



Gender Inequality in Pakistan: Impact on Women’s Inheritance Rights

¹Hina Tariq

¹MPhil Scholar, University of Sargodha.

hinatariq.uos@gmail.com

Abstract

Gender inequality in Pakistan remains most evident when it comes to women and their limited right to inheritance in the country, despite the existence of Quranic injunctions and the law on their safeguard. The second reason is that this issue cannot be described only as the lack of thorough legislation because it is not just a part of the law system that cannot cover all the aspects of the social world and every individual. Such denial or dilution of a woman in the perspective of inheritance occurs due to firmly rooted patriarchal principles, socio-cultural demands, and institutional constraints that restrict all means to implement it. Based on legal provisions, policy statements, and current commentaries in the literature, the paper uses a qualitative review approach to explore how cultural practices, lack of strong institutional systems, and less attention to the legal provisions hinder women's effective control of property. The article evolved through critically synthesizing the academic literature, judicial decisions, and policy interventions to find that the existing problem of the law-practice gap can only be truly resolved by improving the implementation of the law and by transforming the culture.

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Corresponding Authors*

1. Introduction

Gender inequality in Pakistan has been defining the social, economic, and political life of a woman, and one of the most contentious areas is that of inheritance. Property ownership is not arousal to everyone but to women in particular as a significant variable in terms of bargaining power, autonomy and security in both the household and in the community (Agarwal, 1994). Although the growth of education and jobs available to women has been broadened in recent decades, denial of the right to inheritance has proven to be a structural limitation in gender equality (UN Women, 2024). The Islamic injunctions give women unequivocal portions of inheritance, and they ensure that their economic lives will be secure under the provisions of Islamic injunctions within a just and equitable structure. The Quran outlines rights of the daughters, women, mothers, and sisters, which means that inheritance is both a legal and a religious right (UMT JITC, 2025). These principles are also recognized in the constitution of Pakistan as well as statutory provisions including the west Pakistan Muslim personal law (Shariat) application act of 1962 (West Pakistan Muslim Personal Law Act, 1962). However, in spite of such doctrinal and legal base, women are generally denied their due shares bringing into light a stark contrast between the law and actual practice (World Bank, 2024).

This difference is majorly attributed to the socio-cultural regulations that favor male offspring. In some cases, the families coerce women to give up their shares in the name of sustaining family cohesiveness or preventing a clash (Pakistan Social Science Review, 2025). Frequently, such norms are internalized by women themselves, as they see their exclusion as an act of commitment or self-sacrifice. These practices turn what ought to be an enforceable right into a situation of negotiation, damaging the role of religion and law alike (Voicepk, 2020).

The other stratum of complexity has to do with administrative and procedural challenges women have in asserting their property. Male-dominated spaces such as Land record offices, courts and local governance structures often restrict the processing of women claiming. In my understanding, this can be due to concerted effort to encumber women through those spaces as well. Women, devoid of awareness, mobility or resources end up being even more disadvantaged, as claiming their rights becomes nearly impossible due to the bureaucratic and the legal systems involved. These obstacles are especially extreme in rural regions where the rate of literacy is less (PJ Law Journal, 2025). The state has in place various legislative interventions which are intended to address this gap. The Prevention of Anti-Women Practices Act of 2011 criminalized the denial of inheritance rights where as the Enforcement of Women Property Rights Act of 2020 gave powers to the Ombudsperson to restore possession to the women who are deprived of property (Government of Pakistan, 2020). These are reforms that imply progress, although it has not been felt uniformly and spread across the country. To many women, most of these provisions are unknown as the mechanisms through which they can be enforced are still not stringent enough to change deep-rooted social norms (Ace Law, 2024).

The continued existence of such disparity has weighty implications on the empowerment of women. Experience has demonstrated that when women own property, they have a higher degree of control over the households, less exposure to domestic violence, and better health and education of their children (Agarwal, 1994; World Bank, 2022). On the other hand, propertyless women continue to rely on their male kin to prolong the cycle of poverty and powerlessness through the generations (World Bank, 2019). Therefore, the heritage rights

denial cannot be regarded merely as a law violating but as an outside obstacle to social progression.

This complication is compounded by cultural perceptions of such an issue. The ownership of a property in Pakistani society is directly related to the matters of honor and power, and the female laying claim of her rights in regard to inheritance is often thought of as an unloving and disobedient member of society (GLSR Journal, n.d.). This stigmatization drives away women, who are discouraged to pursue legal solutions to their cases, which promotes the cycle of silence and loss. This means that inheritance is not solely an issue of law, but also pertains to deeply inculcated cultural values (Pakistan Social Science Review, 2025). At other moments, the court rulings have validated the rights of women, by acknowledging that forced waivers and family compromises that deprive women of their lawful inheritance rights, are illegitimate (Federal Shariat Court, 2025). Nonetheless, the numbers of cases that trigger transformation, delays in filing processes, and unwillingness of many women to take their family members to court restrains the transformative force of the judiciary (PJ Law Journal, 2025). Legal success stories turn out to be products isolated solutions, other than becoming spurs of gaining social change.

The role of property rights and widening access to land to women has also been emphasised by the international development community as related to the requirement of gender equality and poverty reduction in achieving Sustainable Development Goals (UN Women, 2024). In reporting the World Bank, there has been a lot of emphasis that the inheritance of women is more than a question of justice and the reason is that, stabilization of economy and social growth among women has been a strategy. Inheritance denial of women is one of the development challenges facing the country because women make up almost half of the population in Pakistan.

The present article places the question of women rights to inheritance in the context of gender inequity in Pakistan. It proposes that the legal framework is relatively robust, but is structurally and culturally ineffective in practice. The article has also identified the roles that law, custom, and institutional weaknesses have in perpetuating the disenfranchisement of women in the ownership of properties in the society. Through synthesis of academic papers, policy and legal documents, the study takes the approach of qualitative review to outline the trends of women inheritance rights right in Pakistan. The introduction provides a background against which the content of the paper would be discussed that identifies the weaknesses of patriarchal tradition, the poor enforcement mechanisms, and lack of awareness about translation of legal rights into lived realities. Finally, the article argues that concerted efforts must not only be made in changing the law but more importantly transforming the culture, which will make it normal that women own property (World Bank, 2024; UN Women, 2024).

2. Literature Review

This inequality between genders in Pakistan is particularly evident in access to and control of inherited assets, where a well-documented gap remains between legislation on the books and actual results on the ground. The underlying literature in the region of South Asia finds the economic security, bargaining power of women, and intergenerational mobility via secured property rights (Agarwal, 1994). The modern policy diagnostics have also yielded a modest score for Pakistan's formal frameworks, noting a lag in implementation, which leaves women with worse practical ownership of wealth, despite the law theoretically providing them with this (World Bank, 2024). These trends are reflected in the UN Women's status reporting in Pakistan, which describes how women's shares have often been denied or reduced due to informal pressures, procedural barriers, and attitudes that favor male heirs (UN Women, 2024).

The legal framework that is applicable to inheritance is stratified. In the case of Muslim families, Shariah is the rule of decision in succession, and goes against any contrary custom, by the West Pakistan Muslim Personal Law (Shariat) Application Act, 1962. Instruments that complement each other are also designed to discourage displacement and fast-track recovery: the Prevention of Anti-Women Practices Act, 2011, makes it a criminal offense to deny women supplementary to inheritance, whereas the Enforcement of Women Property Rights Act, 2020, gives the Ombudsperson powers to reimburse possession, in the Islamabad Capital Territory (ICT) (Ace Law, 2024; Government of Pakistan, 2020). Administrative players, such as FOSPAH, have since opened the courts to enforce the 2020 Act, providing an additional route of enforcement beyond civil litigation (Associated Press of Pakistan, 2025).

It is in religious jurisprudence itself that the right to women distributed- daughters, wives, mothers, and sisters-are all Quranic heirs, although shares can vary depending on different kin-structure (e.g., 2:1 scheme under two different designs) (Aktual: Islamic Law, 2025). Recent Pakistani scholarship highlights that despite the protection of the doctrinal underpinning of female share, social translation has been unequal: denials, coercive waivers, and strategic transfers are common sources of undermining female de jure entitlements (UMT JITC, 2025). The empirical issue is therefore less whether there is a right or not, and more in the obstacles to its implementation in households, land offices and the courts (UMT JITC, 2025).

Interference of socio-cultural pressures remains the lead barrier. Literature reports of back giving to brothers, stigmatization of women who sue their kin and little knowledge regarding available legal action (Pakistan Social Science Review, 2025; UMT JITC, 2025). Exploitative practices like forged relinquishment deeds and extra-legal family settlements are highlighted by media and civil-society reporting and are often married with reduced literacy levels and low mobility among the women themselves to successfully raise an objection in time (Voicepk, 2020). Such patterns are particularly acute in agricultural land- which is both of economic importance, and symbolically masculine in nature- where community norms had historically been resistant to female ownership despite legislative reforms (SDPI, 2008).

The stakes of the economics involved are really high Ownership of property affects the fallback position of women, exposure to domestic violence, the capacity to access credit; asset lessness on the other hand deepens the dependency (Agarwal, 1994). According to cross-country data, when their rights to property and inheritance ownership are limited, the degree of aggregate female economic participation and entrepreneurship suffers, which has spill-overs to child health and education (World Bank, 2024; World Bank Open Data Blog, 2019). This relationship between de facto rights and overall gendered development outcomes suggests that the middling scores on asset-related indicators in Pakistan are reasons why its overall Women, Business and the Law scores are weak (World Bank, 2022, 2024).

There are institutional and procedural stumbling blocks that undermine the achievement of rights as well. Empirical research in Punjab has noted land records and mutation bottlenecks and the evidentiary burdens disproportionately disadvantaging women when they do not have documentary evidence, or lack of such evidence can be gatekept by local authorities (Bridgewater JIWS, 2023). By the time that women reach the decree, it may be lengthy before they can regain possession and this is why the ICT-specific remedy in 2020 is to have executive enforcement through the Ombudsperson (Government of Pakistan, 2020; ADB LPR, 2020). The knowledge of law is highly disparate and women seek mediators in order to offset the provisions of Qanun-e-Shahadat and civil procedure during contesting successions (Ace Law, 2024).

New initiatives in detection have been encouraging but localized the 2020 Act has established relatively rapid administrative process of restoration of women property in ICT and outreach events (khuli kacheris) have tried to mitigate such barriers of access (Associated Press of Pakistan, 2025). Government press releases frame the law within an initiative of countering un-Islamic practices of dispossession (Press Information Department, 2020), but there is little publicly available information on cash flow, timelines, or compliance following issuance of orders outside the ICT, where processes vary by the province (Aurat Foundation, 2020). Strict supervision and open statistics would be beneficial in determining whether the wide practice-law gap is bridged to the enforcement.

The gap is further charted in scholarly output in 2024 2025. Comparative law studies find many rights are systematically undercut by deep-rooted customary mechanisms of weakening the claims of women whether it comes to land or property, and a need to align procedures and change norms at the community level (AHSS Journal, 2024). Related commentaries in Pakistani law journals describe repetitive court proceedings-family duress, skipped or defaulted procedures and forged documents and present arguments in support of dedicated benches and legal assistance (PJ Law Journal, 2025). Even more sweeping cultural studies can trace the shifting forms of state-level patriarchal paradigms, re-creating exclusion unless lawyers and policy-makers can enforce those changes through shifting the social sanction and information asymmetry (GLSR, n.d.).

Lastly, emergent jurisprudence is an indication that judicial awareness of systemic dispossession is present. Petitions in the Federal Shariat Court have highlighted the exclusion of women in ancestral land and pursued justice against practices that do not square with the injunction of the Muslim faith of fairness to female heirs (Federal Shariat Court, 2025). Moving forward, the literature points to a multi-faceted research and policy agenda: (a) longitudinal research on enforcement tools (such as the 2020 Act) outside of the ICT; (b) experiments (or near-experiment) on legal aid, paralegal, and lands-record digitalization; and (c) community-level norm interventions that decenter male guardianship over women and their assets. Even without such integrative measures, legal obligations to the inheritance rights of women in Pakistan will go on underperforming in the lives of the actual population (World Bank, 2024; UN Women, 2024).

3. Research Methodology

The research methodology adopted in the study is qualitative in nature and is grounded on a critical literature-based review of literature, law, and policy documents regarding the rights of women regarding inheritance in Pakistan. In the analysis, the sources utilized are secondary materials, which are academic journal articles, government legislations, judicial decisions, and reports of international organizations, including the World Bank and UN Women. A thematic approach is applied in order to uncover the patterns that are repetitively found in terms of gender inequality, societal-cultural hindrances, and institutional obstruction of women's right to property. The synthesis of evidence regarding legal, social, and economic perspectives will provide the research with an opportunity to point out the gap between state-acknowledged rights of women in inheritance and their real application, and thus provide an understanding of both the underlying structural causes and potential solutions.

4. Discussion

The right of inheritance by women in Pakistan is a striking paradox because they are significantly irregular in carrying out this right despite the fact the Islamic law and the constitution recognizes this right. The social pressure as well as administrative barriers can keep the women without a share to which they are entitled. An example is a report in Punjab

where more than two-thirds of the women legally rights to property never got it as they were challenged by fellow male family members who superseded their inheritance rights (Bridgewater JIWS, 2023). This contradiction brings out the fact that societal norms undermine the effect of laws created to defend women.

This problem is greatly enhanced by the supremacy of patriarchal life in rural Pakistan. Within agrarian societies, land represents both fortunes and authority and daughters inheriting property are often considered to be breaking family unity. Case-based information indicates that a significant number of sisters are cajoled into selling to brothers during family settlements, in the character matter or emotional coercion (Pakistan Social Science Review, 2025). These tendencies show the possibility of informal power deepening through the overriding of women rights due to the exercising of legal rights. Or it may be twisted by religious beliefs, in the place of which it could rightly exist. Women are clearly designated a specific share in inheritance in the Quran, though abuse or misinterpretation of the verses in Quran is deployed to consolidate male domination (UMT JITC, 2025). In this way, in certain parts of Khyber Pakhtunkhwa, the cultural tradition (ghairat and riwaj) overrides the Islamic law, and thus denies women their legal rights. Such abuse of religion is the evidence of a more complex intermixing of tradition and religion.

Cases of violence have been tried to be put down through some judicial intercessions, but the accessibility of justice is not widespread. In 2023 the Federal Shariat Court listened to appeals that highlighted the dispossession of women in ancestral properties, and emphasised institutional denial (Federal Shariat Court, 2025). The long process of litigation, excessive legal expenses, and stigma alienate women and they are reluctant to seek justice. Most are afraid of family retaliation when they go to court against their brothers or uncles, which further supports their silence, and obedience (PJ Law Journal, 2025).

With the passing of the Enforcement of Women Property Rights act in 2020 there is some hope as Ombudspersons are now empowered to restore property rights without trial. The successful retrieval of the house (owned by a deceased husband) by a widow who had been unfairly evicted by the husband-in-laws, following direct intervention by the Ombudsperson is an example of an actual case experienced in Islamabad in 2022 (APP, 2025). Such incidences serve to show that administrative remedies can work, albeit due to a lack of certainty as to jurisdiction. The legal framework is not the only deterrent since cultural stigma can be quite strong as well. Women claiming heirs rights are termed as greedy, selfish, unsupportive of family ties (GLSR Journal, n.d.). As an example, in Sindh, a woman who demanded her equal share of farmland, was found socially isolated, where the community elders were against her. Such pressures indicate that the provisions of the law alone cannot be effective since they exist in isolation without accounting the application of cultural stories that discourage women to claim their rights.

The impact of inheritance denial on the economy is huge. Their asset ownership is highly associated with bargaining power and financial security of women (Agarwal, 1994). Women who lack property end up being dependent on male family members, and are more exposed to acts of domestic violence. Women who own assets have been found to be much less willing to accept abusive relationships (World Bank, 2019). Therefore, it is not just a legal question that requires us to stand up in defense of inheritance rights, but it is also an important tool of protection against gender-based violence.

Effects of development are beyond individual households Non-giving of the empowerment of women as property restricts their contributions towards the productivity of a nation and the economy. The World Bank reports show that in economies with stronger rights

on women to property, the women have a higher rate of entrepreneurship and alleviation of poverty (World Bank, 2024). In Pakistan, structural poverty is perpetuated by the system of not giving women a role in inheritance, particularly in the rural settings whereby the issue on land ownership applies as the most important source of livelihood.

Administrative obstacles add to the problem. Most women lack the literacy level and mobility to deal with the land records office where corruption and gender biasness make the situation unfavorable against them. In Punjab, women reported that clerks were very inclined to asking bribes or taking the side of male family members when it came to property transfers (Bridgewater JIWS, 2023). Such built-in inequality in the system shows that even the state apparatus is guilty of the propagation of inequality. Another significant challenge is that of legal awareness. The survey revealed that most women in rural Pakistan had no knowledge about their rights to inheritance under the law (Aurat Foundation, 2020). This ignorance is usually taken advantage by the male members of the family who misinform women on their entitlements. Media and NGOs have helped with education of women but the outreach has been spotty and minor in its effect. Legal reforms on their own cannot produce the desired effect unless they are accompanied by systematic sensitization.

Pakistani case studies are real-life situations on how denial of inheritance continues to occur. In a case in Lahore High Court, a group of sisters regained agriculture land they had lost to their brothers ten years earlier. As much as a favorable judgment was made, the women were subjected to violence and threats before they were able to obtain possession (PJ Law Journal, 2025). These examples are illustrative of the fact that legal success does not necessarily result in practice except with the help of a system of protection. The position of community institutions, e.g., jirgas and panchayats, also depredates the right to inheritance by women. These traditional justice systems tend to pressurize women to forfeit their portions to maintain family honour/ communal peace. This sort of practice not only goes against constitutional stipulations but is also anti-Islamic regarding principles of fairness (Pakistan Social Science Review, 2025). Lawpers should note the persistence of parallel justice systems as a signal of the failure of the formal judiciary to make its remedies accessible.

Duality in inheritance rights among the sexes also overlaps with other types of discrimination. Women that are widowed, divorced, or even orphaned girls are more likely to fall victim since they will have no male figure to defend them. In a reported case in Sindh, the in-laws deprived a widow of her share of land by saying that since she had no male heirs, she did not deserve the inheritance (Voicepk, 2020). These intersections show how intersections of various types of vulnerability exclude women. International organizations have always emphasized the need to transfer women their right to property. The report issued by UN Women (2024) asserts that securing inheritance rights is the key to meeting the Sustainable Development Goals and especially those on gender equality and poverty reduction. These shortfalls have dragged the scores of Pakistan in the Women, Business and the Law index to a middling score (World Bank, 2022). Comparative evidence indicates that empowerment of women and national development can be significantly improved by reinforcing the enforcement.

Broadly, it can be seen that even in a country like Pakistan where the legal framework provides citizens, especially women, with form-legal guarantee of right to inheritance, women have to face structural, cultural, and institutional challenges in order to exercise the right. Our sources, both real-life and judicial, and field research afford a consistent suggestion of a gap between law and practice. To handle this problem, it is imperative to follow a multi-dimensional strategy: to increase enforcement, enhance administrative responsibility, local

awareness, and cultural change. Lack of such efforts will leave the issue of inheritance rights by women as a mere unfulfilled promise and not a reality.

5. Conclusion

Arguments and facts brought forward throughout this paper make it clear that gender inequality in Pakistan is most acute when it comes to the denial of female inheritance rights. The rights that the individuals in question have in Islamic law and are guaranteed by the Pakistani statutory framework are unequivocal, yet cultural stigmas founded in patriarchal traditions, a weak institutional enforcement mechanism, and the lack of awareness of such rights do not allow translating the theoretical rights in practice. This discrepancy shows a critical law-practice gap, which implies that citizens have their rights on paper but do not have access to these in hard reality. Arguing that even when there is a high legal guarantee of equality between the genders, there exists inequality, it is evident that it is ineffective to have laws but rather to abide by those laws in practice.

Another defense of this claim can be based on the greater socio-economic effects of the denial of property to women. The latter is demonstrated to enhance women bargaining power, help them safeguard against domestic violence, and enhance family welfare (Agarwal, 1994; World Bank, 2019). Dispossession, on the contrary, leaves women behind in spiral of dependancy and poverty. This proves that inheritance rights are not symbolic but a functional essentiality of women empowerment and the developmental course of Pakistan. Thus, solutions to inequity in family inheritance concerns are questions of justice as well as of sensible economic growth and social development.

In addition, the very persistence of traditional means of coerced waivers, jirgas and family settlements demonstrates the extent to which cultural principles overrule requirements of the law. To support the central argument, this paper states that the reforms should move beyond the legal framework to set aside the social accounts that present women who assert their rights as outcasts. Until the impression of women as minor heirs or sacrificing daughters can be challenged, equality cannot be guaranteed no matter what kind of legislation is enacted. It can be seen, then, that the fight is not purely legalistic but also cultural and ideological.

Weaknesses in institutions also supports the argument that gender inequality still exists in terms of inheritance. The problem of corruption in the administrative sphere, poor enforcement, and inaccessible law aid, negatively impacts women who already are against it due to their needs to access literacy and mobility (Bridgewater JIWS, 2023). Although efforts such as the 2020 Enforcement of Women's Property Rights Act have proved effective, they are limited in reach, and their spread shows that much more needs to occur countrywide to make a significant difference. In defending this argument, it is easy to see that when we lack the strength and monitoring of accountability of the institutional settings, legal rights are continually pushed to the margin by the procedural injustices.

Finally, this paper estimates that the idea of enacting legal, cultural as well as institutional reforms must be a multi-dimensional approach to be able to effect any meaningful change. The legal regimes of the world should be applied with transparency, the creation of awareness needs to normalize women as the worthy owners of property, and the communities should be broken down through the breaking of patriarchal discourses. Inheritance rights of women in Pakistan are not privileges but religious right, constitutional and human rights. To support the point, it must be acknowledged that the deprivation of these rights does not only constitute an injustice but is also harmful to the development of the country and societal coexistence. It is only through coordination of law, culture, and

enforcement that Pakistan can look to change the status of inheritance rights, not only as a legally guaranteed right, but one that is lived.

6. References

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