Denial of Women Inheritance

In most of the social groups in Pakistan, men hold a monopoly on power. Denial of women’s rights in matters of property and inheritance as recognized by Islam is due to the cultural code of honor, stemming from the male value system. It often entails subordination of women and seclusion of women from the social order.

A research carried out by the NCSW under United Nations Development Programme (UNDP) revealed that the concept of inheritance was evolved centuries ago as a deviation from the custom of burying wealth, widows, and slaves along with the deceased and continued to persist strictly under the patriarchal domain. It says that though Islam is most liberal and explicit on the rights of women, particularly inheritance, its injunctions are interpreted in the most conservative manner that strengthens patriarchy rather than equity and justice. According to the report, the most debatable issue in this context includes half share of daughters, disentitlement of the descendents (children) of the pre-deceased child and of non-Muslim relative. The implementation of inheritance laws as to immoveable property is regulated under the West Pakistan Land Revenue Act 1967, but due to the multiplicity of laws involved therein and lack of close coordination between the relevant institutions the women are being denied right to inheritance.

The denial of rights to women is highest in Baluchistan, as restriction on selection of profession is 66 percent, selection of spouse 77.1 percent, freedom of traveling 66.13 percent, problem in keeping contacts with others 64.97 percent and the denial of the right to inheritance 100 percent. In Baluchistan, there is usually no inheritance for women especially where male offspring exist. There are also incidents of male relatives using force or resorting to murder, when their female relatives approach a court of law to claim their share in inheritance or refuse to give up their legal rights to inheritance. Courts in Pakistan have been upholding the rights of women to inherit property; however, very few cases are actually brought to the notice of courts.