Laws and Acts on Access of Equal Property Rights in SAARC Region Countries

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Abstract: Equal rights of parental property is defined that the sons and daughters have equal rights over the ancestral property. The property right is a national issue and it is also related to economy, which is one of the important factors for the development of the country. Main purpose of this article is to critically analyze the Laws and Acts on access of equal property rights in SAARC countries. Author has not collected and analyzed other information rather than Laws and Act related to Parental property rights of SAARC countries. Author has collected Secondary information from different sources and analyzed them critically with his own way. Furthermore, the collected information are based on SAARC regions (developing' countries). Therefore, the Laws and Acts related to Parental property rights of developed and under' developed countries cannot be generalized on the basis of these information. Author Has prepared this article maintaining the academic ethics and value. This article is based on qualitative information with cross sectional methods. The information are interpreted with inductive approach. However, information/ data are obtained by author from the different authentic and reliable sources and those are re-arranged and critically analyzed and make sensible as far as meaningful so readers could understand related issues. However, besides Maldives, other nation of SAARC regions have addressed the equal property rights through different ways, (e.g. customary laws, constitutions, women's rights acts and laws and separate particular laws and Acts.

Key words: Laws, Act, Equal Property Rights, SAARC Regions.

Introduction:

The property right is a national issue and it is also related to economy, which is one of the important factors for the development of the country. Unless it would not identify the property related issue because it effort to change in society will be meaningless. As Blacks' Law Dictionary (1991), parental property equal rights is that where **sons** and **daughters have euqual rights** over the **ancestral property** regardless of their marital (The Civil Code, 2017 provides with equal inheritance laws ensuring **equal right** to **sons** and **daughters** over the **ancestral property** regardless of their marital (Government of Nepal 2017).

Historical parental property rights systems are different systems of property rights among various people; Anthropological and sociological studies have been made about customs of parental property, inheritance, where only male children can inherit or have rights of parental property. Some cultures also employ matrilineal succession, where property can only pass along the female line,

most commonly going to the sister's sons of the decedent; but also, in some societies, from the mother to her daughters. (Skoogberg L. Elizabeth and Paul C., 1974).

Objectives

Main objectives of this article is to critically analyze the Laws and Acts on access of equal property rights of SAARC countries.

Limitation

This article is based on the information of Laws and Acts on access of equal property rights of SAAR region countries. Author has not collected and analyzed other information rather than Laws and Act related to Parental property rights of SAARC countries. Author has collected Secondary information from different sources and analyzed them critically with his own way. Another limitation is that the collected information are based on regions countries SAARC (developing countries). Therefore, the Laws and Acts related to Parental property rights of developed and under' developed countries cannot be generalized on the basis of these information. The sources of information has been clearly mentioned and also given the references too. Author Has prepared this article maintaining the academic ethics and value

Methods and Materials

This article is based on secondary and qualitative information with cross sectional methods. The information are interpreted with inductive approach. However, information/ data are obtained by author from the different authentic and reliable sources and those are re-arranged and critically analyzed and make sensible as far as meaningful so readers could understand what and how the Laws and Act on access of equal property rights in SAARC region countries.

Kaladarpan | Volume :2 | Oct/Nov. 2022 Findings and Discussion

In the SAARC region countries, practices of different environmental, political, social, cultural and economic realities. Natural resource legislation is also extremely diverse, encompassing state ownership. In some predominantly Muslim countries (Pakistan and Bangladesh), Shari'a norms limiting women's inheritance rights (usually to half of men's share) are incorporated into statutory law (e.g. for Pakistan, the West Punjab Muslim Personal Law (Shariat) Application Act 1948 (FAO, 2005). In most countries, the enforcement of statutory legislation is scarce, especially in rural areas, and customary and religious law are mostly applied. Customary law systems are extremely diverse in Asia. In some cases, they are patrilineal and prevent women from gaining direct land rights (e.g. the customary law systems of the Punjab). (FAO, 2005). The Law and Act related to Parental property rights in SAARC Region countries are as follows;

India

In India, personal law varies according to religious belonging. While reforms have been brought about, particularly to improve the position of women, statutory law mainly reflects religious norms. The Indian Succession Act Article 44 of the Indian Constitution (included among the Directive Principles of State Policy) states that "the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India", thereby ending the regime of differentiated personal laws (FAO, 2005).

Traditional Hindu law (codified in legal treatises - the shastras - between 200 BC and 300 AD) was divided in two main legal doctrines, Dayabhaga (mainly applied in Bengal and Assam) and Mitakshara (applied in the rest of the country). Under the Mitakshara system, property was divided in

two categories: joint family ("coparcenary") property, belonging to the extended family, and separate property. Only male family members were coparceners in joint family property, while women (wives and unmarried daughters) had a right to maintenance. Separate property entailed full ownership rights, and was held by men (in the absence of male descendants, women could only inherit usufruct rights). The Dayabhaga system did not envisage joint family property. Property belonged to men individually, and, in the absence of male descendants, women could inherit lifelong use rights. Under both systems, women could own property ("stridhan", acquired e.g. through purchases), although it is controversial whether land could be held by women as stridhan (Agarwal, 2011).Women had wider control powers under Dayabhaga (including the right to sell and gift) than under Mitakshara. In practice, the shastras were not followed literally, and local customary law was applied instead. While in some areas customary and shastric norms converged, in others they differed and women enjoyed greater rights, especially in matrilineal communities e.g. among the Garos, land traced through the female line, and while the husband administered the land, he could not alienate it without spousal consent (FAO, 2005).

In the 20th century, Hindu law was codified into statutory law. In this process, women's position has been considerably improved. The Hindu Succession Act of 1956 applies to Hindus, Sikhs, Jains and Buddhists of all Indian states except for Jammu and Kashmir (secs. 1(2) and 2(1); here the Jammu and Kashmir Hindu Succession Act of 1956 applies), and covers both the Mitakshara and the Dayabhaga systems. The Act grants in principle equal inheritance rights to men and women. On the other hand, some states have Kaladarpan | Volume :2 | Oct/Nov. 2022 adopted legislation complementary to the Hindu Succession Act, further improving the position of women. For instance, the Kerala Joint Hindu Family System (Abolition) Act of 1976 abolished coparcenary property, subdividing the estates, while in Andhra Pradesh and Tamil Nadu unmarried daughters have been given coparcenary rights equal to sons (FAO, 2005).

India legal system is in harmony with religious system of law. India has two kinds of general code i.e. Hindu and Muslim In the sphere of family law system. Due to the British colonization India system either Hindu or Muslim, both are affected by the common law system and new development of British laws.As the common laws system. Also doesn't recognize woman as independent .India laws has also the same effect .India has mainly two kinds of laws governing property. Women's property rights in India takes us into a world where the past merges into the present, and straddles the disciplines of sociology, law and economics within a framework of gender studies. This paper concentrates on south India because this is a region where, historically, women had enjoyed some property rights in contrast to women in north India. The issues raised in this review relate to customary rights - that is the property rights allowed to women in different regions of south India under customary practices, as compared to the rights allowed under the traditional legal systems, the historical evolution of these rights and how interventions from the state and other agencies have redefined these at several points of time. We conclude with an analysis of the changing face of 'dowry' in present-day social arrangements (Kanakalatha Mukunda, 1999).

Bangladesh

Marriage negotiations for Bangladeshi Muslims involve various financial transactions

including primarily the religiously sanctioned dower (mahr). Added to mahr, the practice of dowry or joutuk, demands made by the husband's side to the bride's side, have in the last few decades become a widespread practice supported neither by state law nor personal laws, but apparently designed to strengthen traditional patriarchal assumptions. ... For most Bangladeshis, the practice of dowry has thus become an unpleasant but necessary . The self-perception of married women, however, differed enormously from case to case her and often the daughter is deprived of her legal rights of inheritance to parental property (Shahnaz, 2006).

Hindu law

India Hindu legal system is as per the traditional Hindu scripture. Indian Hindu succession Act 1956 which governs all the Hundu personal laws, is made as the combined form of Mitakshara & Davabhaga school of Hindu scripture Hindu succession Act of India has categorized daughter as the heir & successor of first class. According as the provision of section 8,9, & 10 of Hindu succession Act 1965 & successor of first class. According as the provision of section 8,9, & 10 of Hindu succession Act 1965 daughters are also entitled to get equal right on the interested property of her dead father. Hindu succession act has classified heirs as under.

First-son & daughter (spouse of son & daughter if son & daughter is died Second -heirs of husband.

Third-father & mother.

Fourth-heirs of father.

Fifth-heirs of mother

However, in the case of Aputali (not in exact Indian sense) the property shall go to the respective side (father mother &husband, father in law from where it was came). According to the provision of same Hindu

Kaladarpan | Volume :2 | Oct/Nov. 2022 succession act The father is liable to provide adequate standard of living and adequate access to education to his daughter till she got married in accordance to the provision Hindu marriage women's right to separate resident if her husband is adulterate or cruel or remarriage or changed to another religion the same act also guarantee right of widow to get maintenance with her father-in-law mother in law or another joint co-partner. Even Indian Hindu law system is totally based on the ancient Hindu scripture, Hindu woman in India has all access to her property in the matter of administering her property there is no restriction to women either as daughter, wife or window to dispose or otherwise use her property (Shahnaz, 2006).

Muslim law

Muslim law of India is totally based upon the rules of quaran and this system has made some discrimination between son and daughter In the matter of granting property right. The system of Muslim law in this regard is similar to Pakistani system (mentioned here in under) (Shahnaz, 2006).

Pakistan

Pakistan is the Muslim country and it's legal system is also based upon the Muslim costumes. There are two different customs of Muslim Namely sunny & SHIA the property law system of Pakistan also accepts both the Muslim customs. According to property law system of Pakistan husband, wife, son & daughter are entitled to get share in their respective paternal property. The division of property is as per holy Quern; according to which daughter's share in her father's property is half of the son. Muslim law has classified the heirs into three categories of the heirs is spouse, residuary dynasts are 2nd and third are other. In the case of division of the property

and share of the heirs, the law is little bit more flexible toward female that Hindu system. According to this law a female as wife mother daughter etc. are entitled to get share in the respective property but practice is somehow different, most of the Muslim society follow the Hindu tradition. In practice, a daughter is either totally excluded from the inheritance of landed property or came very low in order of heirs. As Pakistan has adopted Muslim system of law, in general women their inheritance in immovable property, although it is unequal to men these right are positive (Shahnaz, 2006).

Sri-Lanka

Superficially Sinhalese law would seem to offer an ideal case in support of Goody's interpretation of dowry. At least in the Dry Zone of Ceylon, both men and women were individually owners of private property, and their private property might include land as well as personal effects. The owner of property, whether male or female, was free to dispose of it however he or she saw fit, even to give it or to leave it after their deaths to persons other than their legal heirs (Yalman, 1967). If a parent died intestate, sons and daughters shared equally in their parent's property, regardless of their parent's marital history. Women as well as men retained their rights no matter how often they married, divorced, and married again (Yalman, 1967

Srilankan laws have adopted equal measure on male and female in general but the legal system operating in general but the legal system operating in Sri Lanka reflects the cross community differences. There are separate systems relating to property inheritance, these systems are completely based on the customs of different community's. Among these customs, the Singhalese costumes are known as Kandyan laws and these laws provide right to daughter in her paternal property as their

Kaladarpan | Volume :2 | Oct/Nov. 2022 brother. In the case of non-Kandyan Singhalese who is governed by the general laws of Srilanka 'woman (irrespective of married and unmarried) have same right as their brother in their father's estates. In addition, children of both sexes have equal inheritance right in the mother's property when either spouse dies interested the surviving spouse inherit the half share of the property. However, in case of widow, a widow can inherit the whole if the husband leaves no Descendant and ascendant or collateral capable of inheriting his property. She can also dispose the property by this system; adwoman has complete freedom to acquire, posses and dispose of her separate property (Yalman, 1967)

The Jafna Tamils has a different customs and these costumes are also recognized by laws i.e. Jaffna matrimonial rights and in heritance ordinances 1911. According to this ordinance parent could succeed before sibling, grandparents before parents brother s and sister s are equally entitled to get when the shares are decided. In this custom the basic principle of this custom is that each spouse's ancestral property returns to its sources neither spouse succeed interested to others ancestral property The window holds a life interest in the husband's property but the inheritance right is vested with the husband ' share while administering the property a woman s need her husband's consent to dispose her immovable property but a man has full power to dispose his ancestral property without his wife's consent (Yalman, 1967)

The matrilineal Moors also called Muslim Moors' system are little different that of other law. This system of laws is made on the basis of Mohammedan customs. Moreover it becomes now a recognized law these systems are based on the sunny sect of the Islamic religion under which daughter are

eligible to get half of the property, which her brother gets. Under this system women can dispose her property as she wish irrespective of her husband; consent. Thus the general law of Srilanka provides both sexes equal right in land and other ancestral property but personal laws discriminate and embody inequality (Yalman, 1967).

Bangladesh

The Constitution, adopted in 1972, last amended in 2011:

- Article 7(2): The Constitution is the solemn law of the Republic and any other law that is inconsistent shall become void.
- Article 9: the Constitution encourages special representation of women, as far as possible in local government institutions.
- Article 10: appropriate steps must be taken to promote the participation of women in all sphere of national life.
- Articles 26(1) and 26(2) declare that the existing laws, which are inconsistent with the provisions of the Constitution dealing with Fundamental Rights, shall be void.
- Article 27: "All citizens are equal before law and are entitled to equal protection of law".
- Article 28(1): The State shall not discriminate against any citizen on ground of sex.
- Article 28(2): Women are granted women equal rights with men "in all spheres of the State and of public life".
- Article 28(3): There shall be no discrimination on grounds of religion, race, caste, sex or place of birth in providing access to any place of public entertainment or resort, or admission to any educational institution.
- Article 28(4): The State can make "special provisions in favour of women or children or for the advancement of any backward section of citizens".

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- Article 42(1): "Every citizen shall have the right to acquire, hold, transfer or otherwise dispose of property".
- Article 13: The people shall own or control the instruments and means of production and distribution; to this end, ownership shall assume the following forms:
 - state ownership, that is ownership by the State on behalf of the people "through the creation of an efficient and dynamic nationalised public sector embracing the key sectors of the economy";
 - co-operative ownership, that is ownership by co-operatives on behalf of their members, within the limits that may be prescribed by law;
 - private ownership, that is ownership by individuals, within the limits that may be prescribed by law (16).
- Article 152 provides a definition of the word "law" which means any Act, ordinance, order rule, regulation, bye-law, notification or other legal instrument, and any custom or usage, having the force of law in Bangladesh (Government of Bangladesh, 2011)

Afghanistan

Consistent with the new legal framework, under ALASP, co-titling for occupants of state land is mandatory, and husbands are now required to include their wives' names on the certificates. While Afghanistan's laws give women equal rights to own land and property, ig, orance, weak law enforcement, and social norms have combined to deprive. Afghan women of their property rights. Experts estimate that less than 5 percent of land ownership documents in Afghanistan include the name of female owner. Given the social, economic, and cultural importance of property ownership,

equitable access to land is key to empowering Afghan women (S. Elizabeth Antos and E. Pantoja, 2021).

Bhutan

Bhutanese women have traditionally had more rights than men in surrounding cultures, the most prominent being the presumptive right of land ownership. The property of each extended Bhutanese family is controlled by an "anchor mother" who is assisted by the other women of the family in running affairs. As she becomes unable to manage the property, the position of anchor mother passes on to a sister, daughter or niece. This pattern of inheritance is known by anthropologists as matrilinearity. Men and women work together in the fields, and both may own small shops or businesses. Men take a full part in household management, often cook, and are traditionally the makers and repairers of clothing (but do not weave the fabric). In the towns, a more "western" pattern of family structure is beginning to emerge, with the husband as breadwinner and the wife as home-maker. Both genders may be monks, although in practice the number of female monks is relatively small (Lubow, 2008).

Nepal

The status of women is defined in terms of their marital or sexual status; the right to ansha is fragile, temporary and imperfect. A woman is entitled to her husband's property not as an independent co-parcener but because she is his wife. What she receives in terms of ansha from her husband is governed by the continuation of the marital relation with her husband. She can only continue to hold the right to ansha until she remains chaste or sexually faithful to the husband. She is uncompromisingly and strictly prohibited to have sexual relation with any man other Kaladarpan | Volume :2 | Oct/Nov. 2022 than her husband, failure to maintain which deprives her of the right to ansha. A daughter is not entitled to ansha because she gets her status changed by marriage. Yet, under the existing legal system, once she reaches an age of 35 years, she is entitled to ansha because the general presumption is that the chance of changing her status through marriage then becomes almost rare (Malla. S. Pradhan 2000).

Nepal is endowed with a diverse and rich cultural, artistic and natural heritage and has the unique distinction of being of reservoir of the treasure of traditional knowledge and being a one of the prospective notion of economic development in the century with specific reference to the biogenetic resources and being trade bridge between the giant nations of the south Asia. It is in relation to this reality that a real need is felt for the development of modern intellectual property Juries Prudence in order to recognize and protect the property rights of the peoples in Nepal (Sen, 1981).

Property is any physical or intangible entity that is owned by a person or jointly by a group of people. Depending on the nature of the property an owner of property has the right to consume, sell, rent, mortgage, transfer, exchange or destroy it, or to exclude others from doing these things. Ina another hand the property is the exclusive authority to determine how a resource is used, whether that resource is owned by government or by individuals. Society approves the uses selected by the holder of the property right with governmental administered force and with social ostracism. Private property rights have two other attributes in addition to determining the use of a resource. One is the exclusive right to the services of the resources. The right to life is the source of all rights and the right to property is their only implementation. Without property rights, no other rights are possible. Since man has to sustain his life by his own effort, the man who

has no right to the product of his effort has no means to sustain his life. Just as man cannot exist without his body, so no rights can exist without the right to translate one is a right in to reality to think, to work and to keep the results which means the right of property. the modem mystics of muscle who offer is the fraudulent alternative of" human rights" versus "property rights" as if one could exist without the other, are making a last grotesque attempt to revive the doctrine of soul versus body. Only ghost can exist without material property. The equal property ownership issue and even it is totally related on economy, which is the most important factor for the development. It is true that without balance socio-culture environment, the domestic socio-economic status cannot be improved in the society. Now a days people are feeling very high the need of "equal property right to uplift the condition of society as well as economic status, lack of equal property right, women are suffering from various kind of exploitation and inequalities (Sen, 1981).

UN (2005) has illustrated that the Nepal is still running strong feudalistic social values and norms. There were no clear provisions regarding Nepalese women and property rights until 1975, which was international women's year, the Nepali government began to celebrate international women's day on the 8th of March. That same year, the civil...was amended and a clause on women's inheritance and property rights included with the restoration of multiparty democracy in 1990, the new constitution guaranteed that no one should be discriminated against on the basis of sex furthermore, in 1991, the government ratified the U.N convention on the Elimination of all forms of Discrimination Against Women (CEDAW-1979) the nation's women's movement demanded that all inequalities in Nepali law be eliminated and focused attention on the equal right of women to inherit

Kaladarpan | Volume :2 | Oct/Nov. 2022 property. In 1995, the Supreme Court issued a directive to the government to introduce a bill in parliament that would guarantee women's rights to inherit property (UN, 2005).

Kansakar (1995) has described that the Nepalese society is not yet prepared to embrace equal property rights. Nepalese social structure would be badly disturbed by equal property rights. Hindu religion would be wonder if equal property right is given. Parental Property right to Women is a much talked and discussed issue Academic discussion and various inter action have been already held mostly in the Urban areas. Since the introduction of a bill in parliament, it is being an issue of much concern among the people of all strata. Nepali society is a patriarchal society. Son is the successor to his parental property though daughter may claim for the property right after the age of 35, if she did not marry but the son by birth preserves the rights to his parental property. Religious scriptures also strongly plead for the requirement of the son to each religions works and beyond the death of his parents. The higher importance of male in our society has placed them in a higher social status.

In Nepal the issue of relevant to women right is coming up mostly after the Beiging conference in 1995. The voices for equal opportunities and the equal rights are also rising now days in each sector. As the parental property right to women results to generate other right inconsistent to the existing social systems and practices. It is an issue having a great debate. The debate over the issue in political level deserves a significant role, as primarily. It is the political matter to decide before to enact the law authorizing the right to property to women. In our context, a bill is regards to the parental property right to women is pending in the parliament. As discussed earlier, the economic right to women plays a vital role in national

development, the bill is supposed to pass by dismantling the earlier practices and social systems. Generation of a pressure is needed for the positive outcome of the bill even after passing the bill, awareness, among the female as well as in male population and the positive implementation would be required. It is not worthy that the total population is larger in rural areas than in the Urban, in such a situation, more awareness among the rural peoples is needed for the effectiveness of parental property right to women. Most of the local levels leaders possess an influential role in their community. The constitution of the kingdom of Nepal 1990, guaranteed the right to all citizens to earn property, to use it to sell it, and enter into other property related transaction under the law of the land HMG 1990 (Sangraula, 1997).

Acharya and Acharya (1997) mentioned that the women carry a triple burden in society as a producer/worker she contributed directing to subsistence and income, as a mother and wife cares for the family members and the children's, as a community workers, she gives all her leisure hours and labor to society. As for as women's access to property and modem avenues of education, and knowledge is concerned, Nepalese women is general lag far behind men.

Nepalese women have verv limited property ownership; families are largely deprived of culturally, socially and economically, and politically. They have very little rights to decide even about their own homeland affairs which are required to property. The constitution of Nepal 1990 guarantees legal equality to all its citizen, many of existing provisions are discriminatory towards women in many dimensions. One of the most of seen dimensions is inheritance rights of women and their share in property owning. Absence of legal share of property

Kaladarpan | Volume :2 | Oct/Nov. 2022 and property obtained either from the partition prohibits women to all better opportunities in their overall development, such as education attainment, health care facilities, better occupation social and political participation as well as the decision making power (Acharya & Acharya 1997).

Women's equal right on parental property is a great leap forward in the history of women movement in Nepal. Property owning and decision was making power directly affect to the process of women empowerment. Achieving equality between men and women is essential to realize their full potential to involve women fully in policy and decision making in all aspects of social cultural and political life (UNFPA, 1994).

The property inheritance discrimination has been identified as one of the major indicators of son preference in our society and voices to end the distinction have become louder, louder and louder the issue of property right is not have issue in Nepal. But it has been subject of discussion, now days also the issue of the women's property right is passing through a very article stage of confusion and contradictions. Though, this is a very critical and sentimental issue that concern not only to the faith of the half of the country's population. Property ownership generally refers to the authority of a person to gain utilize and dispose the property (economic, goods, service and properties) which the person has in endowed. Empowerment refers to ownership of assets and individual's labor power. However, entitlement is the command that an individual can exert over goods and services by two ways: Using their own resources in direct production and or by using them to buy and sell on the market. Thus a person can be entitled to the property ownership if she has the right to gain utilize as well as dispose over that property (Sen, 1981).

In most of the developing countries women are subjected to discrimination in the form of deep rooted fundamental and patriarchal socio cultural set up of the societies. The gender based discrimination originates at home and gets institutionalized in every aspect of life and elsewhere in the society. Though the constitution of the kingdom of Nepal 1990 guarantees legal equality to its entire citizen (constitution; 1990) many of the existing legal provision are discriminatory toward women in many dimensions. One of the most of such dimensions is inheritance rights of women and their share in property owning. Absence of legal share of property and property obtained either from the parents or from husband are both mercy-based. This situation prohibits women to avail better opportunities in their overall development such as educational attainment, health care facilities, better occupation, social and political participation as well as the decision making power. Due to the economic dependency, women are subjected to experience domestic violence, psychological domination, polygamy and malnutrition (FWLD, 2000). Similarly, lower utilization of health services in general and reproductive health services in particular often becomes a serious hazard to their lives. Moreover, harassment for dowry especially in Terai, which in may cases has found to be translated into the life of women at stake or circumstantially involvement of young women in trafficking and consequently in prostitution. Now share in property rights of women also leads to many other problems like low age at marriage, low age at child birth, shorter birth spacing, frequently childbearing and unsafe abortion. Worldwide networks of women's groups are working to achieve women's empowerment and improve

Kaladarpan | Volume :2 | Oct/Nov. 2022 their socio-economic status in total through grassroots activism and lobbying at a political level to change discriminatory policies and practices, many NGOs are also working in Nepal to install a greater sense of entitlement among women viz. human rights education, legal literacy programs gender training and other small group efforts especially they have influence on advocacy and awareness rising (Sancharika Samuha, 2001).

Conclusion

Besides Maldives, other nation of SAARC regions have addressed the equal property rights Through different ways, (e.g. customary laws, constitutions, women's rights acts and laws and Separate particular laws and Acts. There is no formal discrimination, women's rights may be restricted in practice. For instance, even where land legislation is gender neutral, most land may be in practice held by men. Moreover, rural women may lack the documents required by laws and regulations to benefit from agrarian reform programs. In some cases, formally gender neutral norms may allow discrimination in practice; for example, norms granting absolute freedom of will may be used to disinherit widows and daughters (as documented e.g. for India under the Hindu Succession Act). In other cases, socio-cultural factors, such as perceptions on women's role in the family and in society and/or female seclusion practices, constrain the meaningful participation of rural women in natural resource management institutions (e.g. in Indian Panchayats and village forest committees. Moreover, socioeconomic factors (particularly women's dependence on their male family members) may pressurize women to renounce to their statutory land rights in favors of male relatives

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