

Inheritance Rights of Women in Upper Chitral: A Case Study of Tehsil Mastuj (Pakistan)

Sufia Rehman¹ and Ayesha Farooq²

<https://doi.org/10.62345/jads.2024.13.1.440>

Abstract

The following research mainly focuses on the inheritance rights of women in Upper Chitral. In Pakistani society, women are discriminated against and have not always been subjected to decent behavior. Their rights should be addressed in various facets of life, such as when deciding their roles and choosing their marriage partners. This research will look into the religious and constitutional laws regarding inheritance and their implementation; it will give the readers an idea of whether women in Upper Chitral are aware of their rights related to inheritance and if they still need to be made aware. It will also highlight the common causes of their need for more awareness. Further research will elaborate on the patriarchal mindset prevailing in Upper Chitral that is hindering women's independence and growth. A qualitative approach has been used for this research. In-depth interviews were conducted to get the relevant data. Purposive sampling was employed. Primary data has been used for this research. The study found that women in Upper Chitral inherit significantly less than men, limiting their economic opportunities and enhancing the gender gap. Cultural traditions often clash with legal frameworks designed to promote equality. However, there are positive improvements as evolving social norms, increased legal awareness, and community initiatives are challenging these discriminatory practices. Younger generations are more flexible to gender equality. Education empowers women to fight for their inheritance rights. The study recommends a multi-pronged approach that addresses legal reforms, cultural beliefs, and economic empowerment through education and financial literacy.

Keywords: Inheritance Rights, Gender Roles, Power Dynamics, Legal System, Upper Chitral.

Introduction

The present study aims to explore the inheritance rights of women in Upper Chitral. Inheritance is the money or property that is derived from one's parents or ancestors. When defined legally, it is property obtained from an ancestor under the law of inheritance (Pearshall, 1995). The property can be both movable and immovable. Movable property, often known as personal property, refers to goods that may be carried or moved easily; for example, gold is a movable property. These assets are not tied to a single place and can be easily bought, sold, or transferred. Immovable property, often known as real property or real estate, includes land, buildings, and constructions that are permanently attached to the ground. Because of their fixed character, immovable property rights are generally more complex and may require zoning restrictions, land ownership documents, and legal concerns relevant to their location.

¹Research Scholar, Government College University, Lahore. Email: suhiarehman@gmail.com

²Associate Professor of Sociology, Government College University, Lahore.



Copyright: © This is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license.

Compliance with ethical standards: There are no conflicts of interest (financial or non-financial). This study did not receive any funding.

Women's rights are a very complicated and controversial social issue in the Muslim world (Barlow & Akbarzadeh, 2006). Women generally have little voice regarding issues like inheritance or property rights (Roy, 2015). Here, property rights are concerned with an individual's ownership and management of assets during their lifetime. In contrast, inheritance rights are concerned with the laws and processes governing the transfer of those assets to heirs upon the owner's death. Both notions play critical roles in legal and sociocultural frameworks, influencing how assets are held, managed, and passed down through generations. The question arises here: if the women in a particular area have little voice in such cases, what could be the possible causes? Normally, gender gaps are widely documented, especially in developing countries (Agarwal, 1994). Sometimes, it is because of the biased preferences of parents towards their children, which are typically in favor of sons, but there are some cases where daughters are given their due property rights (Rosenzweig & Wolpin, 1985). There could be several other factors too that will be addressed at the end of this research work, like the fact that in some areas, women are still not aware of their property rights; they are always treated as suppressed entities and are taught to obey what the men of the household decide for them. This is not just the case with inheritance rights; it exists in every facet of a woman's life. In particular, in the backward areas where women's education is not so common, most women still think that they don't have any share in property. A few of them know their share of property, but they do not have the power to claim it.

The United Nations Food and Agriculture Organization (2010) mentions, Gender inequalities in land rights are pervasive. Not only do women have less access to land than men, but they are often also restricted to so-called secondary land rights, meaning that they hold these rights through male family members. In the same way, Karl Marx viewed women as a disadvantaged class within families (e.g., inheritance bias) despite property distribution being a global norm (Abraham & Abraham, 1983). Women thus risk losing entitlements in cases of divorce, widowhood, or their husband's migration. Evidence also shows that women's land parcels are generally of smaller size and lower quality than men. This is a lucid explanation of why women in our society usually experience suppression and subsequent consequences. There is a very close association between empowerment, economic resources, and access to property rights, as it provides prolonged economic security for women.

In several countries, including India, Pakistan, Nigeria, Morocco, Brazil, Syria, and many others, the laws are gender-biased and support males in various facets of life (Human Rights Watch, 2002). They consider women incapable of using or possessing property, which is why they should not be given any share. They think that women are not capable of using, possessing, renting, or owning property, which is why they should not be given any share in the property. Further, the widows are denied a share in property, and they have to face a lot of trouble after the deaths of their husbands (Barlow & Akbarzadeh, 2006).

In most South Asian countries, we can see significant progress in the status of property rights for women compared to their past status. However, some challenges and disparities persist across the region. For instance, in India, the Hindu Succession Act of 1956 marked an important and remarkable step towards equality by granting Hindu women inheritance rights. Still, it was only in 2005 that the amendment allowed daughters to have equal inheritance rights in ancestral property. Through programs such as the "Non-Encumbrance Certificate (NEC) and Property Rights for Women" project, Bangladesh has achieved progress in women's property rights. Although Sri Lanka constitutionally recognizes equal property rights for women, there are practical obstacles and gender-prejudiced cultural norms that often impede women's access to land. The 2015 constitution of Nepal provides women equal property rights, and Bhutanese laws do not

discriminate against women's property rights, but cultural hurdles may prevent them from being realized.

Pakistan is an Islamic state. Therefore, the laws of inheritance are based on Islamic principles. In Pakistan, the laws of inheritance differ by religion. Islamic laws clearly govern Muslim women's inheritance rights. Various acts are there to protect the property rights of women and to protect women from fraudulent property transfers; the government introduced the "Benami Transactions (Prohibition) Act" in 2020.

Further, at the time of the partition of the subcontinent, it inherited the Muslim personal law of 1937, where a distinct status was given to women. Apart from this, the Muslim family laws ordinance was introduced in 1961 to address the inheritance rights of women further. The Muslim family law ordinance act passed in Pakistan in 1961, provided substantial modifications to Muslim personal law, notably involving marriage, divorce, and family concerns. One of the ordinance's main goals was to address the long-standing gender gap in inheritance rights for women in the Muslim community. Furthermore, Article 23 of the Pakistani Constitution of 1973 states that "every citizen shall have the right to acquire, hold, and dispose of property in any part of Pakistan." It also recognizes property rights and declares that all laws must be in accordance with the Holy Quran and the Sunnah of the Holy Prophet Mohammad (PBUH). However, more than the mere presence of legislation is needed to ensure the provision of property for Pakistani women. There needs to be a proper implementation of these laws, which is why Pakistani women still have to file cases against their brothers to gain their portion of property.

For example, according to a study conducted by the Awaz Foundation Pakistan (2010) on the denial of women's rights to inheritance in southern Punjab, 70% of women do not demand their right to inheritance, 78% of females believe that the majority of women in communities are illiterate, and 100% believe that women's property rights and management are not accepted by society. In some parts of the country, women are denied their property share. Since the 1950s, there has been a local law among the inhabitants of Dir, the right bank of the Swat River, and the Bajaur Agency that refuses to give women their share in inheritance (Asad, 2007).

In Baluchistan, women are less likely to acquire property in the presence of male family members. When their female relatives go to court to obtain their part of the inheritance or refuse to waive their right to inheritance, incidences of women's murder occur. Due to the split of parental possessions and the promotion of the traditions of Vanni, Karo Kari, WattaSatta marriage, and Marriage to Quran, many of the women in southern Punjab, interior Sindh, Balochistan, and KPK are not married (Awaz, 2010).

The situation of women's inheritance rights in Upper Chitral, a remote and mountainous region of Pakistan's Khyber Pakhtunkhwa province, is complex and varies depending on society and unique circumstances. In Upper Chitral, inheritance has traditionally been managed by local customary rules and practices, which are frequently patriarchal and favor male heirs. Women get restricted inheritance shares under these customary rules, and their portion of the family property may be reduced or even forbidden. In some situations, women may be forced to give up their inheritance in order to marry within their own family and retain the property within the family.

However, there have been some new legal attempts in Upper Chitral to improve gender equality and women's rights. For instance, those women who are approaching courts for their inheritance share are done justice. There is an increased ratio of women in Upper Chitral who are educated and aware of their rights. They do not just settle for what is given to them; rather, they struggle till the end and bear all the hardships on their way to attaining their rights. This is quite a positive sign towards the empowerment and independence of women in Upper Chitral. The Khyber

Pakhtunkhwa government approved the Khyber Pakhtunkhwa actions (in Aid of Civil Power) Ordinance in 2019, which includes measures to safeguard women's inheritance rights. The legislation allows for the appointment of female inheritance referees to assist in the resolution of inheritance disputes, and it also permits women to register their property ownership with municipal authorities.

Inheritance rights have been a topic of investigation for centuries. However, some regions have remained marginalized and unexplored, such as the inheritance rights of women in Upper Chitral. A very limited number of researches have been done in this region. Existing studies generally focus on larger gender dynamics across Pakistan, sometimes disregarding the region's unique intricacies. Surprisingly, a gap appears between legal reforms guaranteeing equal inheritance rights and the persistence of traditional practices favoring male heirs. This disparity emphasizes the importance of delving deeper into the interactions between legal frameworks, cultural norms, and the lived realities of women in Upper Chitral. This study attempts to reduce the gender gap by considering the variables that contribute to this disparity and investigating the techniques used by women to negotiate such matters. The simultaneous occurrence of progressive legislation with traditional customs offers a unique opportunity to explore the mechanisms that either sustain or challenge gender discrepancies in inheritance. Investigating the factors that enable this coexistence has a chance to contribute not just to academic knowledge but also to practical solutions that encourage women's empowerment and gender equality. The research questions are as follows.

1. Are the people in Upper Chitral aware of the property rights of women?
2. What are the traditional practices related to the inheritance of women in Upper Chitral?
3. How do these traditional practices affect women's inheritance rights in the region?

Methodology

Tehsil Mastuj, Upper Chitral, KPK, was selected as a research site because of its deeply ingrained cultural norms; the region's inheritance customs provide a prism through which to examine gender equality and women's empowerment. The significance of the study is highlighted by the scarcity of literature available on women's inheritance rights in this area, which aims to add insightful perspectives to the worldwide conversation on tradition, development, and women's rights. A detailed, in-depth interview guide was developed at the time of the interviews, with open-ended questions that had been pre-tested for validity and reliability before going into the field. This is basically qualitative descriptive research and employs a purposive sampling technique. Overall, 28 participants from different backgrounds (13 men and 15 women) were interviewed separately to guarantee objective answers. Further, the process of data analysis included analyzing transcribed audio recordings thematically. Moreover, getting informed consent, protecting participant anonymity, and not asking participants for personal information against their will were all ethical considerations.

Results and Findings

This section entails a comprehensive presentation of the data gathered during this study. The data is precisely organized into thematic categories and includes verbatim quotations from the in-depth interviews conducted with research participants. These thematic categories align with the specific objectives of the research, allowing a cohesive overview of the data's content.

Table 1: Thematic categories

Negotiations and Power Dynamics	Intra-family negotiations and power dynamics related to inheritance. Tactics adopted by women to negotiate for their rightful shares. Influence of family elders and decision-makers on inheritance outcomes.
Increasing Awareness and the Changing Attitudes	Shifts in attitudes toward gender equality and inheritance rights. Role of education and exposure in challenging traditional norms. Increasing awareness of legal provisions and women's rights.
Community and Social Support	Significance of women's support networks in advocating for equal inheritance. Collective efforts to address inheritance disparities. Community initiatives to create awareness and acceptance of gender equality
Law and Culture	Interaction between local customary practices and national legal frameworks. Discrepancies between legal provisions and their implementation in inheritance matters Contradictions between traditional norms and evolving gender equality principles.
Legal Advocacy and Challenges	Women facing discriminatory inheritance practices in court. Legal challenges faced by women asserting their inheritance rights. Efforts of NGOs to advocate for gender equality.
Generational Shifts	Differences in perceptions, thinking and attitudes on inheritance across generations. Potential for social change Younger generations questioning the rigid traditional norms.
Economic Empowerment and Education	Importance of education and economic empowerment. Significance of financial literacy and working with other organizations in addressing gender inequalities. Success stories of educated women getting their share in inheritance.

Analysis of Themes

Gender Differences in Inheritance Rights

It was derived from the responses that an uneven distribution of inheritance rights based on gender exists in Upper Chitral. This aspect reflects deeply rooted cultural and customary norms that frequently favor males over females. Women face several obstacles while getting their inheritance rights, including negotiating social customs limiting access to their justified share. "In Upper Chitral, the share of women in inheritance is often denied, and in many cases, the women surrender by choice. Cultural narratives legitimize denial and promote surrender as an honorable choice" (Participant D, female, married, age 30). Another Participant B (female, unmarried, age 29) added "Women face resistance while getting their rights. They sometimes have to reach out to courts to get the rights. Sometimes, they lose their respect and importance in their home after giving away their property rights".

No one should get their share in inheritance the way I got it. It created lots of problems. My relationship with my family members is not like before; they do not

respect me the way they used to do. I cannot even meet my mother. It simply disturbed my peace (Participant A, female, married, age 32).

The women in our area are given their share whenever they ask for it, but normally women do not claim their share because they think it is against the norms of society, as it is seen as disrespectful to do so (Participant C, female, unmarried, age 26).

Impact on Women's Economic Opportunities

This focuses on how the unfair inheritance distribution impacts economic opportunities. For example, another participant shared her experiences in a way like this: Women who need to receive the proper share of inheritance face significant challenges that constrain financial stability and growth. This further undermines their capacity to sustain themselves and their children, perpetuating cycles of gender-based economic imbalance. This theme highlights the importance of recognizing wider economic repercussions and thus advocates for the proper allocation of inheritance shares.

Before getting my share in inheritance, I had to pay for my house because I was living in a rented house. The place where I married is very backward; to give my children a better education, I had to move out of that place. Now my children are in good schools, my husband works nearby, and everything is convenient here (Participant F female, married, age 32).

There was a lot of mess while getting my share; my brothers were not willing to give me my share, but I needed that very much. My husband was working less, so I had to take care of all the household expenses. It was getting harder day by day, but when I got my share, I grew some fruits and vegetables in my share of the land. I sell them early, and that is the only source of income for me now. I am somehow at peace now (Participant T, female, married, age 40).

Socially Constructed Roles

In Pakistani Society, the role of women is restricted to household chores, and men are supposed to do work outside. Women are expected to be submissive and compliant, whereas men are to be dominating and authoritative. The issue of Society's opinions of women's roles reveals how cultural ideas shape views toward women's inheritance rights. The stigma associated with women seeking their rights is typically rooted in gender norms and expectations. "My husband is fine, but his family members still believe I do not have to struggle for my daughters' education" (Participant F, female, married, age 30).

Look, my daughter, no matter how well-educated women are, they are still women. They have to live according to the expectations of Society and do whatever suits them. It is never suitable for a woman to ask for a share in inheritance. The women of our Society have forgotten the cultural practices (Participant M, male, married, age 55).

In Upper Chitral, it is still hard for people to accept that women are not made solely for doing the household chores. They are of the mindset that those women who speak for their shares are going against the traditions.

Power Dynamics and Negotiations

This theme sheds light on negotiations and power relations within families, which are essential to the inheritance process. The importance of family elders and decision-makers on inheritance

outcomes is being highlighted, which reinforces disparities in distribution. Women often use means to handle power disparities and negotiate for their rightful share. Empowering women in the region can help address this problem.

See, daughter, our Society was not like this before. In our times, daughters were obedient and respectful and did not answer back to their elders. However, now we see the daughters in our Society disrespecting our traditional values and not listening to their elders. It breaks my heart when I hear about daughters going to court and filing cases against their brothers. It is not a decent place for a woman to be (Participant K, male, married, age 61).

Our daughters are now copying others. They are now going against the will of their parents not only to get their share in inheritance but also in other matters. Despite assisting their brothers after getting an education, they are creating problems for the family members. My wife has never even thought of bothering their brothers, and neither will I allow her to do so (Participant Z, male, married, age 53).

Here in our area, the women are treated as if they do not know anything, and the male elders of the household take all the decisions. They believe that the decisions that they make for their daughters are right and will be helpful for them in the future. The male individuals do not see the reality that the World is changing at a greater pace. Their daughters will not listen to each and everything that they say. There is nothing in the hands of a woman. Women are helpless in front of the male elders (Participant A, female, married, age 32).

Increasing Awareness and Perception Change

It highlights how Society is transforming from time to time due to educational opportunities. The individuals are questioning various norms because they are against the legal provisions. This gives hope to the women of Upper Chitral. Education and exposure are essential in influencing attitudes, encouraging people to reconsider their opinions on inheritance rights, and seeing the benefit of a balanced distribution.

I have never asked for my share of the inheritance from my parents until now. However, if the need arises, I will seek my rightful inheritance. As an educated person, I am well aware of my rights, and I will definitely ask for my share in inheritance (Participant G, female, unmarried, age 24).

Education has played a significant role in changing the perceptions and attitudes of people in Upper Chitral. The majority of young individuals now support the idea that a woman should get her share in the inheritance. Some educated young ladies have already claimed their rightful shares.

Community and Social Support

Social change defines the transformation of a society in terms of values systems, social organization, and practices. What may appear a radical idea at one moment in history can become a taken-for-granted norm at another, and this is possible when there is social support. The importance of community and social support in encouraging equitable inheritance cannot be denied. Community collaboration fosters awareness, acceptance, and progress. This theme underlines the importance of collective efforts and the possibility of social transformation when communities come together to promote gender equality. "In our area, even people will attach various stigmas with those who will claim their rights; even the women of the society will consider it wrong" (Participant H, female, married, age 27).

I was very scared at first when I thought about asking for my share in inheritance from my brothers, as it is not common here for women to ask for their rightful share; there was lots of confusion in my mind. Despite having a severe financial crisis, I was worried about my relationship with my brothers. At times, I stopped myself even thinking about getting my share, but I heard about some other cases where women were given their share in inheritance, and not all people were considered wrong. Some of my community members pushed me to ask for my share because they were aware of my circumstances, and they motivated me to get it from my brothers. This gave me strength and motivation (Participant O, female, married, age 32).

Law and Culture

The interaction between local conventional practices and legal systems reinforces the challenges of inheritance. It highlights the conflict between traditional traditions and the evolving principles of legal gender equality. Differences between legislative laws and their implications have strengthened gender inequality. Addressing this issue requires a comprehensive strategy for integrating legal advances along with cultural practices

In our religion, women's inheritance rights are mentioned, but in our society, conventional practices are valued. At times, it seems that for the people in our region, traditions and cultural norms matter more than the religious values and the evolving standards of gender equality (Participant E, male, married, age 36).

Legal Support and Associated Challenges

This gives information on legal initiatives to deal with unjust inheritance practices. Women who seek ways to express their rights have to face specific challenges and deal with complex legal systems. Non-governmental organizations (NGOs) and legal organizations (LGOs) are essential in pushing for gender equality in Upper Chitral.

In Chitral, the women face discrimination while dealing with the inheritance-related issues. Women are considered a weak entity here; I have seen a lady going to court on a daily basis, but the court was delaying the process. It has been four years since the court has decided whether to give the woman her share in the inheritance or not. She is now hopeless about the case (Participant P, female, married, age 38).

“Somehow, now the courts are giving attention to the rights of women. For instance, in the area of 'Booni,' almost 75 cases have been registered, and special attention is given to the cases” (Participant I, female, unmarried, age 28).

Generational Shifts

This shows how attitudes and perspectives on inheritance change across generations. Younger generations may be more prone to questioning old conventions, contributing to a progressive shift in inheritance practices. This subject highlights the possibility of change as society's principles vary.

I believe this is a basic right, and every girl should claim (when needed to do so). If I have to give my opinion on this, then yes, girls should claim their share of the inheritance and be given their justified share in inheritance (Participant J, male, unmarried, age 23).

"One should not hesitate to demand their rights because of family or societal pressure" (Participant K, male, unmarried, age 24). The younger generation of Upper Chitral has a progressive mindset. They are flexible and know the rights of women.

Economic Empowerment and Education

The responses emphasize the importance of education and financial literacy in understanding inheritance outcomes. Women who have received an education are more inclined to claim their rights and combat discriminatory practices. It reflects the importance of educational activities that enable women to speak out for their inheritance rights and contribute to gender equality. Undoubtedly, education, in every sense, is one of the fundamental factors of development. Every country can achieve sustainable economic growth with considerable investment in human capital.

Upper Chitral is a backward area; most women here are uneducated, and they have very limited economic opportunities. If they are deprived of their property, it will double their already tense situation. Women in Upper Chitral are not economically independent, and they often have a minimal role in decision making apart from those who are well educated (Participant L, female, married, age 40).

Chitral is a very backward area, and most people living there need to be educated. They need economic opportunities. Women in the Upper Chitral especially need to get a formal education. There is a genuine need to enhance economic opportunities for them so they can have knowledge of their rights and can actively participate in decision-making.

As was mentioned at the start of the section, these thematic categories align with the specific objectives of our research, allowing for a cohesive overview of the participants' responses. For instance, the first objective of the study is to examine the traditional practices of inheritance in Upper Chitral. Almost all of the identified themes were relevant to this objective in one way or another. Participants shared their experiences regarding the construction of gender roles and discrimination experienced by women regarding getting their inheritance. Moreover, the women in Upper Chitral are conditioned to obey their elders.

Some other themes were derived from the interviews to meet the objective of creating awareness regarding the inheritance rights of women in Upper Chitral. As an educated young woman of age twenty-four, she has stressed the importance of education in creating awareness among individuals and clearly mentions that as an educated individual, she will definitely ask for her share in inheritance. Social support also plays an important role in encouraging women to get their share; as mentioned above, a married female participant of age thirty-two has shared her experiences that she was motivated by successful cases of other young ladies and claimed her share. Further, it demotivates you when the community members do not support you or attach various kinds of stigmas, as another young woman of age twenty-seven has shared. In other words, if the community is well aware of the inheritance rights of women, then there will be no issues for the women who are claiming their rightful share because that is what they should get. The problems arise when people are uneducated and unaware of the inheritance rights of women. A generational shift was also observed after accessing the in-depth interviews. The perceptions of youth were progressive and flexible in accepting the idea that women should get a rightful share of inheritance.

Another objective of the study is to assess the economic influence of giving the rightful share of inheritance to the women of Upper Chitral. This was clarified by the majority of the participants, as a number of responses I got from them showed that the condition of women in most of the cases

has improved after getting their share. One of the participants explained how she made her share a source of income for her whole family. She is selling vegetables and fruits, which are grown on her share of land. Therefore, it is concluded that those women who are getting their share of inheritance have more financial security than the ones who are not getting it.

Discussions

The research results reflect a particular pattern of gender differences in inheritance practices in the Upper Chitral region. It is apparent from the previous section that women either receive no or a significantly lower proportion of inheritance assets than men, continuing a cycle of gender inequality. The complex relationship between cultural norms and legal frameworks worsens the situation since customary practices often contradict the legislative frameworks that intend to rectify these differences. This will improve the economic well-being of women, as unequal inheritance distribution hinders their ability to achieve financial security, invest in education, and contribute to the general well-being of their families (House, 2004). These practices are heavily impacted by social attitudes and stigmatization, discouraging women from demanding their inheritance rights for fear of social repercussions, including ostracization. Power dynamics within families also act as a key determinant of gender inequality.

However, amid these difficulties, the study finds encouraging signs that indicate changing views and growing awareness of gender equality in inheritance. Individuals have been encouraged to challenge established practices and push for a fairer distribution of inheritance assets due to a gradual shift in Society's norms and a better grasp of legal laws. Collaborative initiatives within communities, aided by non-governmental organizations and social organizations, and women activists are gaining pace in raising awareness and challenging discriminatory practices. Although it is apparent that women experience significant struggles while accessing the courts, generational transitions are also taking place, with younger generations being more open to gender equality and questioning traditional practices.

Education is found to be a transforming agent for women, helping them to express their rights and question the existing discriminatory behaviors. The research emphasizes the importance of comprehensive initiatives that address legal reforms, cultural beliefs, and economic empowerment. Empowering women via education, financial literacy, and business skills is essential to eradicate systemic disparities and safeguard their financial prospects. There is a need for comprehensive methods that challenge current standards and promote supportive circumstances that enable women to claim their rightful share of inheritance. In this way, building a more just and inclusive society for women in Upper Chitral would be possible.

Conclusion

In conclusion, this study on women's inheritance rights in Upper Chitral reveals a complex interaction of customs, legal frameworks, and changing socioeconomic dynamics. This research emphasizes the significance of understanding how the coexistence of local cultural norms and legislative regulations determines women's access to property and resources. While legislative reforms have tried to improve women's inheritance rights, deeply rooted norms and patriarchal systems continue to impact their implementation.

Although the study is related explicitly to Tehsil Mastuj, its findings have implications that extend beyond this region. These problems are not specific to women living in Upper Chitral; instead, women confront concerns related to inheritance in other areas of Pakistan. The persistence of conventional norms with advancements in societies as women in Chitral come forward and speak

for their share in inheritance and their approach to addressing gender-related issues emphasizes the complexities of socio-legal transformation and the importance of context-specific remedies. Women's experiences in Upper Chitral parallel the worldwide battle for gender equality, highlighting the importance of joint efforts between local communities, authorized agencies, and civil society organizations in driving genuine change in the region. Moreover, through education, activism, and promoting discourse, we may create a future where inheritance rights are egalitarian, empowering women to contribute to their families, communities, and society.

In conclusion, women's inheritance rights in Tehsil Mastuj, Upper Chitral, have a cultural history that meets legal developments. This case study highlights the challenges as well as the opportunities that come with establishing gender equality in the field of inheritance rights. By recognizing the complexities related to inheritance and promoting open discussion, we clear the path for a more justified and equitable future for the women of Tehsil Mastuj and women who face comparable challenges.

References

- Abraham, M. F. (1983). *Modern Sociological Theory: An Introduction*. Oxford University Press.
<https://global.oup.com/academic/product/modern-sociological-theory-9780195613841?cc=pk&lang=en&>
- Agarwal, B. (1994). *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge University Press
https://books.google.com.pk/books?hl=en&lr=&id=Z3pdP30OnEUC&oi=fnd&pg=PR12&dq=A+Field+of+Ones+Own:+Gender+and+Land+Rights+in+South+Asia&ots=FvTCk0WXeB&sig=4eewgzoupygQGn6O3IQvlkhtR9c&redir_esc=y#v=onepage&q=A%20Field%20of%20Ones%20Own%3A%20Gender%20and%20Land%20Rights%20in%20South%20Asia&f=false
- Bacha, U. (2022, March 5). *Women's right to inheritance is enshrined in Islam and the law why do they still have to fight for it?* DAWN.COM. <https://www.dawn.com/news/1678231>
- Barlow, R., & Akbarzadeh, S. (2006). Women's Rights in the Muslim World: Reform or Reconstruction? *Third World Quarterly*, 27(8), 1481–1494. <https://www.jstor.org/stable/4017691>
- Batool, U., & Zia-UI-Haq, M. (2019). Custom and Female Right of Inheritance: An Appraisal of the Evolution of Judicial Decisions in British India and Pakistan. *Islamic Studies*, 58(1), 51–82. <https://www.jstor.org/stable/26758946>
- Butt, B., Amir, Z., & Asad. (2016). Refutation, Relinquishment and Inheritance: Exploring Women's Inheritance Rights in Pakistan. *Pakistan Journal of Social Sciences (PJSS)*, 36(2), 1001–1009. <https://www.bzu.edu.pk/PJSS/Vol36No22016/PJSS-Vol36-No2-34.pdf>
- House, C. (2004). *Land in Africa: Market Asset, or Secure Livelihood? Women and Land Tenure Rights in Southern Africa: A human rights-based approach Prepared by Gladys Mutangadura for Session Two: Gender, land rights and inheritance*. IIED. <https://www.iied.org/sites/default/files/pdfs/migrate/G00173.pdf>
- Human Rights Watch (2002). *Human Rights Watch World Report 2002* (Human Rights Developments in 2001). <https://www.hrw.org/legacy/wr2k2/>
- Liebrucks, A. (2001). The Concept of Social Construction. *Theory & Psychology*, 11(3), 363–391. <https://doi.org/10.1177/0959354301113005>

- Moser, C. A. (1952). Quota Sampling. *Journal of the Royal Statistical Society. Series A (General)*, 115(3), 411. <https://doi.org/10.2307/2980740>
- Nikolopoulou, K. (2022, August 11). *What is purposive sampling?* | Definition & examples. Scribbr. <https://www.scribbr.com/methodology/purposive-sampling/#:~:text=Purpose%20sampling%20refers%20to%20a>
- Nüsser, M. (2001). Understanding cultural landscape transformation: A re-photographic survey in Chitral, eastern Hindukush, Pakistan. *Landscape and Urban Planning*, 57(3–4), 241–255. [https://doi.org/10.1016/s0169-2046\(01\)00207-9](https://doi.org/10.1016/s0169-2046(01)00207-9)
- Ozturk, I. (2008, May 28). *The Role of Education in Economic Development: A Theoretical Perspective*. SSRN. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1137541#:~:text=No%20economic%20development%20is%20possible
- Rao, N. (2005). Gender equality, land rights and household food security: Discussion of rice farming systems. *Economic and Political Weekly*, 40(25), 2513–2521. <https://www.jstor.org/stable/4416780>
- Rehman, S. (Ed.). (2010, January). *Denial of women's right of inheritance enhancing their vulnerability to domestic & societal violence research study on customs and practices prevailing in south Punjab regarding women's right of inheritance*. Awaz Foundation Pakistan. <https://awazcds.org.pk/Downloads/rstudies/Inheritance%20Rights.pdf>
- Rosenzweig, M. R., & Wolpin, K. I. (1985). Specific Experience, Household Structure, and Intergenerational Transfers: Farm Family Land and Labor Arrangements in Developing Countries. *The Quarterly Journal of Economics*, 100(Supplement), 961–987. <https://doi.org/10.1093/q>
- Shah, M., & Farooq, A. (2002). *Islamic Teachings and Social Structure: Conviction and Contradictions*. Cambridge Scholars Publishing.