

PROPERTY PARITY AND GENDER INEQUALITY: UNRAVELLING THE COMPLEXITIES OF WOMEN'S PROPERTY RIGHTS IN INDIA AND USA

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Key words:

Gender inequality,
property rights,
women
empowerment,
equal status,
comparative
analysis.

Abstract:

Women, plays a significant role in building the home in one's family. According to the United Nations Department of Public Information Report, population of women holds about one half of the entire globe but unfortunately she owes even less than one percent of the entire world's property. Though, law makers have focused immensely in balancing the distribution of rights amongst all the genders of the society. But still the world is witnessing the unequal distribution of share in the family property amongst the women clan in the society. The forerunners of the nation, along with the general population witness such cases that are also the glared matters of the daily headlines. It is not only about the unequal share in property alone, women often gets discern in terms of political, social and even economic resources also. The researcher will trace the roots of acknowledgement of the property rights of women. The researcher in the present paper will bring into limelight the atrocities suffered by the women to get their legal rights over the family property in each country. This research paper will highlight the complexities associated with the interwoven concepts of property rights of women and gender justice. The reliance shall be placed on the factors influencing the capability of every women within the nation and across the borders to have the access, control and right to ownership of the property with respect to the various laws, social parameters and the contribution in the economic structure of both Indian as well as in USA. In addition to this, the empirical research in the present paper will be based on the collected database from each country focusing the disparities based on the unequal allocation of the property rights amongst men and women in each country, arising out the dependent variables such as economic inequalities, vulnerability and power imbalances. The researcher will also bring the comparative analysis of the property laws in the developed countries. Last but not the author will highlight the present status of women under law in terms of distribution of share in the property.

1. Introduction

Women, this term itself comprises of the word men. It can be interpreted that this term itself signifies the fact that both the genders of the society holds an equal place. This term connotes that what so ever rights and privileges are available to men by the governing laws of the respective country, the same should be enjoyed by both genders by the same token. Men and women together have evinced to be the caster of the same cart so as to maintain equilibrium in the society at large. However the reality is different. What has been enumerated in the huge piles of the supreme law of the land has no semblance with the practical scenario. The facets of gender inequality are known to be the glared matters of the daily headlines. The major kind of gender inequality existing in the present scenario is related to property rights. Such disparity has its roots since ancient times. Inheritance of property has never been considered as cup of tea for women. Society has bifurcated both men and women with regard to property rights not only in developing or the under developed countries but the reflections of the inequalities can also be traced in the developed countries. The struggle to make a place in law governing the developing nation Indian women has gone through a long way just like any other developing or under-developed nation. During this journey the aspirants has witnessed a scuffle between status quoits and progressive forces. The status of women to claim the share in the property has always been on the lines of the struggle since ages, regardless to the land on which she is born. Neither the developed country nor the developing countries have been able to provide the complete security to the rights of women, claiming the share over the property. The succession right of the women has always been the matter of concern and in either of the countries. Likewise, USA, UK and other developing and under develops likewise India and its neighbouring countries. Studies have revealed that none of the country has allowed to inherit the succession rights equally in the beginning while the distribution of rights to claim the share in the family property. With the passage of time, the people have become more educated and consequently, become more aware about, their rights enhance (Mukherjee, 2019). This brought a significant improvement in the emulated condition of women. Across the globe in the present scenario, women now has been able to have the access to the land and housing rights. This has been recognised as the significant aspect for the development of every country securing the interest of the women in the property in particular country will likely to bring a gross impact upon the decision-making process of the country leading to the resources, pulling out the income for the country and acquisition of certain other aspects and for the women, it will enable her to hold her status in the family as well as we community at large. Property has always been a subject matter, particularly seen as a critical resource for a feminine gender whenever the partition takes place or in an event where the male members of the family are not left anymore to take care of the significant resources associated with the property then it becomes state duty of the women in the eyes of the international laws to uphold the responsibility and follow-up the general rules with respect to the liabilities and responsibilities carried forward with such property. Equal distribution of the property rights amongst all the states in the society holds out a significant place for the developmental aspects of every country, including the economic empowerment, enabling the nation to walk on the parts of self-reliance and self-determination, and lastly, the social justice, these are meant to be the crucial cornerstones For every nation to run in the race of the develop development so as to compete with all other developed nations. it has been against that not only within the boundaries of a particular nation, rather across the borders in the diverse societies. Women have been often subjected to the systematic restrictions, specifically with respect to the ownership, inheritance, excess and controlling the property, both in terms of self-acquired and ancestral (Kodoth, 2004). This complex

intersection property rights and the gender justice has a significant probability to influence the lives of the women, including the far-reaching implications, such as shaping the economic security of the country, leading to the social, standing and making the weaker section of the society, vulnerable to poverty and exploitation. When will it comes to the fair allocation of the rights associated with the property amongst the members of the society, including both men and women. It encompasses the combined spectrum of both legal and social arrangements with the wide variety beginning from the ownership of the titles formally ranging up to the customary rights and lately having access to all the resources in an equitable manner. The term proper rights has not been able to get significant recognition universally by all the countries. Rather it the specific rights of women that she has been able to claim by the arrangement of laws with respect to the property that might not be owned by her entirely but most of the times has been shared by her husband and other male relatives in the family. The distribution of rights associated with the property in the family are intervened with the degree of relationship held by a woman with the male members in the in the family and the way in which these are socially and legally regulated by the specific society (Aggarwal, 1995).

This research paper throws the light upon the atrocities suffered by the women both in the developed as well as developing nation, keeping in focus the study of India and USA. This research paper will enable the readers to dive into the complexities associated with the property rights of the women with the focus point on how the proper rights influences the aspects for the persons of the gender justice within the four walls of the nation and across the boundaries. there have been several factors that has a major role to play for enabling the women to claim the excess, ownership and control over the property in the family. This will include the legal, social and cultural regulations. The three major branches of the restriction authority, namely the discriminatory laws, patriarchal norms and regulations and the imbalances amongst the powerful authorities within the spheres of the particular families as well as communities in the society has been severally constraining the women to claim the share equally to that of men in the family as well as in the society. In addition to this, the non-doctrinal part of this research paper will enable the revelation of the want web of the vicious factors that has a complete responsibility to influence the allocation of the rights to the women in association with the family property directly contributing to the disparity in the development of the country, leading to the instances of economic inequality, vulnerability of the weaker sections and the power imbalances. furthermore, this paper will be highlighting the several ways in which the equal distribution of the rights amongst men and women in the country has tendency to influence the major decision making aspects, including the accumulation of the wealth and assets beginning from the family in the household following by the society ranging up to the community, and lastly contributing into the development of the country at large. Ultimately, this research paper will reflect the paradigms underscoring the dire need for the legal reforms by the forerunners of the society to intervene with the certain policies with the aim to bring a social change in the country so as to promote the ideals of the democratic country, including the equality which will be further paving the way for the establishment of the more stable, just and equitable society (Rao, 2005).

2. Research Methodology

This research adopts the amalgamated approach of both doctrinal and non-doctrinal research for determining the complexities associated with the unequal distribution of the property rights amongst members of the society and their connection with the norms of gender justice. The data shall be collected by placing the reliance upon the secondary data collection methods including observation method, under qualitative and quantitative research method by

fetching the information from the existing data bases on the aspects of the ownership rights of women in the family property through the various national and the international organizations.

3. Research Objectives

The present research paper focuses on

The existing landscape of the ownership rights of the women in India and USA.

It determine the nexus between property rights of women and gender injustice.

This research paper further articulate the rapport between the equitable allocation of the property rights and the economic prosperity of the country.

It will also identify the loopholes in the existing legislations.

Last but not the least the present research paper analyses the effective implementation of the existing laws.

4. Originality/Value

The research paper comprises of the original and unpublished work, it will trace the roots of acknowledgement of the property rights of women. It will bring into limelight the atrocities suffered by the women to get their legal rights over the family property in both India and USA. It will also highlight the complexities associated with the interwoven concepts of property rights of women and gender justice. The reliance shall be placed on the factors influencing the capability of every women within the nation and across the borders to have the access, control and right to ownership of the property with respect to the various laws, social parameters and the contribution in the economic structure of both Indian as well as in USA.

5. Meaning of Gender

In general parlance gender can be explained as a state typically referring of being male and female. Though, the term “Gender” has coined to define the biological differences. But in the modern scenario, wherein society is composed of diverse people belonging to accorded clan, variant status, dwelling in the various strata of the society, has more often begin to put in use of this term “Gender” to refer social and cultural differences rather than biological ones.

6. Relevance of Gender Justice

Regardless to any form of gender identity, gender justice demands the equitable distribution of resources amongst all the members of the society. This equitable distribution includes the equality in terms of excess and control over the major resources, including the property of the individual in the community. Whenever any strata of the society are denied with the equal distribution of rights as proclaimed by the supreme law of the land, it is fuelling to the aspects of gender inequality. Not only this but also it further and trenches the patriarchal power to structure the society with the instance, projecting the domination of one gender in the society and thereby inhibiting the Complete participation of the women in the economic as well as social development of the country. Everyone in today’s scenario, gender justice has evinced to be the state of affairs of every executing authority. Even government before taking its charge over any particular nation, talks about gender justice in its manifesto. But unfortunately, the use of this term is restricted to those pages of the manifesto only, has in reality failed to achieve the designated status. When circumstances are such that leading to the unequal treatment between men and women based on their gender, placing either of the gender over another leading to nepotism of either of gender, wherein one gender is offered with higher power and greater number of opportunities as compared to another. Then only

Gender Justice begins to play its role, to maintain the equipoise, so as to cause the development of the every wing of the society on a whole (Kjosavik, 2007).

7. The Legacy of Inequity: Women's Historical Exclusion from Property Ownership

There has been several instances where by it has been found that women have been subjected to atrocities in the name of unequal distribution of the rights. The denial of the claim, particularly with respect to the property rights of women has been found to be deeply rooted into the fabric of the society since ages. These roots have been stemming up from the various patriarchal norms that are flourishing into the male dominated systems that tend to sort the maintenance of the same dominance over all the major economic resources. The norm of Coverture Laws is quite prevalent in the developed states like USA. It acts as a veil that largely gives the privileged to the males in the society and simultaneously subsuming the women's legal identity under the shade of the marriage. In USA, this concept of virtual laws does not allow the women to hold independently, a claim in the property and other rights associated with it, including the ownership, right to sell, buy and manage the property. Historically, the inheritance laws, including both the legal and customary norms has tend to favour the males over the females. Regardless to the country, whether developing or developed, the certain classes of women has been entirely precluded from a waning, the benefits under the inheritance rights associated with the family, land, assets and restraining the women to contribute in the economic development of the country instead making them financially depend upon the male relatives of the family. In addition to this social as well as religious factors also contributes largely in the adoption of restrictive interpretations of the laws within the domestic affairs of the country and thereby denying the women a complete autonomy and making them to lead their lives at the financial mercy of the male members of the family (Aggarwal, 1998).

8. Determinants Of Gender Equity In Property Ownership

8.1. India

8.1.1. Socio-cultural Norms

India has traditionally known to be deeply rooted with the patriarchal system, whereby men in the society holds a primary authority and play a major role to control over the every resources, even including the property. These norms often subjugate the women's degree to be pleased beneath the position of the men and making them inferior in the society. This further as on to the aspect of making the women in the dependent position, whereby limiting their access to and control over the ownership of the property rights. In addition to this daughters in the Indian families born with the notion of setting a family after their marriage in the another group of the society which is preferably not belonging to the family of her birth. With this thought, women is personified to be as a liability for the family and therefore shall be made to make a move out of the family of a world with the dowry, not with any other succession of the inheritance rights. This kind of system adopted by the society since ages have made the women burden on the families, this adds on another feather to diminish the claim of the women with respect to the property rights in the family. Not told this, but also the preference of expecting a son to carry forward the rights and liabilities associated with the family as well as the property shall be prioritising the status of son in the family and thereby subjected to the succession of the rights to the male heirs in the family, even if the daughters has been legally entitled by the supreme law of the land (Malhotra, 2005).

8.1.2. Theological Aspect

India is known to a secular country. Due to which it hospitable the values and beliefs associated with every religion. These religious commitments comes with the accorded segments of the personal laws. Each one of them have their own legal parameters governing the conduct of the each stakeholder in the society. Every individual is bound by the norms regulated the major aspects such as, marriage, succession, adoption and maintenance. With the advent of the amendment in the traditional inheritance laws in India in 2005, daughters have been preferably given equal status to that of sons in the family to carry forward the rights and liabilities associated with the family property. As such this has been remarked as a significant step taken up by the supreme law making bodies in the country. Despite, other religious norms continues to govern the conduct of the individuals in certain aspects including the unequal distribution of rights to access the share in the family property.

8.1.3. Legal Implications

Laws will be enforced effectively if the stakeholders for the same will be well verse with the implications of the particular legal aspect. If the end consumers of the law are deprived of with the benefits advanced with any such law then the outcome will be deleteriously affected and this will haul the overall the growth of every country. In terms of the inheritance rights the major class of the women is not aware about the existence of such benefits that is being provided legal system of the country. This unacquainted approach is the major reason for the ameliorated condition of the women even in the 21st century. In addition to this the social resistance further projects out to be the fundamental reason for the futile implementation of the progressive laws. This remains a challenge for the law maker to uphold the status of women equivalent to the men in the society that significantly demands the contribution of all the members of the society regardless to any form of discrimination neither on the basis of gender nor on any other ground.

8.2. U.S.A

8.2.1 Historical framework of law

The roots of the succession rights of United States found to be deep down to the English common law. By virtue of the norms of the common law, women in US had been historically treated as a belonging of your husbands after their marriage. Consequently, this has made the women to be more dependent on their husbands for the fulfilment every basic amenities for life. In addition to this, she has been subjected with the limited control over the property in the family as well as the financial surplus after the marriage. With the passage of time reaching out to be the mid 19th century. The certain classes of the women have begun to aware about their status in the society and gradually demanded the passing of the certain legislations giving the greater control to claim the ownership rights over the self-acquired property both before and after marriage. it is a duty of every state to provide the adequate means of livelihood and equitable opportunities to the equal status in the society. Every dweller of the country expects the state to preserve their rights to be free from any sort of violations and prohibition of every sort of discrimination based on gender and other aspects (Calhoun, 1998).

8.2.2. Pertaining the legal statutes

The administration of the country has taken up the initiatives to prohibits any sort of discrimination, in excess in the accommodation rights by the way of acting, fair housing act of 1968. In 1974, USA has led to the enforcement of the legislation of Equal Credit Opportunities Act, whereby this legislation has facilitated the women to find their places equal in the eyes of the government authorities, thereby giving every class of women and

equitable access to the loans and mortgages and empowering them to purchase their property independently and giving them the ownership rights.

8.2.3 Social Dynamics

By the beginning of the 20th century, women have begun to aware about their rights. 75 minutes moments have played a significant role in advocating the social and legal changes in the society that has enable the women to uplift their status in the family as well as the society at large. Equal status in the society demands these equitable distribution of the gender roles in the community. Women in the today's scenario has been increasingly participating in the workforce that has been significantly contributing in raising the economic independence of the country, leading to the rise of the claims by the females, which respect to the ownership of the property in the family. Despite of all these efforts and initiative taken up by the state administration, there has been a reluctance projected by the certain male members in the society by persisting the gender pay gaps, limiting down the women's access to the financial resources to acquire the property and ownership rights. Not only this but also gender bias though considered to be a prohibited act by the legal nouns, but still it's reflections can be traced in the present scenario (Bose, 2017).

9. Property Rights of Women From Disparity To Equality In India

Before the advent of the East India Company, in India, the inheritance of the property amongst the Indian families is either governed by the personal laws or has the roots associated with the religion of the concerned families respectively. Furthermore the personal laws before 16th century were highly dominated and influenced by the religion and was humbly accepted by the people at large. The ancient texts have witnessed the existence of the rights of the women associated with the property in the form of Stridhan. This is the property in the form of asset that solely belongs to the women. Therefore, Hindu law acknowledge the existence of the

female to claim the ownership over the Stridhan. After the liberation of the United India from the clutches of the Britishers it was in the year 1956 that India has been enforcing the rules and regulations related to the inheritance. Keeping the norms of the preamble including the principles of equality, The Constitution has guaranteed the equal status to all the citizens of the country, regardless to any form of discrimination, including based on gender, but unfortunately personal laws has always remained to be projected as a barrier restraining the growth of the country, placing the norms of the religious identity over the ideals of the Constitution. Henceforth the legislations related to the equitable allocation of the succession rights has been enacted but its implementation fell short of the complete execution thereby granting the women under the Hindu law conditional rights associated with the family property. The population of India hadwitnessed the turning point in the succession laws in year 2005 whereby the daughtersholding the significant class of the women clan receives the equal rights as acoparcenary in the joint Hindu family property to carry forward the rights and liabilitiesassociated with property like the male members of the family. The challengesremain persistent in nature whereby several factors have been contributing to theunproductive implementation of the legislations. Attitudes of the patriarchal being in the society. Coupled with the lack of awareness of the women class has generated thesocial pressure in the society that tends to hinder the women from exercising. Thecomplete ownership with respect to their property rights, especially in rural India (Bufkin 1999).

10. Balancing The Development and Property Rights In USA

The early legislations in USA with respect to the inheritance rights have found its roots associated with the English common law and majorly focusing on the principle of Coverture Laws. Under his laws, the fate of the women is dependent upon the actions of the male members in the family. This further subjected women to the several limitations even if the state provides the leniency with respect to the legislations related to the equitable distribution of the succession rights of the family property, the society has always supposed to be a resistance factor for the effective implementation. With the several setbacks still the progress in the line of updating the standard of living for the women and fighting for the equitable allocation of rights of the women with respect to the family property. By the onset of the second half of the 20th century, the administration of United States has witnessed the significant victories with respect to the update of the rights of the women stressing upon the equal distribution of rights and liabilities amongst all members, regardless to any form of discrimination even on the basis of gender. The series of acts running from the Equal Credit opportunity Act of 1974, Fair Housing Act of 1968 and the Married Women's Property Rights Act in the mid 19th century. played the remarkable role in addressing to the emulated condition of the women with the motive of fighting against the unequal distribution of the property rights.

11. Assessing The Parity of Property Possession In U.S.A And India

Property rights have been manifested as the fundamental element for the economic growth, empowerment of the weaker sections of the society and ensuring the security of rights of every dweller of the country. Historically women had always been regarded as the subject matter for the discrimination. Be this discernment is with respect to the equality of rights or the equitable distribution of the resources, she has always been placed at the pedestrian inferior to the traditionally dominated patriarchal wing of the society. Due to this bigotry in many societies of both the developing or the developed nations she has been shoved to the limited access to the rights such as, to claim complete ownership without any terms and conditions, right to dispose and right to succession associated with the family property (Resnik, 1993). Various research studies have been able to claim the security to rights of the women conjoined with the family property. Both the nations depicts the amalgamated statutes ensuring the legal implications with the insistent accustomed hindrances.

11.1. USA

USA is counted foremost in the list of the developed nations in the global community. It has the reputed system of governance across the world. It sets out the guidelines for the developing and the under developed nations to draft the legal framework for the protection and preservation of the rights of women particularly for the spheres of the property rights. Laws ensuring the effective implementation of the provisions to provide the equal opportunities regardless to any form of discrimination for securing the rights of women associated with the family property to acquire, access, own and manage the property is the fundamental goal enshrined in the ideals of the supreme law of USA. Women in USA, regardless of her marital status have the independent right to claim the share in the family property and ensure the effective control over the combined assets, without considering the mode of acquiring such property. The laws in the developed country ensures the effective implementation of the same over all the stakeholders of the society regardless to any sort of discrimination neither on the grounds of gender nor on any other. Despite of the strongest administration in the world community, the legislation in USA has to face certain informal barriers that hinders the further growth of the nation. It is still a time consuming task to erase the imprints of the traditional orthodox notions emphasizing the gender specific roles prevailing in the society. This places the social expectation above the women's perception to

hold the legal and equal share in the family property. Almost 55% of the women in the country contributes to the nation financially by serving either in the government or the private section. But unfortunately this count is also not well verse with the finance managements leading to the huge financial gap in the knowledge in terms of the finances, this hinders further this class of women to gain the effective control over the ownership rights of the property. Last but not the least the intersectional discrimination have evinced to be a compounding barrier to claim the ownership rights with respect to the property by women (Elias, 2017).

11.2. India

The supreme law of the land in a democratic country like India upholds the responsibility to implement the laws equally providing the equal benefits to all the members of the society. In addition to this the constitution contemplates the preservation of the basic rights of women and children as a paramount consideration so as to reflect the development in the country in comparison with the developed nations over the global platform. The Amendment Act of 2005 brought out the significant changes in the existing property laws enabling the certain class of women specifically daughters to carry forward the rights and responsibilities associated with the family property equivalent to the son and the other male members of the family of her birth. Even before or after the marriage of any women in India, her rights to secure and preserve her earnings and property are protected by the enactment of 1874. Besides all these liberal approaches adopted by the law makers, the restrictions imposed by the customary norms and practices has always remained to be a major obstacle hindering the overall development of women class in the country. Still in the rural India, the patriarchal traditions of favouring the sons in the family with respect to the allocation of the succession laws overrides the legal right of the daughters. Community also plays a significant role in shoving the women to relinquish her legal right to inherit the property more significantly after marriage and also during the period of widowhood. Last but not the least lack of awareness and inability of a women to have the access to the certain legal resources especially in the rural areas restraining the women from exercising their rights.

12. Empirical Study, Findings and Analysis of Data Between USA And India

It is the fundamental aspect for every nation to secure the ownership rights be it developed and developing countries. To balance the economic security and social mobility the key role is played by the nations progressive approach. Women have always been subjected to atrocities when demanded the equal access to the ownership rights across the globe. Gender Biasness and discrimination in the various socioeconomic groups has evinced to be the glared matters of the daily headlines both in USA and India. The empirical study in the present research paper tends to depict the disparity challenges prevailing in the society in both the countries by the way of comparative analysis on the various dependent factors such as role of the legislations, influence of the various policies and certain other social norms that has a likelihood of affecting the outcome of the equal distribution of the ownership rights. This research infers the common challenges encountered by the women in USA and India by placing the reliance from the data fetched through various government reports, academic research and international organizations. In addition to the studies of the various loopholes in the administration of both the countries, the law makers has been engaged in showcasing the initiatives taken up for the purpose of promoting the equitable settlement of the claims amongst all the genders in the society. Furthermore the comparative study the certain major factors influencing the quantum of share held by women with respect to ownership rights will enable the researcher to recognize the potential norms meant for developing the systematic approach for spreading the norms gender equality (Bandiera, 2013).

12.1. Focusing on the representative share of the ownership rights attributable to women

As per the data provided by the US census Bureau, adult women in US holds the significant share in the residential property, accounting for approximate value of 50% of the total property holding. However this value lowers down to 14.6% of the land ownership both agricultural and residential property by women over the Indian territories. As per the National Sample Survey Organization up till 2019 across the southern spheres of Indian land this percentage shoot up to approximate value of 67.6%, while in northern spheres in get down into dump up to the value of 9% only.

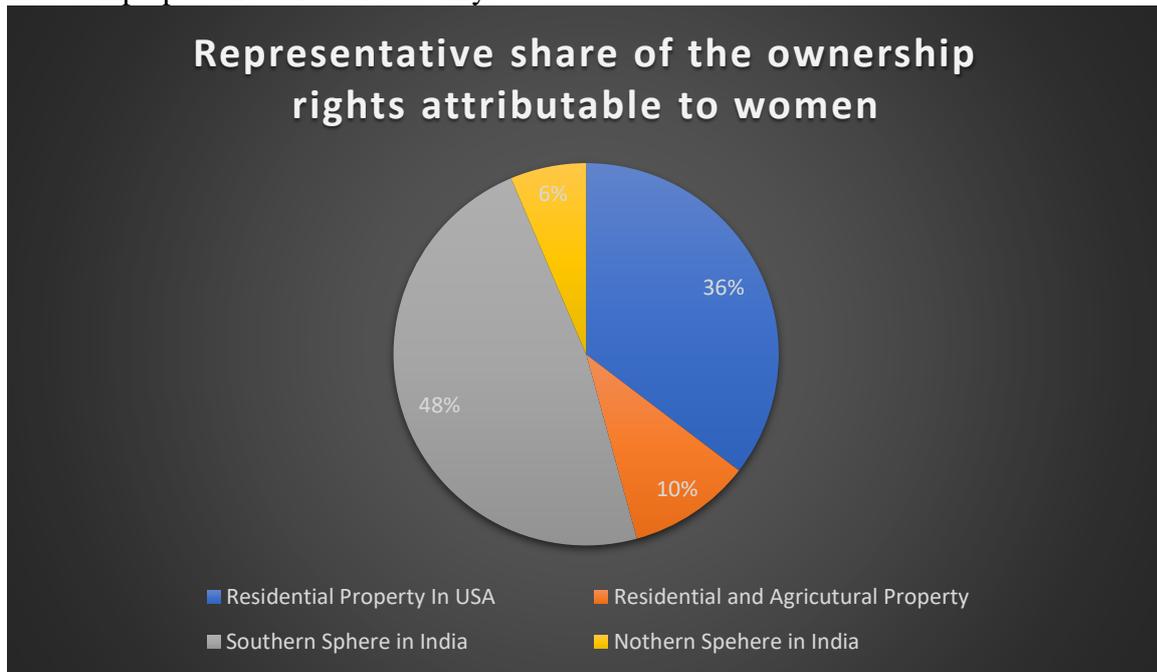


Fig. 1

12.2. Inequities in terms of ownership rights amongst racial and ethnic groups

The extent of ownership rights varies significantly land to land both in the developed and the developing country. In USA women has been subjected to the discrimination on the basis of the colour of the skin within the community. Historically this kind of discernment against the feminine wing limits the access to the ownership opportunities with respect to the property. In India caste system and other traditional norms followed within the community restrains the full access to the property rights to the women. Several inheritance rights has been made to pass through the caste lines that has evinced to be disadvantageous for the women belonging to the lower caste (Ongena, 2016).

12.3. Obstacles to Securing Property Rights Through Legal Channels

Implementation of the legislative norms has always been a cumbersome process for both the developing and the developed countries. Globally there has been number of challenges beginning from the time consuming process and often raises up the expenses in terms of legal settlements of the disputes. People often distrust the legal mechanism as justice delayed leads to justice denied. In 2008, USA had witnessed the financial crises that had highlighted the unequal access to the legal representations making the implementation procedure more intricate in nature. In India however lack of awareness with respect to the supportive legal system amongst the marginalised sections of the society leads to the atrocities suffered by the women in terms of accessing the proper legal representation for the equitable execution of property rights.

12.4. Disparities in socio-economic status

Income of the individual, race, caste, ethnicity plays a significant in role in commuting the economic growth of the country. These factors largely affect the distribution of the property rights amongst the members of the society. In USA, Communities with low income status are subjected to minimum access to the properties. Clearly less income level will disable the individual to hold the share in the property. In India, however, caste system is projected as a majorly influencing the allocation of the property rights in the society (Lamnert, 2009).

12.5. Gender Inequity in allocation of the property rights

Credit Finance has always been an obstacle for a women to have the access to the property as a owner. Less access to the income opportunities restrains the women to claim the share in the ancestral property. In USA, social norms hinders the women the to claim the ownership with respect to the property. However in India cultural practices and the inheritance laws favours the males in the society, this in turn limits the women's right to hold the share in the family property.

12.6. Initiative for expanding the property rights to women

Several laws and policies has been enacted so as to take the initiatives to provide the benefits to women by providing the equal status to women. This includes in USA, in 1977, the National Community Reinvestment Act and also as per Federal Reserve Bank of Boston Study in 1995 opens up the opportunities to increase the access to the financial assistance to women so as to invest and purchase in the self-acquired property. However in India various policies have been initiated under the ministry of the Prime-Minister namely, PradhanMantriAwasYojna with an ambition to provide the housing as well as certain other income generating opportunities to women (Voena, 2012).

Henceforth, these initiatives have enabled the certain class of women to provide the skill development opportunities, and providing the platforms raising the financial access and lastly providing the legal assistance and proper awareness to all the members of the society regardless to any sort of discrimination.

13. Comparative Study with The Other Developed Nations

Women, dwelling in the every corner of the world are largely denied of the property rights. Studies has revealed that growth of the nation largely depends upon how much ratio of the women are well aware of their rights. The growth of nation can be counted on the level of protection to the rights of the women is secured by any particular nation. The key to the success of every nation in term of economic development lies onto the growth of women in terms of intellectual level. However there are certain nations though are counted in the rows of developed ones but still lags behind when it is the time to measure the equality in terms of property rights between men and women of the country. Even the flourished countries such as USA, U.K have the notion that the land falls into the hands of men while the product fetched through that land lies into the hands of women. Even women in the developed nation also have to suffer a lot to get their holding written after their names. The struggling phase of every women be it within the boundaries of the country or the across the borders has the similarity when it comes to the rights and share of women in the property. The studies have revealed the status of women in the West Africa is also somewhat similar to Hindu women in India prior to the enforcement of the Amendment. Women in African countries do not stand on equal footing with that to men in terms of property rights. Therefore It can be traced that women has to fight for its rights in every sector of the world.

14. Effect of Such Unequal Footing of Male and Female

Due to the certain factors triggering in twisting the concept of gender justice into gender injustice has place the fate of the women is an oppressive state under the hefty social structure to be termed as patriarchy, as a result women not only suffers in developing like

India, but also faces shackles of glitches in the developed nations such as United States of America and also in United Kingdom as well.

Firstly, every possible effort is made to restrain the birth of female.

Secondly, if by luck female gets the birth, then initiative is made to kill her in her infancy period only,

Thirdly even if she has managed to survive, then she is subjected to such an environment, wherein she is always surrounded by utmost neglect and subjected to abuse, be it the physical or mental.

There are numerous instances which prove that regardless to the field, women outshines in building the foundation of most of the foreign policies, thereby strengthening the international relations. Therefore it can be taken in the sense, that if the count of both men and women is placed in an equal proportion then there will be more chances of stable negotiations, thereby fortifying the international relations (Tertilt, 2013).

Thus such equal proportion is not only going to contribute in the political arena, but also going to bridge in the gap between the accorded nations by virtue of maintaining the stable international relations. But unfortunately, the ground reality is this that women often have a very less say in the dogmatic field as compared to men. Gender is the first and foremost concept, considered as the milestone to achieve stable political process and valued structural growth of any particular nation. Gender is now-a-days considered to be the building bloc on any nation, its non-consideration can often question the credibility of the distinct perspectives set up by the administrative authorities of any particular nation. The decade of 1990's is considered to be very significant with regard to amalgamation of gender issues along with the concept of international relations. Even similar initiative was taken by UN in its 1995, fourth UN Conference of women, which had held in Beijing, wherein endeavours were made to place both male and female on equal footing while formulation of any policy, be it to be of Domestic nature or of International nature.

Therefore it is only the aftermath effect of this conference that state legislations have come up with certain effective legislations eliminating any sort of discrimination in almost every field of work and has therefore lead to the development in various branches of International Law, such as Asylum, Human Rights, Humanitarian Intervention.

15. Critical Insight and Suggestive Measures

The evolutionary growth of the accorded laws curbing the dysphoria is not of much success because of the lack of awareness among the people at large. Government should show its observance to the provisions of the supreme law of land, which has placed both men and women at equivalent foothold. International Relations can be cordially balanced by two or more nations only if its respective subjects are satisfied with the existing laws of that particular nation. Thus in the end it is only these lieges, who are going to portray the nation over the international platform in a positive manner (Liu, 2018). To place both men and women at equal footing today is the dire need of an hour. Therefore, development of any nation will solely depend upon the equivalent ratio of both male and female, which is reflecting the educational status, Political infrastructure, employment opportunities, ties with other developed nations, funding from developed nations. Under developed nations often aspire to ace in the race of development. There are certain instances wherein under developed nations often depict themselves to be below average in order to extract more and more funds from the developed nations on a whole. India being a country with diverse culture consists of people belonging to diversified cultures keeping them over equal footing success because of the lack of awareness among the people at large. Thereby flowing with trend the entire imposition of the responsibility & duty is over the court of laws. The institutional framework has to be followed up in the following three stages, Awareness, Acceptance, Implementation.

The mechanism of the prevailing legal system is required to be more viable, meaning thereby the inflow of the cases can't be stopped because the doors of justice can never be closed for anyone who's aggrieved. Need for the adherence of the laws in a view to profound a change in the Indian Legal System.

16. Conclusion

While framing any policies for the betterment of the society on a whole, the framers of any particular nation should place their reliance in elimination of all sort of discrimination both at domestic as well as international level. Strivings should be made in promoting the interest of each and every citizen of the nation heedlessly to their gender. Government should show its observance to the provisions of the supreme law of land, which has placed both men and women at equivalent foothold. International Relations can be cordially balanced by two or more nations only if its respective subjects are satisfied with the existing laws of that particular nation. Thus in the end it is only these lieges, who are going to portray the nation over the international platform in a positive manner.

Under developed nations often aspire to ace in the race of development. There are certain instances wherein under developed nations often depict themselves to be below average in order to extract more and more funds from the developed nations on a whole. India being a country with diverse culture consists of people belonging to diversified cultures keeping them over equal footing this is the foundation of every democratic nation. Therefore it is the responsibility of the forerunners of the state to provide equality to every individual without discriminating on the basis of gender.

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