

Women's Property Ownership and Decision Making Power

(A Case Study of Yangnam VDC of Panchthar District)

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CHAPTER: I

INTRODUCTION

1.1 Background of the Study

In spite of its cultural, ethnic and religious diversity, the majority of Nepalese communities within it are patriarchal in structure. The patriarchal mode of life in these communities is readily visible from the surface, with its kinship structure, political residence pattern, patrilineal descent system and nomenclature of the family. However a closer look within the patriarchal family reveals male domination and female subordination at large as the very word "patriarchy" suggests. Patriarchy by definition is the "Role of father" but the term "patriarchy" in general is used to refer to a social system characterized by male domination over women (Karki, 2002). Likewise the studies and statistical profiles on status of women continue to show gender disparity and low status of women compared to that of Nepalese men. The term property refers to the assets and cash that are under the authority of disposal of the person. By and large, property is measured as an indicator of living standard of a person. Commonly property includes house, land, livestock, jewellery; cash land deposits shares and the like. In broader sense, property includes all of the legal rights of whatever description. Theoretically, the life liberty, reputation all are referred to property of an individual (Lamichane, 2002) civil code (2020) also defines the property as immovable (Achal) and moveable (chal) things. The immovable property refers to the land, house and other fixed assets and moveable includes all property except immovable (HMG/N, 2020). The Nepalese joint family joint property system makes sense if one realizes that the property is considered as

owned by the unit and the male line is considered to be a family. The head of the family controls the property, but he is suppose to do so for the whole of the family. It is expected that the property will remain in the family perpetually from generation to generation and be passed down to the male line. (saakha kusum, 1989:21) women has very few rights regarding the property this will not be tradition Nepalese view of the matter because they would claim that the head of the family just controls the property which the family owns. To the extent if we view Nepalese family as a corporate unit we can agree with this view, but if we see the family as a collection of individuals each entitled to rights, the Nepalese system is very unfair particularly to women (ibid).

Property in its widest sense includes all of a person's legal rights of whatever description. In this sense a man's life, liberty, reputation etc. is property (Salmond 1996, 411).

In a narrower sense, property includes not all a person's rights but only his property as opposed to his personal rights. In this sense a person's land, cattle, shares and the debts due to him are property, but not life or liberty or reputation (Salmomd 1996:412).

In other sense freehold or leasehold estate in land or patent or copy right, are property, but debt or the benefit of a contrast is not (Salmond 1996, 412).

In regards to the law of property, women may be classified under the categories, the daughters and the daughter in laws. Taking these two types of womanhood, the daughter of a family each have their right and positions. Daughter's rights in partition Daughter-in-law (wife or widow) rights in partition. Mother's right in partition women's right to succession, women's property Act (Stri-Amshadham) etc. which arises in connection with joint family property (Muluki Ain, 2020).

The average any kind of property ownership with women was also reported in census 2001 in Nepal shows only 17.13 percent of household had women's property ownership. Among development regions the eastern development region has highest percent 22.03 percent of women property ownership, where the far western region has lowest one 11.61 percent (CBS, 2001). Out of the total property 17.13 percent owned by women, only 5.4 percent is only livestock, 5.2 percent of land, only 8.8 percent is house and land, 0.94 percent of house and livestock (CBS, 2001).

The above fact clearly reveals that women in Nepal are far from the ownership of their household property. Even though the constitution of the kingdom of Nepal 1990 guarantees legal equality to all its citizens, many of existing provisions are discriminatory toward women in many dimension. One of the most of such dimensions is inheritance right of women and their share in property owning. Absence of legal share of property and property obtained either from the partition prohibits women to all better opportunities in their overall development, such as educational attainment, health care facilities, better occupation, social and political participation as well as the household decision making power.

Thus based on above definition it is clear that property not only refers to the land, house and other cash income but also refers to the life and liberty. During these days, either in parliament or in remote communities a hot discussion matter has been introduced as in the form of "Chorilai Anmsa" (property for daughter). This issue has also been treated as a political or election issue rather than the core of gender issues. Some say property must be given to women and some says must not. Whether it is right or wrong, the subject matter has been interestingly penetrated in our several remote and urban communities

also. Women property specially focusing land ownership right related issues will be consider as a central point of this dissertation to which I will try to diagnose through an intensive research work.

1.2 Statement of the Problems

Equal property right to women does not mean to take away men's right because it is part of the developing process of the society and country itself. Neither men nor women are enemies of each other but our traditional belief, costumes, norm, culture, rituals and social practice are making women inferior than men, which causes the conflict between the two. The world is changing and there are provisions for amendment in the constitution, laws and regulations. So this particular aspect must be resolved. There is no doubt that in our society, women are relegated to lower status than their male counterparts. This subordination of women has been further perpetuated by the system of patriarchy (Bhasin, 1993) notes that patriarchy, which is prevalent in many societies, including south Asia has controlled women's productive labour (women's labour is expropriated by their husband and others) women's reproduction (women do not have the freedom to decide how may children they want to have), women's mobility (limiting women into the domestic sphere) and control over property and resources.

Furthermore, the triple roles performed by women via, reproductive, productive and community roles are often obscured and devolved in a society dominated by male (Moser, 1993).

This issue of property right of women and their power of decision making in every household affair is a national issue. It is true that without balanced

socio-cultural environment and domestic socio-economic status of women can't take place. Socially and economically empowering women and girls is a key strategy for eliminating violence against women and protection of human rights. Women will never escape from existing violence as long as they are financially dependent on men. A woman who has no property right at home also has no decision making power elsewhere where legal codes and customary practices, in Nepal still treat women as second class citizens, denying them the right to own and dispose property, to travel freely and to gain access to economic and productive resources (FWLD, 2001).

Though the constitution has given equal right to both men and women but there is a lot of discrimination in every part of life. The property law has given preference to son. Son has right in property at his birth whereas daughter has to remain unmarried up to the age of thirty five to get her share in property. If she gets married after getting her share, she has to return back the remaining property to her parents. This is one valid example of our existing law, where women are openly discriminated in our society. Numerous seminars, workshops and group meetings have been among the people in this issue. In response to this movement the Supreme Court has already directed the government to legislate a law towards equal property Right, the rest of other concepts such as will opportunity and traditional are sidelined (ibid).

Thus, property owning and decision-making power directly affect the process of women empowerment. Achieving equality and equality between men and women is essential to realize their full potential; to involve women fully in policy and decision making in all aspects of economic, political and cultural life (UNFPA, 1998).

Considering all the above mentioned issue, this study has focused on following research questions.

1. What is the socio-economic background of the study population in property ownership?
2. What are the attitudes of women about the equal property ownership rights (land ownership right)?
3. Is there any significant relationship between property ownership and decision making process in the household level?

1.3 Objectives of the study

The general objectives of this study will be to assess the situation of women's ownership on land and its influence on household decision. The specific objectives will be as follows.

- a. To identify the status of women's land ownership right.
- b. To examine the attitude of the people (mainly women) entitling daughter to get parental properties (land) as equal as to the son.
- c. To examine the inter relation between land ownership and decision making.

1.4 Rational of the Study

The equal property right issue is national issue even it is totally related to economy. It is most important factor to the development of human society. The discriminatory provision on aspects of personal development. Moreover women's involvement in decision making is also affected by unequal distribution of property. Regarding such a great issue it is better to enhance a scientific study on

this issue of property right and their decision making power. It is useful to know women's perception as well as the property women which is necessary for the balanced development between men and women.

Constitution guarantees equal right to all women discrimination is made against any citizen in application of general laws on grounds of religion, race, sex, caste or ideological convictions any of these. The constitution mentions that all citizens are subject to existing laws have the right to acquire own, otherwise dispose of property. As mentioned earlier, several still believe that giving equal property rights to women would disturb social harmony in the Nepalese society.

The strong beliefs are in this community "A women ruled house is served to be destroyed" and "women are always shortsighted". Thus, the main reason behind the selection of this place is discrimination of gender in parental property right and its effects on decision making.

Thus, property owning and decision-making power directly affect the process of women empowerment. Thus, the findings of the study would be helping all stakeholders to take right decision.

1.5 Limitation of the Study

Every study does have its limitations. This study is an academic research conducted as a partial fulfillment of a degree in M.A in Rural Development where only 49 households (respondents) were interviewed, may not represent the people from other areas. This was conducted in the mid hill district of Nepal, may not be representative of the mountain and Tarai district. It usually happens that a social researcher has to face many problems and constraints in course of data collection and this study is no exception either. Due to the lack of time and resources the researcher could not take a larger sample which would have been

of more advantage to the study. Firstly, this study was carried out based on land ownership right to women. Although women property has included as dowry, Pewa (earned property)etc. Only land has been taken here as properties in this study, which may not be possible, explain this issue and term in broader sense. The people of the community may have different views on women's freedom and right which may be difficult to get more specific findings. Beside that the study has not attempted to dig out the deep causes of every variable but it has been tried to know specific attitudes about LORW (land ownership right for women).

1.6 Organisation of the Study

In term of convenience, the study is divided into eight chapters first there are introduction where introduces the issues of women with different socioeconomic and cultural background regarding the national and international context: research problem and objectives of the study. In second chapter is devoted to the literature review on the issue with conceptual framework. Third chapter is related to the research methodology applied to this study including selection of study area, population and sample size, data collection and analysis of data. In the fourth chapter, there is overview of the study area with general introduction, natural resources and socio-economic characteristics of sample household and respondents are explained. The chapter fifth is concentrated on status of women's land ownership right in the study area. The chapter six, there is analysis including effect of land property ownership to women. The chapter seven deals inter relation between land ownership and decision making to women. Finally, chapter eight is concentrated on summarized, conclusion and recommendation.

CHAPTER: II

LITERATURE RIVIEW

2.1 Property Ownership of Women in Nepal

Review of literature gives a clear as to what is relevant for the researcher in order to get real findings. So it is necessary to review important books. Hence some of them are reviewed here.

"All human beings are born free with equal dignity and rights" is the basic theme of UN declaration of human rights. Therefore, there should not be any discrimination in terms of color, caste, race and sex or any other socially created provisions to gain opportunities. All people should have the right to develop their full potential (ILO, 2001:1).

Thus, equitable distribution of property and right among its entire people is a prerequisite and basic condition to be a just and developed nation. There are number of concepts that theoretically and practically deal with the power to control over the property.

The absence of property right to women unequal and conditional right to property given to women creates the environment of complete lack of access to resources for them permission of daughter is not required for transaction of property that members are supposed to be heads of the family and they have also right to mobilize the ancestral property. Women in the family have very little share in the mobilization of household resources. Their participation in decision-making process is negligible (FWLD, 2000).

In south Asia, most of the women are poor because of lack of access in economic resources. They have no command over property and in most of the countries there is no provision of demographic and socio-economic indicators (Acharya, 1997).

According to a preliminary report of "census 2001" presented and central Bureau of statistics, women outnumber men by over 25 thousand (Cited in TKP. 2002) As elsewhere, women in Nepal hold the triple responsibility of reproduction, production and community work (Moser 1993). Women for education. Likewise, personal mobility, which is required among others for skill development and independent decision-making, is highly restricted. As in most of the world, women in Nepal work for longer hours than men, have lower opportunity for gainful employment and possess extremely limited property rights (NESAC, 1998).

According to a study carried out by "Strishakti" in 1995. It has stated that women work for 10.9 hours per day as compared to men's input of 7.8 hours a difference of 3.1 hours. The study also depicts that there is an increase in male control over decision-making 61.7 percent and a corresponding lessening influence of women 29 percent and over these decision. As such, low income to property has limited the role of women in decision-making about the allocation of household income. Lack of decision making power deprived women more the men of the basic elements of decent life such as food and nutrition, education and skill development and health and family planning. This has ultimately undermined the access to gainful employment opportunities, participation in professional jobs and mainstreaming in the developmental and political process (NESAC, 1998).

A girl in Nepal is not a desired child and so, she does not get chance to education, bear a low social and moral values in the society, performs the most arduous jobs throughout her life and often possess a lower self-image than her male counterparts because of the area of work envisaged, for her as an adult, the need for her labour at home and the poor economic condition of the parent (Cited in Luitel 1996).

Economically, women have no rights to parental property as well as in the husband's home. They bear 70 percent of the household work burden and yet have no success to economic resources. Even doing the same work, they get lower wages as most of the women work as unskilled labour in carpet and garment factories and get low paid due to illiteracy.

Thus, it can be stated that though the (Luitel, 2000) constitution of Nepal upholds, that there shall be no discrimination against any citizen, gender inequalities is still pervasive in Nepalese life. As such women lag far behind in all aspect of social political and economic life compared to their male counterparts. The traditionally sanctioned position of women in the household sphere has perpetuated this disadvantaged status. And due to this disadvantaged position, they lack the power to make decision. This lack of decision making power has deprived women from the basic elements of life such as education, skill development for gainful employment, thus relegation them to lower property rights as compared to the male.

2.2 Gender Relations in Nepal

The terms of gender relations refers to the relations of power, between women and men, who are revealed in a range of practices, ideas, representations

including the division of labors, roles and resources between men and women. Constitute these practices and ideologies in interaction with other structures of social hierarchy as largely socially constructed and varies over time and space (Bhasin, 2000).

Gender is a syntactical classification (E.B.Tylor, 1988) of words most often evident in the indo-European and semantic language. Nearly all the language shows the difference between a masculine and a feminine gender some have a neuter gender as well and some have an animate and inanimate gender. Gender is learned and is related to how we are perceived and expected to think and act as men and women because of the way society is organized, not because of biological differences. Gender roles and identity are variable change over time and are culturally and socially specific rather than biological (UNFPA, July 1998). Hence, sex and gender are closely related terms but provides some what different meanings. Sex is one of the biological division of organism whereas gender is much more socio-cultural and socio-economic division of mankind in the social world.

Gender is constructed as a relationship of inequality by the rules and practices of different institutions, often without deliberate attempt to do so and thus go unnoticed. This is so, because gender differentiation and inequality is constructed as a natural phenomenon rather than a cultural one and gets less attention than other differentiations such as class, race, nationality, caste and religion. Waila, (1994) has rightly pointed out four key institutional sites (state, community market and household) within the development processes that are interrelated with each other and are important sites for construction of gender.

2.3 Property Rights and Decision Making Practices in Nepal

National planning commission (1992) "A situation analysis of children and women in Nepal" depict that, women have less income. Wealth, modern avenues of employment education and health facilities etc. than men. Women figure are pre dominantly has been explained as focus concentric spheres of activates 1) household chores 2) agricultural production activities 3) local market economy 4) outside the village economy i.e. implement thought short term migration. In the same way, the major quantitative indicator of female status used was the relative input into two areas of decision making (i) form management and (ii) involvement in local market economy and domestic activities. Disparities in relation to unequal inheritance on women affect various aspects of their lives thereby impairing their overall self-development and limiting their capability to contribute to family, community and the national development (FWLD, 2003).

In 1963 His late majesty king Mahendra promulgated a new national code from which women were benefited to some extent. It abolished forcible marriage, child marriage and unequal marriage. The right of wife to divorce under certain conditions was made applicable to all ethnic groups for the first time. But the marriage and property that time, too.

The international women's year brought a new dimension to women regarding their property right. The social status was also up lifted with the 6th amendment but it bias regarding equal marriage is not property displeed yet. The law leaves certain ground for bigamy but it does-not all biandry or polyandry.

6th amendment recognize the right of the wife to succeed to her husband property, she has a real control over only half of such property or gift or deed of dale only if she gets the consent of persons prescribed by law. Even her own property (Stridhan) could be presumed as joint if she sails to furnish conclusive

evidence that the said property is her Daizo or pewa given by her parents or her own earning of her husband is a member of a joint family not only but all his co-partners may claim her property.(Luitel 1992). Shilla Singh stated that a divorced woman claimed her husband's house which as she claimed was purchased by her own money. The Division Bench of the court held that even the property registered in the name of a divorced woman would be regarded as the property of her ex-husband's family if the property was registered in her name before the divorce and if she could not prove conclusively that the property had been purchased from her "Daijo" or "Pewa".

Due to the lack of financial security women become economically dependent, which render them to face problems like domestic violence, psychological family harassment for always and in many cases acceptance of prostitution as a way of life etc. The hardly have any choice during their marriage which in many cases, results in unequal or child marriage. As a daughter is taken as on obligation and liability, there is no expectation from her, and as the son is expected to take care of the family, the resulting in the neglect of her education and health (FWLD, 2003).

Women's decision regarding marriage and residence depend upon their use of the support system of kin and their position as a member of two lineage groups their husband's and their father's (Molnar, 1981).

Overall, as women do not have equal property right, they face discriminative right from childhood in matters of nutrition, health, education and distribution of family resources. This discrimination continues against them all through their lives.

So, if the nation wants to gain something from women, their first duty should be to give equal opportunities of education, property, health,

empowerment etc. And control of family by the use of family planning measures and drastic change will be there in the nation automatically in every field like economic development status of women's decision making power. Based on above literature review for the analysis and the conceived conceptual framework illustrates that the access to women's property right includes house (family, marriage), land live stock and any property. The impact of these kinds of property ownership and women's decision making power are interrelated to each other. Ultimately the property right and decision making power affects all sector of women social, political participation (involvement in policy making level). Thus the conceptual framework represents the clear vision of this research study.

2.4 System of Land Classification and Ownership to Women.

The classifications of the geographical setting comprising different ecological zones are manifested mainly in the language used for referring to different parts of land. The empirical categorization of different ecological zones in the present environment is to some extent consistent with the scientific nodes of classifying the topography (Chhetry, 1996). In addition to the toponyms formulate in the local classification system, it is evident that the people classify the ecological zones according to their potentials for agriculture. The criterion of agricultural potential is, however, intermingled with considerations on certain aspects such as temperature, wind and soil type in relation to crop yields. The classification of the agro-ecosystem adopted by the groups is of two types that are named as *sim* and *chahor*. This is the standard land classification adopted by the government for taxation (Regmi, 1965) for the purpose of revenue collection. Later these classifications were found to be adopted by the local people. Locally, *sim* refers to the land where the sun shines for a short time and the land is

characterized by having high content of moisture and water. (Chhetry, 1996). Chahar, on the other, is dry and receives abundant sunlight that absorbs water very quickly thus displaying condition opposite to sim (ibid). The land domain use types are broadly classified in four major segregates each having a distinct name of its own. The foremost are known as Khet, Bari, Pakho and Ban/Jungle.

Thus, in economic 'land' is one of the main factor of production, the others being labor and capital. In this sense, land includes not only soil, but all natural resources found on the top and below the soil, including wildlife, forest, water and mineral resources (Agrawal, 1995) the legal meaning of land differ from the economic meaning in that all man-made structures, such as building fences, and pavement, are included in the definition. Land is major forms of property, and there are such strong vested interests in keeping the system intact that women will not achieve effective right without a major struggle (ibid) which is only a productive, wealth-creating and livelihood-sustaining asset in South Asia. Land has been and continues to be the most significant form of property in rural South Asia including Nepal. It is a critical determinant of economic well being, social status, and political power. The concept of "women as property" that selling wives in the market places can be found in the 18th century history of England. In India, many tribal societies follow a system of "bride price" where the bride's parent are paid a sum of money and the girl's work and wages become the property of the husband. In Hindu societies too, treats women as good, which are transacted through the dowry system. It is high time we buried this bogey of tempering with culture, and look up the long and difficult task of gender development, which affects half our partners who, till now, have remained silent spectators (Metha, 1991)

Thus, lack of women access to land is especially critical for the 20% of household in Bangladesh and India that are headed by women as a result of

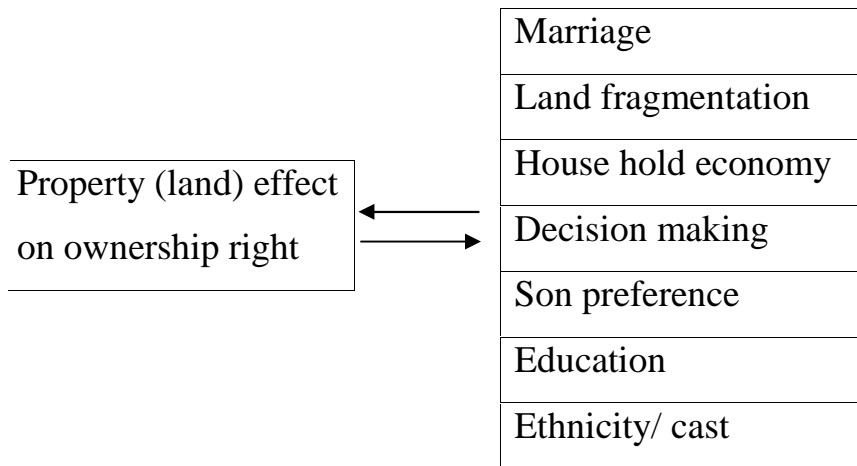
widowhood, desertion or male migration. Many factors obstruct women's access to land. Legally, inheritance law for agricultural land favors men in many communities. Women in Nepal are still confined to their traditional roles, lower status, and subordination to men within socio-cultural, economic, political and legal framework. Throughout Nepal highly and less highly genders dichotomized ethnic caste group alike-law, religion, land right and social customs are traditionally patriarchal (Strishakti, 1995). Women in rural sites, account for just under a third of income for wage or salary and in the urban site 29.6 percent women of the total are engaged in outside employment. But, a large number of men (68.6 percent in rural and 70.4 percent in urban) are engaged in outside employment (ibid)

Conclusively, government policies, programs and projects generally lack gender sensitivity, and instead view women as marginal groups to be treated under welfare programs. But, there is no regular monitoring and evaluation of gender policies programs and projects. Emphasizing only on increasing women's participation and not on women's empowerment through equal distribution of aspects and resources. Hence, emphasize on women only as welfare problem and not as equal participant and beneficiaries in development process.

2.5 Conceptual Framework

This issue of equal property ownership right will have more or less impingement on social-economic and cultural sector.

Fig-1.1: Conceptual Framework of the study



So, it is necessary to select the main effectual variable from complex whole like family, kinship, marriage, household economy, decision making power, domestic violence and ethnicity/caste on various social economic and political sectors. Thus the above figure framework will be drawn up to come to the subject matter which make easy to get opinion of the people and easy to analysis the data.

CHAPTER: III

RESEARCH METHODOLOGY

Research methodology, as a matter of fact, includes everything concerning the research. It is concerned with analyzing the nature of types of data and examining the ways in which they can be used in socio-cultural research. This chapter describes the methods adopted for the study. Depending on the nature and types of information were collected. The major topics, such as rational of the selection of the study area, research design, sampling procedure and data collection method have been discussed in this chapter.

3.1 Research Design

This study is based on descriptive research design to discover insight on gender balance or imbalance in property ownership right of the VDC while diagnostic research has been conducted on effect on decision making power. This study is based on both primary and secondary data of the study area.

3.2 Selection of the Study Area

This study was conducted at Yangnam VDC ward No. 5 and 6, Panchthar, Nepal. Yangnam VDC is one of the northern VDC of panchthar district of Eastern development Region of Nepal. Yangnam is one of the territory which is directly linked with India. The people of this village openly visit to Sikkim and Darjeeling of Indias. Though the village is quite remote and the roads are not well constructed. It takes almost 7 hours of normal walking from the head of

District headquarter, Phidim Bazaar of Panchthar. The village is consisted of Limbu ethnic group and Lower occupational castes. The main reason behind the selection of this place is to study the women's views about property ownership right to women who are living in remote place of the country. The village is consisted by one of the major Limbu ethnic group who were regarded as among the first inhabitants of East Nepal. They have their own traditional customs and values. But there are also found blacksmith, cobbler and tailor group with different socio-cultural and economic features, can provide various opinions to the subject. The researcher also came from the same village and very much known about many things of study area which made easier to rapport building. And it was economic for the researcher.

3.3 Sampling Procedure

Altogether 986 households live in Yangnan VDC. Conveniently ward no 5 and 6 were taken as universe for study.

There were altogether 191 households consisting of all caste and ethnic groups of this community in ward no 5 and 6. For the purpose of sampling the following processes are adopted.

1. All Limbu households were divided into three clusters as high economic condition and education, medium economic condition and education and lower economic condition and education by adopting systematic random sampling and altogether 38 households were sampled from Limbu ethnic group.
2. Secondly, from lower caste group all households (6 Kami and 5 Damai) were under sampling procedure because they were under extreme minority.

The population size and sampling methods had been adopted as follows:

Table-3.1: Composition of the Universe and the sample by HHs

Economic/Ed. Condition of Limbus	High	Medium	Low	Kami	Damai	Total
Total household	26	65	89	6	5	191
Sampled Household	8	12	18	6	5	49

Source: Field Survey, 2009

Above all the sample households can represent the entire characteristics of the total households. Hence, 49 household respondents' from total 191 HHs had been selected for the study which represents all of the 191 HHs. Hence, 49 women from 49 HHs (total 210 female) also had been taken for the study which represents all of the 191 HHs (total 547 female).

3.4 Nature and Scope of Data

Both qualitative and quantitative data were collected and used in this study. Primary and secondary sources were adopted. Primary data were collected through field survey, observation and case studies from the community. The secondary data were collected from the different published materials, books and articles.

3.5 Data collection method

The following methods were adopted to collect the primary data.

3.3.1 Household survey method

The researcher has been taken household survey personally. The research site has been based on only Ward No.5 and 6 of Yangnam VDC, where there are 95 percent Limbu families and 5 percent from lower castes. There were

altogether 191 households. The researcher sampled 21 percent (38 HHs) from Limbu ethnic group and 5 percent (11HHs) from lower caste group, those 49 households from universe. Therefore 49 respondents were randomly selected for interviews.

3.3.2 Observation

Researcher has been observed their household activities, habitation, dressing pattern, working environment and taking care of their own properties (pewa) like cattle and land right.

3.3.3 Case study

Three case studies have been included in this study. Those women have been interviewed who either be HH head or have own registered land. Their socio-economic condition, development trend of family, education, feeling of life and opinion in related issue were recorded.

3.3.4 Focus group discussion

Whole sample number was divided in three groups, two Groups contained 16 women and one contained 17 women. Many questions were discussed in those groups like participation in NGO, INGO and GO.

3.6 Analysis and Presentation of Research Data

The data collected through various instruments and sources were edited, coded, processed, analyzed and tabulated using simple mathematical methods like average, percentage. A simple statistical tool has been used for some selected variables only (age, education and economic background) in the subsequent chapters.

CHAPTER: IV

INTRODUCTION OF THE STUDY AREA

4.1 Background

The Eastern Limbu settlement of Yangnam village of Panchthar district is the focal village of the present study. The total area of the Panchthar district is approximately 1241 sq. km. It has varying climates of subtropical, temperate and cool-temperate or alpine climate. The average temperature is around 22 degree centigrade. Average rainfall is 2289.9ml.(Nepal District profile, 1994). It takes approximately three days to travel to village by bus from the capital, i.e. Kathmandu. Though the village is quite remote and the roads are not well constructed.

The people of Yangnam, both the Limbus and non-Limbus adopted various types of occupation like agriculture, animal husbandry, services, small trade and business, daily wage labour in time of road construction, etc. Out of all different occupations, the groups of the study area give more preference to agriculture. Household which do not have their own land or have only a small plot, not sufficient to feeding them the whole year around, earn their living as daily wage labourers in agriculture or share-cropping. A new economic opportunity available outside agriculture sector among the Limbu is their services in the Gorkha Army either of British or Indian where some have involved in Nepal Army, Nepal police and very few are engaged in public services and some Limbu youths work in Saudi Arabia, Qatar and other countries. The salaries and pensions earned through army services have enabled many old and young people of village to improve their economic condition. However, agriculture was in the state of subsistence production. Both male and

females were actively involved in traditional agriculture production. Whatever, females have been found relatively busy then that of males mainly because of higher load of household activities. Majority of the villagers are landowner and very few are landowner cumtenants. The system of tenancy is sharecropping.

4.1.1 Natural Resources

Land and forest are the natural resources on which the inhabitants of the study area are largely on.

Land:

Land is one of the precious natural resources in many ways in the study area. Most of the people are largely depended on agriculture in Yangnam. The land domain use types within the area are broadly classified in five major segregates each having a distinct name of its own. The foremost one is known as Khet found mostly in the aul that are irrigated for paddy cultivation. The second is Bari, unirrigated land; the third is Pakho, left for free grazing around the village. The forth, Khoriam, where at present most of the area has been used for tea plantation by the local people and lastly the Banjungle.

Forest:

In the study area the other main natural resources is forest. Fuel-wood are generally obtained from the forest. In Yangnam, there is one government forest known as Raniban that plays a significant role to provide the groups with forest resources such as fuel-wood, fodder and timber respectively. Most of the villagers have their own private forest just near their surrounding land area. Different varieties of plants, big and small, are found luxuriously grown in different parts of the village forest including herbs and shrubs. So this forest has

become the major natural resources for the villagers providing the main source of fuel, fodder, household equipment, construction materials, as well as religious and medicinal plants.

4.2 Socio-economic Characteristics of the Study Area

4.2.1 Occupation of the respondents

Agriculture is the main occupation of the local people of the study area. Over the past 10-12 years the people of Yangnam Gaon have been cultivating different types of crops. Large cardamom cultivation is the first position in terms of crops cultivated, which is followed by paddy, maize, wheat, potatoes and millet. In terms of commercial utilization large cardamom tops the list followed by others. Besides that small shopkeeper, domestic industrialist, under-employer, teachers and others were also engaged in this occupation.

Table- 4.1: Distribution of Occupation in Sample Household

Occupation	No. of HHs	Percent
Agriculture	28	57
Business(small shop)	5	10
Others(teacher, tailor, labor)	16	33
Total	49	100

Source: Field survey, 2009

As seen from the table 4.1, 57 percent of the household has agriculture as their main occupation. 10 percent HH has small business as their main occupation. The last 33 percent are a mixed group whose main occupation is

teaching, tailoring and labor work. Only two women found as a teacher in the study community. Damai and Kami are followed their traditional occupation like tailoring and mining including agriculture. Poor category household have been engaged in wage labor.

4.2.2 Livestock

Besides from agriculture most people have some livestock because livestock plays a major role in the rural farm households, which contributes to both the consumption needs and the market. Among the people of Yangnam community farm animals have socio-cultural, religious as well as economic values. Every household in varying numbers own cows, oxen, buffaloes, goat, pigs and poultry birds, cows and buffaloes are basically meant for milk. Oxen provide necessary draught power. Without oxen agriculture is impossible. The households which are poor category including lower caste groups has concentrated their livestock raising pigs, goats and poultry birds. This is simple for the reason behind that these household do not have so much land and cannot afford to raise big animals. Likewise, mainly the rich and moderate households own cows, oxen and buffaloes.

4.2.3 Population Composition of Sample Households

4.2.3. a. Distribution of Age Group

Age is an important demographic factor which makes difference in burden of work, ability to work and involvement in economic activity. But sex and age compositions are the main factor of social development that influences the fertility, marriage and economic activities.

In total of 399 population within 49 households, males were 189 (48%) and females were 210(51%) where the female and male percentage as national data is 50% and 49.9% respectively (CBS 1997). 0 to 5 years female children were double then male child shows the high level of son preference trend.

Table- 4.2 a. Distribution of Population of Sampling HHs by Age Group

Age	Male	Percent	Female	Percent	Total	Percent
0-5	11	3	17	4	28	7
6-10	19	5	23	6	42	11
11-15	18	5	16	4	34	9
16-20	21	6	17	5	38	10
21-25	26	7	24	6	50	13
26-30	24	6	23	5	47	11
31-35	14	4	20	5	34	9
36-40	8	2	16	4	24	6
41-45	13	3	13	3	26	6
46-50	12	3	14	3	26	6
51-55	6	1	11	2	17	4
56-60	7	1	9	2	16	3
60+	10	3	7	2	17	5
Total	189	49	210	51	399	100

Source: Field Survey 2009

The age of the respondents of the sampled households ranges from fifteen years and above. The national standard of dependent population is below 14 to above 60 years but the study found 11 years above population work as a mutual

worker, wages labor and household works independently. Majority of the population has been found between the ages of 21 to 35. Ranging 16 to 25 years of age, higher numbers of female do marriage, which indicates that the marriage age of girl earlier than boy.

Table- 4.2.b Respondents Sample Women by Age group

Age group	15-25	26-35	36-45	46-55	56-60	60+	Total
No.	8	10	10	9	8	4	49
Percent	16	20	20	20	16	8	100

Source: Field survey 2009

Altogether 49 respondents' women had been selected from 49 households by distributing their age group. In the study period, researcher had tried to get different categories of respondent by age group. Among the respondents 15 to 35 years of range 18 (36 percent), 36 to 55 years of range 19 (38 percent), 50 to 60 years of range 8 (16 percent) and the rest were of 60 above.

Majority of the population has been found between the ages of 19 to 40. Ranging 16 to 25 years of age, higher numbers of female do marriage, which indicates that the marriage age of girl earlier than boy.

4.2.4 Culture and Religious Status of the Respondents

Religion is one of the important social institutions that shape the everyday life influence daily experiences. Religion is an influential social institution that plays a powerful role in the construction of gender in every society. Although the people of Nepal are known as Nepalese and the national language is Nepali, most

of the people use their own Limbu language “Yakthumba”. It has its own script called “Sirijonga Lipi”. The inhabitants of Yangnam VDC are exclusively the Limbus, the Matwali groups (not wearing the sacred threads; liquor and pork) who were regarded as the first inhabitant of East of Nepal. They are also thought to be the descendants of the ancient Kirant people described in the Mahabharat, an ancient Hindu epic. The Limbu have an area, traditionally their own, called Pallo-Kirant or even more commonly just Limbuwan, the land of Limbus (subba 1995). In the Nepali jat system, the Limbus are described as the “Matwali”. With regard to physical appearance most of the Limbus could be classified as the Mongoloid, culturally they share many common traditions with Aryan.

Previously, they had greater influence over the Limbus, with many members of the Limbus opting to undergo the process of Sanskritization. Nowadays however, the Limbus of Yangnam VDC, particularly the younger ones, has more pride in their own culture, and there is not as much aspiration to being the superior as Brahmin. They are therefore readopting their own culture, traditions and rituals and have lost the non-Limbus idea. Dashain, Tihar, Saune Shankranti and Maghe Shankranti are the main festival of this community. Maghe Shankranti is the New Year of Limbu ethnic groups which called “Yele Tengbe”.

Table 4.3: Distribution of Sample HHs by Religion

Religion	No. of HH	Percent
Kirant	29	59
Hindu	12	24
Others	9	17
Total	49	100

Source: Field Survey, 2009

As shown from the table 4.1, 59 percent of the sample households are Kirant. That means the majority of the people of Yangnam community follow Kirant religion. The second largest religious group is Hindu which is 24 percent and other (Christian, Humanism etc) groups are 17 percent.

4.2.5 Caste/ethnicity of respondents

Caste is the extreme form of social class in which mobility, up and down, the status ladder, occupation, life chances, individual's rank and positions are ascribed on the basis of birth into a particular caste group or ethnic group. Caste and ethnicity also influence the gender roles and status of men and women. Generally in cast group women are in low status than men and women of ethnic groups have better condition than women of caste groups. As regarding the Caste and ethnic group of respondents, the following were taken as sample for the study.

Table-4.4. Respondents HHs by Caste/Ethnicity

Caste/Ethnicity	No. of HH	Percentage (%)
Limbu	38	77
Kami	6	13
Damai	5	10
Total	49	100

Source: Field Survey, 2009

To get different attitude in decision making power of women on land property ownership right, from different views of women; the study area was divided into three clusters according to their educational and economic condition

of women. Most of the respondents HHs were from Limbu ethnic group because the study area is consisted by one of the major Limbu ethnic group. Among the selected households, 77 percent were Limbu ethnic group, 13 percent and 10 percent were from lower caste group.

4.2.6 Marital Status of Respondents

Marriage in general is a social, legal or religious contract between one or more male and one or more female for the purpose of procreation; sex enjoyment and satisfaction of psychophysical needs (Dr. Vatsyan, 1991). Early marriage is rooted to the concept of purity of the female body in the Indo-Aryan community (Bennet, 1979). Child marriage is restricted legally in Nepal, but the statistics show that 22.5 percent girls are married before the age of 14 years (Sherstha, 1994). Marriage practices, too, are distinct. Brahmin women are married at their natal home and the Brahmin priest conducts the ceremonies while Limbu marriages are performed at their husband’s home by their ritual specialists, the Phedangma and require a blood sacrifice. Widows are allowed to remarry undergoing essentially the same ceremony as the first marriage in the study area.

Table 4.5: Distribution of Population of Sampling HH by Marital Status

Martial Type	No of Female	Percent
Married	97	59
Unmarried	57	35
Widow	10	6
Total	164	100

Source: Field Survey 2009

Below 15 years female were 46.

According to data and above mentioned table shown that 59 percent respondents were married which is important to collect views because most of the married women had come from different groups, 35 percent unmarried and 6 percent were widow. In the study area there was equal position of all married, unmarried and widow women. All women have to struggle in each and every step of their social life except the nourishing of children.

4.2.7 Educational Status of Sample Respondents

In the present situation education is provided equally to female as well as male in our country. Unlike in the past female used to have a hard time to achieve desired education. Nowadays education policy is become transparent and there is no discrimination. But the education problem for female still persists in rural areas where women are forced to involve in household duties and agricultural activities. Since male are regarded as the supporter (financially) for the house and women are regarded only as a caretaker. This kind of thinking has overtaken almost all part of the country except in the city cores.

Although, both men and women in the sample are poorly educated in the study area but according to data, female illiteracy is sharply higher (20%) in comparison to male (13%) in total population. There is only one higher secondary school which was established in 2062 B.S., One Secondary School which was established in 2036B.S. and one boarding school which was established in 2057 B.S. After establishing boarding school, most of the family member sent their only son to the boarding school not to girl. Comparatively more females were found in primary level. Female bias education or the

traditional concept of “women have no need to give more education” and “Girl would not contribute to family income afterwards” was also deeply rooted in community.

Table 4.6: Distribution of Population Sampling HHs by Educational Status

Educational Status	Male	Percent	Female	percent	Total	Percent
Illiterate	31	9	62	17	93	26
1-10 class	81	23	86	24	167	47
SLC above	58	16	41	11	99	27
Total	170	48	189	52	359	100

Source: Field Survey 2009

Below 5 years population (40) are not included in above table.

From the table 4.5, it is seen that the educational status of the female group is found to be low. Considering the educational background of the respondents 17 percent (Including low caste) were unable to read and write. 24 percent respondents can read and write and only 11 percent respondents could share about their right.

4.2.8 Economic Condition of households

When there is a financial crisis in family now and then property dispute might arise. If there is no understanding among the family members they might start abusing each other’s property. So, similar to the national economic agriculture and animal husbandry is the backbone of the economic in Yangnam VDC. Most of the households are involved in small scale non-agriculture

economic activities. In the study area, 60% youth groups had gone to different countries to earn money during the research period. Considering of all the economic conditions as I have categorized in three types of economic status of the family. Like, Rich, medium and poor. Majority of the households were medium economic status who were from Limbu families and found with minimum one or two army men, pensioner, teacher, service-holder and working out of the country as labor. Some households were under low economic status and mostly they were from lower caste family. They maintain their expenditure by occupational work, agriculture labour, and seasonal wage labor and considering the ratio of the families who have got saving money were found higher economic status had already migrated to the Jhapa, Dharan, Kathmandu and any other places from the community and it is still going on.

Table 4.7: Respondents of Sample HHs by Their Economic Status.

Status	No. of HHs	Percent
Rich (With saving)	8	16
Medium (Sufficient for expenditure but not surplus)	25	51
Poor(Unable to maintained HH expenditure)	16	33
Total	49	100

Source: Field Survey 2009

As shown from the table 4.6, 8 HHs(16 percent) having surplus and balance food status, has also service and pension or more then 22 thousand rupees extra income per anum conclusively HHs having more then RS. 10,000 net saving per year are categorized hare as rich economic status, 25 HHs (51 percent) could easily maintain their family expenditure from service, pension and

other sources and have no saving and lastly, 16 HHs (33 percent) has more than 7 month food deficit, less than 10 ropenies productive land and unable to maintain expenditure and income and they have compulsion to indebted from high class day by day.

CHAPTER: V

WOMEN'S LAND OWNERSHIP RIGHT

5.1 System of Land Classification and Registered Land Ownership Status of Households

Land is not important only to agriculture production but it is the main base of all natural process and free of gift of nature. Being an unindustrialized and traditional agricultural country, the measurement of economic condition of people depends on their land holdings size and level of productivity. So, the classifications of the geographical setting comprising different ecological zones are manifested mainly in the language used for referring to different parts of land. The empirical categorization of different ecological zones in the present environment is to some extent consistent with the scientific modes of classifying topography.

Most of the land within the Yangnam VDC watershed area is in the form of sloping terraces with minimum irrigation facilities. The land domain use types with the VDC are broadly classified in six major segregates each having a distinct name of its own.

Land Use Classification System of Yangnam VDC

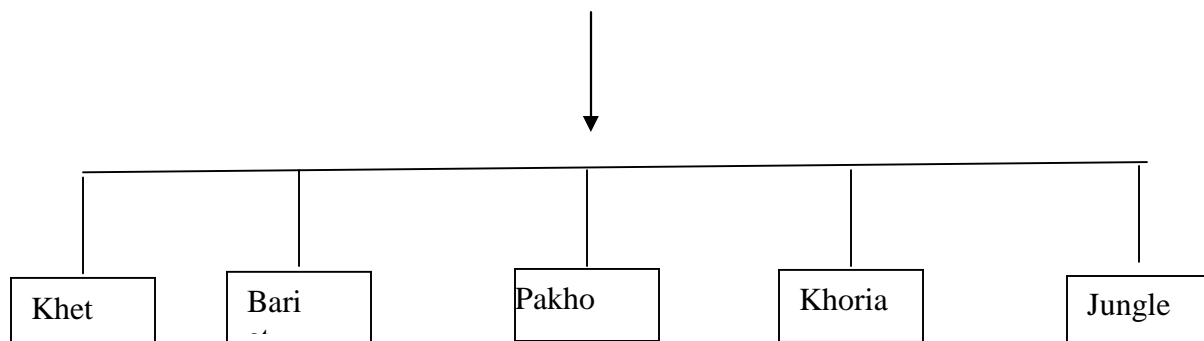


Table 5.1: a Distribution of Sample HHs by Land Ownership Status

Land Ownership Status (Ropanies)	Types of Land and HHs Number				
	Khet	Bari	Pakho	Khoria	Jungle
Non	3	0	18	10	20
1-10	16	19	11	7	18
11-20	20	23	7	9	10
21-30	6	5	8	6	0
31-40	3	2	3	5	0
41-50	1	0	0	2	0
Total of HHs	49	49	49	49	49

Source: Filed Survey 2009

As shown from the table 4.7 five types of land namely Khet (low irrigated land), Bari (unirrigated land), Pakho (grasses area), Khoria (mixed cropping area) and Ban/jungle are registered in community. Majority of the household has 1 to 10 ropanies land followed by 11 to 20 ropanies. They have no Khet, Pakho, Khorea and Jungle with 3, 18, 20 and 21 households in own name. 16 households were holding up to 10 ropanies, 20 households had 11 to 20, 6 had 21 to 30 and only 4 households had 31 to 40 ropanies Khet. All households had Bari, 42 HHs had up to 10 to 20 ropanies and 7 HHs had 21 to 40 ropanies, 18 HHs had no registered Pakho, 20 had Khoria and 21 HHs no jungle land and they use public forest.

5.2 Land Ownership Status of Women

Women contribute a very significant percentage to Gross Domestic Product, but they have very little access to the economic resources that they

generate. The agriculture sector contributes 40 percent of total GDP of Nepal and out of which more than 60 percent is contributed by women. However, only 10.84 percent of household have land ownership of women in Nepal. Even among women, who have ownership over land, around 90 percent women have less than 1 acre lands in their name (FWLD, 2003). So, land has a very especial place because it provides not just economic security, but social status and political power also. If women do not have and man has land right, it reduces the women's power in the households (Agrawal, 1994). She has also given the Chinese experience in late 1949s, when women began registering land in their own names. This was the first time they had a sense of self. They could leave unhappy marriages and fend for themselves. In the study area very few women have registered land in their own name. Those women have registered land, some women were widowed, some women were separated with their husband and few female have bought from her Pewa or Daijo. If husband has well income sources and living with joint family then he may buy land in his wife's name, due to the fear of sharing property with others or secure for their future.

Table4.7 b. Respondents Women of Sample HHs by Land Ownership Status

Female	Types of Registered Land (In Ropanies)					
	Khet	Bari	Pakho	Khoria	Jungle	Total
Married	35	46	0	0	0	81
Unmarried	17	13	0	3	7	40
Widow	11	15	0	0	5	31
Total	63	74	0	3	12	152

Source: Field Survey 2009

In the study are, 63 ropanies Khet, 74 ropnies Bari, 3 ropanies Khorla and 5 ropanies jungle have been found registered land with 16 women. But overall women have occupied very low percent land area in total. It shows that there is no good access on economic activities of women in this community.

Case study: I

About 54 years illiterate unmarried female who belongs to the very poor category. She has a small house and lives alone. She lost her father at the age of 22 and mother at the age of 34. She had a younger sister and a younger brother who was joined in Indian Army. She said that her sister left her when she got married and brother also left her when he joined in Indian Army. She had no special income and problem to daily hand to mouth. Her dresses were not seemed properly neat and clean, kitchen environment was found totally smoked. As a very laborious female, she used to work 18 hours per day. Usually, she had spent her time as a labor of other. She added that there had no time to read and write for daughter because of most conservative society and her lower economic status. She had two pigs, two goats and several poultry birds. She had just 7 ropanies land (Bari) in her own name and was unknown to land ownership right issue for women. "My mother was always worried about me because I did not get marriage and she registered 7 ropanies Bari in my own name before death but this is the main reason that my brother and sister does not care me." She said. Her brother has well income and living at Jhapa with his family.

She had been suffered from cough and gastric problem due to the addiction of alcohol and smoke and she used to go hospital for frequent checking. "I was unable to pay the money in the hospital and sold 3 ropanies land without taking permission of my brother because I thought, the land is registered in my own name and I have fully right to do any kind of decision. But my brother scolded me very rudely and suggested me not to sell rest of the land." She said. After all she had decided that rest of the land will take her brother after her death. Conclusively, she had no belief that the Civil Code has given an equal right to land property ownership to unmarried daughter of 35 years or above.

CHAPTER: VI

ATTITUDE AND EFFECTS OF WOMEN'S LAND PROPERTY OWNERSHIP ON DIFFERENT STATUS

6.1 Effect of Women's Land Property Ownership on Marriage

When the men and women respondents were asked about their marriage, it was found out that most of the marriages were arranged by the parents with or without the consent of the respondents. Most of the household respondents were from Limbu ethnic groups. Although, the dominant marriage trend in the community Love-arrange marriage is emerging. While 67 percent of the female respondents said that they had full authority to decide over their marriage and they again said that they had authorized to get remarriage if their husbands always hurt them. Now a day more marriages accompanying in the form of love-arrange marriage was found 60 percent. More than 30 percent found love-elopement marriage in the community. But some respondents were found worry that mainly the girls will remain unmarried for longer age.

Table 6.1.a Distribution of HHs Decision on Marriage

Caste	Self	%	Joint	%	H. of Family	%	Total HHs
Limbu	31	63	7	14	-	-	38
Damai	2	4	3	3	1	2	6
Kami	0	0	2	2	3	6	5
Total	33	67	12	25	4	8	49

Source: Field Survey 2009

As seen from table 5.1.a 67 percent of the households respondents that they had chance to participate in the decision of their marriage, 25 percent of the households claimed that they had joint decision from their family and only 8 percent households which were from lower caste group said that head of the family member had decided their marriage.

Considering the relation of marital status and land ownership to women, most of the unmarried girls were found positive. Old age respondents were not found in favor of land ownership because they fear of taking care in old age. Funeral and mourning activities after their death also will be affected.

Table-6.1.b Distribution of HHs by Effect of women’s Land Property Ownership on Marriage.

Households	Effect on Marriage				
	Positive	Negative	No Effect	Don’t Know	Total
Rich	5	3	–	–	8
Medium	11	9	–	5	25
Poor	7	6	–	3	16
Total	24(48%)	18(36%)	–	8(16%)	49

Source: Field Survey 2009

As seen from the table 5.1.b 48 percent households responded that marriage system will be affected positively and logically said that daughter will decide herself means decision making power of women will boots up, dowry system may decrease. 36 percent responding that in totally existing marriage system will be affected negatively because dowry system will be increased. Poor family daughter will face many problems of marriage and divorce rate will be

increased after land ownership for women and 16 percent households especially they were from lower castes were found unknown about this question.

In the study area, very few women were aware to the legal provision only for male by the new national code and other acts especially in favor of land ownership right to women issues. Some of the women were little bit known as a rumor and a remarkable number of respondents were found unknown to property right issue for women.

Case study: II

The informant is a 49 years illiterate widow who was married at 24 years age. She gave birth to two daughters. Her husband was working as wage labor at Aasam in India and unfortunately he never returned. She said that her husband was lost at the age of 28. She has joint family. After lossing her husband, she started facing lots of domestic and mental violence. But she did remarriage with her own brother-in-law (Dewar) who was 12 years junior than her. Her second husband was a teacher of primary school. She was very laborious and now she works around 17 hours per day. Being suffered by mental violence continuously, they decided to separate with her family. Later she gave a birth to a daughter and a son from her second husband. Unfortunately, her second husband also died by heart attack in 2062. All the family members have been blaming her that she is the main reason for death both her husbands. However, she has Rs. 1500 pension per month from her husband. Her eldest daughter has intermediate qualification. All daughters are intelligence, laborious and good education trend. She sends her son to the boarding school in class three. She has 10 goats, 7 pigs and a dozen of poultry birds. The other income sources are livestock, livestock's production and alcohol selling. Education, health and wage labor are the main sector of expense.

When she claimed her land ownership to her family, they rejected her claimed and

just 3 ropanies land (Bari) has given as a rented land. Now she has not any registered land on her own name.

About mentioning the women’s land property ownership right issue she opined that it must be quickly implemented. The new system also carries out the balance situation in the society, slowly. She has no belief that the social structure will damage after the land ownership right for women. She said that there will be positive effect.

6.2 Effect of Women’s Land Property ownership on Land Fragmentation

It has been seen that the land fragmentation is rapidly increasing to-days also because of conservative son preference trend, individualistic, unscientific and untrained traditional land holding pattern in which agriculture production is mostly effected. This trend has been reported that further increasing while making land property ownership provision for women.

Table-6.2 Distribution of HHs by Effect of Land Property Ownership of Women on Land Fragmentation

Households	Effect on Land Fragmentation				
	Positive	Negative	No Effect	Don’t Know	Total
Rich	3	3	2	–	8
Medium	8	13	2	1	25
Poor	5	6	3	2	16
Total	16(33%)	22(45%)	7(15%)	3(7%)	49

Source: Field Survey 2009

As seen from the table 5.2, 22 households (45 percent) were found negative effect to women. They said that social structure will be disturbed; sons-in-law will take the property or that the property will go to foreign country and the number of cases will be increase. 16 households (33 percent) said positive impact on this issue they opined the integrated and co-operative farming system would be emerged, 7 households (15 percent) were found as no effect because marriage daughter will sell their land to relative and 3 households (7 percent) were found unable to opine about land property.

6.3 Effect of Women's Land property ownership on Household Economy

Each household in the community owns land to lesser or greater extent. As elsewhere in Nepal, in the study area also highly valued land property and the production from the land is the primary source of their livelihood. Most of the households belonging to the medium classes' category and women in the study area are considered to be the households' heads. Women from the lower castes households are also not so much dictated by their husbands for the fact that both of them are dependent upon each other for their and family's livelihood. Inside the household women are required to undertake all the household chores and their husbands helping them is a rare. However, women of the study area have major role to play in productive activities of the household. Considering the positive relation between economic status of respondents and land ownership to women, medium economic status holder informants are having higher support to land ownership to women than poor and rich economic status holders.

Table-6.3 Distribution of HHs by Effect of Land Property Ownership of Women on House Economy

Households	Effect on Household Economy				
	Positive	Negative	No Effect	Don't Know	Total
Rich	4	3	2	–	8
Medium	7	9	5	4	25
Poor	8	3	4	1	16
Total	19(38%)	15(31%)	11(22%)	5(10%)	49

Source: Field Survey 2009

Household reported that land fragmentation is not a major issue, increasing and increasing of agricultural production pattern. Regarding the impact 38 percent households opined that it will be increased based on their increasing courage, curiosity and decisive power by day to day activities. Land property ownership will make women laborious and independent, reduced autocratic power of men, land use will be more with 2-3 crops per year. Above table shows, 31 percent were found negative point of view. They opined that conflict between brother and sister, between husband and wife will increase, women need education is not property and dual property for women is not good idea. 22 percent were found no effect and 10 percent household has no idea about that issue. But most of the household opined that lack of the land property ownership right for women is the main cause of their dependency and they emphasized on education and training respectively to be the women independent on economy.

6.4 Effect of Women’s Land Property Ownership on Son Preference

Hindu culture, which has prevailed for centuries in Nepal, has been traditionally characterized by hierarchy, purity, pollution and gender discrimination against girls and women. Deep rooted gender discriminatory value system gives a high degree of preference for sons for religious, economic and socio-cultural reasons as sons guarantee the continuation of their families’ lineage, economically support the family members and supposed ensure a place in heaven after the parents’ death (FWLD, 2003).

In the study area, 85 percent were chosen son instead of daughter if they have been given the chance of only one child choice. It shows that society is mostly rooted with son preference tradition. Dhilo Paye Chhora Paye (let it be late, but let it be a son.), Chhori ko Janma Hareko Karma (A daughter born with a doomed fate.) and Pothi Base Ghar Mahscha (A women ruled house is surely destroyed.) are the popular saying in that community. So, the dominant concept that the women are known most responsible for son birth. But, now it can be observed that majority reported both are responsible.

Table-6.4 Distribution of HHs by Effect of Land Property Ownership of Women on Son Preference

Households	Effect on Son Preference				
	Positive	Negative	No Effect	Don’t Know	Total
Rich	2	1	5	-	8
Medium	5	3	11	6	25
Poor	3	2	9	2	16
Total	10(20%)	6(12%)	25(52%)	8(16%)	49

Source: Field Survey 2009

An overview on the table 5.5, the majority of the households, 51 percent has said that no effect regarding on the land property ownership to son. Only 20 percent households were found positive and they argued that son preference trend will be minimized to some extent after the land property ownership to daughter and equal responsibility between male and female which carry out new socio-cultural and economic order. 12 percent households were found land property ownership will maximize son preference trend, the reported that property will go to the other side and more son need will remain as such to take care of old age and only 16 percent households were found no any idea about this issues.

6.5 Effect of women's Land Property Ownership on Education

It is undoubtedly accepted that education opens the door of knowledge, practices and mysteries in social, economical, technical and political sectors of any societies either to develop or developing at their own state. Most of the households had opined that education is very important and they want their children to go to school and study. Most people said that they would allow their children to continue study. It is also the opinion that both girls and boys should study. But the question in the alternative choice between education and land property ownership 45 percent were found in favor of both. 35 percent has been chosen education and rest of the others 30 percent emphasized land property than education. According to a higher secondary teacher education opportunity trend for daughter is increasing. After land property ownership right although they will get more chance to get education in relation of property, the parents may force to marry early age because of double investment to the daughters for Ansa and education.

Table-6.5 Distribution of HHs by Effect of Land Property Ownership of Women on Education

Households	Effect on Education				
	Positive	Negative	No Effect	Don't Know	Total
Rich	3	2	3	-	8
Medium	7	6	8	4	25
Poor	2	4	6	3	16
Total	12(25%)	12(25%)	17(35%)	7(15%)	49

Source: Field Survey 2009

Above the table has shown, while studying the households' responses to educational impact on land property ownership to women at this community, 25 percent were found positive views. They reported that women will have more chance to get education, even they can sell their share of land or they can manage of property and access land and housing and parents will get more knowledge to give education as equal to son. As a same way, 25 percent were found negative and they argued that education is more important than land. Daughter may be cut of schooling because of grudging motive of co-partner of property, they will be over free and no interest to educate and they will be more engaged and imposed in domestic activities from parents and brother's side gradually. 35 percent were found no effect to women and 15 percent were found no answer.

It can be concluded that most of the people were concerning both on education and land ownership right to women.

6.6 Effect of women's Land Property Ownership on Caste/ethnicity

Although Nepal is a small country, there are 61 indigenous ethnic groups speaking more than 125 languages and or dialects. The people of Nepal are divided into two broad cultural groups, Indo-Aryan and Tibeto-Burman. The Indo-Aryan groups include high and low caste Nepali speaking hill groups: Brahmin, Chhetri as well as Maithili, Tharu and Newar. The Tibeto-Burman groups include Mustang Bhote, Gurung, Khas Magar, Rai, Limbu and Tamang (FWLD, 2003). The Indo-Aryan women keeping with the uni-lineal and agnatic principles of Hindu social organization, women belonging to the Tibeto-Burman cultural group have considerably greater freedom in matters of marriage, such as choice of partners, age of marriage etc. In comparison to Indo-Aryan women, women of Tibeto-Burman group also hold liberty in selecting the economic activities they wish to pursue (ibid).

So, the present study focuses on both Limbus and non Limbus especially kamis and damais of the community. Among the Limbu women, when a married daughter leaves her husband and returns to her parent's home, she again becomes a member of her parent's family. Statistically Limbu groups of respondents has the highest average percentage supporting positive to land property ownership to women as compare to low castes group.

The main reason behind the higher of Limbu caste supporting on land property ownership to women has been observed due to their more freedom/liberal culture and practices.

Table-6.6 Distribution of HHs by Effect of Land Property Ownership of Women on Caste/Ethnicity

Households	Effect on Caste/Ethnicity				
	Positive	Negative	No Effect	Don't Know	Total
Rich	4	2	2	-	8
Medium	11	6	5	4	25
Poor	7	4	2	3	16
Total	22(45%)	12(24%)	9(18%)	7(14%)	49

Source: Field Survey 2009

Table 5.7, clearly indicates that most of the households 45 percent had positive views on land property ownership to women. They argued that every caste has own norms and values so, it will be adjusted by societal mechanism. 24 percent were found negative views on land ownership in related ethnicity and caste conflict. They said that marriage, land holding and settlement pattern will be mostly effected because inter caste marriage may be grown up by the freedom of women. Land parcel also will be mixed through marriage pattern. These causes will carry out bad result. 18 percent household respondents that it will have no effect in this issue; social system will be the same and running the same as now. 14 percent household respondents had no idea about this issue.

It reveals that almost all the caste and ethnic groups' women are more liberal and almost all the decision can take comparatively the women of Brahmin and low caste.

CHAPTER: VII

RELATIONSHIP BETWEEN LAND OWNERSHIP AND DECISION MAKING POWER OF WOMEN

This chapter deals with the relationship between land ownership and decision making process of women in the household and control over the factors of production.

7.1 Gender Disparity in Decision-Making

Kaur (1987) argues that women have greater input in household decision making if they are from medium sized landholdings. She goes on to say, women are totally confined to agriculture and domestic labor in households with less landholding. This implies that women are rarely considered worthy of decisions. Again, in households with higher landholding, women rarely partake in farm activities and therefore have a lesser say in farm decision. They are the women with a higher social status attached to them. Gender discrimination is minimal among those indigenous ethnic groups who will follow their tradition but those have come under the influence of Sanskritization, Hinduization and Nepalization. They are practicing more and more discrimination and conservative social values borrowed from the Hindus (Bhattachan, 2001). So, the involvement in family decision making process indicates one's higher or equal or no status in the family. In terms of caste and ethnicity, Brahmins and Chhetris practice serve forms of gender discrimination. The decision-making roles of the women have been analyzed in terms of the stages of the decision-making process. Among the indigenous ethnic groups, the status of women is high comparatively Brahmins and Chhetris women.

Thus, the Limbu ethnic women family members often make household decisions and they have high social mobility in this community. But, the land is a major property in contest of world as well as Nepal. Due to the lack of land ownership right to women become economically dependent, which render them to face problems like domestic violence, psychological domination and no decision-making power in the family. Likewise, in Yangnam community also the land is given the most priority to male family members there by resulting in the neglect of daughter education and health. Decision power plays the major role to take a family activities weather good or bad. In the study area, majority of the households has taken decision about the land by male who was the head of the family members. In the poor households including Damai and Kami in the study area, the security of women's income is less than that of men's income, because they lack individual land ownership of assets. They have less access to education and have very low decision power.

It has been observed in the study area, the cattle, poultry and land owned by women and found slightly better than male owned, especially daughter and daughter-in-law's property are cared themselves deeply and used to be. But some other women who are taking family responsibility after her husband, the Pewa has no ownership meaning because it has been used for all family and she has not especial right to use it with her own idea.

Table: 7.1. Percentage Gender Based Household Head

Head	HHs	Percent
Male Headed	38	78
Female Headed	11	22
Total	49	100

Source: Field Survey, 2009

Similarly, number of households reporting female ownership of asset like house and land is minimal. 78 percent households were found male headed family and only 22 percent households were found female headed family. Some of the women who owned bigger asset as land or house were women who had separated from their husband due to second marriage of the husband. Some households with widow women as head were found and reported they have ownership of the asset.

7.2 Effect of women’s Land Property Ownership on Decision Making

The social status of women at this community is of various nature. The decision making power of women is related to their social status and ethnic culture also. According to available report from individual women, economy is the major factor of decision making power. Women take the final decision regarding food item for the fact that cooking is the exclusive domain of the women. But with regard to land, final decisions are taken by their husbands. Most of the household claimed that women had full authority to do decision on personal matters like marriage, children and labour allocation but the decision depended on land property ownership, building and education sectors. Regarding the consultation about land ownership, all women from the rich and medium

classes' households are consulted by their husbands or head of the family members. Likewise, also in the poor households, husband does the final decision regarding the expenses on clothing. Even though, women of the rich and medium classes households stated that they could do decision on their self income or pewa (gold, silver, money etc). But for the poor households, they could not do the decision in terms of self income.

Table-7.2 Distribution of HHs by Effect of Land Property Ownership of Women on Decision Making

Households	Effect on Decision Making				
	Positive	Negative	No Effect	Don't Know	Total
Rich	2	5	1	-	8
Medium	5	13	4	3	25
Poor	4	6	1	4	16
Total	11(23%)	24(49%)	6(13%)	7(15%)	49

Source: Field Survey 2009

Out of the 49 households positive views were found 23 percent. They responded that land property ownership to women make independence which is the cornerstone of decision making. They can determine buying and selling of house goods after it. 49 percent had taken negatively and responded that more quarrelsome will be their between mother-in-law and daughter-in-law, the number of divorce may increase, disturbance of relationship between brothers and sisters. So women can not manage the property and also discussion and bargaining system will be developed to have conclusion between husband and

wife. 13 percent said there will be no effect in this sector and 7 percent had taken they don't have logic idea about this issues.

Case study: III

The informant is a 67 year-old, illiterate women who belongs to the medium class family. She has five daughters age of 39, 37, 34, 22, and 19 respectively and a son age of 32. Her son has already got married. Her eldest two daughters have no any education qualification and rest of the daughters have intermediate qualification. Her youngest two daughters are married. The household has a milked cow, 7 goats, 4 pigs and a dozen poultry birds. She said that she has 17 ropanies well irrigated land (Khet) is in her own name out of 27. She had brought the land from her parent's home as a Daijo. "I was alone daughter of my parents. I have 4 brothers with well education qualification. But my father had not given me a chance for education and they married me at the age of 14. After 3 three years, they had brought some money and had bought 17 ropanies land in my own named." She said. Even though she has not right to do any decision over the land. As a laborious housewife, still she works around 15 hours per day. She has worried about her unmarried daughters. She said that if they do not get married, she will definitely force to her husband and son to give land as Ansa for her unmarried daughters. But her husband and son are against of her.

Conclusively, about the mentioning the women's land property ownership right issue, she has clear views that daughter must have property right as equal as son. They come from same womb. She belief that it will make women independent and strong. There will be positive effect and she further conformed that she will provide the land to her daughters even they have no legal right.

7.3 Women participation in organization

While, in the period of focus group discussion, the researcher found most of the women were busy. It was difficult to collect them to discuss about the organization which were related to rural development. Hardly, few women were interested in discussion. Whole sample number was divided in three groups, two Groups contained 16 women and one contained 17 women. Many questions were discussed in those groups like participation in NGO, INGO and GO.

Table 7.3: Distribution of women participation in organization

Participation in org.	No of Female	Percent
No knowledge	17	34
Some knowledge but no participation	16	33
Well known	16	33
Total	49	100

Source: Field Survey 2009

Altogether 49 respondents' women had been selected from 49 households by distributing their participation in any organization which is related to rural development. Among the respondents 34 percent had no idea about any organization, 33 percent had some ideas but no participation and only 33 percent had well known about those organization and very few of them participation in NGOs and GOs.

CHAPTER: VIII

SUMMARY, CONCLUSION AND RECOMMENDATIONS

This chapter includes summary of the research carried out with conclusion for the study and recommendations for the research carried out.

8.1 Summary

The field survey of this study has covered 49 household respondents of the community. The major conclusion drawn are strictly based upon our assessment of status of women in the land property ownership right, in terms of effect in socio-economic in the household level and their village level development activities. The selected 49 households with majority 77 percent, 38 households Limbu ethnic groups, 13 and 10 percent, 6 Kami and 5 Damai households respectively for this research have also been listed. Additional information was collected from 3 case studies of women response as well as by interviewing some male partners of the study community.

Gender relation in this community is unbalanced. The study observation revealed that out of 49 household respondents male were free for answering and discussion where female were busy in kitchen, livestock caring and agriculture activities. All the household's kitchen environment was found totally smoked which has indicated to the negative effects on the health in eyes and chest problem of the housewives. The whole source of energy was fuel-wood. The majority of the households have Dhiki and Janto in order to dehusk the paddy and grind maize and millet etc respectively where only female were busy in this all activities. Out of the agriculture dependent population male and female

contribution has been analyzed 39 percent and 61 percent respectively, which denotes the dominant role of women in agriculture. Among lower castes group were followed their traditional occupation like tailoring and mining respectively, including agriculture. But, tailoring and mining occupation are reported deviating mainly because of the domination of the imported readymade commodities.

The majority 59 percent of respondents are Kirant, 24 percent Hindus and 17 percent are the followers of other Religion. The total 399 population of the respondents 48 percent were male and 51 percent were female. While analyzing the 0-5 years children, female were found almost double than the male child, which indirectly reflected the status of son deep-rooted preference trend in the community. Even though educated intellects were also found suffering from the son preference trend. Out of the 49 household, 38 were male headed and only 11 were female headed. The only female headed households were the once owned by widow without elderly sons or separated from their husband due to the husbands second married. While observing the family types, majority of the family were found nuclear. Very few families were found joint family. The trend of extended and joint families has been found decreasing order in contrast to the nuclear ones is increasing.

Overall educational circumstance of the girl have indicated the inconsistent enrollment dominated by the traditional concept of the community. Majority of the population were engaged in agriculture. Land ownership pattern of this community is not much different from the other parts of the country. Majority households have 1-10 ropanies land registered and followed by 11-20 ropanies in the second. Whatever, the average land holding size of the community was found 23 ropanies and 6 parcels per family. Very few women have land registered in their own named. The decision-making trend in

agriculture activities determined by both male and female has been found, where as incase of domestic expenditure, property selling etc was dominated by males. The women who reported having full authority over the land are elderly single women and mostly household head. But, cloth washing, cooking and cleaning house and utensils were done by women. Male people have no remarkable contribution in such activities. Most of the women work more than 15 hours a day, while some males have played card, gathered and talked about political issues and participated in community meetings. Men on the other hand are responsible for different services and deal with major activities.

According to the respondents, 'positive' and 'negative' responses to family of land property ownership for women were found in equal position where as the same position of no effect. Regarding the view point of household respondents is related to caste/ethnicity after land property ownership to women, majority of the respondents said that there will be no problem and few households respondents land cluster will be mixed and domestic violence will increase for women. Most of the educated people support of land property for daughter as equal as son. But they argued that land fragmentation trend will be increased. In total most of the respondents were found believing the ritual and religious system. Some households were not agreeing in giving land ownership to women, they reported that property will go to the other side and son needs to earn more to take care for old age.

Decision on land ownership regarding the women, very few female respondents said that they had full authority to decide about land. But most of the households had taken all the decision over the land by male. They argued that

dowry system may increase, no or less land owner boy will try to choose more landowner (one side), poor family daughter will face more problem of marriage, elopement marriage will also be increase and divorce rate will be increased after land ownership right giving to women. But, 23 percent respondents were positive views on decision making over the land to women. They reported that land ownership make independence, which is the cornerstone of decision making, they can determine buying and selling of house goods after it and women will be free to carries out more dictatorship to men.

In other side, several complications are raised such as: increase in son and daughter role and status conflict, settlement pattern and land related dilemma, uncontrolled heterogeneity in society etc. but, these expected complains are not fundamentally problematic and can be resolved with appropriate strategic management, some of the respondents were found worrying about the problem negative effects of kinship relation also.

Conclusively, at this movement especially teenager girls have the higher average support to land property ownership to women than middle and old age informants. In the study area, majority of the Limbu ethnic groups of the respondents has the highest supporting to land ownership to women as compare to lower caste groups and also medium economic status holder informants are having higher support to land ownership for women than the higher and lower economic status holder. The main reason behind the higher average of medium economic status holder has been studied due to their more dynamic nature where as both higher and lower observed comparatively resistant to change. The higher economic status holders were observed resistant to change mainly due to their preservation and good will of traditional hard liner Hindu culture where the lower due to their poor knowledge, disorganized and harassed psychology. Thus,

the Limbu women have more freedom/ liberal culture and practices even though the land property ownership right has handed by male, like other castes groups.

8.2 Conclusion

From the above descriptive analysis of land property ownership to women in the community level it can be said that in case of Yangnam village, women are much more lagging behind men over the land ownership right. Various views were expressed regarding land property ownership to women and its effect on society. Unmarried female and widow women are more favor of land ownership right than married women. Similarly younger women also viewed the issue of land property right positively, while the older generation that belong to the group 50 and above reacted negatively.

Though the constitution has provided an equal right to men and women, in general practice of our society women have always become the victims of discrimination. Our social system is very unfair particularly to women, which is known fact. To improve this situation it is more necessary to bring awareness among the people through the help of improvised education system rather than going beyond our culture and tradition to put up a complicated issue. If the law has already given equal rights to men and women it is only the job of executors to implement to satisfy both. Since most of the policy makers and advisers in planning commission come from educated background especially lecturers and professors, this study is also based on their ideas, so that it could be a reference to judge whether the equal property right issue is practical or not.

Not only the male and female issues but also the female-female dissimilarities in practice and attitudes are observed during the study process.

Some women said that the land ownership right to women is almost, at the same time some other expressed that it is minor and forward the education and training is major thing. The discussion primarily focuses in uniting the women based in the common problem, prospectus and possibilities. They themselves should be capable in achieving and using the opportunities, which are really in their support.

Of the total 49 house holds women have only 12 percent registered land in their own name? All the women having registered land were married and remarkable that the registration was accompanied only after their marriage. Male people have no remarkable contribution to household chores like cooking, washing, fetching water, raring children etc. Comparatively, male informants had taken land property ownership to women negatively and they opposed mainly the issue of kinship, ethnicity/caste, land fragmentation and culture. Measuring the land property owner ship of women, it can be concluded that most of the women are far from the access to make decision. So, women are not thought qualified for making any decision of household activities as well as social and educational affairs.

From the overall study, land property ownership condition of women is very poor. But that is not the major problem of women empowerment. Land ownership right along the vocational training, education, employment, loan, inputs and market supports etc, are equally essential to maintain the owned land as expressed by the respondents, while asking them to choose either land ownership right or education, majority opined both of them jointly as equal as men to emphasis on the appropriate legal provision, co-operative farming system, other supports etc.

8.3 Recommendation

On the basis of review and findings of the present study, the following recommendation could be made to uplift women's land property ownership and give them equal rights such as,

1. A detail study of the community, women's land property ownership has seen more positive among educated people. So, education and training are fruitful to promote the capability, awareness, efficiency etc. in particular and their status in general. Education and information should be taken to develop and implement legal literacy campaign at the grassroots level to improve the legal awareness of women. Also, the employment opportunities should be provide more easily which will ultimately assist in reducing the wide spread poverty. So, training, education and employment for women should be managed in co-operation and collaboration with all possible stakeholders.
2. Women's decision making power is the lowest even in deciding small social and economic affairs with in household such as while making decision about household expenditure, family education and participation in social programs. So, the policy should be taken as such which can increase women's role in the public affairs and they could also be able to play important role in the decision making process of household affair equal to men.
3. In the study site politics, various conflicting political groups resulted in the lack of conformity in ideas mainly due to vested interest of the elite groups and also lack the self-motivation as well as mobilization capabilities of the local authority. But, the participation of women in politics is the least. So, political leadership programs should be held based on gender at the

grassroots level. Because the participation of women in politics is also one of the means to increase the decision making power of women.

4. Women have owned livestock, poultry birds and they contribute all time to household chores. So the awareness program should be organized for both men and women

