

AN ANALYSIS OF SOCIO-CULTURAL BARRIERS TOWARDS WOMEN SHARES IN INHERITANCE BASED AGRICULTURE LAND; AN EMPIRICAL OVERVIEW OF CHARSADDA KHYBER PUKHTOONKHWA

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Abstract

The present study was conducted in district Charsadda to explore the socio-cultural berries affecting women's share in family's agriculture land inheritance. A sample size of 315 respondents was randomly selected from the total population size of 1760 with characteristics having land 10 acres and above. The universe was divided into three union councils and sample was drawn as per criteria by proportional allocation method. Two variables i.e. socio-cultural berries and literacy status and one dependent variable namely inheritance based agriculture land distribution practices was designed and cross tabulated with the application of chi square test statistics and Gamma to ascertain association. The association of inheritance based agriculture land distribution practices and socio-cultural factors at bivariate portrayed that the association between inheritance based agricultural land distribution practices was highly significant and negative ($P=0.000$, $\gamma = -1.000$) with Women relegated to work as service providers as a social patterns of society; practice of inheritance is a normative behaviour descended from forefathers; women with inherited property enjoy a will reputed status in society; Pukhtoon society follows Islamic law regarding inheritance, cultural restriction is the reason for not giving share in inheritance to females with specific reference to agriculture land, Pukhtoonwali (a set of codes of Pukhtoon's life) is also in favour of inheritance to women in land distribution and highly significant and positive ($P=0.000$, $\gamma = 0.999$) with social fabrics do encourage women to be subordinate with little freedom of access to inherited land. At multivariate level the literacy status of the respondents as a control variable explained variation in the association of inheritance based agriculture land distribution practices with socio-cultural factors ($\gamma = 0.365$ and $P=0.000$ for illiterate, $\gamma = 0.343$ and $P=0.002$ for primary level, $\gamma = 0.575$ and $P=0.000$ for middle level, $\gamma = 0.645$ and $P=0.000$ for high level, $\gamma = 0.664$ and $P=0.001$ for intermediate level and $\gamma = 0.786$ and $P=0.000$ for graduate level). For general acceptance, the institutional role of explaining and understanding the issue needs to be given high priority by declaring it a social problem which needs immediate redressal.

Key words: Socio-Cultural Barriers, Women, Agriculture Land, Charsadda Khyber Pukhtoonkhwa

Introduction

Inheritance is defined by Sharma (2019) as the transfer of property or money from parents or ancestors to their off springs as per prevalent practices. On the legal side, it is usually covered under the law of inheritance or property rights both moveable and immovable property received by a person from his/ her ancestors. The law of inheritance is basically one of the characteristics of the developed nations and speaks for division of property between both genders. Women's empowerment is a resulting reality of their rights of ownership to property and land. It may include right to own or to have excess, and control over the use of these resources being transferred as the most precise and well defined approach with regard to inheritance. These are also backed by a strong social, moral, religious and legitimate aspects of a society (Gomez et al, 2012).

History of inheritance is in vogue since the beginning of humanity. The religious Encyclopedia has provided the information about the primitive practices used by Egypt where the widow and other relatives were to be buried with the property of the deceased if he or she deviated from the customary and religious practices of ownership

phenomena. It has the main objective to prevent the establishment of personal property by passing it down to close kins of the deceased. According to most of the sociologists and anthropologists inheritance rights vibrate only in favour of male family's members, while in some cases like matrilineal societies, female gender were declared as the true *custodians* of property. In addition, the egalitarian system has also been the virtue of certain societies which alluded towards the practice of no discrimination on the basis of age, gender, and family etc. (Hastings, 1980).

The local cultural scenario has made it almost impossible for women to own any segment of land due to the prevalence of patriarchy, normative order in favour of men and women's subordinate position (Anwar, et al 2005; USAID, 2014; IDRC, 2014; and ADB, 2002). Lack of knowledge is due to women deprivation of land possession with unequal opportunities. In most of the traditional societies like Pakistan as one of these, both genders have equal rights of land usage but traditionally men are leading or in control over the title which is later on transmitted to their sons. Some extreme cases of governance and control over women property rights are also visible in remote parts of Pakistan. This has made women rendered with poor health, low literacy and no control over assets along with their immobility. Furthermore, decision making processes are also under the domain of male and women are being sold as commodity in the purview of bride price. These conditions have inflected women status with denial of inheritance rights at family level in all the four provinces of Pakistan. Kpk is not an exception to such practices where females do not inherit land while males are always in the driving seats (Mehdi, 2002; IDRC, 2014; GOP, 2006 and Arif and Ali, 1998).

Culture is one of the institutions which contain a number of sub cultures entailed with the role of manifestation and endorsement to the normative customary services to any particular group including other groups as well. It is based on the mechanism through process of perpetuation since long. such practices are often based on the patterns of social interactions with behavioural manifestation in a tangible mode included are painting, dances, rituals and other visible events which should display information about what, where and with whom the interactions take place (NSFLEP, 1999). The main objective of the research study is to delineate the socio-cultural barriers to women's rights of inherited agriculture land and to measure the level of association between socio-economic barriers and inheritances based agricultural land distribution practices based on literacy status.

Research Methodology

The current study is based on exploring the agriculture land distribution practice (on inheritance basis) in rural areas of district Charsada, KP, Pakistan. It is mainly designed to investigate the relationship between various socio-cultural factors affecting the agriculture land distribution practices with reference to women's share in inheritance.

The present research endeavour is based on cross sectional research design to study the inheritance sharing phenomena in KP, Pakistan. This type of phenomena is often under consideration for taking data from different segments of society at once through assessing attitudinal, socio-economic and demographic characteristics. Moreover, its applications could also be extended in a wider mode to perception based studies; looking towards interpretation of the phenomena based on association amongst variables.

Babbie (1992) explains the universe as the study population, chosen in the study area, from where sample is to be drawn. District Charsadda has been chosen as a potential universe because Charsadda is a high fertile area with PH higher than rest of the country. All those who possess agriculture land up to 10 acres and above have their cases in the courts to resolve the distribution of land in inheritance were the potential subjects of the study.

A Sample is the subset of the larger population, representing it in all characteristics. While sampling is a procedure which is being adopted to select the required number of respondents through a well-defined techniques (Babbie, 1992). Sample is a true representation of a larger population in terms of characteristics of the subjects under investigation (Peck, et al: 2008). In aggregate as population, which constitutes the total sum of all the potential individuals, with a probability to be chosen as subject (Polit and Hungler, 1999). According to the record available and provided by the official report with Revenue Department, Charsadda, a total number of

1760 landlords were registered who possessed 10 acres and above as reflected from the record representing the period (2014-18). The required sample size distribution was worked out by taking stock of the available information regarding the population size through the formula devised by Chaudhry (2009) as reproduced below.

$$n = \frac{N\hat{p}\hat{q}Z^2}{\hat{p}\hat{q}Z^2 + Ne^2 - e^2} \quad (\text{Chaudhry, 2009})$$

Where

N= 1760,

p=0.50,

q=0.50,

z= 1.96 and

e= 0.05

Based on the above formula, the required sample size for a population of 1760 was determined as 315 respondents. This sample size was further divided by applying proportional allocation method to each selected tehsil of district Charsada as shown in table 3.1. The required sample from each strata was drawn through simple random sampling technique by taking input from the procedure devised by Bowley (1926) through formula

$$n_h = (N_h / N) * n$$

Sample size formula for proportional allocation is as;

Sample size required for each stratum = $n_h = (N_h / N) * n$

Where n_h is the required sample size for stratum h ,

N_h is the population size for stratum h ,

N is total population size, and

n is the total sample size

The present study variables were consist of one independent variable (Inheritance based agriculture land distribution practices) while socio-cultural barriers and literacy status were the independent variables. A well-structured interview schedule was designed; it contained attributes of both dependent and independent. These statements were being asked by giving a choice of two responses spread over 'Yes' or 'No'. The respondents were asked and marked according to the responses on each and every attribute accordingly. In order to remove inconsistencies and ambiguities in the interview schedule, pre-testing was carried out. For data collection, a team of investigators was trained about to the issue at hand under the guidance and supervision of the researcher himself. Primary data were collected through a well thought out and comprehensive interview schedule, encompassing all the basic aspects of the study. The collected primary data were coded and entered in SPSS version 20, for its analysis. The analysis procedure consisted of three major steps.

The bivariate analysis includes the interaction of independent and dependent variables. This interaction facilitates the derivation of inferences through application of chi square test statistics, being ideal for such data. At multivariate analysis In this section, the variable educational status was kept under control to assess the effects of dependent variable (inheritance based agriculture land distribution practices) upon the independent variables (socio-cultural berries). It is wise to mention that Gamma statistics would also be applied both at bi- and multi-variate level in order to determine strength and direction of the data.

Measurement of Chi-Square values are based on procedure outlined by Mary (2009):

$$\chi^2 = \sum_i \frac{(O_i - E_i)^2}{E_i}$$

In this context “ O_i ” is denoted as the observed number of dispute cases in category “ i ”, while “ E_i ” denotes the expected number of dispute cases in category “ i ”.

The relationship devised by Fisher is as under;

$$\text{Fisher exact test} = \frac{(a+b)!(c+d)!(a+c)!(b+d)!}{N! a! b! c! d!} \text{----- (Baily, 1982)}$$

Where, ‘a,’ ‘b,’ ‘c’ and ‘d’ are the individual frequencies of the 2x2 contingency table, and ‘N’ is the total frequency; while the Gamma statistics was interpreted through formula reproduced below:

$$\gamma = \frac{NS - ND}{NS + ND}$$

Gamma statistics were used to work out the association for the contingency table. It is worth mentioning that other statistic like Lambda, Pearson’s “r” and Kendall’s tau-b is also recommended in such cases (Nichmias, 1992). However, taking into account the characteristics of the data, the gamma was applied on the most appropriate one. Gamma is represented by

$$\gamma = \frac{NS - ND}{NS + ND}$$

Where;

NS= Same Order pair

ND= Different Order pair

γ = Gamma

Results and Discussion

Association between Socio-cultural Factors and Inheritance Based Agriculture Land Distribution Practices

Cultural practices “generally refer to the manifestation of a culture or sub-culture, especially with regard to the traditional and customary practices of a particular ethnic or bigger cultural group”. Generally, it is the manifestation of any aspect of a culture at a time, but, practically, they are those traditional practices developed and practiced within an area by specific ethnic cultures since ancient times (Inheritance, 2014). They are in fact pattern of social interactions and behaviour which both through the tangible such as paintings and intangible products such as dance, ritual, tale etc. represent the knowledge about what, when, how and where of interaction within a culture is supposed to occur (NSFLEP, 1999).

Table 4.3.1 explored a highly significant ($P=0.000$) but negative relation $\gamma = -1.000$ between “Women are relegated to work as service providers as a social patterns of society and inheritance based land distribution practices.” These findings vividly depict the existence of women compensation practices as cultural prerogative. Although women are deemed as honour in certain specific domains, however, the division of labour is mostly tilted in favour of men than women in the study area. All such dynamics are pretended to be the obvious outcome of patriarchal norms in Pukhtoon culture. Women position in society is generally determined by norms, beliefs, attitudes and practices of patriarchy, religion and culture as a whole. Women, historically lack the authority, autonomy to have control over men and a vivid gender based bias could be adjudged in most societies of the world (Goodnow and Lawrance, 2010 and Heyzer, 1991). It was further ascertained from the relationship between “Practice of inheritance is a normative behaviour is descended from forefathers and Inheritance based land distribution” practices were also found highly significant ($P=0.000$) but negative ($\gamma = -1.000$).

These findings could be attributed to the presence of inheritance ideology being prevailed in the study area. The obvious factor could be the religious awareness of the people. However, patriarchal norms which entails male superiority has invaded the chances of the inheritance implementations practices as rightly disclosed by Steinzor, (2003) that traditional practices of patriarchy has pushed women to a disadvantageous position in most societies across Africa and Asia as land is often owned by male not female. In some instances, male members receive greater share in inheritance over female (Tekle, 2001 and White, 2002, Asiimwe, 2009). Moreover, a negative ($\gamma = -1.000$) and highly significant ($P=0.000$) association was explored between “inheritance based land distribution practices and women with inherited property is enjoying a well reputed status in society.” These findings yet again explain the respondents perception with regards to elevation in women status. If she receives her share in the land which were in practice in the study area. However, the above results were contrary to the findings of Khawar and Nosherwani (2010) which termed call customs as a major barrier to women in the exercise of their rights in Pakistan. The cultural and social settings promote man advantageous position in the society (Momodu, 2005). Furthermore, a highly positive ($\gamma = 1.000$) and significant ($P=0.024$) relationship was found between “Pukhtoonwali (a set of codes of Pukhtoon’s life) is also in favour of inheritance to women in land distribution and inheritance based land distribution practices.” These findings vividly depict the existence of the local cultural patterns which though favour male regarding inheritance, however, the awareness and inheritance practices irrespective gender considerations could be attributed to the teachings of Islam pertaining division of land and property. Like other issues, it is the customary cultural practices that dictate the behaviour with respect to access to land control, assets and resources (Kimani and Maina, 2010). However, a negative ($\gamma = -1.000$) and a highly significant association ($P=0.000$) was found between “Pakhtoon society follow Islamic laws regarding inheritance and inheritance based land distribution practices.” Pukhtoon people strictly follow their cultural traits and practices within the permeable of the religion as paramount tasks. However, these findings were contrary to the findings of RDI (2009) which stated that women inheritance rights in FATA, Pakistan, are denied systematically under Islamic law whereas Khawar and Nosherwani, (2010) termed customs as major barrier in the exercise of their land and property rights. Rome (2012) said that in Pukhtoon dominating areas you have to follow the riwaj, meaning norms and values of the society and inheritance denial though un-Islamic but has been recognized as a code of Pukhtoon or Pukhtoon culture.

It was further dismantled from the findings that a significant ($P=0.044$) but a negative ($\gamma = -1.000$) relationship was found between “cultural restriction is the reason for not giving share in inheritance to females with specific reference to agriculture land and inheritance based land distribution practices.” These findings could be the outcome of not sharing the financial burden upon division of land between genders within the family. It could be probably due to the non-existence of job structure and the subsistence economy is based on agriculture only. However, a highly significant ($P=0.000$) and positive ($\gamma = 0.999$) relationship was found between “social fabrics do encourage women to be subordinate with little freedom to access to inherited land for women and inheritance based land distribution practices.” All such prevalence has been due to the fragile position of female through cultural restrictions, however, practices of division had also been a virtue reintegrated into the social system. These findings were alike to the conclusions of Heyzer (1991) who stated that women position in a society is generally determined by norms, beliefs, attitudes and practices of patriarchy, religion and culture as a whole. Because of subordinate position in the society, women historically lack control over the land and resources (Lastarria-Cornhiel, 2005, Goodnow and Lawrance, 2010). Contrary to the above, a non-significant ($P=0.221$) and negative ($\gamma = -1.000$) relationship was found between “inheritance of agriculture land is gender biased practice in society and inheritance based land distribution practices.” These findings suggested the division of agriculture land on gender basis was prevalent in the study area with little manifestation continued as a prerogative in terms of negation. Gender bias has been imminent by dealing a woman in Pakistan. Most of the women are expected to give up even half share of the property they are entitled to in favour of their brothers out of "respect," whereas in rural areas, they are often been denied share in family inheritance (Chebel, 2009; and Unni, 1995). Because of that, few women in rural Pakistan directly inherit any property. Land remains and is controlled by male members regardless of family wealth or education of both male and female heirs. Also, it is very rare that a female inheritor retains the property i.e. inherits and keeps or sells the property (World Bank, 2009). Similarly, a non-significant ($P=0.158$) and negative ($\gamma = -1.000$) relationship was found between “inheritance based land distribution practices” and “males enjoy hegemony in inheritance practice of land over

female.” Furthermore, a highly significant ($P=0.000$) and positive ($\gamma=0.996$) relationship was found between inheritance based land distribution practices and “local cultural practices do not endorse bifurcation of land on gender basis.” These findings revealed gender sans distribution practices of land with little hegemony being enjoyed by males over females. All such facts are the results of parental role with organization obligations devoid of any title perceived to be acknowledged by males members only. These findings negated the conclusions that in patriarchy, power relations are hierarchical and unequal with men who get control over the women that included production, reproduction and affairs of daily life. Masculinity is imposed with an aim to subordinate women by playing stereotype roles (Ray, 2012).

Contrary to the above a high by negative ($\gamma=-1.000$) and non-significant ($P=0.286$) relationship was found between “dowry is forsaken as a substitution to land inheritance of women share” and “inheritance based land distribution practices.” Along with a high negative ($\gamma=-1.000$) and non-significant ($P=0.319$) “relationship existed between parents reduce daughters share in land converted to the dowry practices” and “inheritance based land distribution practices.” It could be due to the prevalence of local cultural patterns which does not believe in substitution of any rights and privileges given to female in the shares in land. Rather the distribution practices had been vivid with little space for cultural negation to creep into the prevalent social system. These findings were in contradictions to the World Bank (2005) which stated that dowry, many times is considered as an alternate to property rights. Exchange marriage or marriage in the paternal family with cousins are also arranged to protect the land and property within the family. On the other hand, it is the husband and son (in few cases) who plays major role in getting women inheritance share from their natal family (RDI, 2009).

Association between Socio-cultural Factors and Inheritance Based Agriculture Land Distribution Practices (controlling literacy status of the respondents)

Results in Table 4.5.13 revealed that for illiteracy, the association between socio-cultural factors and inheritance based land distribution practices showed positive ($\gamma=0.365$) and highly significant association ($P=0.000$). Furthermore, the association between socio-cultural factors and inheritance based land distribution practices was positive ($\gamma=0.343$) and significant ($P=0.002$) for literacy level up to primary level. Moreover, for middle level literacy, the association between the before mentioned variables was positive ($\gamma=0.575$) and highly significant ($P=0.000$). For literacy status up to high school level, the association was positive and significant ($\gamma=0.645$, $P=0.001$). Similarly, for literacy level up to intermediate level the association was positive and significant ($\gamma=0.664$, $P=0.001$) and the association of the above variables showed positive ($\gamma=0.786$) and highly significant ($P=0.002$) association for literacy level up to graduation. The results of Gamma and chi square significance values depicted non spurious relation among socio-cultural factors and inheritance based land distribution practices while controlling family type for all categories of the respondents. The results highlighted that socio-cultural factors influenced inheritance based land distribution practices for educated respondents, especially, graduates as compared to illiterate and other level of education. In the study area, the inheritance based land distribution practices were followed by all the members of the society; however, educated people were found more aware about the shares of their family’s members in agriculture and other family property.

It could be deduced from the whole findings that provision of education has greater effects on positive delivery of the share of owning and practicing the land distribution practice. These findings have a strong relationship with the conclusion of (Iram & Ahmed, 2018) who found that socio-cultural factor increases the deprivation of women with particular reference to land if low literacy prevails in an area. Women’s rights to information, participation, association, freedom from violence, and education are the major obstacles that negatively influence access to land and other productive resources (UN Women, 2013).

Conclusion

The study found that women were mostly considered as service providers with little access to have control over resources both property and land. The prevalent cultural prerogatives were found highly suppressed under the strong cloud of patriarchy allowing little space for Islamic injunctions of distribution practices to be operational. The normative behaviour had been in constant transition on generation grounds perpetuating male’s hegemony.

The land was identified as the major source of food provision, employment and space for shelter. Moreover, social and economic empowerment as key symbols of social power and dignity along with security highly dependent upon land possession. Male was declared unchallenging and undisputing authority for enjoying ownership and control over the physical resources like land and the functional assets like individuals by containing and directing their behaviour with specific reference to women folk.

Recommendations

Distribution practices based on inheritance has been a profound norm in the existing patterns of social and cultural domains of a social system in the study area. It was also found operational in the study but mostly being controlled by male under the shades of. Women were found having as a secondary status with no rights to have access to land. For general acceptance, the institutional role of explaining and understanding the issue needs to be given high priority by declaring it a social problem which needs immediate redressal. Along with proper education should be provided to all including female to have access to their basic human rights including access to agricultural land.

Table 1 Allocation of required sample to selected Union Councils

Areas	Total Registered Landlords	Sample Size
Tangi Tehsil	654	117
Shabqadar Tehsil	424	76
Charsada Tehsil	682	122
Total	1760	315

Source: The Revenue Department, Charsada-2019

Table 2 Association between socio-cultural factors and inheritance based agriculture land distribution practices

S.No.	Independent variable (socio-cultural factors)	Dependent Variable	Statistics
1	Women are relegated to work as service providers as a social patterns of society	Inheritance based agriculture land distribution practices	X ² =180.136 (0.000) $\gamma = -1.000$
2	Practice of inheritance is a normative behaviour is descended from forefathers	Inheritance based agriculture land distribution practices	X ² =189.156 (0.000) $\gamma = -1.000$
3	Women with inherited property is enjoying a will reputed status in society	Inheritance based agriculture land distribution practices	X ² =266.352 (0.000), $\gamma = -1.000$
4	Pakhtoonwali (a set of codes of pakhtoon's life) is also in favour of inheritance to women in land distribution	Inheritance based agriculture land distribution practices	X ² =5.091 (0.024), $\gamma = 1.000$
5	Pakhtoon society follow Islamic law regarding inheritance	Inheritance based agriculture land distribution practices	X ² =242.358 (0.000) $\gamma = -1.000$
6	Cultural restriction is the reason for not giving share in inheritance to females with specific reference to agriculture land	Inheritance based agriculture land distribution practices	X ² =4.046 (0.044) $\gamma = -1.000$
7	Inheritance of agriculture land is gender biased practice in society	Inheritance based agriculture land distribution practices	X ² =3.015 (0.221) $\gamma = -1.000$
8	Males enjoy hegemony in inheritance practice of land over female	Inheritance based agriculture land distribution practices	X ² =1.997 (0.158) $\gamma = -1.000$
9	Local cultural practices do not endorse bifurcation of land on gender basis	Inheritance based agriculture land distribution practices	X ² =249.558 (0.000) $\gamma = 0.996$
10	Dowry is for sake as a substitution to land inheritance of women share	Inheritance based agriculture land distribution practices	X ² =2.504 (0.286) $\gamma = -1.000$
11	Parents reduce daughters share in land converted to the dowry practices	Inheritance based agriculture land distribution practices	X ² =0.992 (0.319) $\gamma = -1.000$

12	Social fabrics do encourage women to be subordinate with little freedom to access to inherited land for women	Inheritance based agriculture land distribution practices	$\chi^2=265.561$ (0.000) $\gamma = 0.999$
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Table 3 Association between socio-cultural factors and inheritance based agriculture land distribution Practices (controlling literacy status of the respondents)

Education	Independent Variable	Dependent Variable	Statistics χ^2 , (P-Value) & γ
Illiterate	socio-cultural factors	Inheritance based agriculture land distribution practices	$\chi^2= 43.122$ (0.000) $\gamma = 0.365$
Primary	socio-cultural factors	Inheritance based agriculture land distribution practices	$\chi^2=38.234$ (0.002) $\gamma =0.343$
Middle	socio-cultural factors	Inheritance based agriculture land distribution practices	$\chi^2=41.344$ (0.000) $\gamma =0.575$
High	socio-cultural factors	Inheritance based agriculture land distribution practices	$\chi^2= 51.232$ (0.000) $\gamma = 0.645$
Intermediate	socio-cultural factors	Inheritance based agriculture land distribution practices	$\chi^2= 35.345$ (0.001) $\gamma = 0.664$
Graduation	socio-cultural factors	Inheritance based agriculture land distribution practices	$\chi^2=47.456$ (0.000) $\gamma = 0.786$

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