

Breaking Barriers: Sustainability of Legal Reforms in Women's Property Rights in Nepal

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Abstract

Women's property rights refer to the legal rights women have to own, inherit, and control property, ensuring equal access to assets and resources. These rights help promote gender equality and economic independence for women. The primary objective of this study is to examine the recent legal reforms in Nepal aimed at promoting women's property ownership and evaluate their sustainability. This study employed an explanatory research design to investigate how Nepali laws facilitate women's property ownership. Data was collected in two ways: by analyzing current laws and interviewing seven experts in politics and law, including those involved in creating and enforcing these laws. The study used purposive sampling to select these participants. Article 25 of Nepal's Constitution (2015) and the Civil Code (2017) guarantee women the right to acquire, own, use, sell, and transfer property. Daughters have equal rights to family and ancestral property, while widows can claim and separate their share. Married women can dissolve marital ties and claim property, and husbands must provide support. Various laws, like the Right to Equality and Free Education Act, the Domestic Violence Act, the Sexual Harassment Prevention Act, the Human Trafficking Control Act, and others, aim to safeguard women's rights. However, effective implementation needs women's access to education, legal awareness, and leadership roles. Changing negative attitudes toward daughters and maintaining family unity are also vital for sustaining these legal protections and ensuring real equality. In conclusion, Nepal's legal landscape has undergone significant evolution toward gender equality, particularly in property rights, through key reforms such as the Constitution of Nepal (2015) and the National Civil Code (2017). These legal advancements ensure equal inheritance rights for both daughters and sons, dismantling patriarchal norms that historically marginalized women. The Supreme Court's rulings and the influence of international frameworks like the Beijing Declaration further reinforce the importance of gender equality in property ownership.

Collectively, these developments foster a more inclusive, just, and economically empowered society for women in Nepal. In Nepal, women's property rights promote gender equality by ensuring women have equal access to inheritance and ownership, contributing to their economic empowerment. However, cultural and societal barriers still limit the full realization of these rights in many areas. This statement implies that women's property rights are essential for promoting gender equality and economic independence. In Nepal, legal reforms like the Constitution of 2015 and the Civil Code of 2017 grant women equal rights to own and inherit property. However, social attitudes and a lack of legal awareness still limit their full implementation. Education, leadership opportunities, and societal change are vital for ensuring sustainable property rights and real equality for Nepali women.

Keywords: legal reforms, women's property rights, sustainability, gender equality, inheritance laws

1. Introduction

In Nepal, women have historically faced significant obstacles in securing equal property rights due to deeply entrenched patriarchal traditions that favored male inheritance, often excluding daughters from property ownership. However, legislative reforms, such as the 2015 Constitution and the Civil Code of 2017, have marked important progress by granting women equal legal rights to inherit and own property alongside men. Despite these advancements, the persistence of traditional social norms and widespread lack of legal awareness limit the practical realization of these rights for many women. Strengthening educational initiatives and providing institutional support are essential for enabling women in Nepal to exercise their property rights fully, thereby fostering their empowerment and socioeconomic independence (FWLD). (2023).

Women's property rights in Nepal have long been shaped by patriarchal traditions that prioritize male inheritance. Under traditional Hindu law, property was typically passed down through the male lineage, with daughters and wives having limited rights to inherit ancestral property (Wagle, Oli, Sapkota, Aryal, and Prajapati, 2017). Women were often regarded as dependents, relying on male family members for economic security. Even after marriage, daughters had little claim to parental property, and widows often faced challenges in retaining ownership of their husbands' estates. Customary practices reinforced these gender disparities, restricting women's financial independence and limiting their ability to own or control land. These inequalities were deeply embedded in social norms and religious beliefs that upheld the primacy of men as property holders (Sharma, 2018).

In Nepalese society, property ownership for women is a critical issue that empowers them both economically and socially, laying the foundation for financial independence and active participation in decision-making. Historically, women's property rights have been severely restricted, largely due to patriarchal norms that limit their access to land, inheritance, and other assets. Ensuring women's property rights is essential for fostering gender equality, enabling their full contribution to the economy, and providing the security necessary to pursue education, career ambitions, and personal growth (World Bank, 2024). Furthermore, property ownership can play a transformative role in reducing domestic violence, improving

women's social status, and promoting broader social and economic development in Nepal (Dulal, 2020).

Despite legal reforms, customary practices still influence women's access to property. The Muluki Ain (National Code) of 1963 introduced certain improvements, yet significant gaps remained, and traditional norms continued to hinder women's rights. The Eleventh Amendment to the Muluki Ain in 2002 granted daughters equal inheritance rights; however, societal resistance and bureaucratic obstacles often prevented women from claiming their legal share. In many rural areas, families pressure women to relinquish their property rights in favor of male relatives, thereby perpetuating economic dependence (Acharya & Bennett, 1981). Although the 2015 Constitution of Nepal enshrines equal property rights for women, effective implementation remains challenging due to deep-rooted cultural biases and a widespread lack of legal awareness among women.

The liberation of Kamaiya, Haliya, Haruwa-Charuwa, and Jotaha farmers marked a significant socio-economic shift, with the government granting small plots of land to these historically marginalized groups. However, despite this progress, gender disparities in property ownership persist. Women, who play a vital role in both household and agricultural labor, remain largely excluded from land ownership. The lack of property rights limits women's economic empowerment, constraining their ability to make financial decisions, mortgage assets, or use land for personal or family benefit. According to the 2021 census, women constitute 51.04% of Nepal's total population, yet only 2.3% own a home, and 74.6% lack any form of real estate ownership. Regional disparities exacerbate the issue, with provinces such as Far West and Karnali exhibiting particularly low rates of female property ownership. Despite government initiatives, such as tax exemptions to encourage property registration in women's names, entrenched societal attitudes and familial mistrust continue to restrict women's access to economic assets (Yadav & Ghimire, 2021).

The persistent gender gap in property ownership reflects broader economic inequality and social injustice patterns. While legal provisions, including constitutional guarantees and Supreme Court precedents, affirm women's right to inherit ancestral property, their practical enforcement remains inadequate. Efforts by the Ministry of Land Management and Cooperatives to implement equitable inheritance practices have made limited progress, underscoring the depth of societal resistance to women's financial independence (Baral, Tiwari & Shrestha, 2024). Ensuring women's right to own and control property is vital for achieving gender equality and dismantling discriminatory practices, including the dowry system. True economic empowerment requires not only legal reforms but also widespread legal literacy and community engagement. Recognizing women's property rights as a fundamental human right is essential for fostering sustainable development at the familial, societal, and national levels. Without property ownership, women remain financially vulnerable, reinforcing cycles of dependency and limiting their influence in decision-making processes (Acharya, 2008).

Despite the existence of progressive legal frameworks, significant challenges persist in the practical enforcement of women's property rights in Nepal. Deeply ingrained societal norms and cultural traditions frequently prevent women from fully exercising their legally guaranteed rights. These barriers include patriarchal inheritance customs, social stigma, and limited awareness of legal protections (Luitel, 2008). Nevertheless, the legal recognition of

equal property rights has contributed to the empowerment of many women, enhancing both their economic security and social status. Bridging the gap between legal mandates and societal practices requires sustained efforts, including legal literacy campaigns, institutional reforms, and community-based initiatives to ensure the comprehensive realization of women's property rights across all socio-economic and cultural contexts (Bhandari, 2018).

Nevertheless, women in rural Nepal continue to face formidable challenges, particularly concerning property ownership, which is crucial for economic empowerment and social status. Land ownership is intrinsically linked to wealth, political influence, and socioeconomic development. Although women contribute significantly to agricultural labor, they own only 18 percent of land in rural areas, leaving them economically vulnerable and reinforcing gender inequalities (Rijal, 2018). Given the central role of land in securing livelihoods, the unequal distribution of property further marginalizes women in rural communities. Addressing these disparities is essential for achieving genuine gender equality and empowering women nationwide. Although progressive legal provisions have been established, effective enforcement remains inconsistent due to enduring cultural barriers. Continued efforts, including awareness campaigns and institutional reforms, are vital to ensuring the full realization of women's property rights in Nepal (Acharya, 2020).

Adhikari and Bhattarai (2021) examine the influence of legal reforms on women's property rights in Nepal, revealing a persistent disparity between progressive legislative frameworks and their practical implementation due to entrenched socio-cultural norms. Their findings highlight that despite the enactment of gender-sensitive laws, traditional patriarchal attitudes and practices continue to obstruct substantive equality, suggesting that legal interventions alone are insufficient to transform deeply ingrained societal structures. The study emphasizes the necessity of complementary efforts, such as awareness campaigns and institutional reforms, to bridge the gap between policy and practice, thereby fostering an environment where women's property rights are fully actualized.

The importance of property rights in ensuring women's equality and well-being is undeniable, particularly in rural economies where land, housing, and property access are crucial to survival, economic security, and safety. Despite their significance, many women, especially those heading households, still face challenges in securing these rights due to societal and legal structures that favor men. Property is often registered in a male relative's name, and in cases of separation, divorce, or widowhood, women frequently lose access to their homes or land, leaving them vulnerable. Discriminatory laws and a lack of control over property further marginalize women, preventing them from participating in community decision-making and perpetuating their dependence on men for access to resources, leading to increased insecurity and potential violence (Sood & Tiwana, 2024).

Upreti and Chhetri (2020) provide a critical analysis of the enduring challenges in implementing legal reforms aimed at enhancing women's land rights in Nepal, revealing a significant disjunction between progressive legislative frameworks and their practical enforcement, particularly in rural contexts. The study identifies entrenched patriarchal norms and institutional weaknesses as key barriers that perpetuate gender disparities in land ownership, despite formal legal protections. Through an examination of socio-cultural constraints and bureaucratic inefficiencies, the authors demonstrate that statutory reforms alone are inadequate to achieve gender-equitable land distribution, necessitating

supplementary interventions such as community awareness programs and institutional capacity-building. Furthermore, the research highlights the intersectional nature of marginalization, illustrating how caste, class, and marital status exacerbate land access inequalities for disadvantaged women. By advocating for structural reforms and participatory governance, we contribute to scholarly and policy discussions on gender justice, offering pragmatic recommendations to align legal entitlements with lived realities in agrarian, post-conflict settings. Their work underscores the imperative of holistic approaches that integrate grassroots engagement and accountability mechanisms to advance inclusive land governance (International Organization for Migration, 2016).

Shrestha and Adhikari (2022) critically analyze the implementation challenges of women's property rights legislation under Nepal's 2015 Constitution, revealing persistent gaps between constitutional guarantees and their practical enforcement. The study identifies structural barriers, including deeply entrenched patriarchal norms, bureaucratic inefficiencies, and a lack of institutional accountability, which collectively undermine the realization of gender-just property rights. Through a detailed case study approach, the authors demonstrate how legal provisions intended to promote women's land and property ownership often remain symbolic due to weak enforcement mechanisms and resistance from traditional power structures. Their findings suggest that while the 2015 Constitution represents a progressive legal framework, its effectiveness is constrained by socio-cultural resistance and inadequate grassroots awareness, necessitating stronger institutional mechanisms and targeted policy interventions to translate formal rights into substantive equality. By highlighting the intersection of legal, cultural, and institutional factors, the study contributes valuable insights to the discourse on gender-responsive governance in post-conflict societies. The authors advocate for a holistic approach that integrates legal empowerment with socio-economic interventions, offering policy recommendations to enhance the effectiveness of constitutional provisions in securing women's property rights in Nepal and similar contexts (UNDP, 2018).

The study *"The Critical Study of Legal Regime Governing Property Rights of Women – A Human Rights Perspective"* by Indumathi and Benjamin (2022) provides a thorough examination of international and national legal frameworks protecting women's property rights, framing the issue within human rights and gender equality principles. The authors critique the gap between progressive legal provisions, such as those in international conventions and constitutions, and their practical enforcement, which is often hindered by patriarchal norms and systemic biases. They argue that achieving substantive equality requires legal reforms aligned with human rights standards, alongside judicial accountability, gender-sensitive policies, and grassroots awareness campaigns to combat discriminatory inheritance practices and socio-cultural barriers. The study enriches academic discourse on gender justice by emphasizing the law's role in addressing structural inequalities and ensuring women's economic empowerment (World Bank, 2024).

1.1 Research Gap

Although progressive legal reforms, including the Constitution of Nepal (2015) and the Civil Code (2017), have formally granted women equal property rights, deeply entrenched patriarchal norms, social stigma, and limited legal literacy continue to hinder the practical realization of these rights. While existing research has documented the cultural and

structural barriers that obstruct women's property ownership, there remains a notable lack of focus on assessing the long-term sustainability of these reforms, particularly within rural and marginalized communities. Supporting this concern, the 2021 census reveals that although women constitute more than half of Nepal's population, only 2.35% of women hold ownership rights over residential property. Additionally, while 23% of women report owning assets such as dowry wealth or income from employment, excluding land and houses, a striking 74.65% of Nepali women remain without ownership of any form of property, the majority of whom reside in rural areas. Moreover, there is limited understanding of the extent to which institutional support and public awareness initiatives contribute to enhancing women's actual property ownership. This gap highlights the urgent need for empirical research examining how the interplay between law, education, and social change influences the realization of women's property rights in Nepal.

1.2 Research Objectives

The main objectives are: -

- To examine recent legal reforms aimed at promoting women's ownership of property in Nepal.
- To explore the practical aspects of the sustainability of legal reforms introduced by the state.

1.3 Research Significance

The sustainability of legal reforms in women's property rights in Nepal is a pivotal issue that intersects gender, law, and socio-economic development. Key legislative measures, such as the Constitution of Nepal (2015) and the Civil Code (2017), mark significant progress in recognizing women's equal rights to property and inheritance. These reforms formally guarantee ancestral property rights and provide mechanisms for access to land and ownership. However, the real impact of these laws is constrained by entrenched patriarchal norms and socio-cultural barriers. Despite the legal provisions, women often face resistance in exercising their rights due to societal pressures, fear of familial discord, and economic dependency. This gap between legal frameworks and actual practice highlights the persistent influence of traditional gender roles.

Thus, legal reforms alone are insufficient to secure sustainable change. Effective implementation requires a comprehensive strategy combining legal literacy, access to legal aid, community engagement, and administrative reform. Empowering women through economic means and reshaping societal attitudes are crucial to translating legal rights into lived realities.

1.4 Limitations of the Study

This research study was carried out under the following delimitations:

1. Although women face problems in various areas, this study focuses solely on their rights to property.
2. This study is conducted within a specific scope, based on predetermined objectives and research methods.

3. Perspectives on this issue may vary across different regions and periods. However, this study specifically examines the sustainability of women's property rights among women from various areas of Makwanpur.

1.5 Literature Review

This section of the study reviews the principles established for women's legal rights to property and the existing laws of Nepal.

1.5.1 Theoretical Review

Feminist Legal Theory critically analyzes how legal systems have historically reinforced gender-based inequalities, particularly in property rights and inheritance. Rooted in feminist thought, FLT contends that traditional legal frameworks were shaped within patriarchal structures that systematically excluded women from property ownership and economic independence. For instance, under English common law, the doctrine of coverture prevented married women from independently holding property, as ownership was transferred to their husbands (Staves, 1990). Similarly, in many customary legal traditions, women were barred from inheriting land, reinforcing financial dependence on male relatives. These legal constraints have had profound socioeconomic consequences, limiting women's autonomy and access to wealth, thereby perpetuating cycles of gendered economic disparity (Agarwal, 1994).

In response to these systemic injustices, feminist legal scholars advocate for transformative legal reforms aimed at dismantling gender-based discrimination in property laws. Key advancements, such as the abolition of coverture laws, the legal recognition of women's equal inheritance rights, and the equitable distribution of marital property, have been instrumental in promoting gender justice (Chamallas, 2003). Notable legal milestones, including the 2005 amendment to the Hindu Succession Act in India, have granted daughters the same inheritance rights as sons, marking significant progress in legal gender equality (Deo, 2007). However, despite these legal advancements, cultural and societal barriers continue to undermine women's property rights in various regions. Feminist Legal Theory emphasizes the necessity of robust legal enforcement mechanisms and societal shifts to ensure that legal equality translates into tangible improvements in women's economic empowerment and autonomy (Fineman, 2004).

1.5.2 Strategic Policies Analysis

Over the past two decades, Nepal has made notable progress in advancing women's rights, gender equality, and empowerment. Government-led legal reforms have sought to eliminate gender-based discrimination, with significant milestones achieved following the United Nations' declaration of 1975 as International Women's Year. This prompted the inclusion of women's inheritance and property rights in Nepal's Civil Code, allowing unmarried women over the age of 35 to inherit property. The restoration of democracy in 1990 further strengthened gender equality, with a new constitution prohibiting discrimination based on sex. Nepal's commitment to international human rights is also reflected in its ratification of key agreements such as the UN Convention on the Elimination of All Forms of Discrimination Against Women (United Nations, 1979).

1.5.3 The Constitution of Nepal (2015)

The Constitution of Nepal (2015) establishes a robust framework for equality and non-discrimination, underscoring the nation's commitment to social justice and human rights. Article 18 explicitly guarantees that all citizens are equal before the law and prohibits discrimination on any grounds, including gender, thereby ensuring equal legal protection and fostering an inclusive society. A significant provision within this article, Clause 5, grants equal rights to ancestral property regardless of gender, marking a transformative step toward gender equality. Historically, Nepali women faced systemic discrimination in inheritance and property rights; by codifying equal inheritance rights, the Constitution challenges patriarchal norms and promotes women's economic empowerment and social independence. Further reinforcing gender equality, Article 38 safeguards women's rights in family matters, including marriage, divorce, and property ownership, ensuring the removal of legal and societal barriers that have historically marginalized women. These constitutional provisions align with international human rights instruments such as the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination Against Women. By embedding these principles into national law, Nepal affirms its dedication to dismantling historical injustices and fostering a more egalitarian society (Government of Nepal, 2015).

1.5.4 National Civil Code (2017)

The National Civil Code of Nepal (2017) has made significant strides have been made toward ensuring gender equality in property and inheritance matters. Sections 205 and 206 are particularly pivotal, as they affirm that daughters possess the same legal entitlement to ancestral property as sons. This marks a departure from traditional patriarchal norms and reinforces constitutional guarantees of equality. Section 208 extends these rights further by providing that, in the event of a father's absence, the mother is vested with the authority to manage and possess property, reflecting a shift toward recognizing the legal agency of women within the household. Section 214 strengthens the rights of widows, allowing them to claim their share of the property and reside independently, thereby supporting the economic autonomy and dignity of women following the death of their spouses. Moreover, Section 239 explicitly names daughters as equal heirs alongside sons, reinforcing the legislative commitment to nondiscrimination in inheritance rights. Lastly, Section 99 provides a legal framework for the dissolution of marriage, stipulating that both husband and wife may terminate their marital union and receive their respective portions of shared property. Collectively, these provisions embody a progressive legal paradigm that promotes gender equity, enhances women's property rights, and upholds their autonomy in familial and marital contexts (Government of Nepal, 2017).

1.5.5 Old Legal Code 1854

The Muluki *Ain* of 1854, Nepal's first comprehensive legal code, institutionalized patriarchal control over women's property rights by restricting their autonomy in ownership, inheritance, and management of assets. While it recognized categories such as *Stridhan* (personal property acquired through gifts or inheritance) and *Ansa* (ancestral share), women's control over these assets was heavily constrained by male guardianship, with fathers, husbands, and sons exercising authority over financial decisions. Widows, though permitted

to retain their deceased husbands' property, were expected to forfeit it upon remarriage, further reinforcing male dominance in inheritance matters. These restrictive provisions reflected a broader societal framework that viewed women as economic dependents, limiting their financial independence and reinforcing gender-based hierarchies. Although subsequent amendments, particularly the 1963 revision of the *Muluki Ain*, sought to address these inequalities, the transition toward full legal equality remained a gradual process, shaped by deeply ingrained social and cultural norms (Hofer, 1979).

1.5.6 Supreme Court Decisions

The Supreme Court of Nepal's decision on December 19, 2019, established a significant legal precedent by affirming that married daughters have the right to inherit their mother's property, reinforcing the principle of gender equality in inheritance laws. By ruling that marital status should not preclude a daughter from being recognized as the closest relative of a deceased mother, the court addressed long-standing discriminatory practices that historically favored male heirs. This ruling aligns with Nepal's constitutional commitment to eliminating gender-based discrimination and ensuring equal property rights for women, regardless of their marital status. Such legal reforms reflect a broader movement toward equitable inheritance laws, further solidifying Nepal's dedication to gender justice (Acharya, 2020).

1.5.7 Nation's Role in International Agreements

The advancement of gender equality and the empowerment of women have been significantly shaped by key international instruments, including the Universal Declaration of Human Rights (1948), which affirms the equal rights of all individuals regardless of gender. The Convention on the Elimination of All Forms of Discrimination Against Women further strengthens this framework by obligating states to eliminate discrimination and promote women's full participation in all spheres of life. Similarly, the Convention on the Political Rights of Women (1952) underscores women's equal rights to vote, hold public office, and access public services. These foundational documents culminated in the Beijing Platform for Action (1995), which set forth a comprehensive agenda for women's empowerment, emphasizing strategic objectives and actions across multiple critical areas. Collectively, these instruments provide a robust legal and policy basis for achieving gender equality and safeguarding women's rights globally (UN Women, 2020).

2. Materials and Method Used

This study employs an explanatory research design to systematically examine the legal measures adopted by the Government of Nepal aimed at promoting and protecting women's access to property ownership. In line with the research objectives, a comprehensive analysis has been conducted on key legal instruments, including the Constitution of Nepal, the Civil Code, and various international conventions to which Nepal is a signatory. Furthermore, the study explores the practical aspects of implementing these legal provisions, focusing on their effectiveness and long-term sustainability. To gather empirical data, in-depth interviews were conducted with seven key informants who hold influential positions in

Makwanpur District. This study is based in Hetauda of Makwanpur district, Bagmati Province, Nepal.

2.1 Sampling Method

The study employed purposive sampling to deliberately select participants based on specific criteria. This non-random method ensured the inclusion of individuals relevant to the research objectives.

2.2 Data Collection Methods

The research utilized both historical and legal document analysis, complemented by qualitative interviews with seven key informants, four women and three men. The female informants included a judge, an advocate, a politician, and the Chairperson of the Federation of NGOs in Makwanpur. The male informants comprised two senior advocates, one of whom is a former attorney general of Bagmati Province, and the other is the president of the Makwanpur District Bar Association.

These participants, encompassing government officials, politicians, and legal practitioners, possess in-depth knowledge and first-hand experience related to women's property rights. In addition to the primary data, secondary sources such as academic books, peer-reviewed journal articles, and scholarly publications on women's property rights were thoroughly reviewed to offer a comprehensive understanding of the topic.

2.3 Data Analysis and Discussion Methods

This section presents three categories of findings:

1. **Legal Document Analysis:** A detailed examination of the Constitution and related legislative provisions that support the Civil Code in ensuring women's property rights.
2. **Institutional Mechanisms:** An assessment of the governmental structures and mechanisms established for the enforcement and implementation of these legal provisions.
3. **Stakeholder Perspectives:** Insights from respondents regarding additional legal, institutional, or social measures necessary to enhance the sustainability and effectiveness of women's property rights in Nepal.

3. Result and Discussion

This section of the study includes three types of data. The first part analyzes the existing constitution and the laws formulated to support the Civil Code. The second part examines the government mechanisms established for implementation. The third part incorporates the perspectives of respondents on what additional measures can be taken to ensure the sustainability of women's legal rights to property.

3.1 Statutory Provisions on Women's Property Rights

To ensure the sustainable enforcement of women's rights and the promotion of gender equality, the Government of Nepal has introduced and implemented a comprehensive framework of legal provisions and legislative acts. These laws aim to address the

multifaceted dimensions of discrimination, violence, and marginalization faced by women in both public and private spheres. Key legislative interventions include the Compulsory and Free Education Act (2018), which facilitates equitable access to education for girls, and the Sexual Harassment at Workplace Act (2014), which provides a legal basis to address and prevent gender-based harassment in professional settings. Furthermore, the Right to Food and Food Sovereignty Act (2018) underscores the state's obligation to ensure food security for all, including marginalized women, while the Domestic Violence (Offense and Punishment) Act (2009) serves to protect women from abuse within households (Bhattarai, 2021).

Additionally, several other legal instruments have been enacted to promote women's participation in governance and safeguard their dignity and rights. The Civil Service Act (1992) and its accompanying Regulations (1993) aim to ensure fair representation and treatment of women in public service. Laws such as the Witchcraft Allegation (Offense and Punishment) Act (2015) and the Human Trafficking and Transportation (Control) Act (2007) address deeply rooted gender-based violence and exploitation. The establishment of the National Women's Commission Act (2017) institutionalizes mechanisms for monitoring and promoting gender justice. Moreover, the Election Act (2016), Provincial Assembly Members Election Act (2017), and House of Representatives Election Act (2017) collectively enhance women's political representation, while the Labor Act (2017) reinforces the rights of women in the workforce. Collectively, these legislative efforts reflect a progressive legal commitment to advancing gender equality and protecting the rights of women in Nepal (Sharma, 2018).

3.2 Development of Institutional Mechanisms

Nepal has made significant strides in establishing institutional mechanisms aimed at promoting gender equality and safeguarding women's rights. These mechanisms operate at the federal, provincial, and local levels to ensure the inclusion and protection of women across all sectors of society. At the national level, the National Women's Commission acts as a constitutional body advocating for women's rights, while the Ministry of Women, Children, and Senior Citizens formulates and implements policies related to women's welfare. The Department of Women's Development works to uplift women through various development initiatives (ICJ, 2017).

In the federal structure, Social Development Ministries in all seven provinces play a critical role in advancing gender-responsive programs. Similarly, Women Development Units or Branches have been established in all 753 local governments to implement community-level women-focused programs. Each government ministry and agency designate Gender Focal Points to integrate gender concerns into their plans and policies. The Gender Responsive Budget Committee within the Ministry of Finance ensures national budgeting processes are equitable and address the needs of women. Law enforcement agencies also play a crucial part. The Women and Children Services Directorate in the Nepal Police and specialized Women and Children Service Centers at police offices provide essential protection services. Moreover, the Anti-Human Trafficking and Investigation Bureau has been established to combat trafficking. Ten rehabilitation centers and thirty-six service centers assist victims of trafficking and domestic violence, respectively (USAID, 2017)

Judicial mechanisms have also evolved. The Deputy Mayor or Vice-Chairperson leads the Judicial Committee at the local level, which is empowered to resolve thirteen types of disputes. Legal support mechanisms include free legal aid committees, paid lawyers in courts, and legal aid desks within Bar Associations. Women can also access justice through the various levels of courts and security institutions such as the Nepal Police and the Armed Police Force. At the grassroots level, mothers' groups and women's awareness forums empower local women, supported by non-governmental organizations (NGOs) and civil society groups working tirelessly to advocate for women's rights and gender equality. Collectively, these institutional mechanisms form a comprehensive framework to address women's issues and promote inclusive development in Nepal (FWLD, 2023).

3.3 Behavioral Aspects of Sustainability

To ensure the sustainability of laws, acts, and mechanisms related to women's property rights in Nepal, several key areas require focused attention. Foremost, the effective implementation of constitutional provisions, statutory laws, national policies, and international commitments concerning women's rights is crucial for advancing gender equality and fostering social cohesion. Institutional mechanisms dedicated to women's issues must be strengthened to overcome systemic barriers and to enhance accountability. Women in leadership positions should take an active role in advocating for the enforcement of legal frameworks relevant to gender equity. Additionally, fostering a gender-responsive governance system is vital to integrating equity across all levels of decision-making and public service delivery (Field survey, 2025).

Equally important is the promotion of education, awareness, and capacity-building initiatives tailored to women's needs. These efforts can empower women to participate meaningfully in economic, social, and political domains. Society must also work to dismantle entrenched discriminatory norms against daughters by acknowledging their equal worth and contributions. Encouraging and incentivizing equitable family practices, such as treating daughters on par with sons, can serve as catalysts for cultural change. At the same time, safeguards must be established to prevent the exploitation of legal provisions for personal gain, such as entering into marriage solely for property acquisition, followed by separation. Such practices not only compromise the spirit of the law but may also erode familial integrity and contribute to social fragmentation (field study, 2025).

4. Conclusion

In conclusion, Nepal has demonstrated commendable progress in the formulation and implementation of legal and institutional frameworks aimed at promoting gender equality and safeguarding women's rights. Through a comprehensive array of legislative measures, including those focused on education, workplace safety, political participation, and protection from violence, the government has laid the legal groundwork necessary for transformative social change. These laws not only address systemic discrimination and abuse but also serve as a foundation for the long-term empowerment of women in both public and private spheres. Furthermore, the establishment of institutional mechanisms at national, provincial, and local levels reinforces the effectiveness of these legal provisions. From the National Women's Commission and the Ministry of Women, Children, and Senior Citizens to gender focal

points and judicial committees in local governments, Nepal's multilevel approach reflects a sincere commitment to mainstreaming gender concerns across governance structures. Specialized police units, service centers, and legal aid mechanisms further ensure that women have access to justice, protection, and rehabilitation, especially those vulnerable to trafficking and domestic violence.

However, the sustainability of these advancements hinges upon transforming societal behaviors and ensuring the full execution of these laws and mechanisms. This requires continued investment in education, public awareness, and leadership development among women. Equally important is the dismantling of patriarchal norms and the promotion of cultural practices that affirm the equal value of daughters. Strengthening institutional accountability and guarding against the misuse of legal provisions will be vital to preserving the integrity and effectiveness of Nepal's gender justice framework. Through these integrated efforts, Nepal can pave the way toward a more inclusive, equitable, and just society. To sustain the laws, acts, and mechanisms related to women's property rights in Nepal, the state, non-governmental organizations, civil society, and the general public can work within their respective sectors to eliminate long-standing barriers.

5. Recommendation

In this study, three recommendations have been presented based on the analysis of various legal documents and the statements of the respondents.

1. Evaluate the real-life impact of Nepal's legal and institutional reforms on women's lives, especially in education, political participation, and protection from gender-based violence, using in-depth field research and case studies.
2. Examine how deep-rooted cultural, religious, and patriarchal norms influence public attitudes, often undermining or slowing the implementation and effectiveness of gender equality laws at the community level.
3. Assess the practical functioning of key institutional bodies, like the National Women's Commission and local judicial committees, by analyzing their resource use, coordination, and accountability mechanisms in promoting gender justice.

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