

EQUAL PROPERTY RIGHTS

Help Or Hindrance? Will the bill proposing to grant daughters equal rights to parental property solve the problem of discrimination? -By Sanjaya Dhakal

It was the darling of women rights activists in the country. The bill proposing the 11th amendment to the Civil Code was termed as one that could go a long way in ending discrimination against women.

On July 17, the House of Representatives Law and Justice Committee gave the green signal to the bill. The bill was in the dock for the last four years because of differences over the practicability of granting equal rights to daughters. But on Tuesday last week, the committee approved the most contentious provision of the bill - that concerned with giving property rights to daughters even after marriage.

Prem Bahadur Singh, a member of the committee, said Tuesday's approval marks the end to the bitterest controversy in the bill.

Earlier Nepalese women could not stake claim to their parental property once they married. To get equal share of their parents' property they had to remain unmarried until 35 years of age. "This is a very positive step. We have been advocating for this bill for long," said Navin Singh, a program officer at Sancharika Samuha.

However, many question the practicability of the bill. Once it is passed by the House and takes the effect of law, it may cause disturbances in society, they say. According to them, the practice of giving the share of parental property to daughters after marriage may invite difficulties during the actual distribution.

Singh does not agree. "Maybe in the short term there could be some difficulties, but this would end discrimination against women in the long run," he said. He believes that economic independence leads to equal status for women. Singh, however, concedes that the activists are yet do enough research to predict how such of law would affect society in general. "This is not limited to dividing property like houses or land. It gives women a legal option to fight their case if they are neglected," Singh says.

In the last couple of years, there have been many attempts to pass bill that recognized daughters as equal heirs to parental property. The House committee had travelled to some parts of the country early this year to gauge public opinion on the bill's provisions.

The granting of parental property rights to daughters has been one of the most debated bills in the country, with strong lobbies on both sides.

While those favoring the bill have said it would end discrimination against women for good, others believe it could trigger more domestic violence. "Earlier there used to be fights among brothers only, now it will be among brothers and sisters alike," said Anup Bhattarai, a youth from Pulchowk.

Bhattarai points to the practical difficulty in transferring immovable property like houses and land as daughters are traditionally wed off to their husband's house. According to the bill's provisions, the daughter's share of property will be mixed with her husband's share and both will enjoy them equally.

The bill, if passed by parliament, is going to have far-reaching effects on Nepalese society -- and all of them may not be positive.

While the proponents of the bill have termed it a success, opponents are concerned about the consequences, reiterating that the focus ought to have been on granting equal opportunities to women rather than on property.

Women Skill Development

With the objective to support the underprivileged women through impartment of skill-oriented training, Bhotu-Indira Social Organization has been active for the last many years. The organization has different branches that concentrate on different aspect of upliftment of women. The chief objective of the organization is to support underprivileged women and improve their economic and social status, said Indira Sapkota, President of the organization. Among the economic activities that the organization gives training to needy women include making of incense sticks, embroidery and knitting of sweaters. Sapkota also heads Nepal Grihini Udyog where more than 200 women are involved in the knitting of woolen sweaters. These sweaters are exported to the USA. Due to the lack of regular market, I find it difficult to give a constant employment to these women. But I am trying hard, said Sapkota.