

Causes Of Women Deprivation From The Right Of Inheritance and Its Impact On Their Social Life.

(A case study of Tehsil piplan Distt.Mianwali)



by

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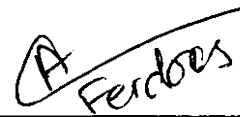
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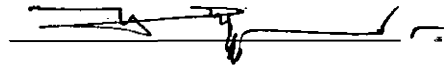
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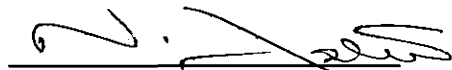
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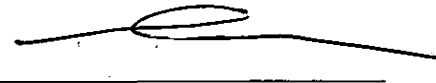
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DEDICATION

With great respect & regard to my respectable and loving

Parents

WHO SUFFER FROM THE HARDSHIPS

AND DEDICATION HER LIFE

FOR OUR PLEASURE

AND BRIGHT FUTURE

AND WHOS GUIDANCE STRENGTH OF

CHARACTER AND SPIRITUAL LEARNING

SHOWED US THE LIGHTS,

IN THE DARK MOMENTS OF OUR LIVES

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CHAPTER# 1
INTRODUCTION

INTRODUCTION

1.1 Theoretical background

Inheritance is defined as “a perpetual or continuing right which a man and his heirs have to an estate; an estate which a man has by descent as heir to another, or he may transmit to another as his heir; an estate derived from ancestor to a heir in course of law “(Accurate and Reliable Dictionary, 2008). Inheritance is defined simply as intergenerational saving. It is an important source of wealth accumulation (economy or economic resources) and hence it can contribute to economic growth. It can be contrasted with means of securing economic growth and future generation's well being, namely education assimilated with investment in children's human capital. Even if parent accumulate wealth for old age as the theory of life cycle claims, and have no particular desire to leave something to their children, the later will probably, still receive an inheritance. “Inheritance in common parlance means money or property derived from one's parents or ancestor. In legal terms it is the property received from an ancestor under the laws of inheritance or a property that a person receives by bequest or devise (Brayan.A, 1999). “Inheritance is the transfer of legal possession of deceased persons onto their descendants (verma ,2004).”

The exploitation of women in the matter of inheritance is not an odd event of human history. Inheritance is an integral part of the family life, and depriving a child of each gender from entitlement in parental property is tantamount (equivalent) to diminish the conception of family as a social unit (Leach, 1982).

“In Arabic, inheritance is called "mirath". Mirath literally means to last or to remain.” This is why one of the Names of Allah is al-Warith because after all creation perishes only He will remain with complete control over all things. Technically speaking, mirath means: Legal and mathematical rules that demonstrate the share of each heir to the inheritance. Mirath is one of the most important disciplines in Islam. This has been emphasized to such an extent that the Prophet, peace and blessings be upon him, said, "Learn the discipline of inheritance and teach it, for it is half of

knowledge, and it will eventually be forgotten, and it is the first discipline that will be taken away from my nation." He also said, 'There are three essential knowledge, and everything other than these three are secondary, a self-evident ayat of Quran, an established Sunnah, and fair inheritance (Hamzah , 2010).

1.2. Concept of inheritance right of women in Islam

In the pre-Islamic civilizations, women were denied any right to inheritance, so that money and property would not be transferred to her from her husband. Only mature, elder sons were entitled to inheritance, since they were the ones who fought and defended their tribe in times of war. Before the Islam women were not entitled to inherited property. The rights of inheritance were only confined to men. . After the appearance of Islam, a great change has occurred among people by establishing the rights of women in all enterprises of life. It is worth mentioning that the Islamic Sharee'ah was the first to institute rights of inheritance for women fourteen centuries ago. Islam also took many steps to eliminate all forms of discrimination against women as it granted them many financial rights that are more than what Islam grants women the right to inherit from their parents or relatives and specifies an obligatory share for them.

In Islam women are entitled to inherit as heirs in the lands left behind by ancestors, and the followers have been asked to adhere to it strictly In the Holy book Concerning inheritance.

Allah The Almighty Says (what means) "For men is a share of what the parents and close relatives leave, and for women is a share of what the parents and close relatives leave, be it little or much an obligatory share." [Quran 4:7]

Muslim jurists believe that this verse establishes a general inheritance rule for both men and women. They also believe that this verse establishes a new norm that was not known before; that is granting women the right to inheritance (UN-HABITAT, 2005). Thus, Allah the Almighty allocates women a known and specific share of inheritance. Anyone who deprives them of their share is a wrongdoer who will be punished eternally in Hell suffering a humiliating torment. Along with this allocated share of inheritance to women, Allah did not make it obligatory for them to provide for the

family; rather, He made it the men's responsibility to provide for the women under their care.

As an heir in view of Surah Al-Nisa verse 12.45 opinions differ whether the provision of maintenance, with residence, is abrogated by the share which the widow gets (one-eighth).

1.2.1. Mother

Like father she is entitled to 1/6th in the presence of the deceased's children or in the presence of deceased's brothers/sisters, while, in the absence of the deceased's children, her share will be 1/3rd, provided, the deceased has not left behind more than one brother or sister, whether full, consanguine or uterine (Surah Al Nisa verse 12).

1.2.2. Daughter

She is entitled to 1/2 of the estate of the deceased in case of her being the only child and, where there are two or more daughters, they take 2/3rd of the estate collectively which is to be divided equally among them (Surah Al Nisa verse 11) while in the presence of male sibling, the daughter inherits as a residuary and her share will be equal to half share of the male sibling (Darul Isha'at, Karachi, Pakistan, page 393).

1.3. Concept of inheritance at global level

Women's right to inheritance plays an essential role in the socio economic, political and social empowerment of women folk, but unluckily women are often deprived of right to inheritance due to deep-rooted patriarchal system, subjective explanation of divine directives, laws of the land and due to many other customary practices all over the world. The practice of Inheritance in all kinds of movable and immovable parental property is a worldwide practice, but some of the conventional societies are characterized by gender discrimination in the form of either total deprivation or partial deprivation. The exploitation of women in the matter of inheritance is not an odd event of human history; rather it is one of the disparities perpetuating women's suffocation in different compartments of life throughout the world (Wahlin. L, 1994).

Women in certain societies are excluded from inherited land property. Thus they are kept dependent on men in their families who want to maintain their monopoly as well as they entity of land. Through marriage patterns the alienation of property is prevented. "The position of women with regard to the transmitting of property is

associated with a specific structure of roles. It is also related to the nature of kin groups and to the mode of transmitting office. As system of so-called clans and lineages that allows women to take substantial property, landed or otherwise into marriage must be a very different system. For it means that only the alienation of property of the kins to another groups" (Goody, 1979).

1.3.1. Women inheritance right in England

In England the daughter rarely got land as dowry. On the other hand, they got land from their husband as dowry. This was the future endowment gives to bride at church door, which she would use for support after the death of her husband (Goody, 1983).

Eurasian societies are characterized by diverging devolution and dowry where in the daughter inherits the parental property at her marriage rather than at the death of father. The dowry establishes a conjugal funds and it ensures the support of daughter in widow-hood to provide her sons and daughters (Goody, 1976).

Customs of London favored portable inheritance in so far as the property was divided into three equal parts after the payment of debts and funeral expenses, one went to widow, one was shared equally among children who had not already received their portion and one could be willed freely (J.p cooper, 2002).

1.3.2 Women inheritance right in Germany

While looking at mode of transmitting property, there appear variations as "the two regions of Germany Calenberg and Gottingen represented two modes of inheritance. Calenberg was characterized by importable land tenure, single inheritance, and large holdings. In this system the property was transmitted to a single heir who inherited all holding while Gottingen represented less-restricted tenure, equal inheritance, smaller holding and less unified farms which suggested nuclear family household"(Lutz k.brkner, 1995).

1.3.3 Women inheritance right in India

In India, although prohibited by law, the custom of dowry is common. For Hindus, typically the daughter's family gives dowry to her new husband and his family. If the daughter comes from a family with land, the payment of dowry and the cost of the

wedding incurred by her family can impact a daughter's entitlement to a share of her family's land, in practice. Any formal right the daughter may have to inherit a portion of the family land is trumped by the cultural understanding that the dowry and wedding costs represent the daughter's share of the family assets. Yet, during the term of the marriage, the daughter (now wife) has no right to the dowry paid by her family. Thus, while dowry is understood as the daughter's share of the family inheritance, in practice it does not benefit her or provide her economic security (World Bank, India: 2003).

1.3.4. Women inheritance right in Africa

Women were not regarded as heirs in Africa, and amongst ancient Arabs and Hindus (the followers of the schools of thought like Baudhayana and Vasishttha). The principle of inheritance was based on the concept of "comradeship in arms". Since men were physically stronger and better fighters, they were entitled to inheritance to the exclusion of women, minors of both sexes and disabled persons. In Babylonia, the property of the deceased was to be divided equally among his children, but the immovable property was often kept together and enjoyed in common. Thus, the daughters, who left the parental house after marriage, were debarred from possessing the immovable property (Faroqi, 1973).

1.4. Concept of inheritance of women in Pakistan;

Women in Pakistani society have the legal right to inherit family wealth, yet they rarely exercise this right. Although Islamic shariah law and Pakistani state law, both entitle women to inherit immovable and moveable property, the practice has been to deny women's control over their inheritance of land in particular_ and often their entire claim to it (Mehdi, 2002:25-41).

This is especially true in rural area of Pakistan, where the tribal nature of social organization undermines female's inheritance right. The two studies, conducted in Peshawar and Malakand areas, concluded that women are not given their due share in property for many reasons like cultural restriction, women's illiterate status and dowry articles as substitute of their share in parental lands (Wisal and Inam, 2006).

In Pakistan women are not considered heirs of the deceased person. Being daughter women are expected to forego their right to inheritance in favor of their brothers. That is, they do not have any share in inherited property. Their claim to get their inherited property may invite desertion from their parental side. Therefore women are ultimate losers. Normally, social customs provide excuses for denying women rights to inheritance (Adinkrah .K.O, 1990).

Women in Pakistan have the legal right to inherit family wealth, yet they rarely exercise this right. Rubya Mehdi, scholar of gender and property law in Pakistan, points out that although Islamic (*Shariah*) law and Pakistani state law both entitle women to inherit immovable and movable property but the rule in practice has been to deny women's control over their inheritance of land in particular and often their entire claim to it. This is especially true in rural Pakistan, where the tribal nature of social organization undermines female inheritance rights. Rather than emphasizing the Islamic concept of immediate family, inheritance practices emphasize the importance of keeping property within the larger (tribal) family, which is always headed by men. Another explanation for the low incidence of female land inheritance is families' routine equation of dowry (money or property brought by a bride to her husband at marriage) with a share of inheritance, though this is not legal and has been decried by government officials, activists, and civil society organizations in Pakistan. Because few estates in rural Pakistan include any property other than land, and virtually none consist solely of non-land assets, only the intergenerational transmission of land is considered inherited property (Mehdi, 2002).

Based on Islamic law, state law stipulate the share of women inheritance to be one half of that of men in similar relationships to them (e.g. a daughter would inherit one share for every two shares that a son inherits), due to their greater responsibility or supporting the family. Pakistani women rarely receive their shares in immovable property, especially in rural areas. When women do not inherit property, it is typically controlled by male heirs (Shahla.H, 1989). Though most tribal peoples in FATA are Muslim, the understanding and application of Islam is often overlaid by tribal norms and culture. Thus, women in FATA are systematically denied the inheritance rights due under Islamic law. While Islamic laws apply to women in other areas of Pakistan, a defining feature of FATA is the fact that the national or state laws of Pakistan do not

apply to the FATA; the tribes regulate their own affairs in accordance with customary rules and unwritten codes, which do not permit women, secure property rights (Giovarelli, R., and Aggarwal, 2007).

In Baluchistan, NWFP and interior Sind, which do not give Women a right to inheritance, require the bride to formally pronounce her withdrawal from her right to inheritance in the presence of the entire family before her marriage Ceremony. This custom in local language is termed as "Haq Bukhshwana". This is the prevalent Custom in Sindh however, in the Punjab the males of the family usually get the thumb Impression of the female inheritors on blank stamp papers and subsequently they misappropriate the females' share. . Similarly in majority of the cases in tribal areas, including Baluchistan and NWFP, the Widow is not given a share in her husband's property. If they are at all given a share in inheritance, they are often compelled to remarry with the Brother or an immediate relative of the deceased's husband so that the property does not go outside the family.

1.5. Theoretical perspective

Theoretical framework is also considered as an important factor of research process. It provides a solid base for explaining a specific phenomenon and helps the researchers to confirm their empirical research work. Present study has its roots in feminist theories because these theories also link various explanatory variables of the study to the status of the women.

1.5.2 Radical feminism

To radical feminist, patriarchy is main system of family in which women are oppressed. It is a system that creates social inequality and promotes violence against women. Radical feminists thought women oppression as more important to deal with, as compared to other types of oppression (Jaggar and Rothenberg, 1984:186). A society is a complex of a number of subgroups. These subgroups are structured on the basis of natural cause or on the basis of social relation *e.g.* sex, caste, race, age, gender etc. Within each division some persons have authority over others and in this relation of domination and subordination; dominants oppressed their subordinates (Lerner, 1986). Similarly in patriarchal structure men learnt to control the women.

1.5.3 Application

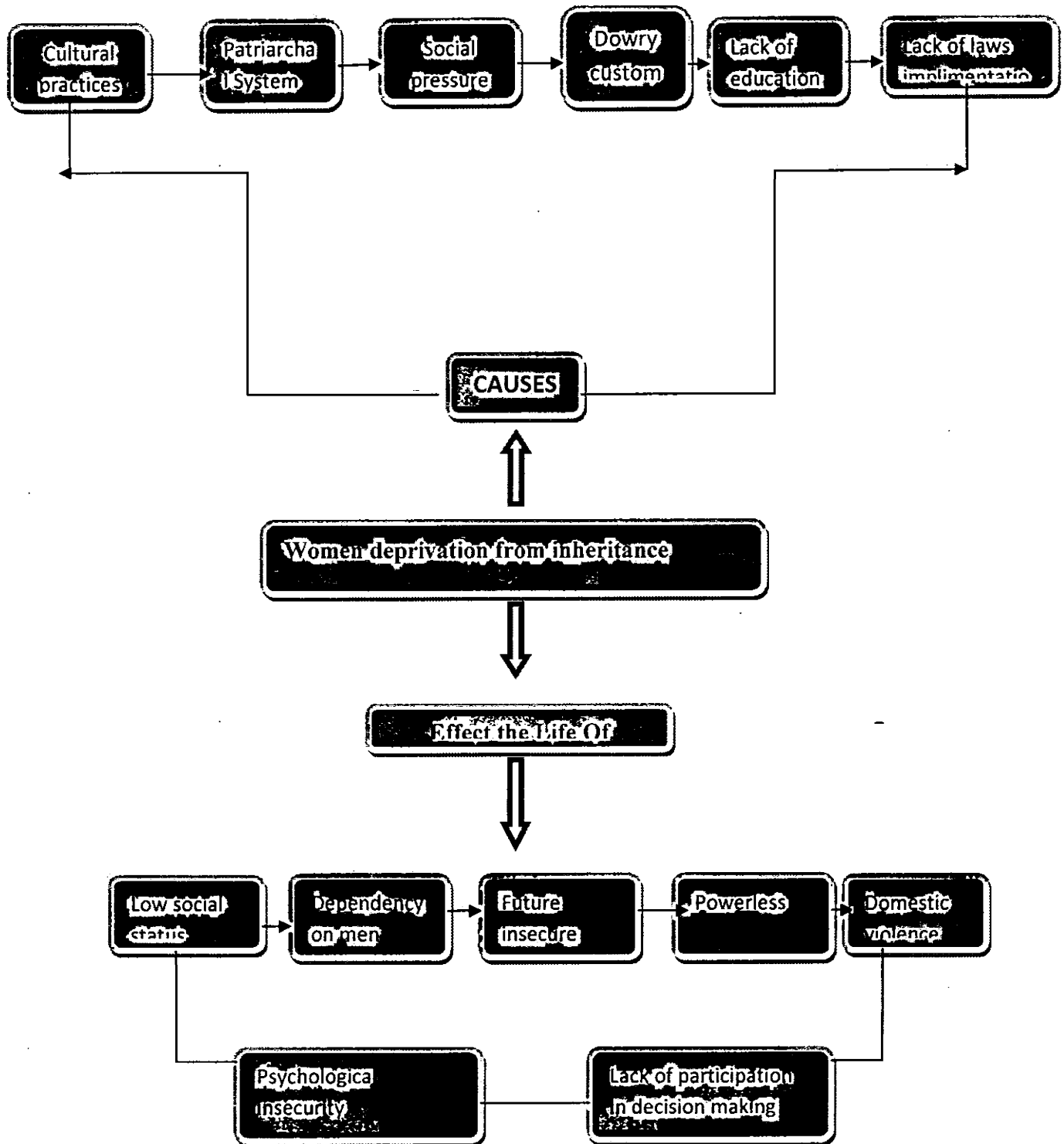
The problem of the study lies under the radical feminism. Men exercise their power to control women. Women usually do not inherit property due to deep rooted patriarchal system in our society. Which oppress women and promote the interest of the men.

1.6 Conceptual framework

Conceptual framework is commonly developed in the light of literature review and theoretical framework. It is logically developed network of relationship between the variables related to the research (Sekaram, 1992:63). Here researcher is trying to make relationship between the variable under study (Draper, N. R. and H. Smith, 1980). In South Asia, inheritance is often the vehicle that grants women property rights. Women's inheritance rights are mostly governed by formal and customary laws, and the primary formal laws are personal laws which tend to be heavily influenced by custom and religion. Customary practices formed by society. The practices common in one society may not be practices in another society. Customary practices are different among different societies. Personal laws are those laws that deal with matters of a person and his or her family. While women often gain property rights through personal laws that govern inheritance, the right to inherit is impacted by other personal laws and practices such as Polygamy, marital property rules, bride price or dowry. To a lesser extent women's inheritance rights can be impacted by laws that govern transfer of property (Mahmood Hassan Khan, 1981).

As should be apparent from the discussion above, women's inheritance rights are overwhelmed with both legal and cultural obstacles. These obstacles are highly relative, and can vary widely among countries, regions, religions, tribes, clans, ethnic groups, castes, and class. What is practical in one community may not be in another. So there are different practices of inheritance among the different societies but it has been observed by the careful studies that women are not given their right of inheritance in most parts of the world either developed or underdeveloped countries.

Conceptual framework



1.6 Causes of deprivation of women inheritance right

There are many cultural causes that kept women deprived from their due rights of inheritance right throughout the world. Globally only 2% of women exercise their due right of inheritance. These causes increase women vulnerability in the social sphere. The customary practices in this contribute to the women deprivation from inheritance right (Engels, 1970).

1.6.1 Customary practices

Customary laws are based on inherited set of belief, behaviors and position. In inheritance cases women generally are kept deprived or are pressed to leave their legal share in inheritance. These customary practices put women at the great disadvantages. Customary practices also promote the men interest. This contributes to the female low status in our society. Women themselves denied the right of share in the property because their grandmothers and mother also denied the inheritance right. It is not practices by most of the women in society that why it has become the practice of our society. Women are not given share in inheritance to avoid the division of ancestral property. Women are often married in their families to save the family property.

The two studies, conducted in Peshawar and Malakand areas, concluded that women are not given their due share in property for many reasons like cultural restriction, women's illiterate status, division of landholding (Aisha, 2008).

According to RDI (2005) In Afghanistan as a whole, customs and Islamic rules predominate in questions of inheritance. Despite their close relationship with agriculture and the land, in practice Afghan women are typically denied of their legal rights to inheritance and ownership over land or any other immovable property due to cultural and traditional practices. Pakhtunwali (a set of codes of pakhtun's life) is also in favor of inheriting women but local practices are going in contrast for the perceived reason of their no bread earning role in the community (Wisal, 2006).

Women have no customary rights in estate in the northeastern and southwestern parts of India. Customary ways such as female seclusion, mental and physical torture

against women, and other gender based practices have blocked their access to legal rights in the backward parts of India (Aggarwal, 1988).

1.6.3 Dowry custom

Dowry customs in our society play a predominant role to keep the women deprived from their due right of inheritance. In our society usually the dowry is given by the parents to the bride as substitute to their right of inheritance. Dowry custom is very common in our society. The reason behind this is the family of bride wants to prevent the transfer of ancestral property. The local practices regarding women's rights over property contradicted the existing customary law in the communities of Car pathos and Sopoto in the Greece. The customary law had a provision of share in land but the people denied this right of women, and somewhere in the same communities people substituted it with dowry (Dascalpoulos, 1990). Provision of dowry articles to married females was perceived as substitute of their shares, and they were intimidated with dreadful consequences regarding family relations on production of demand for share (M.niaz, 2011). Dowry is often treated as the share of inheritance for daughter, which is obviously in most cases, is not equal to the legal inheritance, but women are bound by customary practices. According to Vamin.J (1999) in many cases the dowry given to them is consider a substitute to their share in property. Moreover, the female are told that their brothers are doing to take care of them and gift given to them on different occasions are considered their share from property Bride price and/or dowry are often viewed as women's inheritance and are often not given directly to women (Giovarelli,2009).

1.6.4 Patriarchal system

Patriarchal system is one the major cause that kept women at disadvantage almost all field of life. Patriarchal system is headed by male member of the society. That leads to diminish the right of women almost all walks of life. Lower status of women is marked by our male dominated society. Gender discrimination is also the cause of this women deprivation from the right of inheritance. Female are consider inferior to male in our society. The existing gender gap is closely associated with women access to property. As it is gender discrimination that prevents women's from acceding to the

property, particularly to the immovable landed property. Males control the means of subsistence; it is based on their control of land and other vital productive resources. And their monopoly of all jobs in connection with trade and services since they are in public sphere from which women are excluded (Bosen, 1983). Women's property rights are often at the intersection of formal, customary and/or religious laws because they are most often granted via a personal relationship. Formal laws may be prima facie discriminatory. For example in 2008 Nepal had 137 provisions, two rules and 121 schedules in 85 laws which were discriminatory in favor of men. The rules on inheritance are an example of this type of discrimination: under the Eleventh Amendment of the Muluki Ain (Nepalese Civil Code), daughters and sons inherit equally, yet after marriage, daughters are expected to return their share of family property to the heir, who can only be a male (Nepalese Civil Code 137 provision, 2008).

1.6.5 Lack of awareness

Awareness regarding rights of inheritance plays an important role in achieving their due rights but most of the women in our society are illiterate or less educated. That insures their unawareness regarding their due rights. Education plays an important role in creating awareness regarding legislation and law. If they have awareness regarding laws they are less prone to vulnerability.

It was observed that women were mostly deprived of shares in agricultural property for the socio-cultural and economic reasons. The deprived women were either illiterate or less educated or insufficiently aware about their religious, moral and legal rights which played an important role in their deprivation (M.niaz, 2011).

1.6.6. Social pressures

In our society women are press to leave their inherited right. Male forcefully exercise the women right of inheritance. They press to leave their rights. If women demands her right to own property she is consider unethical in the eye of society.

Women often face social pressures not to claim her property rights, and making such a claim may come at a significant personal cost for her. For example, if she speaks up in defense of her rights, a woman may be ostracized by her kin group, on whom she relies to ensure her own survival and her place in the community. Or, even if she

inherits property, a woman may gift the property to her male kin because good relations with male kin are regarded as an important safety net in the case of future financial difficulties (Economic Co-operation and Development 2;22).

In Bangladesh it is customary (pressure) for women not to claim their share of family property unless it is given willingly and with the support of the entire family. It is customary for a woman to surrender her legal right to family property in exchange for the right to visit her parental home and the right to seek support from her brothers in the case of marital conflict (Hanstad and Robin Nielsen, 2004).

1.6.7 Lack of implementation of state law

In our society in general, women are discriminated in respect of legacy in spite of the presence of the state legislation on it. Laws are existed but they are not implemented in our society. The reason of failure of state is lack of implementation. In this regard it promotes the interest of men over women. Various organizations of the private sector are also in the field to combat gender based discrimination in the inheritance.

Due powerful force of customary practices in the country laws are not implemented. Inheritance rules are most often followed by the strong custom of society (Mumtaz, 2005). In the study of kamal (1999) male relative had actual control. Women own property under Islamic and constitutional law but traditionally they can only dispose property with family consent. All selling buying done by male members of the family.

1.7 Impact of inheritance right on social life of women.

Women's right to inheritance have significant means on their socioeconomic empowerment. Their share in inherited property and immoveable property not only provide financial support but also serve as sense of security in their social life.

Aggarwal (1994) makes the case for women land rights in south Asia in term of their welfare, efficiency, equality and empowerment, these arguments are beginning to resonate in the thinking and practices of international agencies. Women ownership of land is associated with their increased bargaining position within households and the community because ownership of assets enhances woman's fallback position both

within and outside the household. Land is a productive asset in that it creates wealth. Women are half of the world's population and other half also directly or indirectly depends on them. Despite their major share in the development of civilization, yet their status in most parts of the world is not equal to men and they are less privileged (Rahman and Naoroze, 2007). Women's fewer opportunities to acquire land, property, credit, education, skill and paid job hinder actually their status. Almost two billion people are considered poor in this world and two third of these poor are women (ESCAP, 2002). Women are doing more hour of work than men but they earn little because 60% of total unpaid work is done by them (UN, 2007). Despite their hard work and contributions to world economy, women have only one percent of the total world assets in their names (Al Mughairy, 2004).

1.7.1. Low status of women

Property right in our society is directly related status of women. Women who owned property from parents has high status of women. Women who owned less property has lower status in our society. Property had positive influence on women's empowerment *i.e.* women with greater amount of property had greater empowerment as compared to those who received fewer amounts of property. So it in prevailing socio-cultural system of Punjab, amount of dowry brought by the woman at the time of marriage is attached to her status in her conjugal house. Amount of dowry and property received by a woman make her less dependent. Her assets and property make her relatively respectable in the eyes of her husband and in laws. . Bate *et al.* (2004) in their study based on 1200 married women in Bangladesh explored that lack of dowry and economic resources that women bring to their marriage, was one of the prime causes of their lower status, vulnerability and powerlessness in their in-laws' or husbands' house.

Roy and Tisdell (2002) found that women who own land were treated in a better way by other male members of the family. Such respectful attitude increases their self worth and builds confidence which help them to be empowered. Furthermore, women were more empowered in the area where property rights were properly practiced (Dyson and Moore, 1983). In contrast, women with fewer assets have to face the

adverse remarks from their in-laws they are considered as poor and they are not given much importance by their husbands or in-laws.

1.7.2. Dependency on men

Women's in certain societies are excluded from inheriting landed property; thus they are kept depended on men in their families, who want to maintain their monopoly as well as the entity of land.

Through marriage patterns the alienation of property is prevented as "The position of women with regard to the transmission of property is associated with a specific structure of roles. It is also related with the nature of kin group and the mode transmitting office. As system of so called clans and lineage that allows women to take substantial property, landed and otherwise into marriages must be a very different system. So for it means that only through in marriage can one prevent the alienation of property of the kins to another group (Goody, 1979).

It is common perception that women who own some property have relatively less economic dependency as compared to the women who don't owned property (Ahmad, 2006).

1.7.3 Powerlessness

Economy determines the social status. The person with fewer assets or economy is considering having low status where as with more assets or economic status considers empower in the society. Economy in any form gives power in the society. Property is a very important asset which has direct link with power in society.

An IFAD (2001) report notes that it is easier to shift education, health and non-farm assets to women rather than give them land rights, because giving these will improve well being and welfare, whereas giving land would mean giving power. The impact on social, economic and political power can be almost immediate. Benefits of land are direct such as control of produce, indirect like access to credit and structural like change in gender relations within families. Aggarwal (1989), in her seminal work on land rights for women in South Asia posits that supporting women's legitimate share in landed property can prove to be the single most critical entry point for women's empowerment in South Asia. Women's rights in, access to, and control over land,

housing, and property is a determining factor in women's overall living conditions, particularly in developing countries. It is essential to women's everyday survival, economic security, and physical safety and, some would argue, it is the most critical factor in women's empowerment and their struggle for equality in gender relations (Nairobi, 1999).

1.7.4 Lack of participation in decision making

Women who are kept deprived from the right of inheritance are not allowed to participate in decision making in marital family. If they give any opinion about the household decision their decision is not considered valuable. So in this respect she feels inferiority complex among the family members.

Women in developing countries rarely hold secure rights to land, which can provide physical safety and psychological security. Land can be a source of food and a base for income generating activities. Land rights elevate the status of the rights holder in the eyes of family members and the community. Land rights create a sense of self-worth and give people options. Ensuring that women have equitable rights to land acknowledges their worth, helps break down perceptions of inequality within households and communities, and reduces their dependence on men for their survival (RDI, 2009). A study in Egypt, Susilastuti (2003) stated that ownership of property was another source of autonomy. Moreover, Islam has given women a right to own property. However, their property was commonly not controlled by them due to cultural practices. The author further quoted that those Egyptian women who owned or controlled gold and furniture as property had greater say in household decision making. Therefore, one can conclude that for better level of empowerment, both owning and controlling of property are necessary conditions.

1.7.5. Domestic abuse

Women who have considerable assets of property and kept deprived from her due right or she herself denied his right to maintain the relationships with brother, she faces domestic violence and domestic abuse from her husband and in-laws. She is always teased by the in-laws regarding her property right. When in-laws demand her property from the brother she is unable to provide and face domestic abuse. In this

regard she suffers with psychological insecurities. This becomes the cause of stress and depression.

1.7.6 Future insecurity

Property right provides women with sense of security in unexpected situation of future, like husband death, divorce, any kind of disability, or loss of business spouse. With inherited property she can spend money on children education. She can support herself for her expenditure. Even she can utilize money for the daughter marriage expenses. It provides the mental satisfaction. She feels more confident in society. Land is a particularly critical resource for a woman in the event that she becomes a de fact household head as a result of male migration, abandonment, divorce, or death. In both urban and rural settings, independent land property rights under these circumstances can mean the difference between dependence on natal family support and the ability to form a viable self-reliant, female-headed household (Dyson and Moore, 1983). Women in developing countries rarely hold secure rights to land, which can provide physical safety and psychological security. Land can be a source of food and a base for income generating activities. Land rights elevate the status of the rights holder in the eyes of family members and the community. Land rights create a sense of self-worth and give people options. Ensuring that women have equitable rights to land acknowledges their worth, helps break down perceptions of inequality within households and communities, and reduces their dependence on men for their survival (RDI, 2009).

1.8 Approaches

The practice of Inheritance in all kinds of movable and immovable parental property is a global practice, but some of the traditional societies are characterized by gender discrimination in the form of either total deprivation or partial deprivation. The exploitation of women in the matter of inheritance is not an odd event of human history. Inheritance is an integral part of the family life, and depriving a child of each gender from entitlement in parental property is tantamount (equivalent) to diminish the conception of family as a social unit (Leach, 1982).

This lack of control over immovable property i.e., land and houses, is mirrored by gender based inequities in ownership of movable property, such as businesses, equipment, furniture, clothing and personal items, household goods, and capital. These pattern place women at a strong disadvantage in term of securing place to live, maintaining resources for their livelihood and in many cases, basic survival (Steinzor, 2003).

Under international human rights law, women have the right to own and administer property without discrimination (UDHR; arts.2 and 17, CEDAW, art. 15). Within the family, both spouses have equal rights in the ownership, acquisition, management, administration, enjoyment and disposition of property. United Nation indicates that women own only 1-2 percent of all titled land worldwide (Bannett, 1981).

Dowry is considered as the alternative of the share of inheritance among Hindus. Further the customary practices precluded women from inheriting the land to daughter except in the absence of sons. Ursula Sharma conducted research in north West Indian and concluded that it was the convention that daughter receive their share of patrimony at the time of marriage in the form of dowry. Recent legislation the Hindu succession act of 1956 has enabled the daughter widows and mothers to inherit on equal footing with sons. But in practice, a few exercise their rights. Immoveable property is still more usually inherited by son. The empirical evidence brings this fact that customary practices modify the codified laws and accommodations are made to the ideal stated rules. Such customary practices are based on generally accepted behavior pattern by a large segment of the total area. (Ursula, 1998)

Rigid tribal norms severely proscribe the roles of women and prevent them from having secure rights to property. Women are restricted in their mobility; have limited or no access to assets and resources; no influence in decision making, even regarding their own marriage; and are victims of gender-based violence. Women contribute a significant portion of the agricultural labor force through their involvement in a broad range of agricultural activities, but their contribution is not officially recognized. (Mumtaz, 2006)

In spite of the right to inherit under the Shari' a law, many women do not inherit in practice. Women do not inherit property and widows customarily lose their right to

inheritance. In addition, because land holding size is a determinant of social status, and power, the desire is to keep land in the family and a woman is not considered part of the family after she marries. On the other hand, a woman may be granted inheritance but may forgo her share in favor of her brothers to prevent putting her kinship relationships at stake, since she may rely on those kin relations in a time of need. Further, a broken relationship with brothers can have an impact on her children's marriages and can lead to being ostracized from the entire kin group (M. Faiz, 2000).

1.9 Policies and laws related to inheritance right in Pakistan

In Pakistan family laws are running under the Muslim Family Law Ordinance 1961. This ordinance introduced reforms in marriages, polygamy, divorce, maintenance and most importantly succession (Esposito, 1982). The constitution of Pakistan, under article 23, allow the citizen of Pakistan equal right to, acquire, hold own and dispose of property but reserve the right to intervene the property right, if ownership or disposal of property clash with what is perceived to the boarder public interest. It seems that law and legislation in Pakistan, secured women inheritance right, but the involvement of customary practices and law have its significance in women's ownership of inheritance land. The legitimacy to country's customary practices by courts have put great impact on the practices related to the inheritance and agricultural land, and this ultimately enhance the discrimination against women in this area. The unacceptability of women's property acquired during marriage, inaccessibility of women's to court and slow court system are some of the other factor which truly responsible for legitimating discrimination against women in respect of land right within the law.(Land right for Muslim women: review of law and policy,2008).

The 'fundamental rights' in the Constitution of 1973 guarantee, inter alia, right to property and equality of citizen before the law. It also calls for bringing all laws in conformity with the Holy Qur'an and Sunnah and to strike down any custom or usage, with the force of law to align it with fundamental rights. The National Policy for Development and Empowerment of Women (2002) also provides for the empowerment of women, removal of inequalities and imbalances in all sectors of socio-economic development and the protection of rights of women. Though there is

no exclusive policy on women's right to inherit but is in line with the aforesaid Constitutional provisions and relevant laws of National Policy, for instance, Succession Act, 1925, Family Laws Ordinance 1961, that deal with the inheritance rights of Hindus, Parsis and others, have been enacted. But, no uniform mechanism exists for their implementation (Nasir mughal, 2008).

1.10. Gaps in existing knowledge

Customary laws are based on the inherited set of belief, behavior and position. In inheritance cases women generally do not receive or are pressed to leave their legal share of inheritance. Women are bound by customary practices especially in case of rural women. The basic reasons for this may be the prevalence of traditional attitudes and practices, patriarchal system, a lack of awareness about Islamic and state laws and inadequate laws and systems of enforcement. Women's inheritance rights are overwhelmed with both legal and cultural obstacles. These obstacles are highly contextual, and can vary widely among countries, regions, religions, tribes, clans, ethnic groups, castes, and class. What is practical in one community may not be in another. So the field studies on inheritance practices are rare (Tomes .N, 1981).

So the study will help to find out the perception and awareness of people regarding women inheritance right. Although the wide range of studies have been conducted on the causes of women half share in property as compared to men and contribution of inherited property in the empowerment of women. A number of researches have been conducted on the issues of women withdrawal from the husband property. But very few research are conducted on the problem faced by women due deprivation from parental property that typically transferred to brothers due to cultural restriction (Nordblom.k, 2005). The present study is designed to analyze the factor responsible for women deprivation from their due rights of inheritance and also evaluate the impact on their social life. This study will help in understanding women inheritance right and its role in the women life. It will also contribute in creating awareness about the importance of women share in property.

1.11 Research questions

1. What is perception of people regarding women inheritance right?
2. Which factors are responsible for the women deprivation from the right of inheritance?
3. How women social life affected by this deprivation?

1.12. Hypothesis

1. Women deprivation from the right of inheritance leads to high vulnerability of women.

1.13. Objective of the study

1. To assess the perception and awareness of people regarding women inheritance right.
2. To find out the causes of women deprivation regarding inheritance right.
3. To find out the impact of deprivation from inheritance right on women social life.

CHAPTER# 2
RESEARCH METHODOLOGY

RESEARCH METHODOLOGY

The word methodology is defined as a system of rules, principles and procedures that guide scientific investigation. According to young (1994) social research is the systematic method of discovering new facts, or verifying old facts ,their sequences, interrelationship, causal explanation and natural laws which governs them.

Methodology tells the researchers how and what steps need to be followed to collect the relevant data. Methodology is the complete framework of the whole research activity. Research methodology provides guideline for collecting evidence that takes place, for explaining why it takes place, and for doing so in such a way that other researchers can check the findings. It is understood that scientific validity of a research is based on the effectiveness of the methodology. Sociological research work varies with respect to methodologies (Wahlin.L, 1989).

The major objective of the chapter is to explain the various tools and techniques employed for the data collection relating to present problem under investigation. The choice of a particular method of collecting data depends upon the purpose of collecting information.

2.1Research design

There are various research designs which are used in social sciences. Research design gives the detail picture of how the researcher intends to conduct his or her research. Research entails tow major stages. One is the stage of planning and the other is stage of execution. At the first stage, researcher constructs a design, a plan of research and at the second stage he or she collect and analyze the data. Since research design guides the researcher to conduct the research study step by step ensuring that each step is completed before moving to the next (Burton, 2000). The study is descriptive in nature. Following procedure was adopted for this study.

2.2 Type of Research

There are two methods of research used in research process, quantitative and qualitative research methods. Quantitative research focuses on gathering numerical data and generalizing it across groups of people. Qualitative research focuses on combination of observations, interviews, and document review. In order to conduct the present study both qualitative and quantitative research methods were used to get information from the respondents.

2.3 Universe of the Study

According to Dixon and Marry (1957) “any set of individuals or objects having common observable characteristics constitute a population or universe”

The entire group from which a sample is chosen is known as the population or universe. The aim of the present study to explore the reason behind the women deprivation from the right of inherited property and its impact on women social life. So the universe of the study consisted of the male and female from the landowner households.

2.3.1 Geography

Piplan is a town in Piplan Tehsil in Mianwali District, situated in Punjab, Pakistan. It is almost 52 km (by road) from the district capital Mianwali which lies to the north. Piplan is surrounded by many other similar towns: To the south are the towns of Doaba, Kundian and Mianwali; to the east, Harnauli and Quaidabad; to the north, Kaloorkot; and to the west is the Indus River. (Wikipedia, administration, 2010)

2.3.2. Climate

Piplan (as does the whole district of Mianwali) has extreme weather. Summer lasts from May to September; June is the hottest month with an average monthly temperature of 42°C with a maximum of up to 50°C. In winter, however, the December and January temperature is as low as a 3 to 4°C average monthly.

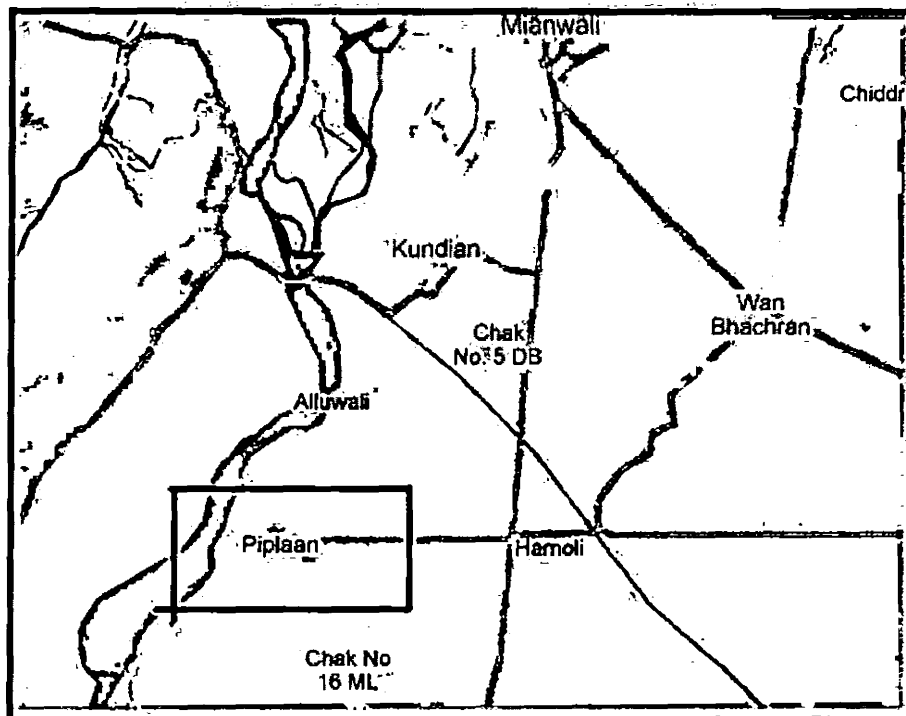
2.3.3. Language

Piplan is a town of Mianwali District, unlike Mianwali it has no cultural influence from the Pakhtun tribe. Majority of the People speak Saraiki language. Those who speak Saraiki are called native people locally.

2.3.4. Demography

Mianwali district is divided into 56 union councils, of these 14 are under part of the Piplan administration. Currently Piplan had an estimated population estimated to be around 20 lacs. Islam is the largest religion in the city, with 9.53% of the population Muslim. The majority of the population lies in the age group of 15–64 years, around 59.38%. Only 2.73% of the population is above 65 years of age; 37.90% is below the age of 15. Literacy rate of piplan is not so high, according to an estimate 30.54 are literate.

Figure 3.1 Map of the study area



2.3.5. Economic scenario

Agriculture is the main source of income, although between 1957-1982 there was a textile mill owned by Kohinoor Textile Mills in operation which employed around

3000 people in Piplan. After the closure of the mill in October 1982, unemployment increased in the area. The city has a Ghalla Mandi, having around 45 business establishments. There are three markets or bāzaars. Piplan lies in the irrigated zone of Pakistan. There are two main seasons Rabi (October–March) and Kharif (April–September) (Nasir mughal, 2008).

2.4. Selection of the Study Area

Tehsil Piplan districts Mianwali were selected for the study area. Male and females were purposively selected from Tehsil Piplan district Mianwali because it was observed that women's suffering regarding deprivation of inheritance right was quite high and mostly land lord lived in the Tehsil Piplan.

2.5. Sampling unit

Males and females were purposively selected from different muhallas of pipplan for the sample unit, because both male and female can easily evaluate the causes of women deprivation from inheritance right in a better way.. The respondents belonged to different age group and socio economic background.

2.5.1. Sampling technique and Sample size

Sampling is a method of studying from a few selected items, instead of the entire big number of units. Sampling" basically means selecting people/objects from a "population" in order to test the population for something. A sample refers to a small representation of the whole population. It is a part or subset of population which represents the characteristics of the whole population. Male and females of different Mohallas of Piplan were selected under the sample; the sample was selected on the basis of purposive sampling. A purposive sample is a non-representative subset of some larger population, and is constructed to serve a very specific need or purpose. A researcher may have a specific group in mind. It may not be possible to specify the population. The researcher will attempt to zero in on the target group; interviewing whoever is available (Eagarlar, 1979). In the study researcher had specific group of people who were landholder to know the causes of women deprivation from inheritance right and its impact their social. The sample size was 60.

2.6. Data Collection Tools and Techniques

The success of the research depends upon how carefully data was collected. The validity of the research mostly depends upon the tool of the data collection. The researcher had used interview schedule to get accurate information from the respondents. It is technical procedure which enables a social scientist to get the accurate information.

2.6.1. Interview schedule

Interview schedule refers to a number of questions formulating according to requirement and conducted. It is considered as an appropriate tool to get the required information: It was prepared in English for academic purpose but questionnaires were asked in Urdu and Saraiki language to facilitate the respondents. Keeping in view the nature of the study, interview schedule was considered an appropriate tool for data collection. The reasons for choosing the interview schedule as a tool for data collection was.

- Interview schedule was used in order to convey the true meanings of the questions to the respondents. The researcher could explain certain questions through interview schedule that may not be easily and properly understandable by the respondents.
- Interview schedule was used in order to convey the true meanings of the questions to the respondents. The researcher could explain certain questions through interview schedule that may not be easily and properly understandable by the respondents.

2.7. Pre-testing

Pre-testing is a final trial use of tool of data collection prior to large scale study. Pre-testing not only provides ways to modify the questionnaire but it also discovers new aspects of the problem under study. As a result, the problems found are resolved and the questionnaire gets the final shape. It is always useful to make a test of the questionnaire, formulated before giving it final shape, so that a researcher may come to know the acceptability of the questions. Pre survey was conducted by researcher from 6 to 7 respondents. Some important issues were highlighted during field-testing

of the instrument. These main issues were related to the sequence and phrasing of questions and interviewing technique. After field test, some modifications were made based on the information received.

2.8. Statistical analysis

The data was statistically analyzed and systematically tabulated. More powerful (and expensive) software packages include SPSS, STATA, and SAS, all which required training to use in the analysis of data. In deciding on software it is wise to select a program that is widely used in analysis; SPSS widely used social sciences. In order to make the study more meaningful, data was analyzed according to the objectives of the study with the help of SPSS (Statistical package for Social Sciences) and researcher applied the test i.e. percentage. Moreover, data was presented in tabular form and graphical representation along with detailed interpretation.

2.9. Coding of questionnaire

Coding refers to an analytical process in which data, in both quantitative form (such as questionnaire results) and qualitative (such as interview transcripts) are categorized to facilitate analysis. A code is a rule for converting a piece of information (for example, a letter, word, phrase or gesture) into another form or representation (one sign into another sign), not necessarily of the same type. Through coding researcher transformed the data into a form understandable by computer software. This minimizes the chance of errors from coding and increases the reliability of data. Through coding, the answers of respondents were converted into numbers. The researcher in this study codified the data collected from the targeted population categorically.

2.10. Tabulation

The process of placing classified data into tabular form is known as tabulation. A Graph is a symmetric arrangement of statistical data in rows and columns. Rows are horizontal arrangements whereas columns are vertical arrangements. It may be simple, double or complex depending upon the types of classification. In the present study, research made the Graphs consist of percentage and frequency of the collected data along with the categories made in the questionnaire.

2.11. PERCENTAGE

Simple frequency tables were made out of data to describe the variables. For the attainment of frequency distribution, simple percentages were calculated. The percentages were calculated by using following formula:

$$P = \frac{f}{N} \times 100$$

Where

P=percentage

f=frequency

N=total number of frequencies

2.12. Challenges

After pre-survey the researcher went to the field for data collection. Researcher spent two weeks to collect the data from respondents. Researcher faced some difficulties in the field like convince problem, some respondents were not willing to share their thoughts so it was difficult for the researcher to collect data. Most of the respondents were illiterate and less educated so it was hard to explain them that the research was carried for the academic purpose. Researcher had to spend a lot of time in explaining the purpose of the study to the respondents because most of them illiterate had not any idea about research.

CHAPTER# 3
RESULTS AND DISCUSSION

DATA ANALYSIS AND PRESENTATION

All researchers involve some form of data analysis, which refers to driving some meaning from the observations that have been made during the research project. Data analysis can take many forms. In some cases it is qualitative, such as a summary description of an investigator's field notes from a participant observation study, tabulation of quantitative data and application of statistical tool and techniques.

The main purpose of the data analysis is to convert the observations made during field survey into some meaningful form and to examine associations/relationships between the variables. Analysis of data is made with reference to the objectives of the study and research queries if any. Analysis and interpretation of data are the most crucial steps involved in scientific research. Without these steps, generalization level and prediction cannot be achieved. The focus of this chapter, however, is on quantitative data analysis, in which observations are put into numerical format and manipulated in some way based on their arithmetical properties.

3.1. Univariate analysis

When data is collected it is in the form of a raw data distribution, which means the distribution consists of different values collected regarding a particular variable. Univariate analysis refers to the analysis that involves the manipulation of single variable. Univariate tables that are usually known as frequency distribution show how frequently an item repeats. The basic function of the analysis is to explain the variables

3.2. General characteristic of respondents

Socio-economic characteristics play a decisive role in discussion and analyzing results from data.

Table 3.1 Age of the respondents

	Frequency	Percent	Cumulative Percent
25-29	6	10	10
30-34	6	10	20
35-39	22	37	57
40-44	15	25	82
45-49	3	5	87
50-54	8	13	100
Total	60	100	

Source: field survey (2012)

The table 3.1 is about the age of respondents. The data indicates that 10 % of the respondents were in age group of 25-29 years, 10% of the respondents were in age group of 30-34 years, 37% of the respondents were 35-39 years old, and 5% of the respondents were 40-44 years old, and 10% of the respondent were of age 45-59 , and 13% of the responded were of age 50-55. Data shows that majority of the respondents i.e. 37% were 35-39 years old.

Table 3.2 Gender of the respondents

	Frequency	Percent	Cumulative Percent
Male	28	47	47
Female	32	53	100
Total	60	100	

Source; field survey (2012)

Table 3.2 shows the gender of respondents. Both male and female were included to find out the awareness regarding inheritance right as well as to find out the causes of

women deprivation from their right of inheritance. The data indicates that 47% of the respondents are males and 53% of respondent are females.

Table 3.3 Educational level of the respondents

	Frequency	Percent	Cumulative Percent
Illiterate	7	12	12
Primary	6	10	22
Middle	5	8	30
Metric	19	32	62
F.A	7	12	73
B.A	7	12	85
M.A	9	15	100
Total	60	100	

Source: field survey (2012)

Table 3.3 is about the educational level of respondents. It indicates that 8% percent of the respondents are middle pass, 12% of the respondents are uneducated, 32% of the respondents are metric and 12 % of the respondents are secondary level of education. 12% of the respondent are bachelors and 15% are masters and above qualifications. 15.0 percent of the respondents are master and above qualification. Majority of respondent are metric.

Table 3.4 Awareness about women inheritance right

	Frequency	Percent	Cumulative Percent
Yes	59	98	98
No	1	2	100
Total	60	100	

Source; field survey (2012)

Table 3.4 shows the percentages of respondents who had awareness about the inheritance right. Almost all (98 percent) of the respondents were aware of their right

to inherited property, a minority knew the amount to which they were entitled. Only 2% of the respondents have no awareness about the inheritance right. So this data indicates that majority of the respondent have the awareness about the women inheritance right.

Table 3.5 Idea of Islamic concept about inheritance right

	Frequency	Percent	Cumulative Percent
Yes	49	82	82
No	11	18	100
Total	60	100	

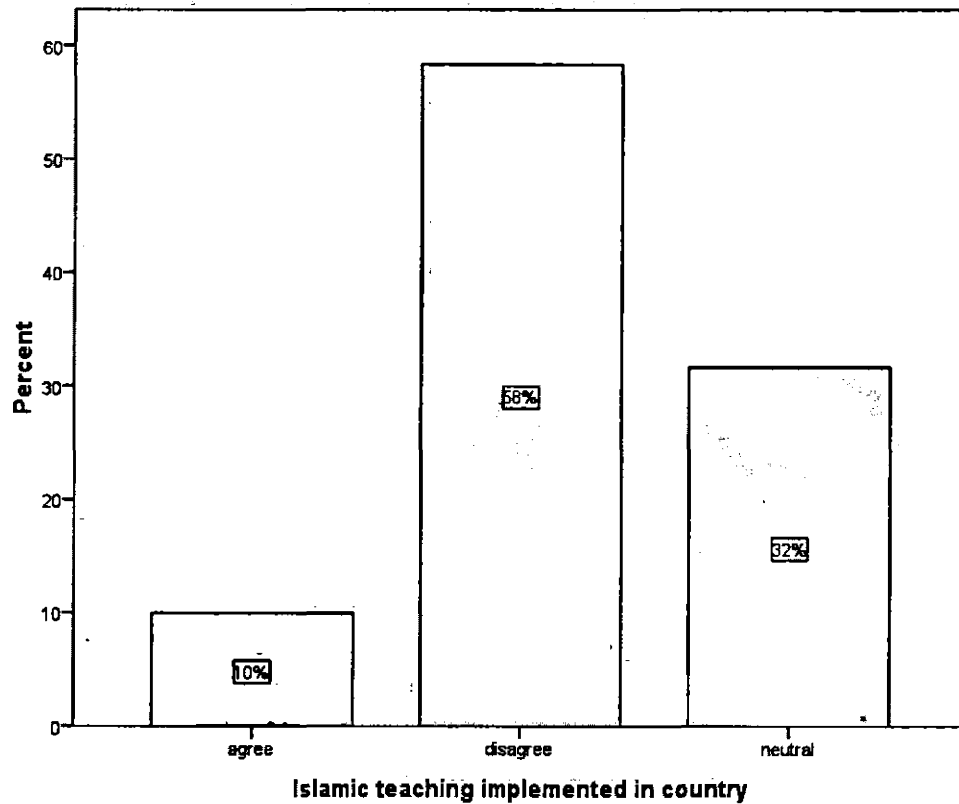
Source: field survey (2012)

Table 3.4 indicates that 82% of the respondent answered that they have general idea about Islamic concept of inheritance right. And 18% of the respondent said that they have no idea about the Islamic concept of inheritance right of women. They have opinion that they do not know what Islam says about the inheritance right of women.

Allah, the Exalted, stated in the Glorious Qur'an: (Allah commands you as regards to your children's (inheritance); to the male, a portion equal to that of two females.) Surah Nisa [4:11] To begin with, Allah has determined all the shares of all the relatives in respect to their relationship to the deceased. As He the Most Wise said:

(There is a share for men and a share for women from what is left by parents and those nearest related, whether the property is small or large, an obligatory share.) [4:7]

Figure 3.1 Implementation of Islamic teachings



Source: Field survey (2012)

The figure 3.1 is about the implementation of Islamic teachings regarding inheritance of women in our country. 58% percent of the respondents said that Islamic teachings regarding women inheritance right are not implemented in our society. 10% of the respondents said that Islamic teachings regarding inheritance right of women are practically implemented in our country society.

Table 3.6 Compatibility of cultural practices with Islam

	Frequency	Percent	Cumulative Percent
Agree	3	5	5
Disagree	47	78	83
Neutral	10	17	100
Total	60	100	

Source: Field survey (2012)

The table 3.6 depicts that 78% of the respondents said that our cultural practices regarding women inheritance right are not compatible with Islam. 17% of the respondent have no opinion about the statement. Only 5% of the respondents said that cultural practices are compatible with Islam. A study conducted by Giovarelli, R., and Aggarwal, (2007), they suggested that Most tribal people of Pakistan are Muslim, the understanding and application of Islam is often overlaid by tribal norms and culture. Thus, women are systematically denied the inheritance rights due under Islamic law. While Islamic laws apply to women in areas of Pakistan, the national or state laws of Pakistan do not apply to the society; the tribes regulate their own affairs in accordance with customary rules and unwritten codes, which do not permit women, secure property rights.

Table 3.7 Women demand for right of inheritance

	Frequency	Percent	Cumulative Percent
bad icon for society	57	95	95
good icon for society	3	5	100
Total	60	100	

Source: field survey (2012)

The table 3.7 present that 95% respondent answered that women who demand for their due rights of inheritance are consider bad in our society because it has become our norm that women should leave their rights of inheritance. Some people argue that those women are considered unethical who demand for their inheritance right. According to a female respondent "when majority of women will start to take their right of inheritance then nobody will consider it bad". In our society women don't get their share in property because it is not good custom to adopt. People who were aware of the property right did not consider this practice healthy for society. In our society it is strong mindset of the leaving the right is much better. A response by male respondent "If a daughter asks for her share, she is not considered decent and nice. My mother asked for her share so my mamoon (maternal uncle) and his family became very angry. They started fighting and we separated from each other"

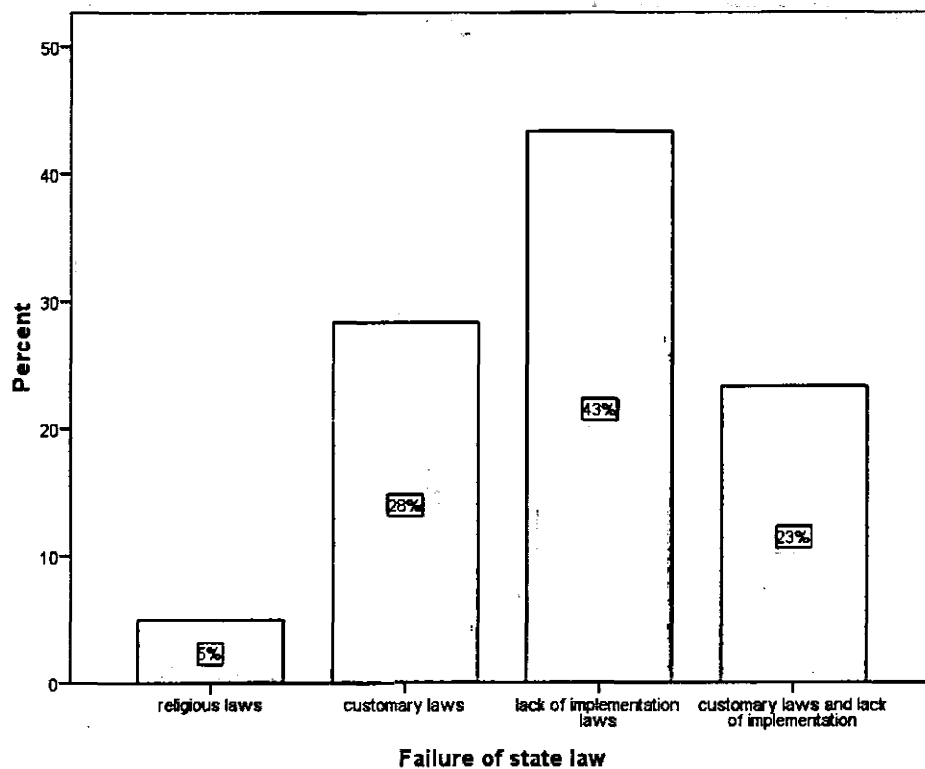
Table 3.8 Implementation of State laws

	Frequency	Percent	Cumulative Percent
To some extent	30	52	52
To great extent	15	24	76
Not at all	15	24	100
Total	60	100.0	

Source; field survey (2012)

The table 3.8 show that 52% of the respondents answered that implementation regarding women inheritance right is very low in our country because people follow the traditional cultural patterns. 24% of the respondent said that state laws are implemented in the society. 24 % respondent said that state laws are not implemented in our society. So it is clear from the above statistics that state laws in our country are not properly implemented.

Figure 3.2 Failure of state laws



Source: field survey (2012)

The figure 3.2 elaborates various reasons reported by respondents about the failure of state laws regarding women ownership of property. It shows that 43% of the respondent highlighted that failure of state laws regarding women inheritance right is due lack of implementation of state laws. Whereas 28% of the respondents said that failure of state laws is due to prevailing customary laws in our society. They further argued that state laws exist but not properly implemented because authorities don't prefer to implement these laws. Only 5% respondent answered that failure of implementation is due to religious laws. So the data depicts that major causes of failure of state laws are customary practices or laws and lack of implementation of state laws in our country.

Table 3.9 women should leave their inheritance right

	Frequency	Percent	Cumulative Percent
Agree	9	15	15
Disagree	38	63	78
Neutral	13	22	100
Total	60	100	

Source; field survey (2012)

This figure 3.9 shows that 63% respondents reported that women should not leave their inheritance in the favor of their brothers. Women must take their inheritance right. When ALLAH has fixed this right then women must take it. Some of the respondents further argued that if the family of women is poor then she should leave their right in favor of their family. 15 % of the respondents gave opinion that women should leave their inheritance if the in laws are well off. And natal family is poor. So that the percentages indicate that majority of the respondents were in favor of giving the ownership of property to women and should not leave their right in favor of the brothers.

Figure. 3.3 Major causes of women deprivation

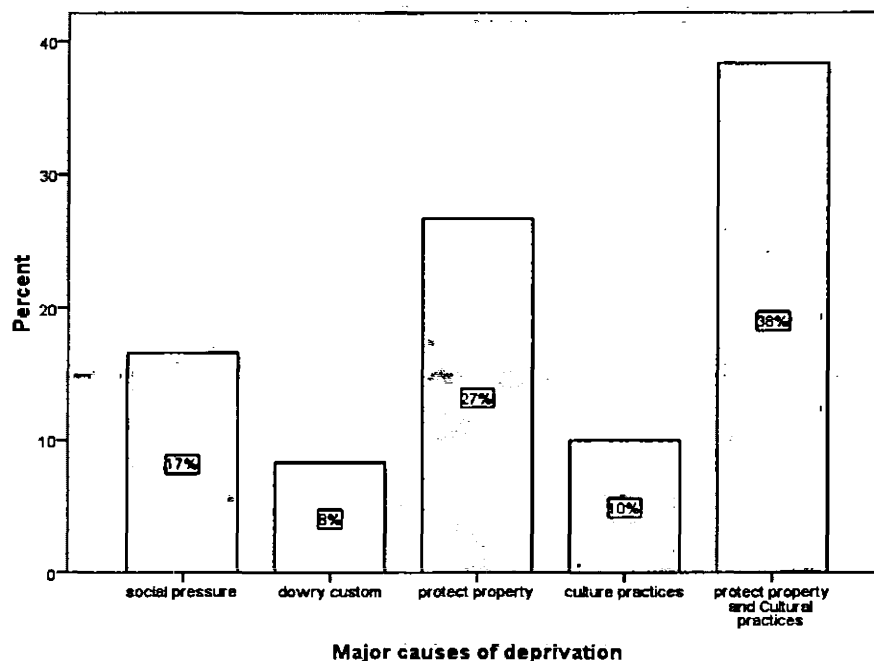


Figure 3.3 indicates the causes of women deprivation from the inheritance right. Majority of the respondents (38%) said that women are not given their inheritance right because family doesn't want to share ancestor property with another family. They want that property of father remain among the brothers. Customary practices of the society are also the major cause of this deprivation. Women generally accept the practice of not getting their share in inheritance. 17% of the respondent opinions that it is societal pressure that kept women deprived from their due rights of inheritance. 10% respondents had opinion that due to cultural practices women are kept deprived from the inheritance right. 8% of the respondents gave opinion that women are not given their inheritance right due to dowry custom. Dowry that is given to daughter at the time marriage is considered as the substitute to their inheritance right. It is clear from the above statistics that our cultural practice and prevention of ancestral property from the division is the major cause of this deprivation. The one female respondent further argued that one cause for this deprivation is that people think that women have no economic input or contribution to family income so she is not prefer to take their right whereas male member of the family earn and support their families so they have right to take inheritance from the parents property. One female respondent response that cause of deprivation from inheritance is due to inaccessibility to lands. Women inaccessibility to courts is also one reason for this deprivation. Owing to customary practices mostly women are forced to withdraw their right to Inheritance in favor of male family members seemingly voluntarily or under compulsion

Table 3.10: Patriarchal system of society

	Frequency	Percent	Cumulative Percent
To some extent	10	17	17
To great extent	43	72	88
Not at all	7	12	100
Total	60	100	

Source: field survey (2012)

The table 3.10 elaborate that 72% of the respondent reported that patriarchal system is major cause of women deprivation. They said that major cause of this deprivation is actually male dominated society. Male wants to exercise their power over women so

that they are not willing to give women their inheritance right. Whereas only small number of the respondents (17%) were view that patriarchal system is not much responsible for this deprivation. So the statistics shows that patriarchal system in our society is the one of the major cause of this deprivation.

Table 3.11: Weak state law is cause of deprivation

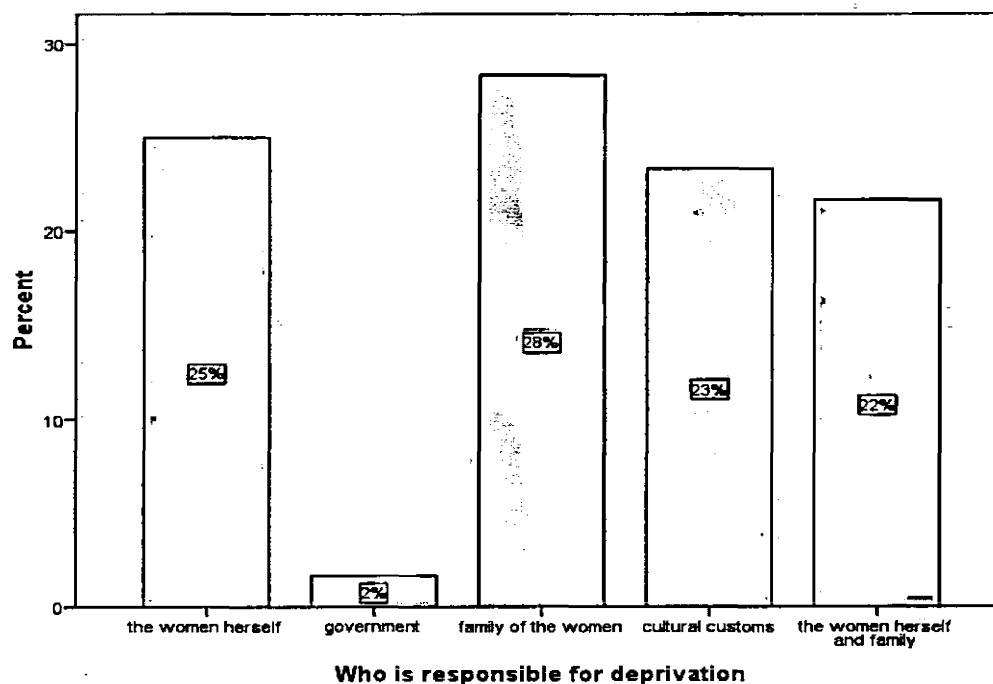
	Frequency	Percent	Cumulative Percent
Agree	33	55	55
Disagree	15	25	80
Neutral	12	20	100
Total	60	100	

Source; field survey (2012)

The table 3.11 reveals that weak state law is the cause of women deprivation from their share in inheritance. 55% of the respondents reported that women deprivation from share in inheritance is due to weak state laws in our country. (25 %) of the respondents reported that weak state laws are not the cause of this deprivation. people of the state are responsible for this deprivation. If people properly avail the state laws it would definitely facilitate the public. They further argued that failure of state law is our patriarchal system that prefers men to women over giving their inheritance right. They argued that state is not much responsible. It depends on people perception and thinking's about their share inheritance right.

The structure of Pakistan's legislation is fluid and in a near constant state of amendment as it continues to conform and adjust to Islamic jurisprudence, which is itself evolving. Statutory law specific to land rights in Pakistan is dated, fragmented, and incomplete. More than two dozen laws govern a variety of land matters at national and provincial levels. But women rights are not protected by these laws due traditional norm. (Thomas H. Reynolds 2009)

Figure 3.4 Responsible for deprivation



Source: field survey (2012)

The figure 3.4 shows that 28% of the respondent's opinion that family of the women is responsible for this deprivation. 25% of the respondents reported that women herself is responsible for this deprivation. 23% of the respondent replied that cultural customs in our society are responsible for the women deprivation from the inheritance right. 22 % respondents were view that women and her family are responsible for this deprivation. 2% of the respondents said that government is responsible. So statistics shows that women herself and women's family is responsible for this deprivation.

Table 3.12 Women leave property right

	Frequency	Percent	Cumulative Percent
fear of become bad icon for society	5	8	8
women are socialize in this manner	5	8	17
fear of rejection from natal family	16	27	43
in the love of brother	12	20	63
lack of education	7	12	75
Women socialization and break up with natal family	13	22	97
Women are socialize or brought up in this manner and in love of brother	2	3	100
Total	60	100	

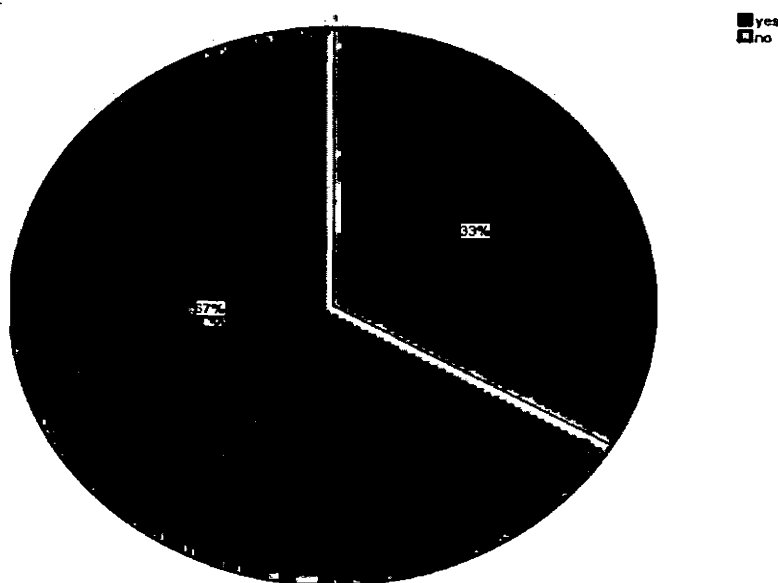
Source; field survey (2012)

The table 3.12 shows the causes due to which women themselves leave or denied their right of inheritance. 27% of the respondents said that women themselves leave their inheritance right because if she ask for her share , the natal family become angry with her and break up all the relationship .and would not help in future in case of any difficulty. so to keep or maintain relationships with brothers women denied to this right. 20% of the respondents answered that women leave their inheritance because of love with the brother and brothers are dear to them more than anything. (8%) respondent reported that women themselves leave their inheritance because of the fear if they will demand society will consider them bad because this has become trend in our society women themselves to leave this right. The same number of respondents reported that Women are socialized by their mothers and grandmothers that they had not taken their inheritance right. So they are expected to leave share in property like mothers and grandmothers.

According to a male respondent "it is trend in our family that daughters are not given their share in property. My mother also did not inherit property from her parents"

12 % of the respondents' said that women themselves leave their rights because of lack of awareness and education about the right of inheritance even they don't have knowledge how to deal with the property. Above data reveals that majority of the women leave their share in property due the fear of break up with natal family and due to socialization regarding inheritance share. Kabeer (2001) pointed out that Muslim women gave their land rights to their brothers with the perception that they could secure their future in case of marriage breakdown. This point of view also indicates that waiving of land right in favor of their brothers is one reason of women's subordinate status.

Figure 3.5 Dowry and Marriage Expenses



Source; field survey (2012)

The figure 3.5 shows 67% respondents said that dowry and marriage expenses should not be consider as share in property because there is no concept of dowry in Islam. Dowry should be considered as gift from parents. It should not consider as substitute to inheritance. 33% of the respondents replied that the dowry should be considered as share in property if the cost of the dowry is equal to share in property. If dowry is less

than share in inherited property than remaining share should must given to women in form of money or other possessions.

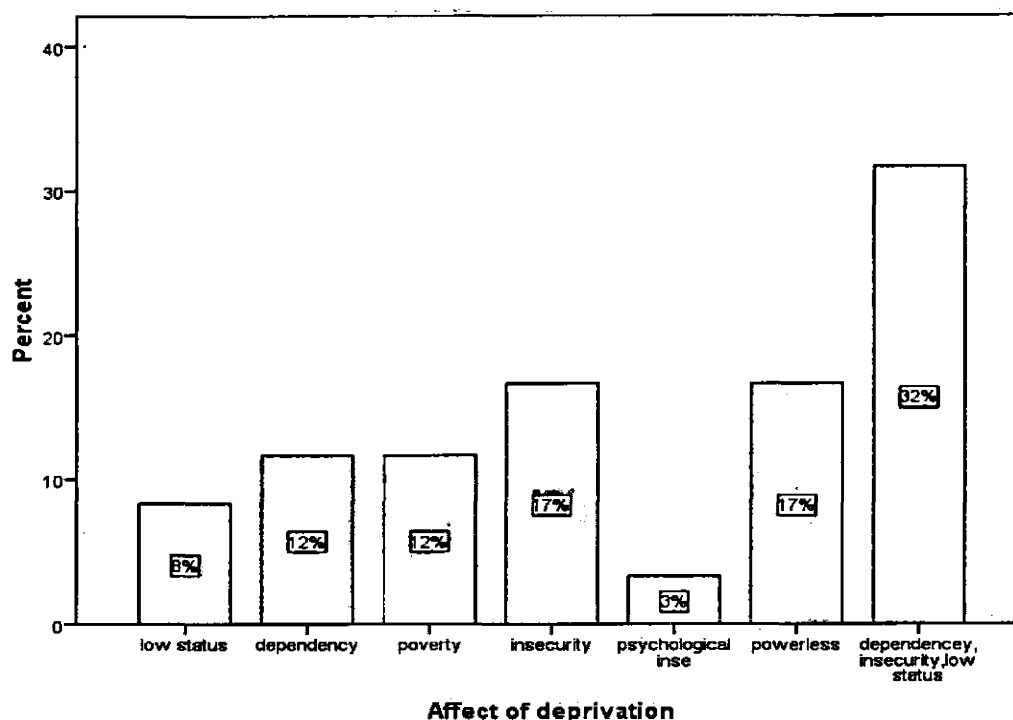
Table 3.13 Problem face by Women

	Frequency	Percent	Cumulative Percent
Agree	40	67	67
Disagree	8	13	8
Neutral	12	20	100
Total	60	100	

Source: field survey (2012)

The table 3.13 reveals the problems face by women. 67% of the respondents said that women suffer a lot of problems that are kept deprived from the right of inheritance. 13% of the respondents answered that women do not face problem due to not having share in inheritance. They said there are different situations if husband or in laws do not demand than life goes on normal. Women suffer problems when there in laws demand and brother denied to give them their right .Then she suffers from both families. 20 % of the respondents give no opinion.

Figure 3.6 Effect of deprivation on women social life



Source: Field survey 2012

The figure 3.6 shows the effect of deprivation from property right on the women life. Majority of the respondents (32%) answered that it increases dependency on men, increases social insecurity and lower down the social status of women. Because source of income makes a person empower in the society either male or female. 17% of the respondent were viewed that deprivation from right of inheritance makes women powerless in the society. Women are degraded by society that is kept deprived. 17 % of the respondents said that due to this deprivation women becomes socially insecure 12 % of the respondents were opinion that the deprivation causes poverty among those women whose husband is deceased. And future of the children can be at risk after the death of husband. She becomes helpless and powerless in the society. 12% of the respondents were rated that this deprivation increases women dependency on men. 8% of the respondents were opinion that this deprivation causes the loss of social and economic status of women. 3 % of the respondents viewed that women feel psychological insecurity due to this deprivation.

According to a female respondent "I am suffering with a mental stress because my husband wants my share in property but my brothers are not willing to give my share

as they did not give share to my other sisters. My husband's threaten me of divorce in case of not getting share from my brother. Both relations are important for me. I m suffering between both families .my future is not secure."

Tisdell (2002) argued that relatively fewer assets of women as compared to men and their restricted exchange entitlement was one of the reasons of their poverty. Such restriction on women's ability to inherit or own property reduces their economic assets and commonly the women with fewer assets cannot be considered as empowered.

Table 3.14 Future security for women

	Frequency	Percent	Cumulative Percent
To some extent	17	28	28
To great extent	43	72	100
Total	60	100	

Source: field survey (2012)

The table 3.14 reveals that 72% of the respondents said that giving share to women in their property provide them financial support in the time of need. If the husband dies, women can fulfill basics needs of their children. At least she will not become burden on her family. So the share in property can help as future security for women in unexpected situation. 28% of the respondents said that to some extent property provide future security in unexpected situation because some time they got share in property but in any unexpected situation women cannot manage financial issue. So she becomes helpless in society.

Table 3.15 women suffers domestic violence

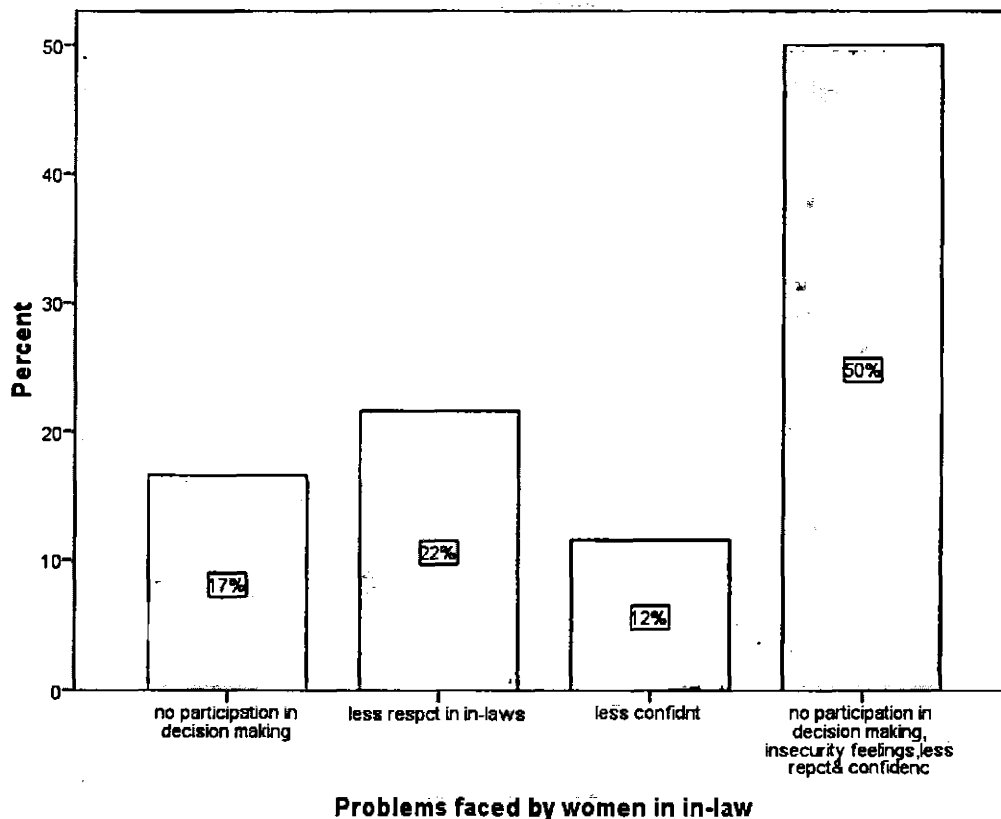
	Frequency	Percent	Cumulative Percent
Agree	38	63	63
Disagree	9	15	78
Neutral	13	22	100
Total	60	100	

Source: field survey (2012)

The table 3.15 shows that 63% of the respondents said that women with no property suffer domestic violence in their in-laws .They said that it depends on the situation if in laws demand for her property and women could not provide then in some cases women have to face domestic abuse .If women have financial back up then she less suffers. 15% of the respondents answered that women do not suffer with domestic violence with the lack of property right. 22% of the respondents answer neutral.

According to Aurat foundation (2000) women suffer more domestic violence with no property than those women having share in property. AF's position was premised on the belief that ownership of land would lead to securing economic rights and the security of property would reduce women's vulnerability.

Figure 3.7 Problems faced by women in in-law



Source: Field survey (2012)

The figure 3.7 shows that 50% of the respondent recorded their answer that women gain less respect in marital house. Marital family does not consider their participation in the matter of household decisions. . Women who don't get their right of inheritance feel less confident in marital house. She does not exercise autonomy in their in laws. 12% of the respondents said that they feel less confidence. 22% of the respondents said that women get less respect in marital because it is symbol of respect in our society. The women who get their right of inheritance are given much respect by their in-law as compare to those women who don't get their share of inheritance by their family. 17% of the respondent said that their participation in household decisions is not considered. So the above statistic shows that women face a lot of problem in marital house who are not entitle their share in inheritance.

Rao and Bloch (1993) pointed out the importance of the property right given by the parents to their daughters at the time of marriage. They mentioned that dowry and property right were an important element in securing a woman in her in-laws' or husband's home. Other various studies indicated that women who were not given share in property had lower status in their in-laws as compared to those who owned their property right.

Table 3.16 Benefits of inheritances right

	Frequency	Percent	Cumulative Percent
Reduce dependency on men	6	10	10
Base for income	7	12	22
Social security	16	27	48
Psychological security	2	3	52
Social security and Psychological security	20	33	85
Social security and Base for income	9	15	100
Total	60	100	

Source; field survey (2012)

The table 3.20 indicates the benefits of inheritance right for women. 33% of the respondents answered that it provides social and psychological security for women. By getting this right women feel socially empower. 12% of the responded said that inheritance provides base for income for women.10 % of the respondent's answer that when a girl avail their right of inheritance it reduces dependency on men. It makes women independent... If one have a source of income than he get more respected in this society. If female husband have sudden loss in job or business than this inheritance right can contribute to family income. For instance he can work on land. Women inheritance right is very necessary for women empowerment. She can also utilize this income for the education of children and other expenses.

CHAPTER# 4
SUMMARY, CONCLUSION AND
RECOMMENDATIONS

SUMMARY CONCLUSION AND RECOMMENDATIONS

4.1 Summary

Inheritance means money or property derived from ones parents or ancestors. Inheritance is defined simply as intergenerational saving. It is an important source of wealth accumulation (economy or economic resources) and hence it can contribute to economic growth. It can be contrasted with means of securing economic growth and future generation's well being, namely education assimilated with investment in children's human capital. Inherited property is a significant determinant of social status, and power in our society.

The property in the name of women is essential for their economic security that brings confidence among women because this confidence eventually leads them towards the enhancement of their status.

Women's right to inheritance plays a vital role in the socio economic empowerment of women. The exploitation of women in the matter of inheritance is not an odd event of human history. Inheritance is an integral part of the family life, and depriving a child of each gender from entitlement in parental property is tantamount (equivalent) to diminish the conception of family as a social unit. Most of the religions, as well as the prevailing laws of the land give women the right to inherit on the basis of equality and equity and the constitution of Pakistan fully guarantees the same but unfortunately women are often do not get their right to inheritance due to prevailing patriarchal system, customary practices, laws of the land and inefficient mechanism for the implementation and enforcement of law. Due to customary practices and patriarchal system mostly women are forced to withdraw their right to inheritance in favor of male family members voluntarily because they are socialize in that manner or sometime under compulsion because they are forced to withdraw their right of inheritance for purpose of saving the intergenerational property. These factors lead to women's generally low status and high levels of poverty.

Women's rights in, access to, and control over land, housing, and property is a determining factor in women's overall living conditions. It is essential to women's everyday survival, economic security, and physical safety; it is the most critical factor in women's empowerment and their struggle for equality in gender relations but due to the deprivation from this right women suffer with low social status and economic status, and feel the sense of powerlessness and less participation in decision making.

The women who own land were treated in a better way by the male members of the family. Such respectful attitude increases their self worth and builds self-reliance which help them to be empowered. The women were more empowered in the area where property rights were properly practiced. But on the other side women with no possessions have to face the adverse annotations from their in-laws they are considered as poor and they are not given much importance by their husbands or in-laws.

4.2: Conclusion

The present study was conducted to assess the perception as well as awareness of people regarding women inheritance right. The study also aimed to find out the factors that lead to women deprivation from the right of inheritance and how these factors affect the women life in social sphere. It has been depicted through this empirical study that majority of the women suffer due to socio- cultural reason. It is concluded that majority 98% of respondents had a general awareness about inheritance right. They also had general idea about Islamic concept of inheritance right that how much share women have in inheritance property. Majority of the respondents said that Islam entitles the share of women in the inherited property but it is not practically implemented in our society due to strong customary practices. Majority 33% of the respondents said that inheritance right of women is very beneficial for the social life of women as it provides economic security in unexpected situation of women life and it make women independent and empower.

72% of the respondent recorded their answer that the major cause of the women deprivation from inheritance right is patriarchal system in our society. That promote the interest of men's in our society. Due to male dominated society men wants to exercise their power on women that's why they kept women deprived from their right of inheritance. 38% of the respondents said that persisting cause of the women

deprivation from the share in inheritance are customary practices in our society. Usually parents give dowry to their daughters instead of share in property that is not equal to their share in property. So the dowry and marriage expenses are considered as substitute to inheritance. Another trend in customary practices is that women are not given their share in property for the purpose of prevention of ancestral property.

55% of the respondents said that weak state laws in our country are cause of women deprivation from inheritance right. Laws regarding women inheritance are exist but there is no implementation and enforcement of state laws. 67% of the respondents said that women face many problem due deprivation of their inheritance right. 32 % of the respondents viewed that women suffer low social status and becomes more dependent on man and feel social insecurities due to the deprivation of inheritance right. 63% of the respondents said that women face domestic violence due to deprivation of their right to inheritance. 51% of the respondents said that women also face problem in their marital house, they feel less confident and have no autonomy in decision making in the household in their in-laws.

A large number of researches have been conducted on the issues of women inheritance right in different aspect but very few studies are conducted on impact of women deprivation on their social life. The present research tried to cover this gap because focus of this research was the women who suffer in the absence of property right. This research tried to cover causes of women deprivation as well as its impact on women social life. This research also tried to cover people awareness regarding inheritance right. This research is very useful to know the socio-cultural factor responsible for women deprivation from the right of inheritance and problems suffer by females due to this deprivation.

4.3 Suggestions

Keeping in view the findings of study following suggestions are being proposed for making effective policy for empowering women in respect of their inheritance right.

- People should be given awareness about the importance of women inheritance right.
- The government should make effective legislation with strict implementation of the laws regarding women.
- There should be enforcement of laws regarding women inheritance.
- The person who denied giving women their due rights of inheritance should be charged with penalty.
- There should be a proper monitoring system that keeps record of those women who get their share in property and those women who do not get their share in property.
- The religious authorities have to come forefront and convey the message of Islam on the issue of inheritance of women on the khutba of Juma tul Mubarak (Friday sermons), emphasizing the people to ensure the provision of shares to women because people in our society are much influenced by religious scholar.
- Parents should realize the problems face by their daughter regarding their share in property and in this regard they socialize their sons in a sense that after their death their daughter should be given their right in property according to Quran and Sunnah.

4.4 Recommendations for further studies

Due to the shortage of time researcher could not cover the all aspect of topic further studies need to be conducted to analysis the problem faced by women after the death of husband or after the divorce, who do not get their right of inheritance. And also analyze how many females are getting their inheritance right from their family.

State should make an effective policy to strictly enforce the laws to eliminate the all kind of customary practice which create gender inequality and promote the interest of men over women.

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APPENDICES

APPENDIX

Causes of women deprivation from the right of inheritance and its impact on their social life

Socio-economic status.

- Age.....
- Gender
- Qualification.....
- Marital status
- 1. Male
- 2. Female

Q #:1 Do you have awareness about the women inheritance right ?

1. Yes
2. No

Q #:2 Have you any idea of Islamic concept of inheritance right

1. Yes
2. No

Q #:3 Do you think that Islamic teachings regarding inheritance right of women are practically Implemented in our country?

1. To some extent
2. To great extent
3. Not at all

Q #:4 Do you think that cultural practices are compatible with Islamic teachings regarding Inheritance right of women?

1. Agree
2. Disagree
3. Neutral

Q #:5 How society perceive women who demand for their inherited right

1. Bad icon for society
2. Good icon for society
3. Any other

Q #:6 what kind of laws are dominated in our society regarding women inheritance right?

1. Formal laws(state law)
2. Religious laws
3. Customary laws

Q #:7 Do you think that state laws are implemented in our country regarding women Inheritance right?

1. To some extent
2. To great extent
3. Not at all

Q #:8 Reason for the failure of state laws are

1. Religious laws
2. Customary laws
3. Lack of implementation of laws
4. Any other

Q #:9 What are the benefits of inheritance right? What do you think?

1. Reduce dependency on men
2. Base for income
3. Social security

4. Psychological security
5. Any other.....

Q #:10 women should leave their inheritance in favor of their brothers? I

1. Agree
2. Disagree
3. Neutral
4. Any other... ..

Q #:11 What is major cause of women deprivation from their right of inheritance

1. Social pressure
2. Parents give dowry as a substitute to inheritance right
3. To avoid the transfer of their ancestor property
4. Cultural practices
5. Any Others

Q #:12 Do you think that one cause of this deprivation is patriarchal system in our society.

1. To some extent
2. To great extent
3. Neutral
4. Any other.....

Q #:13 Do you think that weak state law is the cause of the deprivation from inheritance right?

1. To some extent
2. To great extent
3. Not at all

Q #:14 who do you think who is responsible to keep the women deprived from their inherited rights?

1. The women herself
2. Government
3. Family of the women

4. Cultural customs
5. Any other

Q #:15 why women themselves leave their inherited property or right?

1. Fear of becoming bad icon for society
2. Women are socialize or brought up in this manner
3. Fear of rejection from family (mycka)
4. In the love of brother
5. Lack of education
6. Any other.....

Q #:16 Dowry or marriage expenses should be considered as the substitute of Inheritance right? Do you agree with the statement?

1. Yes
2. No

Q #:17 Do you think that women who do not get their inheritance right face problems in our society?

1. Yes
2. No

Q #:18 what can be the prominent affect of deprivation of inheritance right.

1. Low social status
2. Increased dependency
3. poverty
4. psychological insecurity
5. social insecurity
6. Powerlessness
7. Any other.....

Q #:19 Does inheritance right provide future security for women in unexpected situation?

1. To some extent
2. To great extent
3. Neutral

Q #:20 women that are kept deprived from their inherited right suffer more domestic violence than those who owned their property right?

1. To some extent
2. To great extent
3. Not at all

Q #:21 what kind of problem women face in their marital house (in-laws), who do not get their Inheritance right?

1. No participation in decision making in household
2. Less respect in marital house
3. Less confidence

Q #:22 what do you think that this deprivation causes gender inequality among women?

1. Agree
2. Disagree
3. Neutral
4. Any other-----

Q #:23 How this problem can be overcome? What do you think?

Comment-----

Q #:24 what should be the responsibility of state regarding inheritance right?

Comment-----

(Thank you)

