



#WOMEN EMPOWERMENT

CHALLENGING TRADITION women's inheritance laws in Bangladesh

Women are making progress in every area of the socioeconomic landscape as we go into 2024. They are breaking down boundaries, driving change, and making an impact in fields that men have

historically controlled. However, there is still a stark difference in inheritance rights.

Despite their contributions, women in Bangladesh often find themselves at a disadvantage, receiving significantly less than men or, in some cases, being entirely excluded from inheritance rights.

In Bangladesh, inheritance laws are deeply entwined with personal religious beliefs, drawing from ancient scripts that afforded women minimal rights. At a time when women shoulder equal responsibilities in both familial and societal

spheres, it's incongruous that these archaic laws persist.

Under Sharia law, for instance, women inherit only half of what men do in similar circumstances. If a father passes without sons, his daughter receives a portion, with the remainder going to male relatives. Hindu law, on the other hand, traditionally excludes daughters from inheritance unless specifically mentioned in a will.

The intricacies will further highlight these disparities. While Muslim law restricts a person to bequeathing a third of their property via a will, Hindu law imposes no such limit. This means, in practice, Muslim women often struggle to claim their rightful inheritance, hindered by justifications that overlook the reciprocal nature of property exchange within marriages and the non-gender-specific legal obligations towards parental care.

Women, however, are rapidly weaving Bangladesh's socioeconomic fabric, particularly in the Ready-Made Garment (RMG) industry, which is a pillar of the national economy. In line with the government's commitment to gender equality, as outlined by the honourable prime minister, legislative initiatives are being made to empower women and guarantee accountability. However, when it comes to inheritance, the progress towards

equality appears to come to a standstill due to legislation that runs counter to the fundamental right to equality before the law and the spirit of human rights.

Our neighbour, India, has made significant strides in establishing equal inheritance rights for both genders. In contrast, Bangladesh's adherence to personal religious laws in matters of inheritance starkly highlights the need for reform. These outdated laws not only undermine women's empowerment but also widen the gap towards achieving gender equality.

If Bangladesh wants to fulfil its potential for socioeconomic growth and true gender equality, it must prioritise revising its inheritance laws. The proposed modifications aim to preserve the nation's commitment to protecting the basic human rights of all its inhabitants, irrespective of gender, by resolving these contradictions. We must keep working to ensure that developments in all other spheres of life are mirrored in the domain of inheritance rights by aligning our legal frameworks.

By Tasnim Haque
The author is a legal researcher (LLB & MDS).
Photo: LS Archive/Sazzad Ibne Sayed

