

A Comparison Between the Matrimonial Options Provided to Women in India under Hindu, Muslim, and Christian Laws

Satpreet Kaur¹ and Dr. Kuldip Singh²

Research Scholar, Department of Law¹

Associate Professor, Department of Law²

OPJS University, Rajasthan, India

Abstract: *Matrimonial remedies available to women under Hindu, Muslim, and Christian laws in India have been the subject of much debate and scrutiny due to their intersection with gender, religion, and culture. While the legal frameworks governing these personal laws have evolved to reflect changing social norms and legal precedents, implementing these laws has been inconsistent and often fraught with challenges. The researcher highlighted the need for a feminist and intersectional lens in analyzing the effectiveness of these laws in ensuring gender justice. For instance, in Muslim personal law, triple talaq or instant divorce has been a contentious issue, with many arguing that it disproportionately affects women and undermines their autonomy. Similarly, in Hindu personal law, the unequal distribution of property rights and the absence of a comprehensive law on domestic violence have been identified as areas of concern. Meanwhile, in Christian personal law, the grounds for divorce are relatively limited, and the process can be lengthy and cumbersome. While these laws aim to safeguard women's rights, their implementation has been marred by patriarchal attitudes, societal pressures, and legal complexities. This comparison examines the matrimonial remedies available to women under Hindu, Muslim, and Christian personal laws and evaluates their effectiveness in ensuring gender justice. The research is conducted through a qualitative analysis of the relevant personal laws, judicial decisions, and scholarly literature on women's rights.*

Keywords: matrimonial, women, India, Hindu, Muslim, and Christian.

REFERENCES

- [1]. Dhanda, M. (2017). Women's Rights in Matrimonial Disputes under Muslim Law in India. In *Gender and Human Rights in Islam and International Law: Equal Before Allah, Unequal Before Man?* (pp. 235-256). Brill Nijhoff.
- [2]. Bhattacharya, N. (2018). Matrimonial remedies for women under personal laws in India: A comparative analysis. *Journal of Gender and Law*, 10(2), 215-230.
- [3]. Giri, A. K. (2021). An Analysis of the Provisions for Maintenance and Alimony under Personal Laws in India. *International Journal of Law and Social Sciences*, 4(1), 13-23.
- [4]. Kumar, S. (2020). The Plight of Abandoned Women under Hindu Law: A Critical Study. *International Journal of Scientific Research and Review*, 9(1), 10291-10298.
- [5]. Madhok, R. (2019). The Indian Divorce Act, 1869: The Plight of Christian Women. *Journal of Law and Social Sciences*, 9(1), 30-44.
- [6]. Sheikh, M. A. (2018). Women and Muslim Personal Law in India: A Critical Analysis. *Journal of Islamic Law Review*, 14(2), 185-204.
- [7]. Singh, S. (2019). Matrimonial Remedies for Women under Hindu Law: An Analysis. *International Journal of Recent Technology and Engineering*, 8(2), 3567-3572.
- [8]. Aggarwal, V. (2017). Hindu marriage law and gender justice: The impact of the Hindu Marriage Act (1955). *Journal of Legal Studies and Research*, 3(3), 31-47.

- [9]. D'Cruz, J. (2019). Christian personal law and matrimonial remedies: A gender perspective. Indian Journal of Law and Human Behavior, 5(1), 87-104.