

Unveiling Obstacles: A Comprehensive Examination of Women's Struggles in Acquiring and Administering Ownership of Immoveable Property

Anbreen Bibi^{1*}, Dr Bahadar Nawab Khattak², Dr Saddaf Ayub³, Dr Abda Khalid⁴

^{1*}PhD Scholar, Department of Development Studies, COMSATS University Islamabad Lecturer, Department of Economics, University of Haripur, Haripur

²Professor, Department of Development Studies, COMSATS University Islamabad

³Associate Professor, Department of Education, University of Haripur, Haripur

⁴Assistant Professor, Department of Development Studies, COMSATS University Islamabad

Abstract:

This research paper undertakes a comprehensive exploration into the multifaceted challenges confronted by women in their pursuit of obtaining and effectively managing ownership of immovable property. The acquisition and administration of property, particularly in the context of immovable assets, present a complex web of legal, socio-cultural, and economic barriers that disproportionately affect women. These barriers encompass discriminatory inheritance laws, gender-biased legal frameworks, and deeply ingrained cultural norms perpetuating women's marginalization in matters of property ownership. This research employed purposive sampling using a mixed-method approach, comparing and integrating qualitative and quantitative findings for a comprehensive understanding to investigate women's inheritance rights in Haripur. Challenges to women's inheritance rights emerged as a significant theme. Qualitative in-depth interviews provided a nuanced understanding of property ownership challenges. In addition, quantitative survey with eighty household heads, the questionnaire covered socio-demographics, property ownership, legal awareness, economic implications, and perceived barriers. Stakeholder engagement, including women, legal experts, religious scholars, and revenue officials, ensured a holistic perspective.

Keywords: Obstacles, Women's rights, Inheritance, Ownership, Immoveable property, marginalization

Introduction

Property ownership, particularly concerning immovable assets, holds a pivotal role in shaping economic empowerment and social agency. Yet, for women globally, realizing the full potential of property ownership remains fraught with intricate challenges that hinder their ability to acquire and effectively manage immovable property ownership (Deere & Doss, 2006; UN Women, 2013). Studies by Deere and Doss (2006) emphasize that legal systems often discriminate against women, perpetuating gender inequalities in property ownership. These discriminatory legal norms manifest through inheritance laws, marital property regimes, and land titling systems, all of which contribute to restricting women's access to property (Agarwal, 1994; Razavi & Staab, 2018). This research paper embarks on a comprehensive exploration of the challenges faced by women in their pursuit of equitable access and control over immovable property.

Socio-cultural norms exacerbate women's challenges in property ownership. Agarwal's seminal work (1994) reveals how deeply entrenched patriarchal norms reinforce the notion of male-headed households as legitimate property owners, marginalizing women's rights. These norms also influence inheritance patterns, favoring male heirs over female heirs (Chant & McIlwaine, 2016). Kabeer (2005) underscores that cultural perceptions of women's roles as caregivers and homemakers perpetuate their exclusion from property ownership, limiting their economic agency. The World Bank (2020) emphasizes that the lack of property ownership inhibits women's access to capital, constraining their potential for entrepreneurship and economic advancement.

In numerous societies, deeply ingrained gender norms, discriminatory legal frameworks, and cultural biases perpetuate disparities in property ownership, often marginalizing women (Agarwal, 1994; Budlender, 2017; Kabeer, 2005). The significance of these issues reverberates widely, as property ownership intersects with broader gender equality goals and sustainable development aspirations (Duflo, 2012). The deprivation of women's property rights hampers their economic independence, decision-making authority, and potential to break free from the cycle of poverty (UN Habitat, 2019; World Bank, 2020). Consequently, the consequences of these challenges extend beyond individual women, impacting the social fabric and progress of societies (Agarwal, 1994; UN Women, 2013). The inheritance law system in Pakistan is pluralistic, which means that other laws outside the Civil Code and sharia may also be used in society i.e. customary laws. Customary inheritance law is a body of rules that governs the passing of inherited property from one generation to the next, including both tangible and intangible items. It

defines inheritance as a portion of the assets, that is, after deducting the payment of the debt and other payments of the deceased person (Rahmadi, 2010). The majority of customary law is unwritten, but since it contains holy values. Although customary law is neither established nor implemented by the government, the people continue to believe in, uphold, and respect its rules because they feel they have legal standing (Rahmadi, 2010). Cultural politics wields a dominant influence over the fate of individuals across the study area. Dominant cultural influences shape society's social fabric and assign social actors certain roles. Although religion, culture, and customs appear to live peacefully on the surface, tensions and inconsistencies can occasionally exist between them.

In this study, Herman and Chomsky's concept of "manufacturing consent," the patriarchy theory, and the perspectives of female participants were employed as guiding tools to develop a model centered on patriarchal propaganda. This model reinforces the perception that in the study area, women voluntarily surrendering their possessions may not only appear practical but even commendable. Simultaneously, it has been noticed that when a woman claims her share pushed by her spouse/in-laws, she was usually withdrawn by patriarchal desires. The goal of creating this model was to create a simple structure for analyzing how cultural and religious politics shape women's choices and represent substantial hurdles to women asserting their inheritance rights.

This research paper seeks to untangle the multifaceted dimensions of the obstacles that impede women from fully realizing their rights to immoveable property ownership. By delving into these challenges, we aspire to gain a comprehensive understanding of the intricate interplay between legal structures, and socio-cultural norms, that perpetuate gender-based disparities in property ownership. Respondents shared that it is culturally inappropriate for women to own and control inheritance. Of those who received a share, 80% not had control over it and more than 60% of women refused their share and gave it to their brothers out of respect.

Methodology

The researcher conducted a comprehensive study in Haripur on women's inheritance rights. This research employs a mixed-methods approach to comprehensively examine the challenges faced by women in acquiring and administering ownership of immoveable property employing both qualitative and quantitative methods. The qualitative component involves in-depth interviews with men and women from various socio-economic backgrounds. This allows for a rich exploration of their narratives, perceptions, and strategies in navigating property ownership challenges. The quantitative aspect encompasses a survey targeting a sample of household heads, enabling the assessment of broader patterns and trends. The study employed purposive sampling, gathering data through questionnaires, and question guides. The sample included eighty households, five revenue officials, three lawyers, and five religious scholars.

Qualitatively, interviews were used to explore the lived experiences of women within the family institution, while quantitative methods, such as questionnaires, provided statistical insights. The questionnaire encompasses sections addressing socio-demographic information, property ownership status, legal awareness, economic implications, and perceived barriers. Qualitative data undergoes thematic analysis, allows for a comprehensive understanding of factors influencing women's property ownership. The mixed-methods approach enabled triangulation, and combined qualitative and quantitative findings were compared and integrated to provide a comprehensive picture of the challenges faced by women.

Results and Discussion

The integration of qualitative and quantitative findings paints a comprehensive picture of the obstacles women face in property ownership. Women reported facing resistance from families and communities when attempting to assert their property rights, often encountering hostility. Furthermore, women highlighted the limited legal awareness that hindered their ability to navigate property ownership processes effectively. Many were unaware of their rights, which empowered intermediaries to exploit their lack of knowledge. Discriminatory inheritance laws were identified as a significant barrier, as they often favored male heirs, leaving women with limited or no claim to family property.

Table 1 represents the perception of the denial of household heads regarding women's inheritance rights. The denial of women's inheritance rights in study area attributed to a complex interplay of social, cultural, economic, and legal factors. The findings show the theme i.e., the prevalence of deeply ingrained gender norms that perpetuated the perception of male property ownership as the norm.

Table1: Perception of sampled respondents about female inheritance rights denied.

Perceptions	Acknowledgments
In study area there is a notable increase in legal land ownership among women.	10%(8)
In family, it is a common occurrence for women to reject their inheritance.	74%(59)
The transfer of land and property is predominantly limited to men.	85%(68)
A lower number of females in family directly inherit property.	3%(2)
The fair share of family Inheritance is not extended to female members.	73%(58)
In matters of inheritance, elders tend to favor men.	72%(58)
Culturally, it is unacceptable in family for a female to possess and share inheritance.	80%(64)
Female respondents acknowledged the absence of a tradition in family to share inheritance with women.	60%(48)
Household heads mentioned that, out of respect, females decline their share and pass it on to their brothers.	65%(52)
Female names are excluded from the family's list of heirs.	48%(38)

The findings revealed that elders often play a significant role in decision-making. The figures uphold discriminatory practices, it perpetuates the denial of women's inheritance rights. Women lack support from family members or community leaders when seeking to enforce their inheritance rights. The absence of supportive networks make it difficult for women to challenge discriminatory practices.

1. Social and Cultural Challenges

Women's economic dependence on male family members limit their ability to challenge discriminatory inheritance practices. Cultural norms dictate traditional gender roles, reinforcing the idea of male breadwinners and female economic dependence. Women who assert their inheritance rights face social stigma or backlash for challenging established norms. Cultural traditions and expectations contribute to the stigmatization of women who deviate from prescribed gender roles, including inheritance norms. Limited access to education, particularly for women, hinder their understanding of legal rights related to inheritance. Cultural norms contribute to gender-based disparities in educational opportunities, impacting women's awareness and knowledge of their rights.

The social and cultural challenges that women face in acquiring and administering ownership of immovable property are complex and deeply rooted in traditional norms, legal systems, and gender dynamics. Surprisingly, 73 percent of male household heads expressed willingness to support daughters or sisters in financial hardship but do not prioritize granting them property rights. Women face dilemmas in asserting their rights, risking strained relationships with their birth families or in-laws. A significant portion of males are hesitant about allowing women to inherit property, fearing domestic conflicts, questioning women's property management abilities, or deeming it inappropriate. This aligns with Chomsky's consent theory and the patriarchy hypothesis, with men benefiting from the patriarchal system. The findings revealed that some males hesitate, the majority acknowledge women's rights to inherit, and over half agree that women should have legal custody. However, women face communication issues with male officials, hindering their ability to pursue their rights.

Patriarchal Family Structure

Decision-making power within families often resides predominantly with male members, affecting women's ability to assert their inheritance rights. Deep-seated cultural norms uphold patriarchal family structures, perpetuating the idea of male authority in familial matters. Patriarchal standards exert a substantial impact on individual and collective behavior, leading to pronounced gender bias, in inheritance disputes. The survey findings indicate that respondents advocate for women's silence, reflecting a societal expectation that seeks to limit women's voices. Additionally, a significant 61% believe in the superiority of men over women solely based on gender.

This gender bias manifests in the denial of legal rights to women, with femininity itself being cited as a reason. The deeply ingrained patriarchal norms perpetuate discriminatory attitudes, treating women as subordinate and undermining their entitlement to legal rights. This systemic bias reinforces traditional power dynamics, making it challenging for women to assert their rights in legal matters, particularly in the context of inheritance disputes.

A woman participant from the household stated,

"If we take our inheritance shares from our brothers, our natal household would lock its doors for us."

As a result of relinquishing their entitlement to inherit, several female participants felt more accomplished, safe, and respected. Patriarchal attitudes hinder women's property ownership rights, women often don't speak out openly, household heads believe that women should compromise in inheritance shares. These findings agree with those made by Zaman (2014), RDI (2009), and Chaudhry (2006), who identified land and property as a measure of the social, economic, and political power of men that confers status both inside and outside the family. Table 2 presents the acknowledgements of viewpoints of respondents about patriarchal family structure.

Table 2: Perception of sample respondents about patriarchy.

Perceptions	Acknowledgements
The status of women in society is shaped by their interactions with men.	85%(68)
There is a belief that men hold a superior position to women.	61%(49)
The honor of males is considered to be influenced by the activities or behaviors of women.	78%(62)
In instances of inheritance disputes, it is often suggested that women should maintain silence.	53%(42)
In situations involving inheritance shares, there is a prevailing notion that women should compromise and forgo their rights.	45%(36)
There is a perception that men have greater inheritance rights compared to women.	70%(56)
Within families, daughters are often encouraged to prioritize compromise over their individual interests during inheritance divisions.	40%(32)

The findings in table 2 agreed with Santiago (2001), Olotuch and Nyongesa (2013, 2014), Tekle (2001), and Wily (2004). The research revealed a robust patriarchal system in the study area, where women were often viewed as passive and even as property, despite not explicitly stating this.

Cultural/Social Norms

The study revealed that cultural norms significantly hinder women's access to property. Deep-rooted cultural norms and traditions prioritize male heirs over females in matters of inheritance. The perpetuation of these cultural norms creates social challenges as women face resistance when asserting their legal inheritance rights. The community believe that women are less competent, and men have more expertise and procedural understanding in policy and legal processes of handling property. Women are limited to domestic duties and family care, but not in handling property or land transactions. Majority of households allow land and property transfers for male family members, with believing female members don't care about inheritance and believing that inherited land is retained within the patrilineal line.

The study reveals that women have limited freedom in social interactions, taught about their brothers' superiority through tales, leading to the belief that property should be given to the father's son. Women's demands for inheritance shares were often seen as evil and greedy, and their legal inheritance was neglected. These events support the consent hypothesis and highlight the rarity of women making free will claims. Table 3 presents the acknowledgements of the respondents about the role of social institutions in inheritance matters.

Table 3: Perception of sample respondent about role of social institutions in inheritance share

Perceptions	Acknowledgements
The family has played a positive role in situations concerning the inheritance shares of women.	27% (22)
Regarding female inheritance matters, the family has supported male members.	67% (54)
In inheritance issues, men tend to receive more favor from family elders.	72% (58)
Discussions about women's inheritance are not prominent in jirgas.	73% (58)
Female organizations in the local community have not raised the issue of female inheritance.	45% (36)
The subject of inheritance is addressed in educational institutions, including schools, colleges, and universities.	38% (30)
Media outlets often cover topics related to inheritance in their discussions.	45% (36)

Research shows that girls' early socializing experiences make them emotionally dependent on their brothers. The findings show that majority women forego inheritance due to social security or love for their brothers. Chaudhry (2009) supports the findings of the study shown in table 3.

The study reveals that women in Haripur often give up their property due to a lack of knowledge, believing that asserting their inheritance rights unknowingly violates their brothers' rights. The findings shown in table 4 revealed that majority of households heads believed that sisters support their brothers during difficult times, and 80% favor males for customary land rights. Women who declined their portion out of respect for their brother were also discovered by Chaudhry (2009) and Zneid (2001), however Ajayi and Oltuah (2005) claimed that women are disadvantaged simply because they are women. Men make family decisions, and 65% of household heads believe that women lack the mental capacity to deal with inheritance shares.

A male participant from household said,

"The Quran grants the right to inherit, but no woman has claimed it. Society looks down on asserting this right, and the daughter feels powerless in dealing with governmental institutions."

Table 4: Perceptions of sample respondents about inheritance norms

Perceptions	Acknowledgements
Sisters consistently offer support to their brothers in challenging situations.	85% (68)
Land and property transfers are exclusively permitted for male members of the family.	68% (54)
Female members may not express much concern about inheriting possessions.	56% (45)
Inherited land is preserved within the patrilineal lineage.	77% (62)
Customary land rights often favor males.	80% (64)
Men typically make family decisions.	89% (71)
Women may face challenges in handling issues related to inheritance shares due to perceived limitations in mental capacity.	65% (52)

Social norms favor male interests, and it was produced socially and passed down from generation to generation, mostly in traditional and developing nations, making it sociocultural in nature.

The conflict between social and cultural norms and the legal and Islamic teachings on women's inheritance rights in study area is evident. Traditional societal expectations often diverge from legal and Islamic principles, creating a complex landscape for women seeking their rightful inheritance. This clash arises from the challenge of aligning deeply ingrained cultural practices with the evolving legal framework and Islamic teachings that emphasize equitable inheritance for women. The tension between these factors results in discrepancies and difficulties for women in securing their inheritance rights within the study area.

Dowry as an Alternative

Many women, particularly in study area, believed that dowry is an alternative to inheritance. About 68% of household heads claimed that dowry helps daughters/sisters in marriage-related disputes, and 70% of heads in households agree with considering dowry as an alternative to female inheritance share. The findings are consistent with those reported by RDI (2009). This practice is not required by Islam or strictly observed in other Islamic countries, except South Asia (ICRW, 2006).

One of the survey participants said,

"There are five sisters and one brother in our household. Last year, our father passed away. Our weddings are overseen by our brother. He is responsible for the dowry for all five of us. How would he handle dowry for us if we claim our portion of the inheritance? Everyone in the community would blame him if he does not prepare a dowry for us. We all agreed to give up our portion in order to help our sibling. After all, he is the one who is in charge of our mother and the rest of us."

The fieldwork revealed that some households marry their sisters after their father's death, covering wedding and dowry costs using their father's inheritance and deducting costs from sisters' dowries, which is not in line with Islamic laws. The study also reveals that dowry, typically household goods, is often smaller than the proper

inheritance portion. The data supports cultural beliefs that view dowries as a substitute for female inheritance and in line with the study of Mehdi (2002).

Financial Concerns of Men

Land is considered the most important source of economic, political, and social power, and men seek to possess and manage to maintain their position of power and authority. In Haripur culture, land and property ownership are tied to family lineage and heritage, preserving traditions and identity. The study reveals that land is passed down through male family lines. Study have linked men's economic interests to the denial of inheritance to women as shown in the table 5. The data revealed that majority of participants believe land and property are the most basic resources, with reporting women often refusing inheritance, and believe inheritance refusal to women is primarily financial. The study found that majority of household heads believe that controlling inheritance gives males an advantage economically and socially. These findings are consistent with those of the World Bank (2012), RDI (2009), and USAID (2008) which identified land and property as sources of economic, political, and symbolic power.

Table 5: Perception of sample respondent about male economic interest in inheritance

Perceptions	Acknowledgements
Land and property represent fundamental resources.	70%(56)
Traditionally, women in the family have often declined inheritance.	72%(58)
In household, property has been a vital resource for male members.	40%(32)
The distribution of wealth involves the matters of inheritance and property.	70%(56)
Male members prefer to maintain ownership of their lands and possessions within the family.	72%(58)
The reluctance to grant inheritance to women is largely attributed to financial constraints.	65%(52)
Having authority over inheritance provides men with an economic advantage over women.	72%(58)

Religion Misinterpretation

Cultural practices and traditions, influenced by history and social norms, can sometimes overshadow religious teachings. These practices diverge from the core principles of Islam, the dominant religion in the study area shown in table 5. The interpretation and understanding of religious teachings vary among individuals due to cultural lense, personal beliefs, and social contexts. Limited knowledge and understanding of religious teachings contribute to the dominance of culture over religion.

Table 6: Perception of sample respondent about religious laws and practices regarding female inheritance Share

Perceptions	Acknowledgements
The Quran provides explicit guidelines regarding women's inheritance rights.	90%(72)
In households, the prevailing perspective is that the Quran prohibits men from denying women their rightful share of family inheritance.	89%(71)
Islam does not permit the exclusion of women from acquiring a share in family inheritance.	15%(12)
Imams and religious figures frequently address the topic of women's inheritance shares.	53% (42)
Religious leaders play an active role in facilitating women's access to inheritance rights.	64% (51)
There is a widespread lack of Islamic knowledge, particularly concerning women's inheritance.	60% (48)
The denial of inheritance to women constitutes a clear violation of Islamic laws.	77% (62)

Misunderstanding Islamic law significantly hinders women's inheritance rights, with patriarchal objectives and lack of knowledge being key contributors. This issue is prevalent in all over Haripur, where males are often viewed as superior to women, contradicting traditional interpretations of men's role as protectors. Survey participants in Haripur believed in men's superiority, leading to limited women's inheritance rights without resistance. The Friday

Lectures rarely discussed women-friendly phrases and commands, with patriarchs spreading patriarchal views, leading many women to cite them as Quranic instructions.

Participants occasionally stated,

"By Allah's guidance, males are made to handle activities outside the home and are in charge of home affairs and decision-making. Women are taught to stay at home."

This statement clearly puts into perspective how powerful cultural norms are in shaping people.

Emotional Blackmailing

Emotional blackmail is a common issue for women in Haripur, where family members manipulate women into giving up inheritance rights. They may use guilt, make women feel selfish or responsible, and threaten to harm their reputation or shame if they pursue their rights. Family members use emotional manipulation tactics to force women to surrender their inheritance rights, often subjecting them to victim-blaming and making them feel responsible for potential conflicts. Women are also be financially or emotionally dependent on their male relatives, creating a power dynamic that hinders them from asserting their rights, fearing loss of support or security. About 71% of household heads believe women cannot claim inheritance rights in cousin marriages, while 60% believe males marry into their family's lineage to secure land and possessions. Nearly 35% of household heads also believe males use exchange marriages to protect their property.

In the way a female respondent stated,

"The individual sought to claim their property portion but was hesitant to leave their family. They were urged by their children to claim their inheritance. After discussing their concerns, they received a small sum and were asked to sign an affidavit."

In a financial crisis, a woman asserted her right to her share of an inheritance, causing tension within the household. Another woman sought money to pay for her offspring's medical expenses. This led to a lengthy fight, revealing that in study area' culture, brothers often refuse to give their sisters their full inheritance, preferring to offer a small portion with poor market value.

The traditional inheritance idea in the study area is based on erroneous assumptions, with the common perception being that only males inherit familial property, while women can only claim it in financial need.

"According to a female research participant, men make the decisions in our home and deserve to own the property. She continued by saying that while land is considered household property, women do not necessarily need to have it registered in their names. She believed that women shouldn't be able to succeed as long as their husbands and sons are there. She believed that whilst their husbands and sons were still living, women shouldn't own land. She feels that women should give up their rights."

In study area, giving daughters inheritances is considered disrespectful, as ancestral land is no longer solely owned by the original lineage. One of the women described that:

"I requested my portion of my father's inheritance, and one of my sisters-in-law told me that I should not claim because I have married out of the family. She also told me that after her death the parental share of property will go to the non-relatives which is very insulting for the natal household, so she told me not to demand the due portion in property"

The experiences of women reflect society's value system, customs, norms, and beliefs, reinforcing patriarchal purpose by tying household dignity to wealth. This erroneous perception of women's inheritance rights is so widespread that even women believe they should not seek it. In her renowned work "The Second Sex," Simone (1949) analyzed and questioned the impact of culture and value systems on women's entire lives. Her main work focuses on the remark *"A woman is not born, but rather becomes."* Simon claims that women's social construction is influenced by cultural norms and value systems. In the study area daughters are viewed inside the natal family as passing visitors who will ultimately go to their "true home" after marriage.

Women are frequently threatened with losing their blood relatives, as some female participants stated,

"if we seek our inheritance rights, the doors of our birth household would be locked forever."

2. Enforcement Gaps and Cultural Barriers:

Women in patriarchal societies face numerous legal challenges when it comes to asserting their inheritance rights. These challenges are multi-faceted and stem from various sources. Weak enforcement mechanisms contribute to a lack of accountability when women are denied their rightful inheritance. Cultural attitudes influence a lack of urgency or importance placed on enforcing legal provisions related to women's inheritance rights. Despite legal provisions granting women inheritance rights, there might be a cultural reluctance to fully embrace and implement these legal safeguards.

The lack of knowledge can hinder their ability to access justice. The intricate legal processes, especially for women with limited education or legal literacy, can be discouraging, leading them to forgo pursuing their inheritance rights through legal means. Women often struggle to access affordable legal services, which are crucial for effectively navigating the legal system and advocating for their inheritance rights. Resistance from family members, emotional manipulation, and weak enforcement mechanisms, including corruption and delays in the legal system, can dissuade women from taking legal action to assert their rights as revealed in table 7 and table 8. Cultural practices that discriminate against women can create significant legal challenges.

Table 7 shows that difficulty in accessing essential citizenship paperwork and interacting with government agencies adds to the hurdles. The legal system often aligns with patriarchal goals rather than providing justice to victims. Few research participants from the study area successfully recovered their inheritance shares through legal battles, and they still face difficulties in controlling their inherited assets, particularly agricultural land, due to collaboration between governmental institutions and male family members.

Table 7: Perception of sample respondent about legal institutions and inheritance practices

Perceptions	Acknowledgements
The constitution of Pakistan mandates the provision of a share of family wealth to women.	68%(54)
Knowledge about the extent of inheritance allocated to women in the family is limited.	43%(34)
In numerous Supreme Court decisions, women have been granted inheritance rights.	56%(45)
There is a belief that the existing legal system tends to favor men and contributes significantly to oppression.	40%(32)
In cases related to inheritance, courts generally exhibit a bias toward men.	20%(16)
Women in family have pursued legal claims concerning their inheritance rights.	40%(38)
Courts ensure that individuals receive their rightful inheritance.	55%(44)
There is discontent with the roles performed by the revenue department, particularly in situations involving inheritance, where the outcomes often favor men.	51%(41)

These legal challenges are further exacerbated by cultural norms that prioritize male authority in legal contracts, leaving women with limited knowledge, resources, authority, and confidence to assert their inheritance rights through the legal system as shown in table 8.

Table 8: Perception of sample respondents about law and practices at Community level

Perceptions	Acknowledgements
Societal standards often exaggerate legislative regulations governing women's inheritance.	63%(50)
Collaboration between male family members and the revenue department often results in the imprinting of thumbprints on inheritance documents, disempowering family women in terms of power of attorney.	54%(43)
A lack of knowledge among women about their inheritance share is prevalent.	54%(43)
Instances of creating fake documents or sale deeds are not uncommon.	52%(65)
In matters concerning inheritance, the disposition of revenue and other government employees is often unfriendly towards women.	59%(47)
The legal process involved in obtaining an inheritance is intricate.	76%(61)
The associated financial and social costs of litigation are excessively high.	75%(60)
All legal transactions, including those related to inheritance, are typically managed by men.	80%(64)

Women Away from Citizenship Rights

This study underscores the vital role of citizenship rights in determining women's inheritance rights, emphasizing that legal recognition is often a prerequisite for asserting these rights. Women without formal citizenship or proper legal documentation may encounter difficulties in claiming their inheritance due to its significant impact on access to legal processes and institutions. Inheritance cases frequently demand proof of identity and the relationship to the deceased, making citizenship documentation essential for legal protection against discrimination.

In district Haripur, many women grapple with challenges stemming from misinformation or lack of awareness about citizenship rights. The absence of critical legal documents, such as birth certificates and marriage certificates (nikahnama), has also been highlighted in previous studies as a barrier to daughters' inheritance rights, particularly among aged rural women.

This research unveils that women's misconceptions regarding their citizenship rights often result in the denial of their inheritance rights. This lack of awareness extends to their fundamental rights, including freedom from forced marriages, guaranteed by Pakistan's constitution. Exploiting this knowledge gap, patriarchs manipulate women into relinquishing their inheritance rights. Additionally, women frequently have limited control over property and earnings, a strategy employed by patriarchs to evade taxes and bypass landholding restrictions.

Registered but Unaware of Legal Documents

Fieldwork revealed that some participants, despite being registered with the state, were unable to use their citizenship rights due to the supervision of household patriarchs. This practice restricted women's mobility and allowed them to avoid government agencies. Both natal and in-law households engaged in this practice. Despite being accepted in society, this allowed patriarchs to circumvent the legal structure, enabling them to operate under multiple identities and avoid taxes. This lack of access to citizenship rights leads to a lack of understanding of inheritance-specific legislation and institutional procedures.

Lack of Awareness of Institutional Mechanisms

The study highlights that women's lack of understanding of institutional systems, especially due to low literacy rates among daughters, makes them more susceptible to being pressured into giving up their inheritance rights. This lack of knowledge and engagement with the outside world significantly affects women's confidence and skills. It also emphasizes how women's abilities to make decisions are hindered by this lack of confidence, with their concerns often disregarded, and their knowledge limited to household matters.

The author expresses concern about the unkind treatment women, particularly those who are uneducated, face from the outside world and how they can navigate it. This lack of understanding of institutional systems is identified as a significant obstacle to women pursuing their inheritance rights. Additionally, the unequal power dynamics between genders, along with women's social marginalization, lack of awareness about citizenship rights, and limited understanding of institutional procedures, further contribute to these challenges. This knowledge gap often results in women being misrepresented by household members, underscoring the systemic issues that hinder women's progress and success in asserting their inheritance rights.

During an interview, a female research participant shared her experience:

"After her husband's death, she bought a house in her name and shared it with her two sons and one daughter. Before her husband's death, she didn't care about her life. Her oldest son applied for Umrah and invited her to renew her NIC. After six months, a relative informed her that she had sold the house to her elder son, leaving her worried for her other children."

Women's vulnerability in the inheritance system is exacerbated by illiteracy and a lack of understanding of institutional systems. The majority of the male participants had the same views about inheritance distribution. Among them;

"A 55-year-old male participant argued that women should not own land, as they are believed to be less capable of managing finances. Men demonstrated more knowledge and procedural skills in land registration and inheritance. Women should be given only dowry and gifts."

A household head working as a revenue officer asserted the following in relation to the function of household members in situations of deprivation:

"While it is true that Patwari once worked along with patriarchs, policymakers fail to recognize that households also have other tools for encouraging denial. If there are no robust steps to check in the patriarchs' excesses, reform in the revenue department will achieve very little."

Issues of Mobility

In patriarchal societies, women face daily struggles to access public areas, unsafe transportation, and harassment. The lack of respect in governmental institutions and infrastructure makes it difficult for women to go alone. Assistance from male family members may be a quick solution, but it also has its own costs. Women often lack social capital to participate in inheritance conflicts and face increased access difficulties. These issues may directly correlate with women's low social mobility and economic well-being.

The research reveals a patriarchal system in the region, with inheritance shared mainly by males from patriarchal families. Females, however, are often uninterested in inheritance due to their love for their brothers. They criticize women for lacking the intellectual capacity to manage inheritance shares, despite local customary land rights. The majority of participants are not deceived, but rather give up inheritance rights as a bargaining tactic. Most

respondents lack a complete understanding of their daughters' inheritance rights, often misunderstanding Islamic law. Most participants have college degrees, but there is a general lack of knowledge about women's inheritance rights laws. Raising awareness of women's basic rights is crucial to end the perception that property matters are the domain of male members. If their household refuses to pay them their share, they should seek legal help, as legislation is unnecessary.

Conclusion

The comprehensive examination of women's struggles in acquiring and administering ownership of immoveable property in District Haripur has illuminated a range of interconnected obstacles deeply rooted in socio-cultural norms, legal frameworks, and economic disparities. The findings from both qualitative and quantitative analyses shed light on the enduring influence of patriarchal norms on property ownership dynamics. The prevalence of gender biases within households and communities perpetuates the marginalization of women in property-related decisions. A critical aspect of the struggle is the limited legal awareness among women, which hampers their ability to navigate property ownership processes. Empowering women with knowledge about their property rights can help break the cycle of dependence and enhance their agency.

Streamlining administrative processes and implementing gender-sensitive titling systems are crucial steps towards rectifying this disparity. Efforts to challenge patriarchal norms, enhance legal awareness, and improve access to property documentation are pivotal in creating an environment where women can exercise their property rights with confidence.

References

1. Agarwal, B. (1994). *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge University Press.
2. Ajayi, D., & Olotuah, A. (2005). Inheritance rights and women's empowerment in Nigeria. *Journal of Sustainable Development in Africa*, 7(3), 34-46.
3. Bibi, A., et al. (December 2021). Women's Inheritance right in Jeopardy: Assessing the socioeconomic and cultural factors hindering women's right to own land. *Indian Journal of Economics and Business* Vol. 20 No. 4
4. Braun, V., & Clarke, V. (2019). Reflecting on Reflexive Thematic Analysis. *Qualitative Research in Sport, Exercise and Health*, 11(4), 589-597.
5. Bryman, A. (2016). *Social Research Methods*. Oxford University Press.
6. Budlender, D. (2017). Inheritance and the Gender Divide: An Exploratory Study of Practices and Perceptions in South Africa. *Journal of Southern African Studies*, 43(2), 371-385.
7. Chant, S., & McIlwaine, C. (2016). *Cities, Slums and Gender in the Global South: Towards a Feminised Urban Future*. Routledge.
8. Chowdhry, P. (2009). Understanding Women's Land Rights: Gender Discrimination in Land Ownership. In *Land Reforms in India, Vol.13*.
9. Creswell, J. W., & Plano Clark, V. L. (2017). *Designing and Conducting Mixed Methods Research*. Sage Publications.
10. Deere, C. D., & Doss, C. R. (2006). The Gender Asset Gap: What Do We Know and Why Does It Matter? *Feminist Economics*, 12(3), 1-50.
11. Doss, C. R. (2013). Intra-Household Bargaining and Resource Allocation in Developing Countries. *The World Bank Research Observer*, 28(1), 52-78.
12. Duflo, E. (2012). Women's Empowerment and Economic Development. *Journal of Economic Literature*, 50(4), 1051-1079.
13. ICRW. (2006). *Property Ownership and Inheritance Rights of Women for Social Protection-The South Asia Experience Synthesis Report*. ICRW.
14. Kabeer, N. (2005). Gender Equality and Women's Empowerment: A Critical Analysis of the Third Millennium Development Goal 1. *Gender & Development*, 13(1), 13-24.
15. Mehdi, R. (2002). *Gender and Property Law in Pakistan, Resources and Discourses*. Vanguard Books.
16. Olotuch, O. M., & Nyongesa, M. K. (2013). Women's Access and Control over Land and Implications for Sustainable Food Security in Kenya. *International Journal of Asian Social Science*, 3(9), 1926-1937.
17. Olotuch, O. M., & Nyongesa, M. K. (2014). Gendered Implications of Land Acquisition and Ownership in Kenya. *International Journal of Science and Research*, 3(6), 320-326.
18. Razavi, S., & Staab, S. (2018). *Unpaid Care Work: Comparative Perspectives*. Routledge.
19. Rural Development Institute (RDI). (2009). *Women's inheritance rights to land and property in South Asia: A study of Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka*. Seattle, WA: Rural Development Institute (RDI) for the World Justice Project.

20. Santiago, A. M. (2001). Socio-economic and cultural factors affecting women's rights to land and property in the Asia-Pacific region. United Nations Development Fund for Women.
21. Tekle, T. (2001). Women's access to land and property rights in Eritrea. *Gender and Development*, 9(3), 101-108.
22. UN Habitat. (2019). *Women and Land: Securing Rights for Better Lives*. United Nations Human Settlements Programme.
23. UN Women. (2013). *Progress of the World's Women 2015-2016: Transforming Economies, Realizing Rights*. United Nations Entity for Gender Equality and the Empowerment of Women.
24. USAID (United States Agency for International Development). (2014). *Gender Strategy Pakistan*. Retrieved from <https://www.usaid.gov/pakistan/gender-strategy>
25. Wily, L. A. (2004). *Land rights and the Rush for Land: Findings of a Comparative Study on Women's Access to and Control Over Land in Seven Countries*. Retrieved from <https://www.landcoalition.org/sites/default/files/documents/resources/en-land-rush-findings-comp-study-2004.pdf>
26. World Bank. (2012). *World Development Report 2012: Gender equality and development*. World Bank Publications.
27. World Bank. (2020). *Women, Business and the Law 2020*. World Bank Group.
28. Zaman, S. (2014). *Forced Marriages and Inheritance Deprivation in Pakistan: A Research Study Exploring Substantive and Structural Gaps in the Implementation of Prevention of Anti-Women Practices [Criminal Law Amendment] Act, 2011 in Six Selected Districts of Pakistan*, Lahore: Aurat Publication and Information Service Foundation.
29. Zneid, W. M. (2001). The Islamic Inheritance System and the Position of Muslim Women: The Case of the Arab Bedouin in the Negev Desert. *Arab Studies Quarterly*, 23(4), 37-53.