

# Perception of Senior Citizens Towards JeeuniBhag: A Study of Senior Citizens in Makawanpur District

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## ABSTRACT

*Jeeunibhag* is a share in the ancestral property conferred on the person for his/her maintenance, in lieu of the ancestral share. There is the existing practice of providing *Jeeunibhag* to senior citizens during property partition in Nepali society. This research tends to explore the understanding of the concept of *JeeuniBhag* among senior citizens, the existing practice system, and changes in the life of senior citizens due to *Jeeunibhag*. This research paper is prepared by following a descriptive research design among twenty participants in Makawanpur district of Nepal. This research used both primary and secondary sources of information and interviews were conducted of senior citizens and key informants using the qualitative method of data collection. While many factors determine aging care, *Jeeunibhag* is also found to be one of the dominant factors for senior citizens. Provision of *Jeeunibhag* were found to be empowering senior citizen providing social and financial security to them which could be used as a better negotiating instrument against family members to receive senior citizen care services. However, *Jeeunibhag* also brings several adverse effects in the lives of senior citizens as friction in family relationships, loneliness, and a decrease in freedom of decision-making. From this research, it is hoped that senior citizens, policy makers in local government, and future researchers will get a clear picture of *JeeuniBhag* in the context of Makawanpur district and preserves the best practice of *Jeeunibhag* to ensure better ageing care services for family and government level.

**Keywords:** Property, partition, practice, senior citizen care, change in lifestyle

## Introduction

*Jeeunibhag* is a share in the ancestral property conferred on the person for his/her maintenance, in lieu of the ancestral share. In theory, it is identical in size to an official share of family Property, but it can be greater or less than that share by more than 5 percent; the recipient or other claimants to the disputed amount can challenge it in court. It is a limited right that guarantees economic support, but does not allow the freedom to dispose of the property and is usually conferred on widows, old men, or senior citizen parents. In popular parlance, the term *JeeuniBhag* is also used to mean the portion of coparcener property a person takes to sustain herself or himself for the rest of his/her life. For instance, a father can, allot a *JeeuniBhag* share for himself when he divides his property among his children. The share subsequently passes to whichever relative (or spouse) has cared for him in old age. Today, a daughter

too can inherit the parents' entire *Jeeunibhag* portion, and a sister can likewise inherit the brother's entire *JeeuniBhag* [1].

Senior citizen people are the most valuable assets of our society. Their knowledge and experience have contributed to the construction of family values, norms, and tradition. Several characteristics of old age such as poor functioning of mental and physical organs make old age a very fragile age which makes them seek more specialized care, and attention. Senior citizen care is the basic right of old age people, in the old age population is the dependent population, people are dependent on caregivers and family for their senior citizen and end-of-life care.

### Statement of the Problem

Nepal is a developing country with an aging population because of the declining fertility rate and increment in life expectancy. The senior citizen population is increasing at an alarming rate in the context of Nepal bringing several opportunities and challenges which shows that special policies, guidelines, and blueprint needs to be developed to provide special senior citizen care, respect and safeguard the worth and dignity of the senior citizen people.

The concept of family and society is changing with modernization, globalization, and industrialization. Senior citizen people are simply considered dead weight in the modern profit-making capital system and senior citizen care has been a burden to the family members due to the competitive economy. The senior citizen people are a vulnerable group of the population regarding their physical health, mental health, and economy.

Several researches has been conducted to date on ageing and senior citizen care, it has covered a wide range of areas such as ageing evolution, issues, problems, psychology, perspectives, challenges, and opportunities of aging throughout the globe. However, very few researchers have been able to institutionalize the relationship between parental property and senior citizen care in the context of Nepal. The concept of *JeeuniBhag* has been introduced in Nepalese society since the very first Civil Code (Muluki Ain) of 2020 BS and has been seen in common practices, used to mean the portion of coparcenary property a person takes to sustain herself or himself for rest of his/her life. There hasn't been conducted any research in this field regarding the significance of *JeeuniBhag* on senior citizen care in Nepalese society.

### Research Objectives:

1. To collect the perception of senior citizens towards *JeeuniBhag*.
2. To discover the changes in the life of senior citizens through *JeeuniBhag*

### Methodology

#### Area of Study

The researcher has selected Makwanpur District of Nepal. It is located in Bagmati province of Nepal and comprises people of every ethnic community and the demography of ageing population is increasing rapidly in Makwanpur district. Also, the easy accessibility and availability of the participants in terms of the location will be more suitable for the researcher.

## Research Design

The study is based on a qualitative study. Both the primary and secondary source of data has been used in the study. The major instruments used for primary data collection are in-depth interviews, case studies, and Key Informant interviews (KII). Primary data has been collected through interviews, observations, and home visits to explore the perception of senior citizens towards *JeeuniBhag* and changes in the lifestyle of senior citizens after *JeeuniBhag*. While secondary data are collected from books, journal articles, and several websites, multiple case studies are carried out on the basis of convenient sampling.

The universe population of this research has been Nepali citizens aged 60 years and above residing with the family of Makwanpur District. The sample size consisted of 20 participants aged 60 years and above, both married and unmarried and having been involved in the ancestral property partition procedure directly or indirectly. The participants have been selected from diverse ethnic community, gender, and socioeconomic backgrounds.

The data collected through primary and secondary sources has been analyzed by the researcher after the transcription of audio data obtained from the interview. The collected information has been transcribed, coded, and tabulated and a theme has been generated from the tabulation. The themes were analyzed based on the responses of the participants and the literature reviews.

## Literature review

The concept of *Jeeunibhag* as a property for care during old age and widowhood in Nepali context and mentioned when a joint home divides into separate households, the male head frequently still controls the title while dividing up specific land parcels among the shareholders (parents and sons). The title to the property is frequently transmitted only following the passing of the father, and occasionally following the passing of the mother. Sometimes the parents give the boys the title to the remaining property while keeping some land for themselves to live on as *Jeeunibhag* [1].

An elderly lady is in a vulnerable position because the title of the joint property, even *Jeeunibhag*, is rarely transferred to the wife/mother and she rarely has other land of her own. Then, as they age, a safety net is provided for them by land, savings, and other assets or use as an incentive for one of their sons to look after them [3].

Similarly, particularly during partition, "the classification of a particular item as one thing or another: dowry, *pewa*<sup>1</sup>, *jeeuni* (angsa), is a social act, subject to negotiation." From which was found that *jeeunibhag* can be used as a strong tool for senior citizen to negotiate for just and fair treatment by their heirs after the partition of the property. [2]

Furthermore, to the contrary, although property can be used by senior citizen as social insurance during old age, including as the resources to negotiate with their children (especially son) it should not be understood that children care for their senior citizen parents only in the exchange of assets. Family relations, or household relations, are more than just property relations, Son may also care for their senior citizen parents out of sense of filial duty or love, whether they receive or do not receive the extra asset for doing so. Ultimately, what is important for senior citizen women (and men) is not only the cold logic of the political economy of bargaining and exchange of care for assets but simultaneously,

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1 *Pewa* -In Nepal, "*Pewa*" is a legal provision that allows women to inherit ancestral property. Under this provision, daughters, wives, and mothers have a right to inherit the property of their fathers, husbands, and sons, respectively.

also the moral economy of the family which calls into play the norms of kinship amity, love, affection, duty [3].

## Findings:

### Perception of senior citizen towards JeeuniBhag

One of the major findings of the research was that most of the senior citizen participants had a sound understanding of the concept of the *JeeuniBhag* in the context of Nepal. It was found that all the participants are aware of the practice system of *JeeuniBhag* and are very concerned about the importance of their share in parental property to ensure better senior citizen care support from their family members during property partition. However, it has been the matter of concern for the senior citizen in case of no availability of physical property that could be divided into their children separating share for senior citizen care. Along with this, it was found that senior citizen takes *JeeuniBhag* as a negotiating instrument that can be used to negotiate with their children to ensure better care facilities when they aren't able to do on their own.

Furthermore, senior citizens perceive *JeeuniBhag* as a means to provide the feeling of financial independence and social security for the senior citizens that empowers senior citizens to have a successful ageing. However, *JeeuniBhag* is not seen in practice in the dalit community from ancient time due to lack of ownership in the property that can be partitioned among their children.

*JeeuniBhag* practice system has been also found to be effective in developing countries like Nepal where government policies and support programs targeted for the senior citizens are not effective in adequate level, where senior citizen can use the *JeeuniBhag* provides additional values to social security provided by the government. So, *JeeuniBhag* system emphasizes the social and personal requirements of a senior citizen who wants to age with dignity while needing assistance in daily activities and with health care. So, property partition has a great impact on the life of senior citizens that provides financial security and senior citizen care.

Thus, the perception of senior citizens on share in ancestral property is a controversial issue. While some believe that senior citizens should get a share in the property, others contend that they should not be entitled to anything. There are a number of factors to consider when determining whether or not senior citizens should get a share in ancestral property. One of the main considerations is whether or not the senior citizens are financially dependent on the property. If the senior citizens are not financially dependent on the property, then it is less likely that they will be entitled to a share. Another factor to consider is the relationship between the senior citizens and the other members of the family. If the senior citizens are estranged from the other members of the family, then it is less likely that they will be entitled to a share in the property. Ultimately, the perception of senior citizens on this issue will likely depend on their individual circumstances and experiences

### Legal provisions and strategies of JeeuniBhag are not adequate (Feasible) for senior citizens in the context of Makawanpur district.

Moving forward with the concept of *JeeuniBhag*, it was found that, the perception of a senior citizen towards keeping their share in property during property partition is essential for the government to plan it according to their social welfare schemes. Though, there are several legal provisions made by the government of Nepal for senior citizens regarding property partition to ensure the security of senior citizens during their aging and to reduce ageism the strategies and provisions are difficult and infeasible

for the senior citizen people in Nepal in cases of dispute in property between heirs and the senior citizen. Senior citizens were found to be reluctant to seek legal aid in case of dispute and ill-treatment by their children because the legal process is time-consuming and hectic for senior citizens. Senior citizens tend to choose a pragmatic approach if they happen to oblige under legal provisions to settle a dispute between family members. They were found to resolve disputes within the family by discussing and negotiating with family members.

Though, providing equal share to the senior citizens is made mandatory in policies in the context of Nepal, practically it has been not seen executed properly in the context of Makawanpur district as the difference in class is prominently seen in Nepal, only rich people having access to the property can come under the legal practice. The marginalized person with a poor economic background having no access to property doesn't get involved in the property partition procedure and has no provision of *JeeuniBhag*.

### **JeeuniBhag is essential to ensure ageing-related care services from children**

Another major finding of this research is the importance of the provision of *JeeuniBhag* to ensure senior citizen care services to the senior citizen during old age. Senior citizen care emphasizes the social and personal requirements of senior citizens who wish to age with dignity while needing assistance with daily activities and health care. It was found that property partition is an important social practice in Nepal; children always seek for the assurance of receiving the property of their parents and also assume that everyone will receive an equal share of parental property. Similarly, parents also tend to keep some part of the property to themselves as a part of *jeeunibhag* to ensure the social and financial security. Senior citizens can utilize *jeeunibhag* for their living and also can give to a particular child they prefer. So, Children in the hope of getting a portion of *jeeuni* take proper care of parents.

Some of the participants were found to be dissatisfied with the fact of linking *jeeunibhag* with senior citizen care as it is the sole responsibility of parents to secure a better future of the children; similarly to this senior citizen care is also the sole responsibility of the children and should not be aligned with the property.

### **Jeeunibhag brings both positive and negative changes in the life of senior citizens**

Another major finding of this research is the changes in the lives of senior citizens due to *Jeeuni* practice. Several changes were found in the life of senior citizen people after the partition of property. Firstly, *Jeeuni* provides financial freedom and economic security to the senior citizen and their family members and helps them to carry out independent lifestyles.

Secondly, as a negative impact to the *jeeunibhag*, it was found that *jeeunibhag* brings friction among family members. Friction among family members is usually seen after the partition of property especially between mother-in-law and daughter-in-law, and father-in-law and daughter-in-law due to economic, social, generational gap, personal ego, and longing for personal freedom.

Thirdly, it was found that the major change that brings in the life of senior citizen is nuclearization of the family. Family nuclearization is one of the major indicators of modernized society. Family nuclearization is seen in almost all of the families after the partition of property. Some of the participants even found to prefer to live in solitary arrangements after the property partition to reduce the burden on the family members. So, the nuclearization of the family and separation of children is one of the major changes in the lifestyles of the senior citizen due to *jeeuni* practices.



Fourthly, it was found that the partition of property brings a rapid change in the caring pattern of senior citizens; they seem to anticipate receiving care services more from the children who have taken a share in the property with an agreement to receive *jeeunibhag* and tend to get disengaged from the daily activities and other children.

Finally, it was found that the major changes that *jeeunibhag* brings in the life of a senior is *jeeuni* change in the freedom to the senior citizen. Senior citizen wants to live a life with dignity and self-respect, but property partitions bring adverse effect on the freedom of senior citizen, they feel to lose the power of decision-making with the partition of property. So, it was found that a good share must be separated to the senior citizen people during the partition of the property for the freedom and independency of senior citizens in decision making.

Thus, it was found that senior citizens are very much positive towards *jeeunibhag* that has been in practice as a part of traditional norms and values in Nepalese society, however, it has disputes and divisions among family members. So, it must be scientifically legalized and a special mechanism with proper partition guidelines must be developed to promote *jeeunibhag* for better well which compulsions and guarantees senior citizens care with very less involvement of government.

## Conclusion

Very limited research has been conducted on the field related to property partition and *jeeuni* the perception of senior citizens towards *jeeunibhag* hasn't been studied enough till date. So, very few literatures can be gathered in the Nepalese context.

Following the interviews, and thematic analysis I came to the conclusion that senior citizens generally have a positive perception towards *jeeunibhag*. The majority of senior citizens are willing to divide the property among their children and other family members, believing that it will help them to take care of their senior citizen parents. In addition, a majority of participants believe that their children should be allowed to benefit from the property in their absence. All the participants are aware of the practice system of *jeeunibhag* and are very concerned about the importance of their share in parental property to ensure better senior citizen care support from their family members during property partition. However, it has been a matter of concern for the senior citizen in case of no availability of physical property that could be divided into their children separating share for senior citizen care. Furthermore, senior citizen takes *jeeuni* as a negotiating instrument that can be used to negotiate with their children to ensure better care facilities when they aren't able to do on their own.

The perception of senior citizen regarding share in a parental property for senior citizen care has been a continuous issue throughout history, especially in developing countries like Nepal where the government social security system is a weaker and senior citizen has to be dependent on their children completely on ageing care services. It refers to the understanding of how much of the parent's assets should be transferred to the children after death, so that they have enough money to shoulder their responsibility in taking care of their parents. This paper attempts to document the knowledge (or lack thereof) regarding this concept among older adults.

In recent years, there has been an increase in the number of senior citizens who are choosing to distribute their parental property to their children while they are still alive. This trend is likely due to several factors, including the desire to avoid the hassle and expense of probate, to ensure that their children receive their inheritance in a timely manner, and to have the satisfaction of seeing their children enjoy their inheritance while they are still alive. However, the changes in the life of the senior citizen

after dividing the parental property and allocating *jeeunibhag* vary from individual to individual. The major changes seen in the life of the senior citizens in some cases were senior citizens found *jeeunibhag* as a steady source of income, increased financial security, improved quality of life, and a strong negotiating instrument to negotiate with children for the senior citizen care services. In other cases, they feel to encounter friction between family members, detachment from beloved ones, lack of freedom in decision-making, and become more reliant on family members or other support systems.

Furthermore, *jeeunibhag* found to have strong religious ties to every religion, where keeping shares in property for senior citizen care is recommended in every religion but legal provision towards *jeeunibhag* were found to be weaker, providing equal share to the senior citizen is made mandatory in policies in the context of Nepal, Practically it has been not seenexecuted properly in the context of Makawanpur district as the difference in class is prominently seen in Nepal, only rich people having access to the property can come under the legal practice. The marginalized person with a poor economic background having no access to property doesn't get involved in the property partition procedure and has no provision of *jeeunibhag*.

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