the women's access in property ownership (especially in land).

## Conceptual Framework



Similarly, the model also shows the constraints for women getting parental/husband property in study area (i.e. lack of education, patriarchal value system, class structure etc.) In study area, these constraints compacted not any women but also men too. For example poverty has trial impact, i.e. family status, property and education. Similarly women's social and physical confidence also impacted highly in getting parental/husband property in the study area.

### 1.7 Organization of the Study

This study is divided in to five chapters. The first chapter is an introduction of the study, statement of the problem, objectives of the study, significance of the study theoretical framework and conceptual framework.

The second chapter presents the review of literature. This chapter is divided in to two sections. First sections describes theoretical perspective especially gender inequality and property right and last section described previous empirical studies related to gender inequality and property rights.



The third chapter presents the methods applied in the research. This chapter is divided in to two sections. The first section presents the rationale selection of the study area. The second section discusses sampling procedure, research tools, and techniques and their uses.

The fourth chapter describes the demographic and socio-economic characteristics such as: age, sex, caste/ethnicity, occupations and educational condition of population under the study area. Similarly, this chapter also presents the finding and interpretations. First section presents the knowledge on property right to women and their role in household decision making, women's involvement, the transfer of parental property and people's perception on property right and the second section describes the constraints regarding to get property.

The last chapter of the study deals about the conclusion and recommendation of the study.

## CHAPTER TWO

### LITERATURE REVIEW

#### **2.1 Theoretical Approach: Gender as an Analytical Framework**

Gender is culturally constructed and socially transmitted notion. Bhasin (2004: 1) argues that it is a socio-cultural definition of men and women and the way societies distinguish men and women and assign them social roles. Different societies and cultures have different ways of socialization to individuals (Barette and sergeant, 1997). While socialization children, they also maintain the social cultural construction of gender through different roles, behaviors and symbolizes ideologies (Lorber 1994). In most of the societies new born baby is not only classified by sex but also assigned a gender role by birth (Lorber 1994, Bhasin 2004.). Thus, sociologist used the concept gender to examine and understand the social reality with regard to men and women in society (Bennet, 1983, Agrawal, 1998).

Everyone is born male or female and our sex can be determined simply by looking at our genitalia. But every culture has its ways of valuing girls and boys assigning those different roles, responsibilities and attributes. All the social and culture packing that is done for girls and boys from birth onwards is 'gendering'. Each society slowly transforms a male or female into a man or women into masculine or feminine with different qualities behaviors pattern role responsibilities rights and expectations (Bhasin: 2004). Unlike sex, which is biological, the gender ideates of women, men are psychologically, and socially which means historically and culturally determined (ibid).

Ann Oakley who was among the first few feminist scholars to use this concept says 'gender' is matter of culture. It refers to the social classification of men and women into 'masculine' and 'feminine'. Therefore, gender has no biological origin but culturally constructed (cited, Bhasin '2004).

Mosses (1993) define gender as a set of roles which customs or musk's in the theater communicate to other people that we are female or masculine. This set of particular behavior which embraces our appearance dress, attitudes, personalities, and work both within and outside the household, sexualities, family communicates and so other makes up our gender roles. Moreover, it is a human invention like language, kinship, religion and technology, like them, gender organizes human social life in culturally patterned ways (Acker 1995). He further says that gender organizes social relations in everyday life as well as in the social structure. As a social institution gender is a process of creating distinguishable social status for the assignment of rights and responsibilities (Ore 2009). As a process, gender creates the social differences that define 'women' and 'men' in social interaction throughout their lives individuals learn what is expected act and react in expected ways, and thus simultaneously construct and maintain the gender order (ibid.).

## **2.2 Gender Inequality from Feminist Perspective**

Men and women are situated in society not only differently but also unequally (Bennet 1983, Bhasin 2004, Lorber 1994, Agrawal 1998). Moreover, Ritzer (2000) stated that women get less of the material resources; social status power and opportunities for self actualizations than do men who share their social location. This location has also based on class, race, occupation, ethnicity, religion, education, nationality or any other socially signification factors. This inequality results from the organization of society not from any signification biological or personal difference between men and women (ibid).

Amartya Sen pointed out seven major areas of gender inequality in Indian society in his book *Many Faces of Gender Inequality* on Essay (2001). These areas are - morality inequality, nasality inequality, basic facility, inequality, special opportunity inequality, professional inequality, ownership inequality, and household inequality (Sen, 2001- 135).

There are various feminist theories, which deal about gender inequality in society. They explain existing gender inequalities in different ways like economic, biological and social differences. These theoretical perspectives helped the researcher to understand the gender inequality and property right at different caste and ethnic groups of rural area of Nepal. However, particular theoretical perspective has not found suitable to examine and understand the gender inequality. Therefore, I took help of these theories, which have discussed here in briefly.

### **Liberal Feminist**

Liberal feminist believes social inequalities are situated in social structure. They argue that both men and women suffer from the unequal division of labor and are equally suppressed (Tong 1995). If potential women are the work force participation and do not get the opportunity to develop their talent men also are denied the pleasure of having close relation with the family especially wife and children. For the liberal feminist the culture of sexual discrimination and division attitude is more crucial for this situation rather than social institutions. It is the socialization process of assigning specific gender roles that creates different expectation from men and women (Ibid).

Liberal Feminist main aim is creation of equal opportunity particularly in education and work. At my present study relates to the liberal feminist in sexual division between men and women at work and their education status by caste/ ethnic difference. Also relate my study with many liberal feminist's study in sexual division which separates women in domestic sphere and men in public sphere. In study area women's private sphere relates ownership of property (land, cattle, house etc.) and moving power to men which public sphere (Sell, buy and exchange of property).

## **Marxist feminism**

Marxist feminist argument was based on the Engel's writing *The Origins of the Family, Private Property and the State* (1997). Engle believes that women's subordination began with the development of private property according to him, the world historical defeat of the female sex. In this way, Marxist Feminist describes women's subordination from social arrangement, which can be changed through time. Tong (1995) states that woman's subordination lies in the family, which is a system of dominant and subordinate roles.

The present study has focused on the gender relation with land in which there is a different power relation between men and women in landownership that directly affects the household decision making power and women's bargaining power in their self earning property. As Marxist feminism says women are subordinated in the study area due to the men's ownership on means of production like land and the oppressed by them in household and outside household.

## **Radical feminism**

Radical feminist argues that every social institution is source of women's oppression. That oppression began from patriarchy, which manipulate by men through physical, economic, ideological, legal mechanism and emotional power (Ritzer 2000). He further states that radical feminism is based on two central beliefs; that women are of absolute positive value as women, a belief asserted against what they claim to be the universal devaluating of women and that women are everywhere oppressed-violently oppressed-by the system of patriarchy (2000:462). The domination and oppression are seen in class, caste, race, ethnicity and age categories of people in society.

The unequal property right, especially on land, between male and female was developed due to the patriarchal value system of our society, which is not

exception in Chamaita. The oppression and domination of women was found among different caste and ethnic groups and also existed vary among different caste in the study area that was based on the patriarchal value system of society. Women are less valued in social institution family and subordinated in different sector.

### **2.3 History of Gender Construction**

In early stage of human civilization there was equality between man and women. There was not division of work for male and female (Bhasin 2004). After time passed men started involve into public sphere works and women in domestic sphere. Division of work was based on biology but society categorized the work as superior or inferior or high valuable or less valuable and women's sphere of work was categories as inferior and less valuable than men (Lorber, 1994).

The first age of human society and culture development was hunting and gathering. In that stage social life was very simple. Human depended on hunting and gathering where male involved in hunting and other adventurous work whereas female in gathering and cooking (Lorber 1994). Lorber (1994) called this stage as an early stage of gender construction.

After hunting and gathering stages, human started horticulture. The settlement pattern was also shifted form nomadic life to more or less permanent settlement. Society was divided matrilineal and patrilineal society. In both societies, men had higher status than women (ibid.). In the same way in agricultural society gender structure was clearly formulated in domestic and public spheres (ibid.). Role of women in production was high but what to product, while product such decision was taken by men. Women sexuality and mobility are controlled by men. Women are divided into purity and impurity, which created gender inequality highly than the former stages (ibid.). The present study also

represents as agricultural society where people were depended upon agriculture for survival. Therefore, the present site was suitable for examine how the gender is constructed in different caste and ethnic groups.

#### **2.4 Gender Roles and Responsibilities in Nepal an Overview**

Every society considers the biological sex as criterion for describing gender. There is variation in gender role in different cultural groups. In the case of Nepal women possess different power and prestige in different communities. The high caste women in the hills and Tarai have low decision making power owing to a subordinate position than man while the ethnic women of mountain and hill have high decision making power (Luitel and Joshi 1983). But on the other hand some very conservative Thakuris of west Nepal considered women as polluted and men does not eat rice cooked by their wives whereas women holds a prime position inside household among the Rana Tharus of Kailali district. They pushed the plate with her foot while serving main food to her husband (Luitel and Joshi: 1983). That clearly indicated women's position was superior to man in ethnic groups.

The gender roles and responsibilities were also varied within the caste groups. Bennet (1983) writes unmarried girls are worshiped as goddess in high caste Hindu. In all ritual works they are worship by giving *Dakshina*. But on the other hand married women are thinks as evil and don't accept them in ritual works. In the case of study area, different caste and ethnic people have different perception towards women regarding their right to the parental property especially land which will examine in the main text.

#### **2.5 Property Right of Women**

There is debate on the definition of property and property rights. Property, In its widest sense, includes all of a person's legal rights, whatever description like human's life, liberty, reputation etc and on the contrary, property includes land,

cattle, shares and debts rather than personal rights, life or liberty (cited Sangraula, 2002).

Property right is based on the personal theory (FWLD: 2013). The Universal Declaration of Human Right 1948, Article 17 accepts that every one has the right to own property alone as well as in association with others and no one shall be arbitrarily deprived of his/her property (ibid.). In this way, the Declaration emphasizes and signifies the capacity of the holder to own or possess to it.

Sangraula (2002) has pointed out three areas regarding women's property right;

1. Women's capacity to hold ownership over property including their right to dispose of the property, independent of others interference,
2. Women's right enjoys property through its ownership and possession, and
3. Women's right obtains a remedy upon encroachment of their property rights.

In the context of South Asia, property right for women generally indicates right on land for women (Agrawal 1998). She states that land has been and continues to be the most significant form of property in rural south Asia. It is a critical determinant of economic well being, social status and political power. However, there is substantial evidence that economic resources are in the hands of male household members often do not benefit female members in equal degree (ibid.).

## **2.6 Property Right of Women in World**

Property right of women is accepted worldwide. In United States of America, there are two types of property right system; common law system and community property system (Subba 2001). The common law system has not given equal right to non-income groups as income groups in married life but



non-income group can take some income after the divorcé or death of income group. The women is given right of the property only after the divorce for the sake of her health, children and as way of income to face the future problems. But in the case of debt, will be paid from the joint property after marriage (Ibid).

On the other hand, under the common property system husband and wife get equal share in the property. However, the existing property before marriage and property at the time of marriage are not considered joint property in 9 states. In the case of immovable property both men and women will agree in the control and management of joint property (Ibid).

In Japan, Declaration of Post Dam 1954 has given the right on property to women. The constitution of Japan has also given equal right to man and women. And succession Acts Article 886 gives the right of property to the child who is in womb. In Japanese law parental property is equally divided if husband wife separates 2/3 is given husband and wife remaining is to others (Acharya, 1998).

The Constitution of Shrilanka 1978 has made the provision that there is no discrimination against men and women. All are equal in the law. In Shrilanka married women's property ordinance 1923 Article 26 say's 'capable women should care of her husband article 27 provides duties to care of their children is to women. Matrimonial rights and inheritance ordinance Article 22 provisions the property of husband wife should be transformed respectively descendents, ascendant and at last collateral (Ibid).

Before 1911, joint family structure was practiced in China in which head of the household should be father. All property is handled by male but civil code of 1931's Article 1003-1048 provided property right of women and after the separation of husband and wife. Wife should take her property alone and so on. The right and interest relating to marriage and family chapter section 43

provided married women earned by her or by husband has equal right to use, transform and sold.

## **2.7 Theory vs. Practice on Right of Women in World**

There is vast difference on theory and practice on the right of property of women. Before the 19<sup>th</sup> century no one has think about the women's right in property. In the 21<sup>st</sup> century women have got right to vote and to hold elected position in most of the countries, only in the theoretically. The legislation for special protection as workers when such laws were thought to beneficial, but such laws were not brought in practical life. They have increased their access to health and internationally to forum women's rights as human rights and have raised gender issues in development policy making international women's conference such as those held in Mexico city 1975, Nairobi 1985, and Beijing Plate-form for Action 1995, have given the women to participate in all sections of development as well as men advancement of women empowerment respectively (UN 2000).

Gender inequality is seen all societies including developed and developing countries. Human Development Report 2007/2008 shows that in Kenya women work in agricultural sector 83 percent and men 59 percent. Similarly in South Africa respectively 30 and 14 percent in agricultural sector by female and male respectively and in India women work in non-agricultural sector 91 and men 70 percent.

Gender inequality is seen not only in works and in profession but also in social avenues such as education, life expectancy, household decision etc. Human Development Report 2007/2008 shows life expectancy in Mexico was 78 and 73.1 years for male and female respectively. Similarly in India, it was 65.5 and 62.3 years for male and female respectively. Literacy rate was 90.2 percent of

female and 93.2 percent for male in Mexico and 97.8 for male and 73.4 percent for female in India.

The degree of gender inequality is higher in political as well as administrative sectors in the various countries of the world. For instance, Mexico women in government ministry shares only 9.4 percent, in China 6.3 percent, in Shrilanka 10.3 percent and 3.4 percent in India (UNDP 2007/2008).

## **2.8 Legal Provision on Property Right of Women and Gender Inequality in Nepalese Context**

In the context of Nepal, both male and female has no equal right on property in practice. However, Interim Constitution 2063 has guaranteed equal right of son and daughter in ancestral property. The Article 20(4) of the Interim Constitution 2007 states that son and daughter shall have the equal right to ancestral property. Before the 11th amendments of country code women can not take property from her father until she will be 35 years and unmarried. A mother can not give citizenship from her identity to her children. Similarly in foreign employment a daughter\wife should have taken permission from her father\husband (country code 1963) .After 11<sup>th</sup> amendment in country code change the above provision that daughter and son have equal right in property from their born. A mother can give citizenship to her daughter\son from her identity, similarly code provisioned a girl, married women or widow woman can self use herself earning, Daijo\*Pewa*.

Similarly, the country code amendment has recognized equal right of women in property, but married daughters are excluded from right to inheritance and intestate property. They are not considered as coparceners and fall behind in the line of succession (FWLD, 2013). The separated women married again with other should return the property inherited from her first husband. Similarly, unmarried daughters are eligible to file such application only after the sons and

married daughters fall much behind in the line of succession. In the event of the death of the nominee to the saving, the provision of succession is unequal as unmarried daughters fall behind sons in the line of succession. Similarly a woman who has separated can self use of her property (Ibid).

The daughters in law's have no distinctive right as such which her husband is living she may only her rights as are generally conceded to a wife against or relatively to a husband, but beyond that during the life time of son the daughter in laws position is almost merged into that of her husband. After the death of her husband she becomes characterized as a widow and shall be entitled to the share of her deceased husband provided that at the time of partitions. She remains widow and continuous to live with chastity (Partition Act Section5). According to the section 12 of the Partition Act a widow is debarred from inheriting her husband's share of property until she is 30 years (Ibid).

In Nepal, prior to the change of 1951, the social, economic, political legal and religious factors had made Nepalese women weaker exploited and devoid of any sort of freedom (FWLD: 2013). Social evils like *Sati-system*, polygamy, unequal marriage and child marriage are affecting the freedom of Nepalese women (FWLD 2013). The *Sati system* came to end during the Rana Regime whereas polygamy and child marriage were still in practice till 2021. After the political change of 1951, the Nepalese government played some roles towards improving woman's status in Nepal. The constitutions Nepal decelerated that no discrimination shall be made against any citizen in the application of general laws on the ground of religion, race, sex caste and tribe. These constitutional provisions were not sufficient and did not come into practical life. Therefore, women are still dominated by male in our society (FWLD 2013).

FWLD'S study shows that 536 discriminatory or gender biased words have been used in the constitutions, laws, regulations and annex of the laws and

regulations. Discriminatory words like chairman (*sabhapati*), elder old man, gird gift (*kanaya Dan*), father's obsequies not mothers (*pitri Karya*) such are still used in various legislations (ibid).

Nepal is an agricultural country and majority of people are engaged in agricultural production where women have more work time in non-market activities 54% and 46 % in market activities but men work 67 % market activities and 33 % in non-market activities.

Women have lesser access to avenues of education and modern knowledge and less mobility. Getting married and producing children are the ultimate goals for women (Acharya, 1997). A married woman who doesn't bear a son is largely looked down upon and she has no choice but to put with co-wife especially in the rural areas (UNEFPA, 1992).

Gender inequality is seen in education also. There is a difference in the enrolment of male and female in education i.e. 84 percent and 74 percent respectively. Moreover, there is also the variation in ratio of girl to boy's enrolment i.e., 0.92, 0.91 and 0.97 in primary, secondary and tertiary education. There is a variation in literacy rate between male and female in the age groups of 15 – 24 i.e., 60 and 81 percent for women and men respectively (ADB, 2013).

The gender inequality is shown in political and administrative sectors of the country. For example, female representation in cabinet was 7.4 percent and more than 33 percent in constitutional assembly. Similarly, 18.75 and 12.71 percent women are found in administration and professional jobs respectively (UNDP, 2013). Moreover, gender inequality is seen in civil service too. UNDP/Nepal 2004 report shows that special class civil servants are 85 in Nepal. Out of them, women are only 2.4 percent. Similarly, there are 633 first class civil servants in Nepal where women are only 4.1 percent.

Gender inequality is not only male and female but it also varied in caste/ethnic group. Therefore, gender equality is the cross cultural issues. In Nepal, Brahman/ Chhetri female are more literate than ethnic groups and Dalit. The NHDR 2009 report clearly showed that 82.1, 76.6 and 34.8 percent women are literate from Brahmin and Chhetri, ethnic and Dalit groups in Nepal. The access to secondary and higher education was also varied according to caste and ethnic variation. For example, access of high caste women in secondary and higher education was 44.4 percent and Dalit has 11.8 percent only (UNDP/NHDR – 2012).

There is variation in ownership on land and other kinds of property according to sex in Nepal. About 11 percent of households reported that female legal ownership on land and 6 percent women had ‘some’ ownership (CBS, 2011). Similarly, only 7 percent female had ownership on livestock whereas rearing and caring of livestock is traditionally a female task. The CBS 2011 report shows that less than one percent female had ownership on house, land and livestock.

## **CHAPTER THREE**

### **RESEARCH METHODS**

#### **3.1 Rationale for Selection of the Study Area**

This study was selected for the study of property right of women in their husband/ parental property. It indicates the equality of right on man and woman in society. Also it shows the access of right property of woman on land and decision making level. It was selected for crosscultural study of society.

This study was conducted in three Toles of Chamaita VDC of Illam district. This site was suitable for this study for two reasons. Firstly, the area was largely patriarchal. In this sense, there is no or little access of women in different aspects of society including property rights on land. Thus, this site is suitable to find out the access of women on property right especially land resources and constraint to get property right on land.

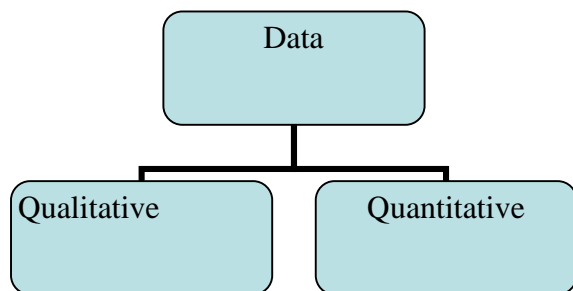
The social, economic, and cultural environments of study area were different. That means the settlement was heterogeneous in term of caste and ethnic composition in which women access on land was varied. In this senses, this area was suitable for the research to examine the gender inequality on property right especially on land through cross-cultural groups as well as constraints to get property right on parental and husband property.

#### **3.2 Research Design**

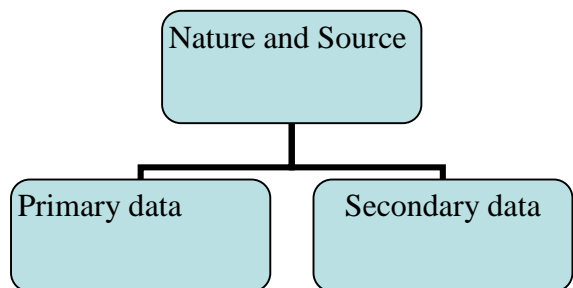
This study was based on exploratory research and descriptive research designs. It is descriptive in the sense that the research generally described the situation in a narrative way. The researcher described the socio-cultural and economic characteristics of studied population, present situation of women's right on land by caste and ethnic composition. It is exploratory research in the sense that the research explore the social status as present there and take out the situation. the researcher explored the sociocultural status and economic characteristics of studied population, present situation of women's property right by caste and ethnic composition.

### 3.3 Nature and Source of Data Collection

Those data which can be counted in numbers are tabulated. These data are analyzed quantitatively. And those data which cannot be tabulated in numbers like constraints and problems for getting parental property to women, patriarchal value system, class structure social norms and values etc. are analyzed qualitatively. Hence, the nature of the data in this study is both qualitative and quantitative. Hence, on the basis of nature, data can be classified in two types as follows:



On the other hand, data can be classified in two types on the basis of sources. They are as follows:



Since, this study aims to explore the gender inequality and property right among the Chamaita people. Thus primary data were collected from the field study by using different tools techniques. Similarly the researcher also used secondary data for the study, which are collected from published or unpublished documents.

#### 3.3.1 Primary Data Collection

Original data sources collected specifically for the problem at hand is called primary sources of data. Primary data are original data gathered by the researcher for the research project at hand. Thus, these data were collected for



meeting the specific objectives of the study. For collecting primary data, a structured questionnaire was developed and household survey was made for intended respondents. In the same way, a checklist for property right of women in land and another checklist for key informant and focus group discussion were also used in collecting primary data.

### **3.3.2 Secondary Sources of Data**

A secondary source refers to those for already gathered by others. The sources of secondary data are books, periodicals, published reports, data services and computer data banks. In this study secondary data were collected from VDC office, Chamaita, Central Bureau of Statistics, and district development committee, Illam.

### **3.4 Universe and Sampling**

The universe of the study was Chamaita VDC of Illam district (out of 44 VDCs) which is purposively selected. Out of them, three settlements were selected purposively based on the mixed community i.e., Brahmin/Chhetri, Rai and Dalit settlements. There are 107 households in the three settlements where 43 are Brahmin/Chhetri households, 36 Rai and 28 Dalit. The research was carried out the household census survey from the 107 households. The main purpose of study is to find out the status of woman's right on land in different cultural group, ethnic group, caste group and compare them. The culture was mixed but dependent together. In this selected area people live in heterogeneously in different nearer grouping area Therefore, unit of study area as households are selected for the study.

### **3.5 Data Collection Tools and Techniques**

To generate the primary data, household survey, interviews and case study was made.

### **3.5.1 Household Survey**

Household survey has conducted to acquire more information about population characteristics such as (age and sex composition, population size, caste/ethnic composition, occupational background and educational status).

### **3.5.2 Observation**

Observation is a major technique of data collection in sociology/ anthropology. As a student of sociology, this tool was also used to collect some required qualitative and quantitative information. During the course of study observed were made focusing on the role of women in household decision making. This study need to know the relationship between culture and society on property right of woman and also this type of observation of different villages are the sources of primary data so observation is necessary on study.

### **3.5.3 Case Study**

Case study helps to obtaining qualitative data and micro level information. This method was used to get the personal experience of the women in property, access from their parents/husband and household decision making. All type of information cannot be find in short time study. so we can get all sides data from one specific study (case study) which give verbal image of culture and society.

### **3.5.4 Group Discussion**

Group discussion is an important tool for sociological study. Group discussion makes the researcher to get secret and actual dates which are more reliable so in this research group discussion was conducted. During the course of fieldwork, the research was conducted informal group discussion among the respondents. Through group discussion, researcher collected the information about access of women on property especially land, ownership on land, constraint to get property right on land and decision making process on household and other activities.

### **3.6 Reliability and Validity of the Data**

The research report is more reliable and valid because this study is within the theoretical framework. The researcher used structured interview schedule, questionnaire and case study method. Along with the crosschecking, regular supervision, verifying data will form unbiased and without sampling error.

### **3.7 Data Presentation and Analysis**

The collected data were presented and analyzed in different ways in this study. Qualitative data, which were collected in the form of words, are presented in a descriptive way to strengthen the arguments and analyze them in a logical way. Similarly, quantitative data, which were collected, were first classified on the basis of their nature and presented in tables and percentage. After presentation of the data, they were analyzed and interpreted in the logical way based on the facts.

### **3.8 Limitations of the Study**

Research is an effort to investigate new things as student knowledge and other resources will be limited to the researcher. The main limitations are as following.

- 1 This research conducted only for the partial fulfillment of the Master Degree in sociology,
- 2 The findings are based only on three settlements of Chamaita VDC with gender inequality and property rights. Moreover, this study also examined the gender equality and property right based on three caste and ethnic groups including Brahmin/Chhetri, Limbu/Rai and Dalit. Therefore the findings may not be generalized more widely as well as different caste and ethnic groups in the same area.

## **CHAPTER - FOUR**

### **AREA AND PEOPLE UNDER STUDY**

#### **4.1 Socio-Political Overview of Study Area**

Chamaita VDC is one among the 44 Village Development Committee of Illam district. It is located in the northern part of the district. In the east Deumai municipality, Shantidanda and Sakhejung VDC located, in the west Phakphok VDC located and Panchthar district was located in north.

Chamaita VDC is heterogeneous in term of caste and ethnic composition of caste/ ethnic groups consisting of Brahmin/Chhetri, Dalit and Limbu/Rai. Most of the people in study area are Brahmin/Chhetri, which are more than 60% and Limbu/Rai were about 25% and remaining were Dalit (VDC Profile, 2072). In the study area, I observed that these caste and ethnic groups have found to live separately in the own caste and ethnic settlement. An elderly informant informed me that it was due to the concept of caste system. The Dalit people were taken as untouchable in the study area. The higher caste people generally said that they lived separately than lower caste people to maintain their caste identity.

Mostly Chamaita VDC people were involved in agriculture for their survival. It was the traditional occupation of the people of Chamaita. However, in my observation, I found that all caste and ethnic groups have had no same agricultural land. Mostly arable lands were occupied by Brahmin/Chhetri and Limbu/Rai had less amount of agricultural land and Dalit had no or very few arable land. Therefore, they involved in other occupation for their survival. In the agriculture sector, male involved in public sphere like buying and selling of agricultural products, buying of needed items form market, taking and giving loan and female in domestic sphere like preparation of agricultural field, planting, harvesting, grinding and threshing of products, collection of fodder

and firewood, and so on. At present, educated and higher caste people were involving in public service like teaching, government office, and some Brahmin/Chhetri and Limbu/Rai were involved in small business and all caste and ethnic people especially male young generation were involved in foreign employment.

## 4.2 Socio- Demographic and Economic Characteristics

### 4.2.1 Distribution of Age and Sex

Sex and age composition is the main factors of social developments that influence the fertility, marriage and economic activities. The table 4.1 shows the distribution of population in sampled household by age, sex and caste and ethnic composition.

**Table 4.1 Distribution of Population in Household by Age Group**

Age	Caste / ethnic Group						Total	
	Brahmin/Chhetri		Limbu/Rai		Dalit		Male (%)	Female (%)
	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)		
0-5	13 (8.1)	15 (9.1)	9 (5.6)	11 (6.5)	6 (5.4)	8 (6.6)	28 (6.5)	34 (7.4)
6-15	54 (33.5)	37 (22.5)	23 (14.8)	34 (20.3)	19 (17.4)	21 (18.7)	96 (22.3)	97 (20.8)
16-25	44 (27.3)	58 (35.6)	57 (36.7)	58 (34.3)	36 (32.7)	37 (32.7)	137(31.8)	153 (32.8)
26-40	30 (18.6)	32 (19.5)	40 (25.8)	46 (27.2)	39 (35.5)	42 (37.6)	113(26.2)	134 (28.9)
40-59	16 (10.1)	15 (9.1)	18 (11.6)	13 (7.6)	6 (5.4)	4 (3.5)	40 (9.3)	32 (6.8)
60+	4 (2.4)	7 (4.2)	8 (5.3)	7 (4.1)	4 (3.6)	1 (0.8)	16 (3.9)	15 (3.3)
Total	161(100)	164 (100)	155 (100)	169 (100)	110(100)	113 (100)	430 (100)	466 (100)

Source: - Field survey, 2015.

The table 4.1 shows female population is higher than the male it is because of higher desire of son child in the family similarly, people of study area think son as the bread winner of the family a woman of Brahmin/Chhetri family respondent informed so they give of birth of daughter until son is born.

In context of Nepal, the population under the age of 15 and above 60 was considered as economically inactive population. In the case of studied household, dependent population is higher which about 31.9% and 68.1 % population were economically active. It gives more burdens to the earning group population. The cause of increasing dependent population is that most of the village people are illiterate (see table 4.2) so they don't know about the birth of children but pray only Gods and on the other hand after democracy health sector improvement have decrease child mortality so that the born children alive.

In caste/ethnic comparison 0-5 years children are more in Dalit community which is 5.6% and 6.5% male and female respectively little are in Brahmin/Chhetri community 8.1% and 9.1% respectively male and female children. Under the age below 15 total populations has 28.8% male and female 28.4%. Similarly in caste composition Brahmin/Chhetri has approximately 41.6 % male and 31.6 % female in case of Limbu/Rai it is respectively 20.4 % and 26.8 % and Dalit 22.8. % and 25.3 % respectively male and female. It is because literacy and poverty of people thinking that more households.

Here interesting other point is that population is decreasing ratio in all caste group increasing of age. for example age group 16-25 population is respectively 27.3 % and 35.6 % of male and female of Brahmin/Chhetri but ethnic groups 36.7 % and 34.3 % and 32.7 %, 32.7 % of Dalit. But in age group 26-40 it is 18.6 % and 19.5 % respectively male and female of Brahmin/Chhetri Limbu/Rai has 25.8 % and 27.2 % of male and female respectively which is higher than age group of 16-25 people of study are says it is than impact of people war. War has impact mostly Brahmin/Chhetri group in the case of death but involvement was high in Limbu/Rai community rather than Brahmin/Chhetri and Dalit.

#### 4.2.2 Education Level of Caste/Ethnic Group

Education is a main factor of socio-cultural and economic change in a society Chamaita VDC was introduced to modern education after 1980's only whereas modern education was introduced in Nepal after the political change of 1950's. In Chamaita VDC first primary school was established in 1960's called Damber Devi school. At present in study area has 4 schools one higher secondary, one private, one lower secondary and one primary. Table 4.2 shows the education level of caste and ethnic and sex-wise population among the sampled household.

**Table 4.2: Education Level of Caste/Ethnic and Sex-wise Population among the Sampled Household<sup>1</sup>**

Education level	Caste/ Ethnic of Group						Total	
	Brahmin/Chhetri		Limbu/Rai		Dalit		Male (%)	Female (%)
	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)		
Illiterate	16.5	39(33.9)	19(17.4)	37(35.9)	25(29.0)	28(38.0)	62(20.2)	104(35.8)
Literate	19.2	15(13.0)	28(25.6)	19(18.4)	17(20.0)	12(16.6)	66(21.5)	46(15.8)
Primary	32.2	23(20.2)	33(30.2)	26(25.2)	25(29.0)	17(23.6)	93(30.3)	66(22.7)
Secondary	21.2	30(26.0)	22(20.1)	17(16.5)	12(14.1)	12(16.6)	57(18.6)	59(20.3)
10+2	6.4	5(4.3)	5(4.5)	3(2.9)	3(3.5)	2(2.7)	18(5.8)	10(3.4)
Above+2	4.5	3(2.6)	2(1.8)	1(0.9)	3(3.5)	1(1.3)	10(3.2)	5(1.7)
Total	109(100)	115	109	103	85	72	306	290

Source: Field survey, 2015.

The table 4.2 shows total male illiterate percentage was lower than female in the studied population. The key informant informed that education was taken as the male sphere. Therefore, they did not send their female child to school for education. As a result, the old age females were found more illiterate than male in the study area.

In the caste/ ethnic group illiterately is high in Dalit than Limbu/Rai and Brahmin/Chhetri caste consisting of 66 %, 54.3 % 50.4 % respectively.

<sup>1</sup> The population under the age of 6 was not included in the table.

However, there was a variation in education not only caste and ethnic differences but also in sex. The table 4.2 shows that Dalit male and female illiteracy is 29.0 % and 38.0 % whereas in Brahmin/Chhetri male 16.5 %, and female 33.9 % and in Limbu/Rai it is 17.4 % and 35.9 % among male and female respectively. It was due to the poor economic status of household because Dalit has less access in arable land than Brahmin/Chhetri and Limbu/Rai. Therefore, Dalit household went to India for seasonal labor work and also took their sons and daughter with them by dropping out them from school.

In caste /ethnic comparisons, higher caste people have higher position. In the case of 10+2 education, Brahmin/Chhetri male had 6.4 % and female 4.3 % and Limbu/Rai male percentage was 4.5 % and female 2.9 % and Dalit male was 3.5 % and female 2.7%. It was due to the economic condition of the household. In the study area, the rich people sent their child for higher education where as poor people sent to wage labor for earning money for their livelihood. Similarly, some of the younger generation was to foreign country especially in Arabian country or India after completing their school level education. In the case of male and female inequality in 10+2 education, generally parent married their daughter in early are as compared with son.

#### **4.2.3 Land Holding by Caste Ethnic Group**

Land is a main source of income and employment in Nepal (Regmi 1998). Most of the Nepalese are dependent for their livelihood in agriculture. The table 4.3(a) presents the land holding size by caste/ethnic composition under the sample household.

**Table 4.3 (a): Landholding by Caste/Ethnic Group**

Landholding	Household and caste and ethnicity	Total
-------------	-----------------------------------	-------



size in (Ropani)	Brahmin/ Chhetri		Limbu/Rai		Dalit			
	No.	%	No.	%	No.	%	No.	%
Less than 5	6	13.9	6	16.6	15	53.5	27	25.2
6-10	9	20.9	6	16.6	7	25.0	22	20.5
11-15	4	9.3	10	27.7	3	10.7	17	15.8
16-20	12	27.9	8	22.2	2	7.1	22	20.5
21 above	12	27.9	6	16.6	1	3.5	19	17.5
Total	43	100	36	100	28	100	107	100

Source: Field study, 2015.

In the study area, 25.2 % of total household has less than 5 Ropanies land and only 17.5 percent have more than 20 Ropani of land. The small land holding size was the result of separation of son after marriage, which was common in Nepali society (Fricke, 1986). In the case of Chamaita, I found that son generally separated from their parents after marriage, which fragments the parental land into different piece, which determine the numbers of sons in the family.

The table4.3 (a) also cleared that there was variation in the land holding size by caste and ethnic composition in the study area. Most of the Dalit (53.5 %) have less than 5 Ropanies land whereas Limbu/Rai have 16.6 % and Brahmin/Chhetri have 13.9 %. Similarly, 55.8 % of Brahmin/Chhetri people had more than 16 Ropani land whereas Limbu/Rai had 32.8 % and Dalit had 10.6 % land. It clearly indicates that Dalit people had less access to agricultural land as compare to other caste and ethnic groups. Some of the Dalit and Limbu/Rai informants informed me that Brahmin/Chhetri people converted public land in their name due to their close and good relation with government administration. Similarly, some of Dalit people sold their land to Brahmin/Chhetri people in cheap price for buying foods to escape from extreme poverty.

What autonomy do women have in relation to the land over which they do retain ownership? This question becomes necessary because of potential differences in the rights that land ownership tends to imply full control over the transfer and use of land (Agrawal: 1998). The table 4.3(b) shows the land ownership by sex in sampled household in the study area.

**Table 4.3(b): Land Ownership by Sex in Household**

Sex	Caste/ ethnic composition						Total	
	Brahmin/Chhetri		Limbu/Rai		Dalit			
	No.	%	No.	%	No.	%	No.	%
Male	30	69.7	14	38.8	22	78.5	66	61.6
Female	8	18.6	16	44.4	5	17.8	29	27.1
Both	5	11.7	6	16.8	1	3.7	12	11.3
Total	43		36		28		107	

Source: Field survey, 2015.

The table 4.3 (b) clearly shows that there is inequality in the ownership of land among man and woman in the studied household. More than 61 % land is owned by male and 27 % by female and 11 % percent by both. In the study area, generally ownership of land is transmitted from father to son. It is due to the domination of patriarchal ideology. Patriarchal ideology is such type's ideology which evaluates man more valuable than woman. So male of the household head deny to transmission their ownership on land to the female both wife and daughter. Land ownership of woman in Limbu/Rai ethnic group was higher than other group due to dowary pewa system where as male of those groups are working in foreign country.

Land ownership of woman in Limbu/Rai group was higher than other group due to pewa /dowry system as developed as their culture so the decision making power is also higher in ethnic group( Rai/Limbu and Dalit group). As long as

more male of ethnic group( Rai/Limbu and Dalit group) are drunkard so protect family property also female are as decision maker.

The Table 4.3 (b) also clearly states that there is a variation or inequality on land ownership among the different caste and ethnic groups. In Brahmin/Chhetri and Dalit households, land ownership is mostly remained in males' hand which is 69.7 % and 78.5 % respectively whereas in the case of Limbu/Rai it is 38.8 %. During the field study, I asked the question to the male members of Brahmin/Chhetri and Dalit caste regarding the transformation of ownership of land to female. They denied to ask such questions to me and replied that no where is given ownership of land to the female. One of the key informants informed me that male head of the family as well as descends whereas women were believed as second class status. Therefore, they did not give any authority and ownership on land to the female. But in Limbu/Rai community, all the household decisions are made equally by both male and female and found more female ownership than other two groups.

The ownership on land of female is 27.1 %. However, it was not transmitted from father to daughter or mother to daughter. Most of the female ownership came after the death of their husband, separation with husband and polygamy marriage.

#### **4.2.4 Types of Land Owned by Sex and Caste/Ethnic in Household**

Land ownership is not only significance but types of land owned by female are also equally importance. In this regards, Agrawal has explained that in most of the traditionally matrilineal community land ownership goes to female side but the types of land is very rough, unfertile, and sometimes only on the name of land is found in Nayars and Garos, daughter in north India (1998). The table 4.4 shows the type of land owned by sex and caste /ethnicity in house hold of study area.

**Table 4.4 Type of Land Owned by Sex and Caste/Ethnicity in Household**

Types of Land	Caste/ethnic Group												Total			
	Brahmin/Chhetri				Limbu/Rai				Dalit				Male		Female	
	Male		Female		Male		Female		Male		Female		Male		Female	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Khhet	30	69.7	13	30.3	20	55.5	16	44.5	18	64.2	10	35.8	68	63.5	39	36.4
Bari	20	46.5	23	53.5	12	33.3	24	66.7	20	71.4	8	28.6	52	48.5	55	51.5
Bari/ phakho	28	65.1	15	34.9	15	41.6	21	58.4	15	53.6	13	46.4	58	54.2	49	45.8
Not Specific	32	74.4	11	25.5	22	61.1	14	38.9	21	75.0	7	25.0	75	70.9	32	29.1

Source: Field survey, 2015.

In the study area; women have little access in fertile and valuable land. Out of total khhet land 63.5 percent is owned by male and 36.4 percent by female whereas in Bari male ownership has had 48.5 percent and female 51.5 percent. It was informed that khhet land is easily sold in the studied area whereas Bari is difficult to transfer in cash. It shows there is not only gender inequality but also show the gender inequality in intra-household relation. Most of Awal and Doyam kheet/Bari of village was owned in Brahmin/Chhetri because of unequal right in past. In the same side only pakho bari was owed by other group.

Similarly, women ownership on Khhet land was also varied among different caste and ethnic groups women. In caste groups most of land was hold by male than female whereas in Limbu/Rai it was quite lower. Out of total Brahmin/Chhetri's Khhet, 69.7 % land belong to male and 30.3 % to female and in Dalit 64.2 % and 35.8 % owned by male and female respectively. Similarly, among Limbu/Rai 55.5 % khhet belong to male and rest of land belong to female ownership. The inequality on ownership on land was due to the pressure

from relatives and women's self social context .also found by Agrawal in her study (see Agrawal also 1998).

In the case of Limbu/Rai community, the higher percentage of female ownership is due to the lack of male or husband in the family, which gave more power to female in family.

#### 4.2.5 Sufficiency of Food by Household in Caste/Ethnic Group

Main source of food in Nepal is agricultural production. Without sufficient food supply people can't develop and improve their life because they spent most of time for food supply. It hampers all of life, nutrition, health, income etc. The situation of food sufficient is presented table 4.5.

**Table 4.5: Sufficiency of Food by Household in Caste/Ethnic Group**

Month	Caste/ethnic Group						Total H/H	
	Brahmin/Chhetri		Limbu/Rai		Dalit			
	Number	%	Number	%	Number	%	Number	%
> 3	2	4.6	7	19.4	13	46.4	22	20.5
4 – 6	12	27.9	4	11.1	5	17.8	21	19.6
7 – 9	10	23.2	11	30.5	4	14.2	25	23.3
10 – 12	10	23.2	12	33.3	5	17.8	27	25.2
12 - <	9	20.1	2	5.7	1	3.8	12	11.4
Total	43	100	36	100	28	100	107	100

Source: Field survey, 2015.

In study area, out of total 107 household 62 percent cannot fulfill their food throughout the year and 26.46 percent produced sufficient food for their yearly consumption. It shows higher food deficit in the study area. It is due to lack of fertile land as well as small land holding size by household. Out of total household, 45.7 % people have less than 10 Ropani land (including khhet, Bari,

Bhirphakho). One of the elderly persons informed that 10 years before, people sold their agricultural product but at present no one sold their products due to the higher demand of agricultural products for large population in household.

Food sufficiency is also varied among the different caste and ethnic groups. In Dalit 75.4 % household can not fulfilled their annul demand of agricultural products form their own products and 60.5 % Limbu/Rai and 55.7% Brahmin/Chhetri. Those households who did not fulfill their annual demand of agricultural products from their product were found to involve in other occupation especially in wage labor for their survival. Moreover, some of the Dalit people sold their land to local people to fulfill the demand of food in household.

#### 4.2.6 Types and Numbers of Domestic Animals

Agriculture is the main occupation of Chamaita people and animal husbandry is an integral part of agriculture. People kept animal for different purposes like fertilizer, milk and milk related products and plough the field. The table 4.6 shows the types of animals and their number by caste and ethnicity of the studied population.

**Table 4.6: Types of Animals Owned by Household (107H/H)**

Animals	Caste/ethnic Group						Total	
	Brahmin/Chhetri		Limbu/Rai		Dalit			
	Have	Have not	Have	Have not	Have	Have not	Have	Have not
Buffalo	30(69.7)	13(30.3)	27(75.0)	9(25.0)	12(42.8)	16(57.2)	69(64.4)	38(35.6)
Cow	20(46.5)	23(53.5)	17(47.2)	19(52.3)	20(71.3)	8(28.6)	57(53.3)	50(46.7)
Ox	40(93.0)	3(7.0)	30(83.4)	6(16.6)	22(78.5)	6(21.5)	92(85.9)	15(14.1)
Goat	30(69.7)	13(30.3)	32(88.8)	4(11.2)	28(100)	-	90(84.1)	17(15.9)

Sheep	15(34.8)	28(65.2)	30(83.4)	6(16.6)	10(35.7)	18(64.3)	55(51.4)	52(48.6)
Not Specific	10(23.2)	33(76.8)	15(41.6)	21(58.4)	18(64.3)	10(35.7)	43(40.1)	64(59.9)

Source: Field survey, 2015.

The table 4.6 clearly shows that 107 households, 64.4 percent household had kept buffalos, 53.3 percent households have kept cows and 85.9 percent household had oxen. At Chamaita, each household had kept at least one milking cow or buffalo and a pair of oxen. Cows and buffalos are for milk and manure. However, people gave more important to buffalos than cows because they give more milk, which is fatty too and produce more manure, which was the main source of fertilizer of the villagers. Moreover, one of informant informed that at least one milking buffalo is essential in the Brahmin/Chhetri house otherwise he do not become Brahmin/Chhetri. It clearly indicates that milking buffalo is an identity of Brahmin/Chhetri household in the Chamaita area. Moreover, Limbu/Rai and Dalit people kept it for meat.

In the field observation it was found that there is a variation in the types and numbers is domestic animals by caste/ethnic differences. Brahmin/Chhetri and Limbu/Rai had big and more expensive animals like buffalo and oxen. It cost from R.S. 20000 to 40000. On the other hand, Dalit had kept small and cheap animals like cow, goat, and sheep which monetary value was from 1000 to 6000. The villagers informed that the large animals demand larger amount of food which was not supported by the small plot of land. In the case of land size, higher caste people especially Brahmin/Chhetri and Limbu/Rai had hold big plot land than the Dalit.

## **CHAPTER FIVE**

### **DATA PRESENTATION AND ANALYSIS**

#### **5.1 Property Right of Women**

##### **5.1.1 Land as a Source of Livelihood**

Land is an important source of livelihood of Nepali people. In this regards Regmi (1995) says, trade manufacturing and other occupations are important in particular regions or among particular community but pre dominant importance of land and agriculture in Nepal's economy is reality which no observer of the Nepalese scene can deny (1999: 1). He further says that land is the traditionally represented the principal form of wealth, symbol of social status and source of economic and political power (ibid.). In the case of study area, land is equally important for the people because there is other option for their livelihood except agriculture for majority of the people. Moreover, the land also symbolize the male, power and status which will be discussed in the below.

##### **5.1.1.1 Knowledge of Property Right on Land**

In the Chamaita area, people generally understand the phrase 'knowledge on property rights' as the ownership on land, power to control the land and use of land. In the research period knowledge on property right means I focused mainly the ownership of women on land property. For this I prepared research question do you have know the woman had equal property right on land? In the study area different categories of people have different knowledge regarding the property right on land. The table 5.1 presents the knowledge on property right on land among the key informants.



**Table 5.1: Knowledge of Property Right on Land by Caste/Ethnic Composition**

Option	Caste/Ethnic Group						Total	
	Brahmin/Chhetri		Limbu/Rai		Dalit		Male	Female
	Male	Female	Male	Female	Male	Female		
Yes	8(100)	8(66.3)	4(80)	5(62.5)	4(80.0)	4(57.1)	16(88.8)	19(70.3)
No	-	4(33.4)	1(20)	3(37.5)	1(20.0)	3(42.9)	2 (11.2)	8 (29.7)
Total	8	12		8	5	7	18	27

Source: Field Survey, 2015.

In the study area, 88.8 % male has known women's right on property especially land where as 70.3 % female only knew it. It clearly indicates that there is not equal knowledge between male and female regarding women's right on land due to the lack of illiteracy. The unknown categories of women were mostly illiterate, aged and Dalit where as educated, young age and higher caste and ethnic groups of women had found sound knowledge regarding women's right on property especially land. They informed that they knew it form awareness programs, training programs organized by different NGO's in different period of time. During the course of study one of Brahmin/Chhetri women elaborated how she struggled with her husband for property while he was trying to divorce with her.

### **Case -1 Rima's Eyes Opened by Para-legal**

*Rima Basnet(changed name) is 26 years married women. She had love marriage with Hari BC, local resident of Chamaita VDC, in 2063. But after 2 years, Hari tried to separate her without giving any property. He gathered local people for the discussion on the issue. In the meeting, she demanded the half property of her family if her husband wanted to separate her. However, Hari denied giving his half property to her. The local people also did not agree with Hari's view and supported to her. During the course of interview she said that she had got six day training regarding women's right and children's right and para- legal's role in VDC in the beginning of 2065 organized by UNICEF/FWLD at Chamaita. After training, Rima knew about her right on husband's land. That training helped her to fight on her husband's property.*

The knowledge on property right on land was also found different according to caste/ethnic differences. All the Brahmin/Chhetri and Limbu/Rai male had known about the women's right on property whereas only 80 % Limbu/Rai and 80 % Dalit male had knowledge on it. Similarly, 66.3 % and 62.5% Brahmin/Chhetri and Limbu/Rai women had found the knowledge on property right of women on land and 57.1 % Dalit women had knowledge on it. In the study are, most of the program were run by high caste male and the female members of that groups also knew it. Similarly, the training and awareness programs demanded educated people which were lack in Dalit community. Therefore, they did not get chance to participate in the program which spontaneously blocks to develop the knowledge regarding various issues including property right on land. Regarding this case study the development of education level helps to get the property right of woman in society and give information of their constitutional right.

### 5.1.1.2 Perception on Parental Property

In the context of Nepal, the law defined parental property as a inheritance property transmitted from husband to wife, father to daughters and sons equally (FWLD 2013). However, in the case of Chamaita, people understood parental property as an inheritance property which was acquired by son from his father which was also commonly understood by other people of South Asian countries like Nepal (Agrawal, 1998). It was not transmitted from father to daughter. The table 5.2 presents the perception of people regarding the needed of parental property by informants.

**Table 5.2: Perception of People Regarding the Needed of Parental Property by Caste/Ethnicity and Sex**

Needed of parental property	Caste/ethnic Group						Total	
	Brahmin/Chhetri		Limbu/Rai		Dalit		Male in %	Female in %
	Male in %	Female in %	Male in %	Female in %	Male in %	Female in %		
Yes	50	78.9	50	70.5	40	43.8	46.4	69.7
No	30	15.7	37.5	11.7	50	28.5	39.2	16.2
Not say	20	5.4	12.5	17.8	10	28.5	14.4	13.1
Total No	8	12	5	8	5	7	18	27

Source: Field Survey, 2015.

Table 5.2 clearly shows that out of total respondent 69.7 % and 46.9 % female and male said women should needed parental property. The table 5.2 also clears that there was a variation between different caste and ethnic groups as well as sex regarding the needed of prenatal property right for women. More than one third Brahmin/Chhetri women and nearly same percent Limbu/Rai women, who were literate and 20-35 age groups, said parental property was essential for female whereas only 15.7 and 11.7 % Brahmin/Chhetri and Limbu/Rai women,

illiterate and above the 36 age groups, said it was not needed for the women. Similarly, the no need of parental property for women was lower (28.5 %) and needed percent was also less the 50 % among the Dalit.

The table 5.2 also clearly stated that out of total male respondents, 46.4 % in the favor of women's right on parental property whereas 39.2 % against the issue. However, Dalit male % was higher against the issue than other caste and ethnic groups in the study area. In reality, I found it was quite different what people said than what people do which was important in sociological study (Gidden, cited in Ritzer, 2003). In this regards, one Brahmin/Chhetri male, illiterate farmer, said "*Chhorilai sampati dinu bhneko nai shimatiko ghara janu ho*". Literary meaning to give property to daughter is as to live in wife's home. It signifies that males are against the property right of women. In practice, no household found to give the parental property to daughter and son equally. In some cases, like in the absent of son, daughter got the parental property.

In the study area, educated persons, especially female, gave more priority to their education, skill development training opportunities and so on than parental property to daughter. The following case represents the issue;

#### **Case II: No need me my parents property**

*Gita Baraili, (changed name) a dalit educated girl, was 22 years old. In her family, there was father, mother, four sons and a daughter. She is studying in B.Ed. at Mahendra Ratna Multiple campus, in Illam. Her father was a rich person in her caste at Chamaita VDC. Her father wanted to divide his property among sons and daughter in equally. But she denied receiving her parent's property. She requested her father for giving continuity to her education. She said that, property became useless without capacity and education developed the capacity of an individual. So I chose education than parental property.*

### 5.1.1.3 Buying/Selling Right of Women in Land by Caste/Ethnic

#### Composition

Buying and selling of land was determined by the ownership of land. In the case of studied households, most of the land (61.6 %) was under the control of male and only 27.1 % was under the name of female. The potential differences in the rights over the ownership land tend to imply full control over the transfer and use of land (Agrawal, 1998). The table 5.3 % shows the buying and selling of authority of land by caste and ethnic composition and sex.

**Table 5.4: Buying/Selling Authority of Women in Land by Caste/Ethnic Group (in 107 h/h)**

	Caste/Ethnic Group			Total
	Brahmin/Chhetri	Limbu/Rai	Dalit	
Male	30 (69.7)	25 (69.4)	20 (71.4)	75 (70.0)
Female	3 (6.9)	5 (13.8)	-	8 (7.4)
Both	10 (23.4)	6 (16.8)	8 (28.6)	24 (22.6)
Total	43 (100)	36(100)	28(100)	107 (100)

Source: Field Survey, 2015

The table 5.4 clearly states that few women had self decided to buy and sell their land which was 6.9 % in Brahmin/Chhetri and 13.8 % among Limbu/Rai and no Dalit women has authority to it whereas the ownership of land was quite higher 18.6 % in Brahmin/Chhetri, 44.4 % among Limbu/Rai and 17.8 % in Dalit and 27.1 % in total (see table 4.3b ). In the case of Chamaita, authority of selling of their land was highly guided by the pressure of relatives and social context. This buying/selling authority of woman was calculated by their leadership in home and working as income source for respective home. The following cases support the arguments:

### **Case III: Lalsara Wants to Give Authority to her Sons**

*Lalsara Budha (changed name) (39) is a single woman of Tari Chamaita village at Chamaita VDC lived in separated from her father in law and brother in law. Her husband was died 10 years ago. She had two sons and a daughter who were not adult legally. In the early years, she took suggestion to her relatives like father in law, brothers in law and brothers while taking decision of buying and selling of property like land, cattle, and agro-products even chicken. In the later years, she did not talk suggestion for buying and selling of property like cattle, agro-products but still took suggestion from male relative while selling of land.*

### **Case IV: Harimaya wants to sell her property**

*Harimaya Rai (changed name) is a single woman at the age of 31 years. She lived Chamaita VDC Ward No. 3. She has two daughters. In 2059 Falgun 10, maoist killed her husband. Now, she has been living with her daughters. The land was transformed to her named after the death of her husband. After the death of her husband, she decided to sell her land and property and live nearby her brothers' home at Tarai. She took small amount of money before hand over the ownership of land to the buyer. That was knew by her father in law and brothers in law and other relatives and did not give her to sell the land due to the not having son with her. Moreover, her father in law also requested to all villagers not to buy that land. Then, she returned the money to him.*

The cases clearly state that women have land ownership in legally but the power of control was still done by the male in the society. That was also found in the patriarchy society where male has superior power and control the female authority. In this regards Agrawal (1998) said in north east of India women

ownership in land was higher than sell their ownership land that was due to the direct pressure of relatives and women's social context.

#### 5.1.1.4 Household Decision-Making by Caste\Ethnicity

Decision-making in household work such as marketing, taking debit/credit and dividing of work in house was also varied in different households, caste/ethnic groups as well as sex. In Nepal, women has lack of ownership of productive resources, a lower level of educational achievement as well as confinement to domestic and agricultural work have contributed to women having a limited hold in areas of decision making (UNESCO, 2006). Most of female are engaged in domestic domain but buying and selling of products, animals, borrowing/lending of money, arrangement of marriage of the family members and decision on household daily activities were done by male. The table 4.10 shows the decision making in household by caste and ethnic composition under the sample informants.

**Table 5.5: Decision making in Household by sex in caste/ethnicity**

Household Decision	Caste/ethnic group								
	Brahmin/Chhetri (43 h/h)			Limbu/Rai (36 h/h)			Dalit (28 h/h)		
	Male (%)	Female (%)	Both (%)	Male (%)	Female (%)	Both (%)	Male (%)	Female (%)	Both (%)
Buy/sell of agricultural prod.	25 (58.1)	10 (23.2)	7 (18.7)	15 (41.6)	15 (41.6)	6 (16.8)	10 (35.7)	10 (35.7)	8 (28.6)
Borrowing/lending money	35 (81.3)	3 (6.9)	5 (11.8)	20 (55.0)	8 (22.2)	8 (22.2)	13 (53.5)	3 (10.7)	10 (35.8)
Animal selling and buying	18 (41.8)	10 (23.2)	15 (34.0)	13 (36.1)	3 (8.9)	20 (55.4)	12 (42.8)	6 (21.4)	10 (35.8)
Marriage arrangement	30 (69.7)	3 (6.9)	10 (23.4)	10 (27.7)	20 (55.0)	6 (16.1)	12 (42.8)	4 (14.2)	12 (42.7)
Domestic work decision	10 (23.3)	8 (18.6)	25 (58.8)	8 (22.2)	3 (8.9)	25 (69.3)	20 (71.4)	-	8 (28.6)

Source: Field Survey, 2015.

In the case of agricultural sector, buying and selling of agricultural products was done mostly by male (46.7 %) in household whereas female involvement was very low (i.e., 32.7 %) and overall agricultural activities like land preparation,

planting, weeding, harvesting and threshing where female involvement was in all households at Chamaita. It was found also vary among caste and ethnic groups. In the Limbu/Rai groups, 41.6 % women self decided of buying and selling of agricultural products where as 35.7 % in Dalit and 23.2 % in Brahmin/Chhetri. One of the Brahmin/Chhetri women said "we carried the agricultural products for selling in market but decision regarding where to sell, how to sell, in which amount to sell was done by my husband."

Similarly, in the case of selling of animals, there was a variation among the male and female as well as caste and ethnic groups. The table 4.10 states that 41.1%, 17.7% and 42.2% male, female and both done decision regarding the selling and buying of animals. However, the big animals like buffalo and oxen were buying and selling were done by male and small animals like goat and flow were done by female in the study area. A Limbu/Rai women told me that she could sell all animals expect buffalo without permission of her husband because it was expensive. Moreover, the higher number of female involvement in buying and selling of animals was lack of male in household as well as head of family was female in household.

Decision regarding the borrowing and lending of money and on marriage of daughter and son were mostly done by male which was 65.4 % and 48.5% in the study area whereas female involvement were 13 % and 25.2%. But in the case of Limbu/Rai community, women involvement was 55 % whereas in Dalit it was 14.2 % and in Brahmin/Chhetri it was 6.9 %. Those women were mostly single and absentee male in household. It was found that in Brahmin/Chhetri and Dalit community, Hindu ideology influenced the marriage system whereas in Limbu/Rai cross-cousin marriage was common.



### 5.1.1.5 Women's Involvement in Economic Activities outside Household by Caste/Ethnic Composition

Outside household economic activities, here, means income generating activities like wage labor, porter, teaching, trade, agricultural labor etc. In the study area, single women, woman of poor and low caste families are less restricted to involve in economic activities outside their household. On the other hand, women from rich families, daughter of high caste and mother in law were not generally involved in outside household for economic activities. It clearly shows that there are restrictions in relation to space of women's economic activities. A women's seniority, her age and class and caste all affect her freedom to involvement in economic activities (Agrawal, 1998: 301). The table 5.5 presents the women's involvement in economic activities in the study area.

**Table 5.5: Involvement of Women in Outside Household Economic Activities**

Person	Caste/Ethnic Group							
	Brahmin/Chhetri		Limbu/Rai		Dalit		Total	
	No.	%	No.	%	No.	%	No.	%
Daughter	-		12	(33.3)	1	(3.57)	13	(12.1)
Daughter-in-law	10	(23.2)	12	(33.3)	5	(17.8)	27	(25.2)
Mother-in-law	5	(11.6)	5	(13.8)	2	(7.1)	12	(11.2)
All above	28	(65.2)		7 (19.6)	20	(71.4)	55	(51.5)
Total	43			36	28		107	100.0

Source: Field Survey, 2015.

The table 5.5 clearly states that women involvement in outside household economic activities was found varied by gender and caste and ethnic differences. As compared with daughter-in-law and mother-in-law daughters are less involvement and no daughter were found to involve in economic activities form Brahmin/Chhetri and 3.57 from Dalit and 33.3 % from Limbu/Rai. In this

regards, I have presented a narrative explained by an old Brahmin/Chhetri male during the field study, which is as follows

**Case V: How I do work to goddess**

*Sheer Bahadur K.C. (changed name) is 60 years old men living in Chamaita 6 with her 12 years son, 20 years daughter and his wife. His elder son's are already separated. In his house no one is able for work. He is facing problems to feed his family members. I asked him why you not sent your daughter in work to school. He replied, 'What are you saying I don't need food by doing evil; send my daughter in wage work. What should tell me my neighbors? It is better to die than sent the daughter in wage work.*

The case clearly indicates that in Brahmin/Chhetri community daughters are taken as goddess which also explained by L. Benett in her study among the high caste women at Narikot (Benett 1983). In the case of daughter in law, they sent them public works such as in *Jhara* and *Khetala* as well as in wage work. In the other hand, daughter, daughter-in-law and mother-in-law all found to involved in income generating activities outside household works.

**5.1.1.6 Use of Women's Own Earning and Inheritance Property**

Use of own earning means use of his/her own earning without permission of others. In such earning, an earner has full right how to use, where to use and when to use. In patriarchal society female can't use their self earning in their own wills (Agrawal 1998, Bhasin 2004). The table 5.6 shows the use of women's own earning from different activities by caste/ethnic composition in the study area.

**Table 5.6: Use of Women's Own Earning from Different Activities in the Study Area by Caste/Ethnic Composition**

Earning area	Caste/ethnic group
--------------	--------------------

	Brahmin/Chhetri		Limbu/Rai		Dalit	
	Yes (%)	No (%)	Yes (%)	No (%)	Yes (%)	No (%)
Wage labor	10 (66.6)	5 (33.4)	9 (100)	-	-	5 (100)
Teaching	9 (60.0)	6 (40.0)	6 (66.6)	3(33.3)	6 (100)	-
Parents inheritance	15 (100)	-	7 (77.7)	2 (22.3)	-	-
Public service	15 (100)	-	9 (100)	-	4(66.6)	2 (33.3)
Daijo/Pewa	15 (100)	-	9 (100)	-	2 (33.3)	4 (66.7)
Others	9 (60.0)	6 (40.0)	8 (88.8)	1 (11.1)	4(66.6)	2 (33.3)
Total	15	5	9	4	6	5

Source: Field Survey, 2015.

The table 4.12 clearly states that there is variation in the use of property earned or inherited by women. The *Pewa* and *Daijo* and inherent property achieved by father were generally controlled by women among all caste and ethnic groups except one Dalit household. The Dalit women informed that she achieved R.S. 10,000. As a *Daijo* from her mother? But, she did the used that money by her own wills because her husband blamed her as unknown women and could not manage it in proper way. In the case of labors wage, service and other were mostly controlled by women in the case of Brahmin/Chhetri and Limbu/Rai women and by male in the context of Dalit. In this regards on of the Brahmin/Chhetri illustrated the use of her income as follows.

#### **Case VII: I can self use my earning**

*Tika Bhattarai (changed name) 38 is, a primary teacher, teach at local school in her own village. She has husband and son and daughter. Her husband has farmer by profession. Tika said that she received her salary monthly and use that money for buying cloths for her, her husband and off-spring, for essential items of daily household use and education of children. However, she discussed*

*with her husband and made decision for the use of earning to buy land and cattle.*

The case clearly indicates that if women were able to earn money than they became independent and empower.

### **5.1.1.7 Transfer of Inheritance Property**

Inheritance property is the property which transmitted from father to daughter/son and husband to wife. The Law has given equal right on parental property for son and daughter. However, in practices it was quite different or not totally applied. In the case of study area, I found that most of the parental property was transmitted from father to son rather than daughter which was also varied form one caste to another even within the same caste. The table 5.7 shows the transmission of parental property by sex in different caste and ethnic groups under the studied households.

**Table 5.7: Transfer of Inheritance Property after Death in Caste Ethnic Composition**

Sex	Caste/Ethnic Group							
	Brahmin/Chhetri		Limbu/Rai		Dalit		Total	
	No	%	No	%	No	%		
Male	40	93.0	31	86.1	28	100	99	92.5
Female	3	7.0	5	13.9	-	-	8	7.5
Total	43	100	36	100	28	100	107	100)

Source: Household Survey, 2015.

The table 5.7 clearly indicates that there was huge difference in the transmission of parental property under the studied households. Out of total households, 92.5 % parental property was transmitted from father to son and 7.5 % from father to daughter and husband to wife. It may be due to the patriarchy value system of the society where son has given higher position in the society. In this regards one Brahmin/Chhetri old man informed that sons helped to delivered us to heaven after our death through ritual but daughters crossed to their husband parent.

In the case of inheritance property there is no extreme difference between different caste/ethnic groups. For example, out of total households of Brahmin/Chhetri, Limbu/Rai and Dalit, 93.0 %, an 86.1 % and 100 % household of these caste and ethnic groups received parental property respectively and in case of female were 7.0 % in Brahmin/Chhetri, 13.9 % in Limbu/Rai and no single household in Dalit. These households transmitted their property to their daughter due to the lack of son in the family. For example, in the study area three Brahmin/Chhetri families and three Limbu/Rai families transmitted their property to their daughters in the old age and in two Limbu/Rai families where land was transmitted to wife name after the death of their husbands. That clearly indicates that women/daughter only got property from father in the absent of son in the family but still parent did not share their property equally to son and daughter.

## **5.2 Constraints for Getting Parental/Husband Property to Women**

Man and Woman are equal in law but in practice there are many inequalities between them. The inequality between them is different in types and its spheres such as education, employment, ownership in property, decision making on inside household and outside household activities etc. In case of Chamaita VDC woman have get unequal share of property in their parents/husband with comparing their brothers/husbands. The social and cultural practices have played an important and significant role for not getting and equal sharing of property. Agrawal (1998) states that veiling of women, gender segregation of space and gendered specification of behavior are key factors to not getting parental/husband property in South Asia. In the case of Chamaita, these above pointed out factors except veiling of women and other factors are also equally important which are discussed in the following sub-headings.

### **5.2.1 Educational Status**

In the study area, 35.8 % women are found illiterate and higher education women percentage is very low. In the study area, I found that most of the illiterate women are found unaware about the general law of Nepal as well as right of women. During the course of informal interview will a young woman who was nearly 35 years age informed that *Hamele padhako pani chhaina kehi pane jandainau*. Literary meaning we are uneducated and do not know anything. Similarly, some of the educated women are found some knowledge about their right on parental/husband property. A Brahmin/Chhetri woman told me that she got chance to participate a training on women's right and Para-legal organized by local non-government organization. The training aware to her about women's right on parental/husband property. She also informed that organizations also provided training by focusing to the educated person than uneducated. Therefore, most of the women who are uneducated are found no knowledge on women's right on their parental/husband property in the study area (See table 4.2).

### **5.2.2 Patriarchal Value System**

Like other part of the country, patriarchal values system was found deeply rooted among the Chamaita people. In the household survey of the studied household, senior males were found as the head of the household. The people informed that males were bread winner of the family. In some household, where eldest members of the family was found female (mother) but son was taken as the head of the household. Moreover, the inheritance and property were also found to pass through the father line in the study area. In this regard, an old Brahmin/Chhetri women (85 year old) said that "*Chhoree poila janchhan ta tinlai sampati diyar kegarnu palna chhorale naihoo*". Literary meaning there is no meaning to give property to daughters because they go to other house after

marriage but sons care us in future. That clearly indicates that there is a fear of loss of property if they give to daughter.

In the study area, people generally believe that sons open the door of heaven for their parent but daughter cannot (see Bennett 1983). It was also proved by the performance of son in the Brahmin/Chhetri, Limbu/Rai and Dalit families in the Chamaita area. In a Dalit family, I found five daughters but they have still having the desire of son. They informed that son give the continuity of inheritance and lineage of the family as well as helped to reach in heaven after death through ritual. Moreover, in a Brahmin/Chhetri household the property was found under the name of female but she had no right to sell the property due to the lack of son in her family.

### **5.2.3 Class Structure**

As a Marxist explanation, I found two classes oppressor and oppressed i.e., man and woman in the study area. A respondent Ram Bahadur (Change Name: local Maoist political leader) informed that women could not get property until remaining class structure. He further said that women were under the control of man in every sphere. Similarly Dalit women also agree in the view of Ram Bahadur. It clearly indicates that Chamaita, a rural area of Nepal, was also not isolated from the national level political issue raised by United Nepal Communist Party (Maoist). However, other people who were politically inactive people informed that it was not the class structure of society but existing social norms of the society. An elderly illiterate woman informed me that to give property to daughter is not their customs.

### **5.2.4 Social Norms and Value**

In Chamaita, the existing social norms and value play vital role for transmission of parental/husband property. During the informal interview with women, a

Brahmin/Chhetri woman informed that *chhorilai keko ansha tiniharulai Dan-Dakshina po Dinuparchha* meaning daughter are for *Dan* and *Dakshina* rather than property. Similarly a 56 years Dalit male informed that how we give property to daughters they are worshiped by pray and giving *Daskhina*. It indicates that social norms and values seems more constraint for getting property to the woman in the study area.

### **5.2.5 Physical and Social Confidence of Women**

In the study area, I found that women were not self confidence to take property from their parents. One of the respondents informed me that if she took property from her parent but could not plough and dig the field herself due to our physical structure. Bimal Khatri (28) resident of Tari Chamaita said “we women cannot dig and plough the land, do not know how to broadcast the seeds and cannot carried the heavy load of harvesting crops. We took help from our brothers and male members of the community. So it was meaningless to take ownership on land.” The same argument was stated by a Brahmin/Chhetri woman. She stated that if I gave the land to my daughters, but the plugging and digging would be done by other (son-in-law). These cases are the representing cases of Chamaita. All of woman and man had no confidence to manage the property if they get from their parent and husband which was also the major constraint for not getting property in the study area.

### **5.2.6 Gender Specific Behaviour**

In the case of Chamaita, gender specification behavior plays vital role for taking property from parents/husband to woman. Society of Chamaita had had gender specific role and duties of man and woman. In household, woman serve man by preparation of food, carrying of children, washing clothes but man only does social value works like plough the field, preparation of agricultural land. I observed that women went to forest for collect fuel wood, grass collection and men stayed in house at that time. In this way, the Chamaita society has



categorized work of man and woman. It clearly indicates that man has more power than female in household.

### **5.2.7 Poverty**

Poverty of the household is another main constraint for not getting equal right on parental property in Chamaita. In 107 household, 25.2 % people had less than 5 Ropani land (see table 4.3 a). It indicates the poor economic situation of study area. A respondent of Dalit community Suntali BK (31) said “how does my father give me his property as equal number as my bother received?” She informed that her father has small house in the name of property and how did he partition that land between us (daughters) and them (sons). One of the Brahmin/Chhetri woman informed that my father had no fixed property like land, money, cattle and so on but had poverty. If I demand the parental property from him, he only gave me poverty which he had.

## CHAPTER SIX

### SUMMARY AND CONCLUSIONS

#### 6.1 Summary and Conclusion

The main objective of this study was to find out gender inequality and property right of woman at Chamaita VDC of Illam district. The study has also made to examine the access of woman in their parental/husbands property among different caste ethnic groups. Moreover, the study has also tried to investigate the constraints for getting property of parents and husband to them.

In this study, the researcher tried to examine situation of woman's ownership in property i.e. land, cattle and self earning among the different caste/ethnic groups through the gender perspective. I have also examined the sphere of woman in inter-household (children rearing, food preparing, fuel and fodder collection etc.) and intra-household (buying and selling animals, agricultural products, land, borrow and lending of money, participation in public avenues and activities). The findings of the study clearly reveals that women sphere was inter-household and intra-household sphere was culturally constructed for male and socially transmitted from generation to generation in the study area.

Living in the same socio-cultural and economic environments, different caste and ethnic groups have not different the role of woman in household and outside household. For instance, women and men of all three caste/ethnic groups (Brahmin/Chhetri, Limbu/Rai and Dalit) have assigned same role and responsibilities i.e., woman task inside household whereas man in public work which was economically and socially more valuable in the study area.

The finding of the study also clearly indicates that there was a differences on ownership on property right especially land according to caste/ethnic groups. As compared between caste/ethnic groups, Limbu/Rai women have high land

ownership than Brahmin/Chhetri and Dalit which is 44.4 %, 18.8 % and 17.8 % respectively. But in practice, the real ownership i.e., the buying and selling of property i.e., land, cattle and agriculture products were done by male directly and indirectly.

There is vast difference in theory and practice regarding women's right on parental and husband property. Except illiterate and elderly people of Chamaita, all people (literate, educated, young) have sound knowledge regarding women's right on parental and husband property. But in practice, women only get property after the death of her husband if there is no son or underage and daughter get property from their parents if there is no son in the family.

The findings show that there is no single obstacle for women not getting property from their husband and parents. There were various constraints for getting property to woman, which was not varied according to caste and ethnic composition. The main constraints are illiteracy, patriarchal value, class structure, social norms and values, physical and social confidence of women, poverty and gender specific behavior.

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## Appendix- 1

### Household Survey

#### **GENDER INEQUALITY ON PROPERTY RIGHT: A CROSS CULTURAL STUDY OF CHAMAITA VDC, ILLAM**

Respondent male/female ..... Caste/ethnicity ..... Religion ..... birth place  
..... V.D.C. .... Ward No. .... District .....

(1) Please give your household member information? (Start from elder)

Individual Name	Relation with H/H Head	Sex	Age	Marital status	Occupation	Education	Residence

(2) What is your livelihood resource in your house? (Stress main source)

(a) Agriculture (b) Animal husbandry (c) Handicraft (d) Agro-labour (e)  
Other wage labour (f) Trade (g) Service-public/private (h) Others

(3) Have your own land?

(4) Who had ownership in your land?

(a) Male (b) Female

(5) Please provide the following information?

Types of land	Female ownership (in Ropani)	Male ownership (in Ropani)	Total land (In Ropani)
Khhet			
Bari			
Bhirphakho			
Dale Ghansbari			
Others			

6. Your land sufficient all round year?

(a) Yes            (b) No

If no, how many months?

7. Have you taken share cropping of others?

(a) Yes            (b) No

If yes how much? And whose?

8. Have you given your land share cropping to others?

(a) Yes            (b) No

9. What do you grow in your land?

Grain	Cash Crop	Vegetables	Fruits



10. Do you sell your cash crop?

- (a) Yes            (b) No

If yes which?

Items sell	Quantity(Annual)

11. If you sell your agricultural product who sell it?

- (a) Male            (b) Female

If female sell who keeps the money and if male who keeps?

12. Have any problems to sell by female if yes what are the problems?

- (a)  
(b)  
(c)  
(d)

13. have you cattle?

- (a) Yes            (b) No

If yes how much?

Cattle	No	Cattle	No

14. Have your own house?

- (a) Yes            (b) No

If yes what types?

- (a) Stoned (b) Wooden (c) Others

15. How many stories in your house?

- (a) One            (b) Two            (c) Three

16. What is source of water?

- (a) Well            (b) Tap            (c) Stream            (d) River            (e) Others

17. Have you electricity in your house?

- (a) Yes            (b) No

If yes (a) Solar (b) Air (c) Water electricity (d) Bio-gas

18. Have you toilet in your house?

- (a) Yes            (b) No

## **Checklist for key informant and group discussion**

### **Property right of woman in land**

- (1) Do you know about the equal legal right of male and female in land?  
(a) Yes (b) No  
  
If yes how you know?
- (2) Have you taken property from your husband/parents?  
If yes, how and if not why?
- (3) Is there is difference taking property by woman in caste/ethnicity?  
If yes what are the differences and what are the causes of difference?
- (4) Who had ownership of land in your house  
(a) Male (b) Female (c) Both  
  
If male had how they take?
- (5) Who decision selling/buying of property in your house?
- (6) In your society after the death of husband/father whom transports the property?  
(a) Son (b) Daughter (c) Both  
  
If only son why not daughter.
- (7) What are the barriers getting property to female?
- (8) If male/female had equal ownership in land also equal size of land and why that is?
- (9) Who's earning money spent to buy land in your house?  
(a) Woman's earning (b) Man's earning (c) Both

(10) In your opinion why male don't like to give property to female?

(11) Can woman sell her own property?

(a) Yes

(b) No

(c) If not why?

(12) If woman had equal property with man improves women life?

(13) In your opinion what should do government to increase woman's access in property?

## Checklist key informant and group discussion

### Socio-Economic Aspect

(1) Who involve economic activities in your house?

- (a) Male                      (B) Female                      (c) Both

If only male why?

(2) Women in your household who involve in economic activities?

- (a) Mother-in-law      (b) Daughter – In-law      (c) Daughter

(3) Who takes decision selling/buying of cattle?

- (a) Male      (b) Female      (c) Both

If not female why?

(4) In your village can woman freely involve in economic activities?

(5) Can woman self use of her earring in your village?

(6) Is there is difference by caste/ethnicity to earning of women in your society?

(7) Is there is difference economic role of woman by caste/ethnicity in your society?

(8) In your opinion how we can change woman's present role?

(9) Who does buying/selling in your house?

- (a) Male                      (b) Female                      (c) both

If both in which sector

(10) In your house woman involvement in household decision if yes in which sector?

(11) Who involve in the following                      ities in your house?

- (a) Browning money
- (b) fodder and firewood collection
- (c) Cattle rearing
- (d) others

If women involve which sector?

(12) In the following work which is the woman's main work?

- (a) Rearing of children
- (b) Household work
- (c) Social sector participation
- (d) other specific.