

Implications of Law of Inheritance in South Punjab: Responses and Challenges “1999- 2018”

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Abstract: *Owning and controlling inherited property and assets can benefit women economically, socially, politically, and psychologically. However, in South Punjab's culture, women are often denied their fair share of an inheritance, and many voluntarily give up their rights. The purpose of this study is to understand this phenomenon by examining the societal myths and cultural roles that justify denial from successfully claiming their inheritance in South Punjab from 1999 to 2018. D.G. Khan and Multan divisions were selected. The study utilized a purposive sampling approach and recruited 200 females without cases, 200 who filed cases and 20 bureaucrats. Three in-depth interview guides were created to collect data. The findings reveal that cultural and traditional beliefs mediate denial and submission. While traditional customs of South Punjab like Watta Satta and forced marriages and unawareness of rights were common. To address the issue, cultural narratives should be deconstructed, records should be made transparent, and awareness should be increased.*

Key Words: Inheritance Right, Women, South Punjab

Introduction

Pakistan as an Islamic Country respects women and holds many inheritance laws by birth. The Hanafi school of Islam is practised by the majority of Pakistan's citizens. Along with non-Muslim and Qadiani minorities, Ithna 'Ashari, Shafi'i, and Isma'ili all have varying degrees of numerical strength in the country. One of these marginalized communities is the Qadiani. As a result, the nation's political and legal framework takes into account the demands and concerns of Pakistan's diverse population of inhabitants (Haifa & Jawad, 1998).

The lengthy and convoluted history of the nation is deeply ingrained in the laws and regulations that are now in effect. Even after it was founded on August 14, 1947, Pakistan continued to share its legal history with India and took the following Acts in the area of personal law from the nation that gave birth to it:

1 Applicable Civil Law

- 2 Application of Muslim Personal Law (Shari'at) Act of 1937
- 3 The Muslim Personal Law (Shari'at) Application Act of 1937 and the Punjab-specific local law that it is based on (Mukhtar, 2007).

Numerous practices that are widespread in Pakistan are thought to be discriminatory against women. These customs, which are especially prevalent in South Punjab, frequently have the consequence of making life more challenging for women. Among these practices are killing women who want to get married voluntarily or allegedly for a romantic relationship, exchanging women in marriage without asking for permission, compensation marriages to settle disputes between tribes, clans, and families, demanding that women not claim their inheritance, girl child marriages, and marriages to the Holy Quran. The weddings conducted in the name of the Holy Quran are another illustration of this type of union.

Forced marriages, such as forced exchange marriages (Watta-satta, Wulvar), and compensation

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marriages, which are performed under the cover of tradition (Wanni, Sang-Chatti, Swara) (Mumtaz, 2006).

Forced marriages refer to situations where one or both individuals do not willingly consent to the union, often due to some form of coercion or pressure, either physical or mental. This can result in bodily harm, social or familial exclusion, or adverse effects for the individuals involved. In some parts of South Punjab, arranged marriages are common and forced marriages may take different forms, including:

Exchange Marriages: Also known as Watta-satta, Vulvar, or Pait Likkhi, exchange marriages involve the Simultaneous marriage of a brother and sister from two different families. While the parties involved may be willing, there is often pressure to marry due to the fact that another sibling has married into the other family.

Betrothal or Pait Likkhi: In this practice, a marital commitment is made on behalf of an unborn or young child. An agreement is formed prior to conception or before a child reaches puberty.

Compensation Weddings: This is a practice where female children are forced into arranged marriages as compensation for a murder committed by their family, to pay off debts, or to settle inter-tribal or intra-clan disputes. It is known as Wanni in Punjabi, Sang-Chatti in Sindhi, Swara in Khyber Pakhtunkhwa, and Ljai or Khasaniye Soor in Baluchistan.

Child Marriages: These refer to giving and receiving young women in marriage without their consent, often occurring when girls are sent to live with their spouses much younger than the legal age of marriage (16 years) in Pakistan (Dawn News, 2013).

Marriage to the Holy Quran: This is a practice where women are coerced into taking a vow of celibacy, pledging on the Holy Quran that they will never marry or have sexual intercourse, and devoting their lives to the worship of Allah. There is no religious basis for this tradition, but women are often tricked or cheated out of their inheritance and forced to lead celibate lives. This practice is also intended to prevent the division of a family's fortune after a daughter's marriage.

Experts are also of the opinion that this tradition is predominantly practised in communities with lower incomes or rural areas that are more impoverished and do not have members who are educated enough to realize the consequence of it. A number of nations have communities that practice exchange marriage; this is typically done to minimize rituals including dowries and more. For example, the term "berdar" is used in Turkey, but "badal" is used in Jordan and Palestine to refer to the practice. It's possible that the fact that not

all of these weddings require the approval of the prospective spouses makes the practice of Watta-satta/addo baddo, also known as exchange marriage, more public in Pakistan. Because of this, it is extremely difficult to detect because the women involved could not be aware of what they are consenting to because they are (too young) or they might not have any option. However, many marriages of this type end in divorce because at least one member of the four people who were married in pairs was unhappy in the union. Although these behaviours have no foundation in any religion (Lemons, 2016).

In South Punjab, there are several different ways in which inheritance is carried out. Women can inherit property, but they often do not have any influence on how the property is used or how much money it generates. When there are no male descendants, immovable property is almost never passed down to the female heir, with the exception of a small number of extremely wealthy families. On the other hand, among the same group of people, dowry is expected to make up for the fact that women are not granted landed property as part of their marriage. In certain families, girls are entitled to a portion of the property even after the mother's part has been subtracted from the total. It was also discovered that female management of the property is only conceivable for widows, and that female control of the economy is only viable under certain conditions (e.g. minor children, disabled household head). To avoid paying taxes, exceptionally wealthy men may sometimes transfer property into the names of their wives, daughters, or even sons. This is a common practice that has been around for quite some time. In situations like these, which are referred to as benami, which literally means "nameless," the individual who is executing the transfer keeps the paperwork, and he continues to exercise complete authority over the property. In a benami arrangement, a woman has very little possibility of ever owning or managing the property in question until the guy in the arrangement dies and she really inherits it from him. Benami transfers are frequently utilized to deny some family members their right to inherit money or property. In spite of the fact that they can be challenged in court, malicious intent is notoriously difficult to show (Bennett, 1981).

Another common custom involves women giving up their right to an inheritance in favour of their brothers or sons, with the transfer of property typically taking place under coercive circumstances. Because of the intense pressures exerted by society, women are often estranged from their families, even other female members of their own families. They are unable to

make a claim on the inheritance because they are terrified of upsetting their family connections. In the absence of measures to safeguard them, women often rely on the parental house and brothers in times of need (such as a disastrous marriage, sickness, or the pressures of the economy), and as a result, they forego their part in the property as an insurance policy for the future. According to the findings of Shirkat Gah's field research, a broken relationship with brothers is seen as having an effect on their children's marriages (as marriages within the kin relationships are preferred), and it could also lead to generations by the extended family. This is because the bond between brothers and sisters is idealised and exalted. It is common practice for divorced women to give up their dowry in order to increase the proportion of their estate that goes to their kids (Rural Development Institute, [2009](#)).

Furthermore, in South Punjab traditions of Inheritance the negative connotation that is associated with the term "ghar jamai" is one of the primary reasons why a daughter or sister might be hesitant to make a claim on her father's property. This is one of the major reasons why: (the resident son-in-law). In South Punjab, the cultural bias against ghar jamai among landowning caste groups is so pervasive that it has been turned into the punchline to a number of jokes and stories. The following is a common translation of the Punjabi proverb: "sore ke ghar jamai kutta bahen ke ghar bhai kutta." This translates to "a man living in his father-in-house law's is comparable to a dog." Comparable to a dog is a brother who chooses to reside in the home of his sister (Siddique, 2010).

In ordinary circumstances, a son-in-law is treated with honour and respect especially when he is on a visit to his wife's village. Not only does he command a great deal of respect from the wife's immediate kinsmen, but also from her classificatory kinsmen, such as the males in her lineage and the other villagers in the community. In point of fact, throughout the entirety of south Punjab, he is typically referred to as the bateu or a mehman, both of which literally means a guest. His honour lies in the fact that he continues to be a jamai and does not transition into a ghar jamai. It is said that the collaterals would not like to see an outsider taking a share of the ancestral property. As a result, if he were to go and live in the village where his wife was raised, he would likely be despised and suffer a significant amount of shame. The case presented below is just one example out of quite a few that study came across involving women inheriting property and the transformation of a jamai into a ghar jamai. Both of these events took place in South Punjab. This case highlights the ongoing and even accelerating change

in rural society, which is on its way to accepting a significant breach in the time-honoured tradition of patrilocality by relocating the husband to the natal village of his wife (Tom, [2001](#)).

Patrilocality refers to the practice of a man moving to the birthplace of his wife after getting married. The act of allowing and accepting the daughter (and her husband) to take over the ancestral property is a major breach in the cultural perceptions that surround the concept of ghar jamai. This act was always met with vehement resistance by the natal family, the collaterals, the community, and the villagers. This particular case demonstrates the most respected jamai transforming into a ghar jamai; however, in real life, this transformation has almost no negative connotations. This holds especially true in regard to the collaterals, whose traditional rights had been completely eliminated as a result of the Act of 1956. Following what appears to have been some initial resistance, the collaterals appear to have accepted their removal from the direct acquisition of property as a matter of their right. This was indicated in an earlier case. At this time, the only method of acquisition available is through purchase. There is no doubt that they still have some reservations about their daughters inheriting the property, but these concerns have not proven to be a significant barrier so far.

The objectives of the study are as follows:

- 1) Investigate the significance of customs and traditions, which play a role in determining how women choose to handle their inheritance.
- 2) Assess the factors that impact women to go to court and file cases for their inheritance rights.
- 3) Gain an understanding that why some women leave their own right of inheritance by their own will.
- 4) Use the legal and woman rights specialists' (bureaucrats') perspectives to portray a more realistic picture of the challenges that women confront.

Methodology

The interpretative paradigm is most suited to obtaining grounded data since the current study aims to analyse the varied dimensions of decisions made by women about inheritance. The relevance of this increases when studying socially excluded populations. Moreover, according to the literature review few qualitative types of research were done on this topic but the data was limited, a lot of loopholes were left and it could be caused by institutional barriers like the sluggish processing of cases or a lack of understanding

about the new laws. The myriad factors that play into women's choices are ignored by big data. In addition, quantitative statistics are not great at capturing the unique circumstances of individual events. Yet, quantitative researches on the issue often overlook the reality. So, to overcome the gaps in quantitative research and to study the research in-depth qualitative research method was used in the recent research.

Site Selection

Based on recommendations from the Punjab Commission on the Status of Women's (PCSW) report that came out in 2016 (Yousaf & Farhana, 2016). It was the largest and most pertinent study on women's inheritance rights to be carried out in Punjab. The study provided a thorough analysis of the patterns of women in South Punjab's distribution of inherited land. According to the study's findings, Dera Ghazi Khan is the area with the least access to inheritance rights.

Dera Ghazi Khan and Multan have been chosen by the researcher as the study locations. The researcher's decision on the location of the current study was led by the study's findings from PCSW. Due to the opposing patterns in both areas, researchers

were able to analyse the dynamics of women's inheritance rights in South Punjab and formulate policy suggestions by comparing the two areas.

Sample Size

For the study, 100 women from Dera Ghazi Khan who did not take their inheritance rights were selected and 100 women who filed cases against their rights were selected from the same division. Whereas, also from the Multan division 200 females (including 100 who filed cases in courts) were selected. In the second sample, 20 barristers from each division were selected for data collection.

Following the Following Inclusion Criteria

- 1 Only female Muslims were chosen
- 2 Only the ladies who identified as first cousins and claimed their inheritance was chosen.

For the selection of Inheritance Lawyers from each site following officials were recruited as a study sample.

- 1 Only lawyers who deal with inheritance cases
- 2 High Court Lawyers.

Table 1
Data Collection Structure.

Region	Women	Women File Cases	Lawyers	Total
D.G.Khan	100	100	10	210
Multan	100	100	10	210
Total	200	200	20	420

Tools of Data Collection

In-depth interview questions, personal observations, and documents and regulations pertaining to women's inheritance rights were employed as data-gathering strategies for this study. The relevant information on data-gathering technologies has been thoroughly addressed below. There were three main kinds of interview guides created. One for legal officials and two for research participants who were women.

One of the most often utilized methods for gathering data in qualitative research is in-depth interviewing. The researcher reasoned that, given the study's ontological and epistemological stances, in-depth interviews would be the most appropriate and legitimate method for providing meaningful data on inheritance. Using a semi-structured interview guide proved to be the most effective method for gathering information about the pervasive problem of denied women's inheritance rights and their personal

perspectives, experiences, and concerns. The interview process lasted three years, from 2021 to 2023.

Analysis Strategy

Analyzing qualitative data is a difficult process. As a result of the qualitative data's subjective and unstructured character, it necessitates a lot of the researcher's time and effort. The iterative procedure is followed by the analytical cycle in qualitative research. Before beginning the analytical cycle for the current investigation, the researcher prepared the data in accordance with the procedures listed below.

It was essential for the researcher to immerse themselves in the data in order to have a deeper knowledge of the information and the study participants' experiences.

Findings

Hindrances in Women's Inheritance

Data were collected from 100 females who were working as teachers. It was analyzed that according to the participants, they left the inheritance of their own will. There were the following reasons for leaving their rights of inheritance:

- 1 Uneducated brothers
- 2 Financially unstable
- 3 Jobless

As per facts, women reported that their brothers were uneducated, financially unstable and jobless so they decided to leave their right of inheritance. They also reported that they worked as teachers and have enough money to survive so they decided to leave their rights as sympathy. They have soft corners for their brothers because:

'hmaray bhai hmaray maa baap ki nasal kay waris hain'

Moreover, they also added that there were customs in their family to leave inheritance as a daughter for brothers. From childhood, they have not seen their mother and aunts (phupho, khala) get an inheritance. In their surroundings, no female gets an inheritance so they never thought of getting the property.

Some other reasons which hold them back to take their right of inheritance:

- 1 Parents want them to leave
- 2 They don't want to hurt their parents
- 3 They don't want to fight
- 4 Their in-laws and husbands don't pressurize them
- 5 They don't want court issue

Women responded that they don't want court 'kechehri' issue. They don't want to drag their family as people will start talking about them. So they happily leave their inheritance back. Their in-Laws don't want the blame on them as people will blame them for this

'zaror susral walon nay kaha ho ga apna haq lao, yeh bhukay hain'

They did not want their right.

Jahez (Marriage Gifts)

Jahez was recorded as the inheritance share of a group of females. A woman claimed that she and her three sisters each received 25,000 rupees as an inheritance from their wealthy landowner father, which was a relatively sizable sum at the time. Their grandfather gave them this as a present. Despite the fact that his true motivations remain a mystery, it is very likely that he intended to compensate them in advance for the

likelihood that they would be disinherited after his passing, which is exactly what happened as a result of a long-standing family tradition that is still followed today. We only learned of one dad who had given his daughter's name to a piece of property before he went away. A woman who lives with her businessman husband in a well-decorated and cosy home told us during our interview that the home is her brother's. Prior to getting married, their late father gave it to her as a gift, and she now resides there with her husband. She has no need to stay there herself because she presently lives in another area of the city with her husband and her in-laws; as a consequence, she permits her brother's family to occupy the property. Even among the impoverished, dowry obligations are frequent. The upcoming groom requested a scooter while the participant's housemaid was putting the last touches on her daughter's wedding preparations.

Despite the fact that other people in a similar situation are frequently forced to sell everything because they are aware that, if they don't, their daughter may never marry at all. In Jahez, it is uncommon to get land or other real property, but we were informed of one instance in which a childless divorcee received a room in a rental building that her father had previously owned and that was later passed down to her older brother as part of her dowry. While she and her younger, unmarried sister reside in one half of the big mansion that was originally their grandfather's but was never split after his passing, she keeps it uninhabited and locked. Their grandpa had previously owned this huge mansion, but it was never split after he went away. Her late father had a sibling, who now lives in the other half with his family. She was concerned that once her sister got married, their uncle would kick her out of the house and leave her with no choice but to live in the room that was designated as her dowry because the two women don't have any legal documents proving their ownership rights in the property and their relationship with him is tense.

To find out if the dowry should be viewed as a replacement for a woman's inheritance, we spoke to a few different women. A participant who noted that "these days individuals do spend a large amount of money on a daughter's wedding" was initially leaning towards agreeing. When asked if the expense of a wedding is comparable to the inheritance a woman would receive, she admitted that it is rarely the same, explaining that those who can afford such huge dowries typically own property that is worth many times more than the dowry. People report that she received another dowry, and another person nodded in agreement: "She got her half." But a portion of the

inheritance is worth more than the dowry. In any case, the cost of a daughter's wedding isn't all that different from a son's wedding. Not even a few hundred thousand rupees.

It was a little surprising that none of our comments mentioned the fact that, regardless of its size, a woman rarely retains control over her *jahez*. Many of the more expensive items are meant to be gifts for her husband or his family, while others are either added to the furnishings already in her affinal home or are swiftly given away as dowries to her husband's sisters. She usually experiences the same problem with her jewellery. She might be allowed to retain it in her hands for a while, but she'll likely face pressure later to sell it or pawn it to pay off family debts, make upgrades to her in-laws' house, or buy something that will be titled in her husband's or father-in-name law's rather than her own.

However, it's possible that her mother-in-law will insist on keeping it locked away in her trunk or cabinet, allowing the young woman to wear it for festive or ceremonial events but forbidding her from using the money to buy personal luxuries or support her siblings or parents financially. She may be able to keep the money in her possession for a while. She will be forced to leave her possessions behind and will have no choice but to do so if her husband decides to divorce her or if domestic abuse forces her to seek shelter at her childhood home. Due to the fact that nearly all moveable property in modern society is owned by men, the question of whether or not one can inherit property from one's mother arises.

Awareness of Inheritance Rights

It was reported that women were aware of the Islamic Rights of Women inheritance as Shariat Laws.

Women Share: Half of the share as compared to men	Men Share: Double than women
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They had this basic knowledge of women's inheritance in Islam. Except that they said they had never read or heard about this. As no one talks about it and they do not find a need to read about this.

But they said as long as Pakistani Laws are concerned they were not aware of Pakistani Laws, their amendments and their political Inheritance rights.

'Hamein pata hai hmara haq hai magar ird gird koi nahi laita apna haq hum nay bhi chor diya'

They responded that only males can fight in courts, police stations and in Patwar khanas. It was

difficult for women to pursue cases as our system is not women-friendly. Moreover, society did not take women's rights for these proceedings and going to courts so they do not pursue the cases.

Future Mechanism for Inheritance

When they were asked about their future mindset about the Rights of Inheritance in their families as: 'bhabhi' and for their own children. They responded that:

'hamein haq nahi mila to hum bhi nind ko haq nahi dain gay. Hmaray shohar ko bhi pura hisa mila hai'

But as long as their children were concerned they reported that they will try to give full rights to their daughters in inheritance.

Hindrances which lead them to Court

According to the FIR by false means, cheating and fraudulent activities brothers grab the property of their sisters. They neither inform their sisters nor took permission from them and possess their inherited property unauthorised. Some other females were brought to their place to verify as their sisters and they shifted the property in their name and did not give any share, moveable or unmoveable (money, house, cows, cars etc) to their own sisters.

The females who were destitute from their right of inheritance reported that their brothers illegally shifted their part of the inheritance to themselves. They did not give any rent for using their property and they hold it by all means.

'Hmaray bhaiyon nay btaey bghair qabza kar liya hai hmari zameen par'

The following reasons were also reported that why their brothers act this way:

- 1 They said property only belongs to men
- 2 Because we (females) were weak so they did this
- 3 We were unaware of the property (where it was, and how much property our father possessed).
- 4 Before our marriage we never question them.

They also reported that before marriage we never took interest in the property and never ask about our share so they were used to it that complete share 'theka' belongs to them. They were custodians of full land and they refused to share it with sisters.

Forced Marriages

A group of women reported that they were the victims of forced marriages by the parental family so that they

could not claim inheritance. As most of them, were married to their cousins, through watta satta, they could not claim the property. A lot of years in that marriage they did not claim inheritance rights but then with the passage of time their husbands' families started torturing them 'tum lay kar kya ae ho' 'tmharay maa baap nay apna gand hum par lad diya rishtay dari kchakar mein' then they decided to have their share.

When the participants were asked what were the reasons for forced marriages broadly then they responded that because of:

- 1 The inability to provide a dower;
- 2 Poverty and the desire to rid oneself of the economic cost of child-rearing and related expenses;
- 3 gender inequality;
- 4 The desire to control unwanted sexual behaviour;
- 5 The desire to control unwanted social behaviour;
- 6 The desire to prevent unsuitable relationships, such as those with people from different ethnic, cultural, religious, or caste groups;
- 7 The desire to protect family honour or izzat;
- 8 The desire to compensate for wrongs committed by one party by giving girls in marriage to the party that was wronged.

Barristers on Women Inheritance Cases

Barrister Malik informed that even though there is basic awareness amongst women in today's time as regards their rights, inheritance rights are still typically not used since it is believed that doing so would embarrass the family.

'Of course, this does not imply that women do not seek redress in court'

According to him, the bulk of instances previously involved women whose names were either not listed as the deceased person's legal heirs or who had their rights violated by male family members in unlawful ways.

In order to keep land in the family, fraud has frequently been undertaken. In some cases, fraudulent gift documents have been presented to the court, claiming that the sister has "given" her portion to the brothers, and the land has since been placed in the brothers' names as a result.

In certain instances, male family members deceive the female heirs by acquiring their signatures and thumbprints on blank documents under the impression that they would be utilized for inheritance reasons, but in reality, they are being used to create

deeds that bar women from receiving their inheritance. As a result, the female members launch legal lawsuits, the resolution of which takes decades.

There have also been instances where the male family members present a different woman in front of the tax authorities who represents herself as the sister and legitimate heir and she 'signs away' her rights in their presence. In a way, the fact that a woman's ID card is altered to reflect the name of the husband after marriage rather than keeping the name of the father facilitates this deception. The scam won't be discovered until the genuine sister makes a claim since the revenue official would have no need to cross-check the ID card being attached if he has no suspicions.

It would be necessary to visit the Patwari or the ARC to learn under whose name the land has been transferred in order to uncover the fraud. However, it might be challenging to expose this deception, particularly if the concerned woman lacks education and, more significantly, is unaware of the extent of the land her father owned. This will make it nearly hard to determine whether she was wrongfully excluded.

Regarding the latter issue, a woman will not be able to obtain information about the property if she does not know where it is physically located. As a result, she won't be able to determine if her siblings have acquired the land and alienated her or not. In most situations, the ladies of the family do not know the actual location of the property, which is necessary if one wishes to know whose identity it is. If the dead had many parcels of property, it is necessary to know their precise locations so that one may go to the various Patwaris and inquire about whether their name has been included in the list of successors of the departed.

A single database that is streamlined to display the overall value of all the property held by one individual is required. Fraud prevention and detection would be a lot more simple if this information could be available in one location. Additionally, this would make it possible for a single inheritance mutation to change all of those properties.

In a nutshell, it was evident that according to the barristers, a lot of women do not come to courts for their rights. They left their rights in the fear that without males they can not handle the situation. Reporting of these is very less in South Punjab. Barristers also shed light on the cultural impact of South Punjab as the hindrance to women's rights of inheritance.

Discussion

According to the findings of the study, it was evident that women were unaware of their rights in South Punjab and were deprived. The customs and cultural traditions of South Punjab were the main factors of this deprivation. In the name of honour, family and parents, few women left their rights and few were forcefully deprived of taking their rights in share. In the literature also by Tirmazi (1999), it was seen that Women have a substantial challenge in the form of a lack of information on their own property rights, as well as a limited comprehension of land registration systems, transaction processes, and other legal difficulties that are associated with the ownership of land. Women have a huge obstacle in the form of this information gap. According to Tirmazi (1999), women are only allowed to hold jobs in which they perform a service since society does not believe they are mature or responsible enough to own or control property or make significant choices regarding it. This behaviour is seen in other countries outside Pakistan as well. And also Bennett (1981) has discovered that women only own less than two per cent of all titled land in the world, which demonstrates widespread gender-based unfairness practices that reflect on the status of women's economic welfare. In its most extreme manifestation, this sort of discrimination can make it difficult for women to obtain even the most fundamental means of subsistence for themselves and their families. Women can reduce their vulnerability to risk by investing in real estate.

Barristers shared that Individuals are granted certain rights under Articles 23 and 24 of the Constitution with regard to the possession and disposal of property in any part of Pakistan, and it is emphasised that no individual can be wrongfully deprived of property that is rightfully hers or his. These rights apply nationwide. In this regard, it is essential to take into account the fact that the Constitution does not make a distinction between mobile property and immovable property.

Every citizen of Pakistan shall have the right to purchase, possess, and dispose of property in any area of the country, subject to the Constitution and any reasonable limitations set by legislation for the public good. This right is not to be taken to entail the ability to use eminent domain in any way. - Article 23, Code of Procedure.

Moreover, they added that according to a decision handed down by the High Court in Multan, it is against the law for male relatives or other heirs to a woman's estate to take adverse possession of her

property in order to deny the woman her rightful portion of an inheritance. The term "adverse possession" can refer to any method of acquiring property that does not entail the willing transfer of ownership by a woman.

It is impossible for a male heir to claim title through adverse possession in order to prevent a female successor from inheriting the property.

In another judgement, it is stated that the court would be willing to reinstate a woman's property if someone had transferred it in their name (mutation) with the intention of robbing the woman of her share of the property. The intent behind the transfer must have been to intentionally deny the woman her share. If a female legal heir had been disinherited, the courts could be ready to undo the mutation that occurred when the property changed hands and give it back to the woman.

Conclusion

According to the Global Gender Gap Report on women's economic involvement and opportunity, Pakistan is rated 143rd out of 144 nations (Gender parity report, 2018). The issue is serious, and it's important to understand that inheritance and economic empowerment are inextricably intertwined. By ensuring that women receive a fair portion of their inheritance, Pakistan may, in part, resolve the issue of women's lack of access to adequate economic possibilities. Women's attitudes regarding receiving their inheritance have been substantially impacted by their understanding and awareness of inheritance rights, among other things. Therefore, it becomes essential that citizenship and Inheritance Rights education be included in all areas of basic education in schools, not only topics like civics. In Pakistan, where female literacy rates are rather low and female enrolment in schools is still a problem, it is crucial to develop informed strategies for raising knowledge of fundamental rights. In addition, women choose to give up their inheritance in exchange for concessions from patriarchs. According to data analysis, a woman makes a deal with her brothers when she gives up property in their favour since doing so deepens their bond. This provides her with social security and is not largely the result of any emotional ties that are a part of her primary socialization but it also highlights the customs of inheritance in South Punjab. It was also concluded that women did not move to courts in fear and also left their rights in the name of traditions, family honours and culture. In situations where the state fails to protect women, this happens. To do this, the institutional framework of the state must be strengthened.

Recommendations

After conducting an in-depth analysis and arriving at the important conclusions of the research, the following suggestions would be very useful in putting an end to the harmful cultural practice of denying women the legal right to inherit property. These suggestions are in order of increasing the likelihood of success.

1. The government should take steps to implement programmes that would educate people on the Sharia laws governing the share of women in inheritance, and these programmes should be designed to raise awareness among the general public.
2. Since the media may also play a significant part in raising awareness within society, the media ought to launch those programmes that will contribute to raising knowledge of the rights and obligations of the people who live in society.
3. Those who violate the regulation of sharia and deny women their inheritance shall be subject to the punishment that is imposed by society.
4. The practice of leaving an inheritance in the form of compensation rather than property should be strongly prohibited by the law.
5. Non-Governmental Organizations (NGOs) shall fulfil the essential role that is entrusted to them in order to educate women on the lawful right to an inheritance that is rightfully theirs and to provide assistance to women who are denied this right. On the other hand, they should make parents aware of the portion of a daughter that is bestowed upon them by the one who created the universe.

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