

Equality Unlocked: Enhancing Women's Property Rights In India

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Abstract

This research encapsulates the intricate dynamics surrounding women's property rights in India, examining legislative reforms, societal attitudes, and the role of social media in shaping perceptions. Rooted in the principles of democracy, India's constitutional framework upholds gender parity, exemplified notably in the realm of ancestral property rights. The legislative enactment and subsequent amendment of The Hindu Succession Act signify significant milestones in this journey toward equality, empowering women to assert their entitlement to paternal assets.

However, despite legislative progress, persistent challenges hinder women's ability to exercise their property rights fully. Limited awareness, cultural norms, and familial dynamics, particularly prevalent in rural areas, create formidable barriers. Intimidation and coercion further exacerbate these challenges, underscoring the daunting landscape women navigate in securing their inheritance.

Through a comprehensive survey process with a quantitative data analysis, this study illuminates diverse perspectives on women's property rights. While optimism regarding the role of social media in promoting these rights prevails, scepticism and ambivalence also surface, reflecting nuanced viewpoints shaped by varied experiences and contextual factors. Insights into familial dynamics, parental awareness, and sibling interactions underscore the need for targeted educational initiatives to bridge existing knowledge gaps.

In summary, while legislative reforms provide a solid foundation, concerted efforts are essential to address societal attitudes and dismantle entrenched barriers. By leveraging these insights, stakeholders can chart a course toward a more equitable future, ensuring every woman can claim her rightful share in India's wealth and prosperity.

Keywords: *Female property right, Awareness regarding property rights, constitutional provisions, Patriarchy, Societal challenges.*

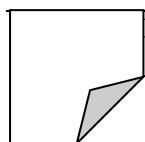
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I. Introduction

In ancient India, property rights for women varied depending on the period and region. In Vedic times, women had considerable property rights and could inherit and own land. However, with the emergence of patriarchal norms during the later Vedic period and the post-Vedic period, women's property rights began to diminish. The Manu smriti, an ancient legal text, restricted women's property rights significantly, stating that women did not have the right to own property and that their father's property would pass directly to their sons. However, women could still inherit property under certain circumstances, such as when there were no male heirs. Additionally, during the Mauryan and Gupta periods, women had some property rights, especially in cases where there were no male heirs. Overall, while women in ancient India did have some property rights, these rights were significantly curtailed compared to earlier periods.

India stands as the globe's most expansive democracy, fortified by a meticulously crafted constitution wherein parity between genders is enshrined, offering equal rights to both men and women. In India, ancestral property rights exhibit a remarkable equality, transcending gender disparities ensuring that both men and women enjoy equal entitlement without discrimination. India's Parliament ratified The Hindu Succession Act in 1956, and its implementation in 2005 heralded a pivotal shift. This change allowed for the amendment of erstwhile discriminatory clauses, making a significant stride towards equality. The introduction of this legislation cued not only to streamline inheritance regulations but also to bestow enhanced rights upon women. Consequently, married women were empowered to inherit paternal assets as per with their male counterparts, fostering a more equitable legal landscape. Following this amendment, a notable surge female beneficiary asserting their property rights was observed particularly in urban locales. However, in rural India, a concerning trend persists lacking awareness regarding entitlements to property and the procedural steps necessary to assert their claim. In India, women



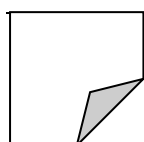
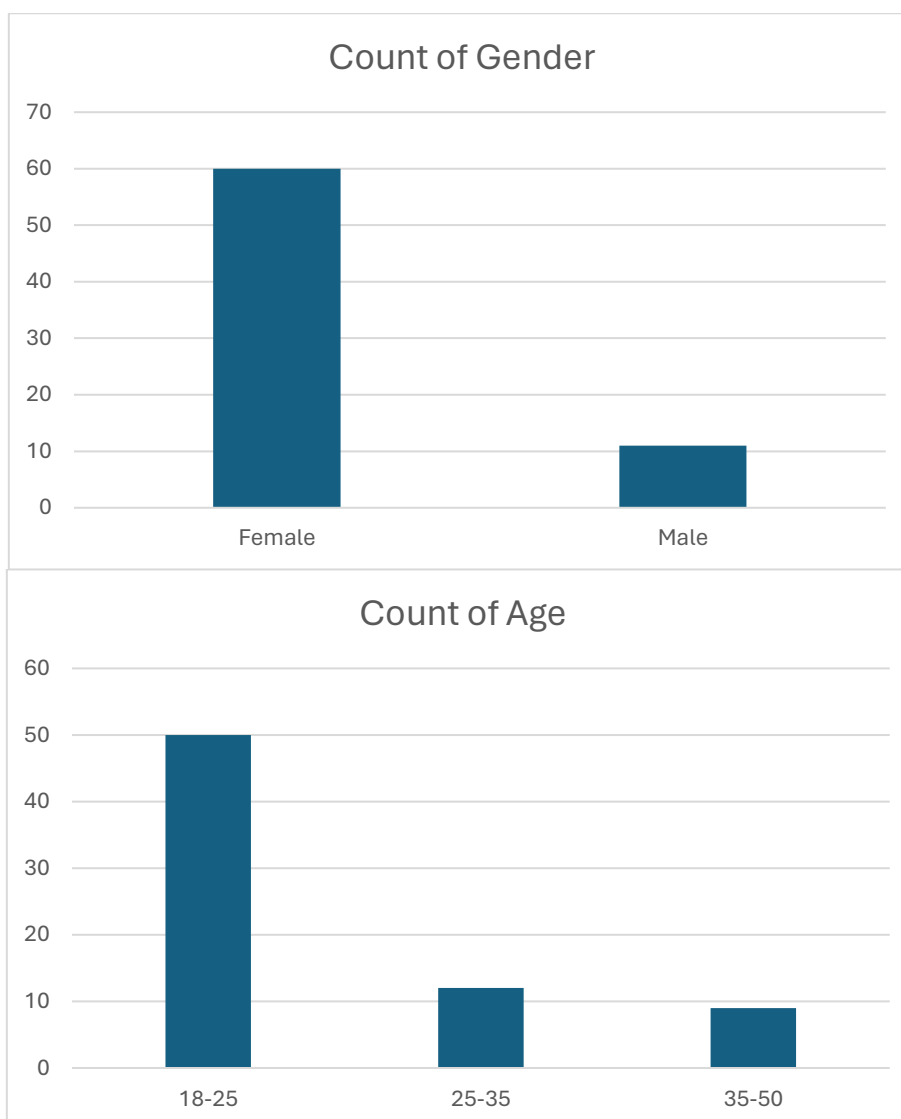
frequently encounter familial and cultural obstacles that impede their ability to exercise property rights. In certain instances, when women assert their rights to property, they may face intimidation or coercion a challenging environment for them secure what is rightfully theirs.

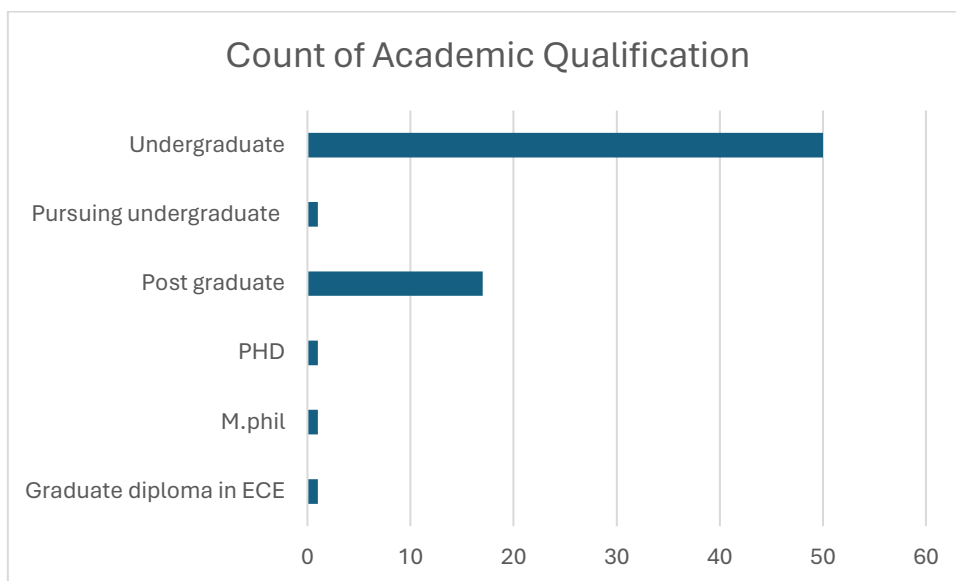
II. Methodology

In this study, we employ a data-driven quantitative survey methodology to measure the perspective of females and males regarding women's property rights. We gathered data from a diverse sample through questionnaire and conducted analysis to categorize viewpoints regarding awareness, parental and sibling inheritances, perceptions on whether to take or not the share in ancestral property, and the role of government, society, and education. Additionally, we identified the primary obstacles in accessing women's property rights. The proposed method can be beneficial in future research regarding women's ancestral property right in India.

III. Findings

1. In the survey, a total of 71 respondents participated, these participants can be broken down into the following demographics, with 60 females (84.5%) and 11 males (15.5%) sharing their views on women's property rights in India. The respondents were distributed across different age groups: 70.4% (50 individuals) were between 18 and 25 years old, 16.9% (12 individuals) were between 25 and 35, and 12.7% (9 individuals) were older than 35. Analysis of the survey results revealed that 70.4% (51 individuals) are currently pursuing undergraduate studies, indicating a focus on foundational education and skill development, while 23.9% (15 individuals) are pursuing postgraduate studies, demonstrating an interest in specialized fields. Additionally, 1 individual (1.4%) has completed a PhD, another individual (1.4%) is pursuing a Diploma in ECE, and 1 individual (1.4%) is enrolled in an M. Phil program, highlighting advanced academic pursuits within the surveyed cohort.

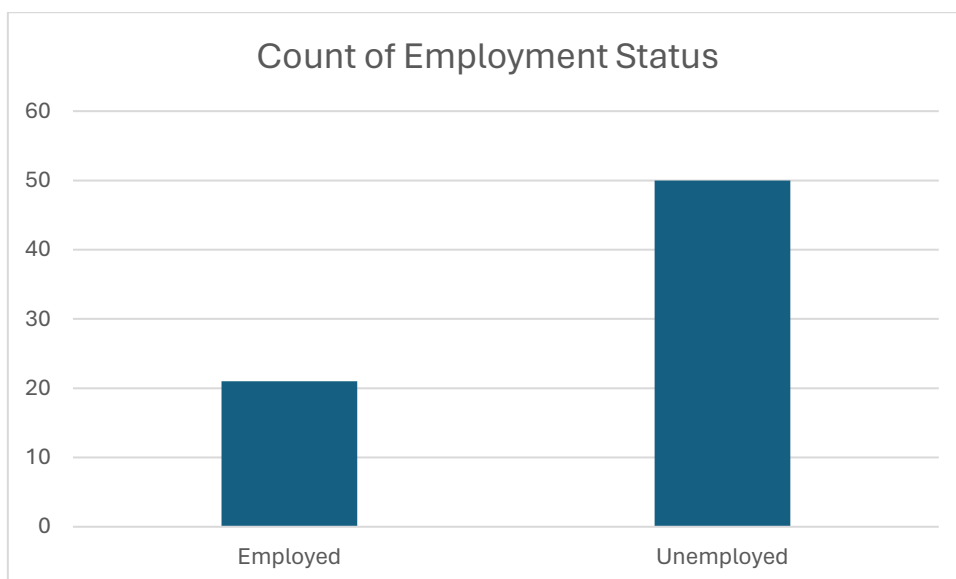




2. Expanding on the survey findings:

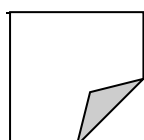
Among the respondents, a considerable portion, comprising 74.6% (50 individuals), are currently unemployed. This statistic sheds light on the prevailing unemployment rate within the surveyed population, highlighting a significant portion of individuals seeking or awaiting employment opportunities.

Conversely, 29.6% of respondents (21 individuals) are employed. This employed cohort encompasses a diverse range of professions, including judges, salon owners, government school principals and vice principals, railway masters, teachers, professors, lawyers, managers, NRI's, and minister's personal assistants (PA). This diversity underscores the breadth of occupational roles within the surveyed group, spanning various sectors and professional domains.



3. The study findings reveal a commendable level of awareness concerning women's equal property rights in India. A significant majority, comprising 93% of the respondents, indicated that they were familiar with these rights. This reflects a positive trend towards recognizing and understanding the legal framework that supports gender equality in property ownership. Conversely, a smaller proportion, around 5.6%, expressed uncertainty about these rights, while a mere 1.4% admitted to being completely unaware of them. These figures highlight the importance of continuous educational initiatives and awareness campaigns aimed at promoting gender equality within society.

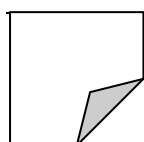
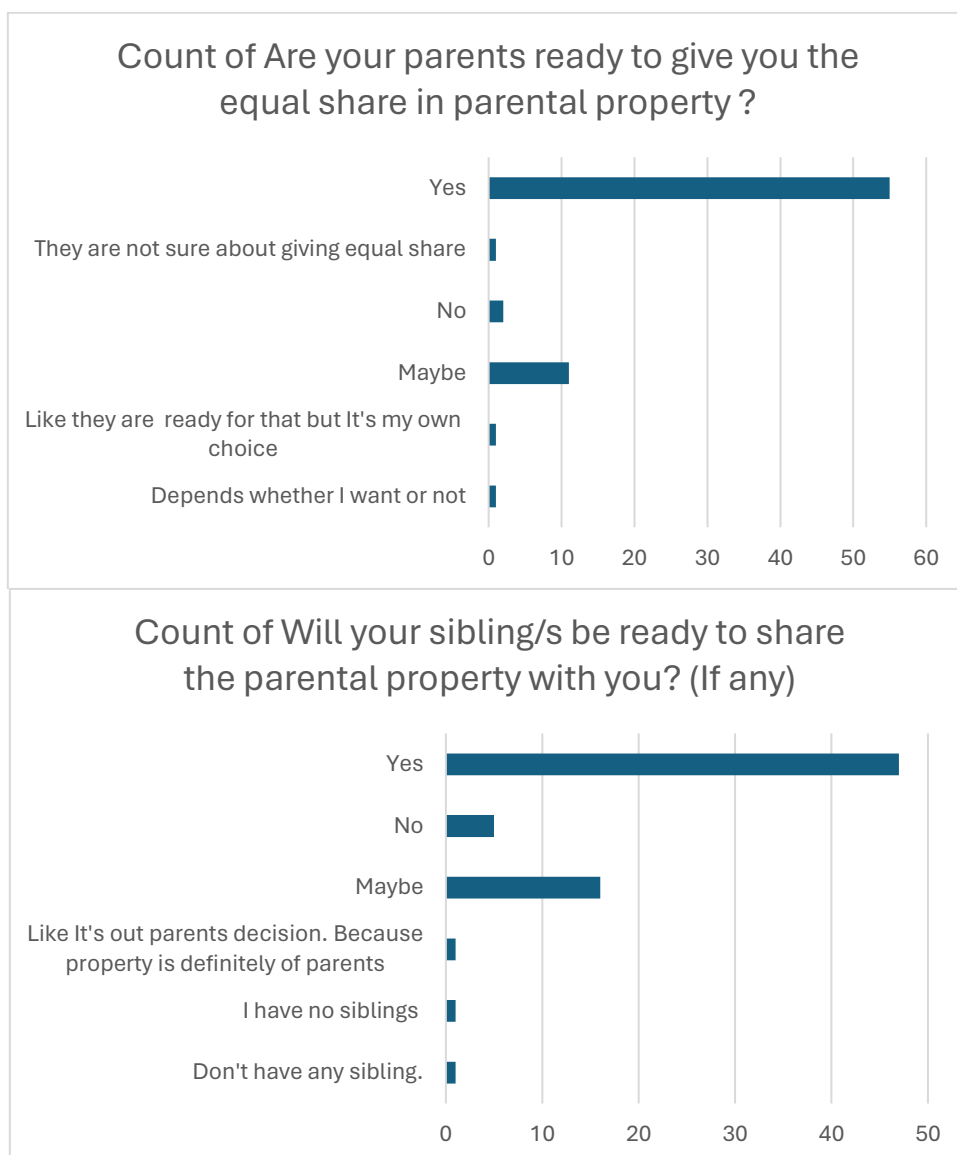
Delving further into familial dynamics, the study uncovered intriguing insights regarding the dissemination of knowledge about women's property rights among siblings. A substantial majority, approximately

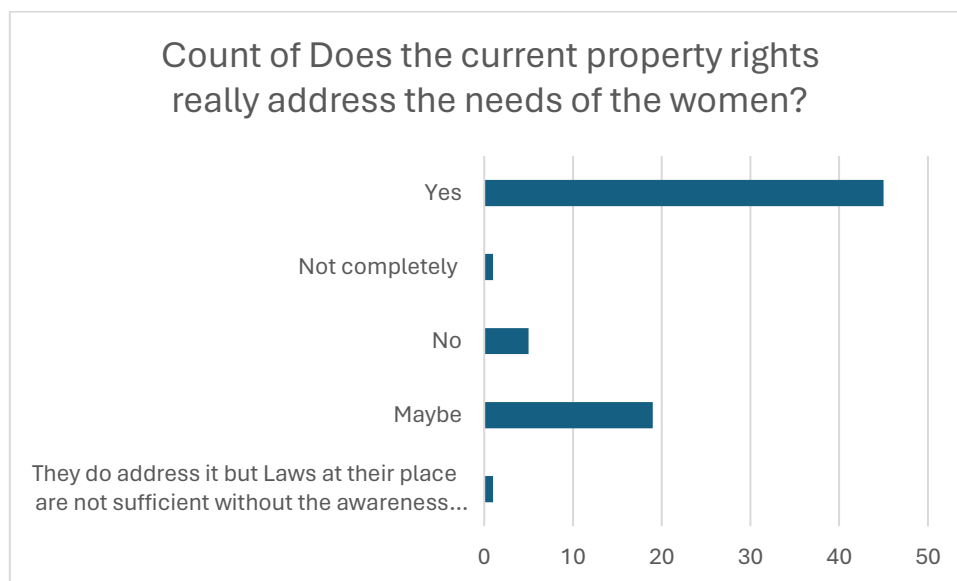


78.9%, reported that their siblings were aware of these rights. This suggests that within familial circles, there exists a considerable level of awareness regarding this crucial legal aspect, indicating successful knowledge transmission. However, it's notable that a significant proportion, totalling 7% of respondents, stated that their siblings were not aware of these rights. This discrepancy suggests potential gaps in awareness within families, signalling a degree of ambiguity or variability in the transmission of knowledge.

Moreover, a small fraction of respondents, approximately 4.2%, reported not having siblings, thereby eliminating the possibility of sibling awareness altogether in their cases. This highlights the need to consider diverse family structures when implementing educational and awareness initiatives, ensuring that individuals from all family backgrounds receive equitable access to information about their rights.

Shifting focus to parental awareness, the study revealed promising results, with approximately 83.1% of respondents affirming that their parents are aware of women's equal property rights in India. This indicates a substantial level of awareness within the parental generation, potentially influenced by societal shifts and legal reforms aimed at promoting gender equality. However, there are still areas of concern, as around 5.6% of respondents indicated that their parents are not aware of these rights, and 11.3% expressed uncertainty. These findings underscore the importance of targeted outreach and educational programs to ensure widespread understanding and support for women's property rights among all segments of society, including parents who may require additional information or clarification.





4. The data analysis reveals interesting insights into respondents' attitudes and perceptions regarding their claim to parental property, parental readiness to provide an equal share, and sibling dynamics in property sharing. Let's break down the findings:

Claiming Parental Property:

33% (24 individuals) of respondents expressed that they would not claim their share in parental property. 39.4% (28 individuals) intended to claim their share. Approximately 21.1% (15 individuals) were uncertain about claiming their share. 1% (1 individual) stated they had no parental property to claim. 4.2% (3 individuals) were unsure or expressed conditional stances.

Parental Readiness to Provide an Equal Share:

77.5% (55 individuals) stated their parents were prepared to provide an equal share of the property. 2.8% (2 individuals) indicated that although their parents were ready, the decision depends on them. 1 respondent (1.4 individual) mentioned parental uncertainty. One respondent indicated that it was solely their parents' decision whether to provide a share of the property.

Sibling Dynamics in Property Sharing:

7% (5 individuals) stated their siblings would not share parental property. 66.2% (47 individuals) believed their siblings would share. Around 22.5% (16 individuals) were uncertain about their sibling's readiness to share. 2.8% (2 individuals) mentioned having no siblings.

Unique Responses:

There's a mention of one respondent stating it was solely their parents' decision whether to provide a share of the property.

One respondent mentioned having no parental property, and another mentioned having no siblings.

This analysis provides a comprehensive overview of respondents' perspectives on parental property inheritance, including their intentions, uncertainties, and perceptions of parental and sibling readiness to share. The data suggests varied attitudes and familial dynamics surrounding the distribution of parental assets among the respondents.

5. The data highlights respondents' perspectives on whether current property rights adequately address women's needs, governmental effectiveness in promoting equal property rights, and the Indian education system's role in preparing youth for accepting equal distribution. Let's delve deeper into each aspect:

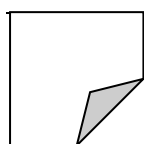
Current Property Rights and Women's Needs:

Approximately 63.4% (45 individuals) affirmed their belief that current property rights adequately address women's needs.

7% (5 individuals) disagreed, indicating a minority perspective.

Roughly 26.8% (19 individuals) were uncertain, suggesting a significant portion of respondents were unsure.

Some respondents highlighted issues with implementation and awareness despite existing laws, indicating a gap between legal frameworks and practical realities.



Additionally, one individual felt that current property rights did not completely address women's needs, signaling a nuanced perspective on the adequacy of existing laws.

Governmental Effectiveness in Promoting Equal Property Rights:

Approximately 46.5% (33 individuals) believed that the government was effective in promoting equal property rights.

31% (22 individuals) disagreed with this assertion, indicating skepticism or dissatisfaction with governmental efforts.

About 19.7% (14 individuals) were uncertain, suggesting a lack of clarity or mixed opinions among respondents.

Respondents emphasized the need for increased awareness and better policy implementation, indicating areas for improvement in governmental efforts.

Indian Education System and Equal Distribution:

Around 62% (44 individuals) agreed that the Indian education system prepares youth to accept equal distribution, indicating a relatively positive perception.

21.1% (15 individuals) disagreed, expressing concerns about the adequacy or effectiveness of the education system in promoting gender equality.

Roughly 15.5% (11 individuals) were uncertain, indicating a degree of ambiguity or lack of consensus.

Some respondents noted the limited scope of education on gender equality, particularly outside the humanities, suggesting a need for broader and more inclusive educational approaches.

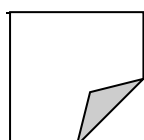
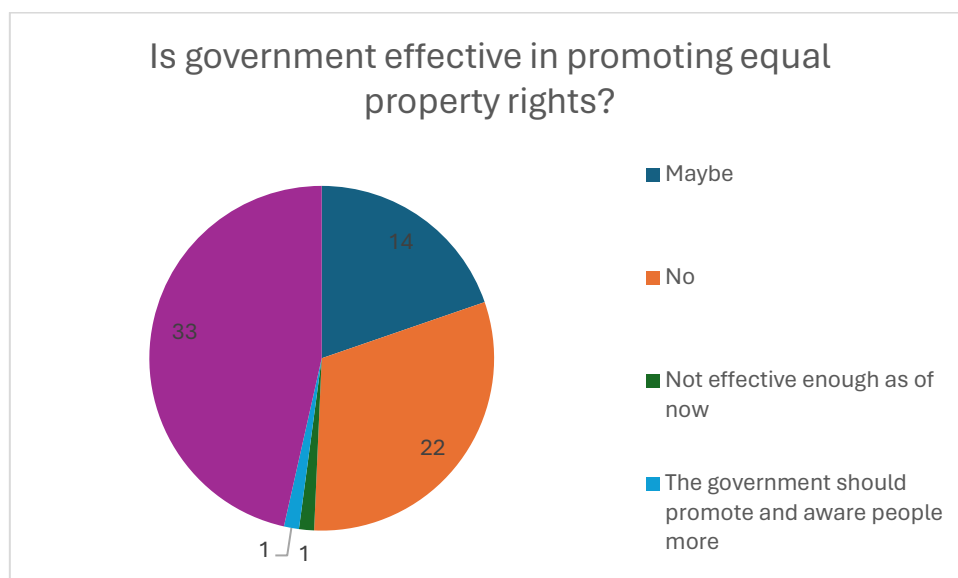
Overall, the data underscores a range of perspectives on the adequacy of current property rights, governmental efforts, and the education system in addressing gender equality and promoting equal distribution. There are indications of both support for existing frameworks and calls for improvement and enhancement to better meet the needs of women and promote equal rights and opportunities.

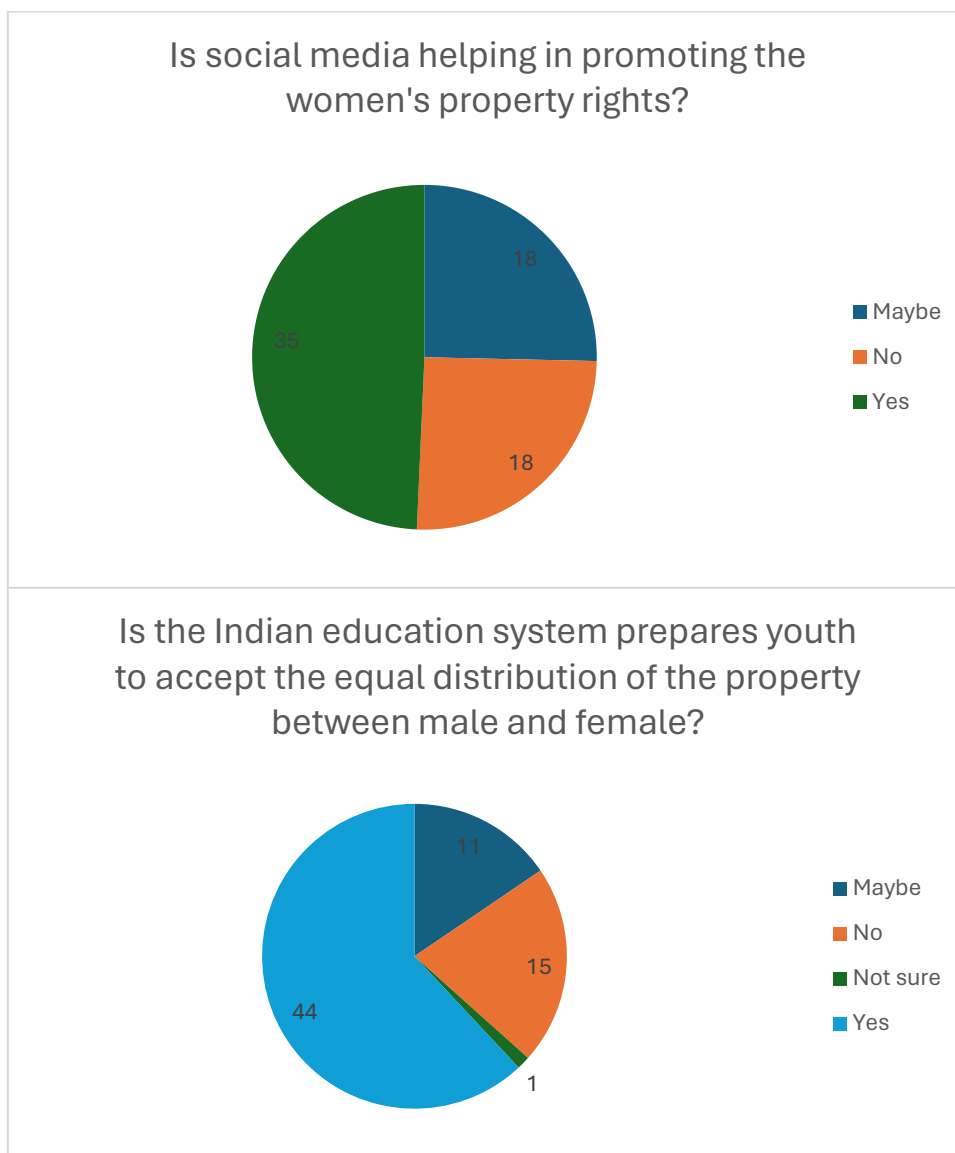
6. The data reflects responses regarding the role of social media in promoting women's property rights. Here's the breakdown:

Approximately 49.3% (35 individuals) responded with "Yes", indicating that they believe social media is helping in promoting women's property rights.

Around 25.4% (18 individuals) responded with "No", suggesting that they do not believe social media is effective in promoting women's property rights.

Roughly 25.4% (18 individuals) responded with "Maybe", indicating uncertainty or mixed feelings about the role of social media in promoting women's property rights.

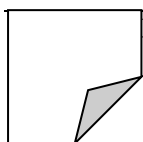




IV. Challenges

The survey participants have outlined several significant challenges regarding women's property rights within society. These challenges encompass discrimination and restricted access to land, which directly affect women's economic empowerment and independence. Additionally, conservative societal norms and entrenched patriarchy often act as barriers to women's property rights. Gender-based discrimination, domestic violence, and the perception of women as burdens further exacerbate these challenges. Cultural beliefs that favour male inheritance and perpetuate gender bias, along with fears of losing relationships and facing societal judgment, contribute to the reluctance of women to assert their property rights. Moreover, inadequate awareness, legal barriers, and economic disparities hinder women's ability to secure their property rights. Resistance from family members, social stigma, and pressure further dissuade women from asserting their rights. These issues are compounded by traditional norms, limited access to legal support, and cultural practices that favour male inheritance. The deep-rooted patriarchal structure of society and the prevailing gender bias perpetuate inequality in property distribution. Furthermore, challenges in the effective implementation of laws due to societal customs and norms pose significant obstacles. Overall, there is a pressing need for increased awareness and education on the importance of women's property rights to address these multifaceted challenges effectively.

1. Cultural and Societal Norms: Traditional attitudes and Societal expectations often dictate women's rules in inheritance, posing a significant challenge to their assertion of property rights, especially in rural areas where these norms may be deeply entrenched.
2. Limited Awareness: Despite legislative reforms, many women, particularly in rural areas, remain unaware of their rights regarding property inheritance. This lack of awareness acts as a barrier to exercising their entitlement



3. Intimidation and coercion: women face Intimidation and coercion from family members or external influences, which undermines their ability to assert their property rights confidently. This issue is particularly prevalent in rural setting.
4. Urban – Rural Disparities: while urban areas have seen progress in female beneficiaries exercising their property rights, rural areas continue to lag due to various socio-economic factors, creating disparities in access to justice and equality.
5. Gender Biases: Deep-seated gender biases persist, influencing familial dynamics and perceptions surrounding property inheritance. These biases often disadvantage women, affecting their ability to claim their rightful share of ancestral property.
6. Sibling’s interactions and Parental Awareness: The dynamics between siblings and parental awareness play a crucial role in determining women’s access to property rights. Unequal treatment among siblings or parental favouritism can exacerbate existing inequalities.
7. Need for Targeted Educational Initiatives: There is a pressing need for Targeted educational Initiatives and awareness campaigns to disseminate information about women’s property rights effectively, especially in rural areas where literacy rates may be lower.
8. Scepticism and Ambivalence: Despite legislative reforms and awareness effects, Scepticisms and ambivalence persist among both genders regarding women’s property rights. Addressing these attitudes requires nuanced strategies tailored to specific cultural context and societal perceptions.
9. Role of social media: while media holds promise in promoting women’s property rights, it’s efficiency may vary across different demographics and regions. Leveraging social media effectively requires understanding it’s limitations and harnessing it’s potential to reach diverse audience.

V. Conclusion

In conclusion, the intricate tapestry of India's socio-legal landscape reveals a multifaceted approach to addressing gender equality, particularly concerning women's property rights. Rooted in the foundations of democracy and enshrined within a meticulously crafted constitution, India has made significant strides toward ensuring parity between genders, exemplified notably in the realm of ancestral property rights.

The legislative enactment of The Hindu Succession Act in 1956, followed by its pivotal amendment in 2005, marks a watershed moment in India's journey toward gender equality in property ownership. This legal reform not only rectified erstwhile discriminatory clauses but also heralded a transformative shift in societal attitudes, empowering women to assert their entitlement to paternal assets on par with their male counterparts.

However, while urban locales witnessed a commendable surge in female beneficiaries exercising their property rights, rural areas continue to grapple with persistent challenges. Limited awareness, cultural norms, and familial dynamics often act as barriers, hindering women's ability to assert their rightful claims. The prevalence of intimidation and coercion further compounds these challenges, creating a daunting environment for women seeking to secure their inheritance.

Through a comprehensive survey analysis, we gained valuable insights into the perspectives of both genders on women's property rights, shedding light on nuanced attitudes and perceptions. Notably, while a significant proportion expressed optimism about the role of social media in promoting these rights, scepticism and ambivalence also surfaced, reflecting a spectrum of viewpoints shaped by diverse experiences and contextual factors.

Moreover, our study unearthed intriguing insights into familial dynamics, parental awareness, and sibling interactions regarding property inheritance, underscoring the need for targeted educational initiatives and awareness campaigns to bridge existing gaps in knowledge transmission.

Considering these findings, it becomes evident that while legislative reforms lay a solid foundation, concerted efforts are needed to address societal attitudes, enhance awareness, and dismantle entrenched barriers to women's property rights. By leveraging the insights gleaned from this study, policymakers, activists, and stakeholders can chart a course toward a more equitable future, where every woman can claim her rightful share in India's wealth and prosperity.

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