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# **RELIGION, LAW, AND GENDER EQUALITY: EXAMINING THE CHALLENGES AND OPPORTUNITIES FOR PROMOTING WOMEN'S RIGHTS IN HINDU AND MUSLIM MARRIAGES**

AUTHORED BY - DIYA PATEL

## **ABSTRACT**

This paper looks into the possibilities and difficulties of advancing women's rights in Muslim and Hindu marriages. It looks at how gender dynamics are shaped by historical, theological, and legal contexts within these traditions, focusing on particular problems like triple talaq, dowries, and patriarchal standards. Through a rigorous examination of pertinent literature, legal frameworks, and case studies, the study pinpoints barriers to women's rights and suggests reform measures. Through examining religious texts, legal precedents, and community-based efforts, this research seeks to further the current conversation on social justice, gender equality, and religious plurality in a variety of cultural contexts.

*Key words: Religion, Gender equality, Hindu, Muslim, Marriages*

## **CHAPTER 1: INTRODUCTION**

"Religion, Law, and Gender Equality: Examining the Challenges and Opportunities for Promoting Women's Rights in Hindu and Muslim Marriages" delves into the intricate interplay between legal frameworks, gender dynamics, and religious traditions in the context of Hinduism and Islam's marriage laws. It explores the obstacles women have while trying to exercise their rights in these organizations run by religion, but it also looks for ways to advance social justice and gender equality. Because it is still relevant to issues about women's rights, gender equality, and religious freedom, this topic is very important. Religious convictions, societal conventions, and legal requirements—many of which collide with gender roles and expectations—have a significant impact on marriage in the Hindu and Muslim communities. Studying the difficulties and possibilities in these situations clarifies more general concerns about social fairness, human rights, and how religion affects gender relations.

## **CHAPTER 2: BACKGROUND AND CONTEXT**

It is essential to look at the historical background in order to comprehend how cultural customs and Hindu marriage rules interact in the present. Hindu marriage has its origins in ancient texts like the Vedas and Manusmriti and is historically regarded as a sacrament (samskara). These writings emphasized the idea of dharma while outlining each person's obligations within the institution of marriage. Hinduism views marriage as a spiritual connection as well as a social contract<sup>1</sup>. Hindu marriages are deemed sacred for a number of reasons:

- 1) Dharma is the ultimate goal of marriage;
- 2) Religious rites such as panigrahana, kanyadan, and havan are performed at religious ceremonies and are deemed sacred since they are based on the sacred formula.
- 3) The rites were performed in front of Agni by a Brahmin reciting mantras from the Vedas;
- 4) The union was considered indissoluble and irrevocable, and husband and wife were bound to each other not only until death but even after the death;
- 5) Though a man performed several sacraments during his life, a woman only performed the sacrament of marriage once, so it was of utmost importance to her;
- 6) The emphasis was placed on chastity on the part of a woman and a man's faithfulness; and
- 7) marriage was seen as a "social duty" toward the family and the community, with little regard for individual interest and aspiration<sup>2</sup>.

Islamic teachings offered a foundation for marriage customs and principles, which can be found in the Quran and Hadith<sup>3</sup>. The significance of marriage is emphasized throughout the Quran as a way to attain peace, love, and connection. It exhorts believers to be married on the basis of respect, consent, and common values<sup>4</sup>. According to Islamic theology, a couple must declare their religious eligibility for one another before they can get married. It is not dependent on the endorsement of a specific individual or office<sup>5</sup>. Muslims are not allowed to get married carelessly or impulsively. There are three main reasons why Allah asks Muslims to get married. They are as follows:

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<sup>1</sup> K.M Kapadia, 'Changing Patterns of Hindu Marriage and Family II' (1954) 3 Sociological Bulletin 131.

<sup>2</sup> 'CONCEPT OF HINDU MARRIAGE OF INDIA' <[www.jetir.org](http://www.jetir.org)> accessed 21 April 2024.

<sup>3</sup> Margherita Picchi, 'Muslim Marriage and Contemporary Challenges' (2021) 2 Handbook of Contemporary Islam and Muslim Lives 1043 <[https://link.springer.com/referenceworkentry/10.1007/978-3-030-32626-5\\_55](https://link.springer.com/referenceworkentry/10.1007/978-3-030-32626-5_55)> accessed 21 April 2024.

<sup>4</sup> 'Muslim Marriage (Anthropology) | Anthroholic' <<https://anthroholic.com/muslim-marriage>> accessed 21 April 2024.

<sup>5</sup> 'Marriage Amongst the Muslims. In Past, Present, and Before God | by Abdallah Al Alfy | Medium' <<https://abdallahalfy.medium.com/marriage-amongst-the-muslims-31fb8c32a585>> accessed 21 April 2024.

1. To make it possible for a man and a woman to cohabit and find love and happiness while adhering to Islamic Law.
2. To procreate and offer a secure and righteous environment for upbringing of children.
3. To establish a legal union that protects society from ethical and societal deterioration<sup>6</sup>.

Hindu marriages are governed by the Hindu Marriage Act of 1955, which came up as a result of the Mitakshara and Dayabhaga Schools of law operating in India at a time when Hindu marriages were not governed by any laws or codes of conduct. Muslim marriages are performed in accordance with the Muslim Personal Law (Shariat) Application Act, 1937, which addresses succession, divorce, and marriages. Muslims basically regard the Quran as the most authoritative source since they think it is composed of the Prophet Mohammed's sayings and deeds. The interpretations of Muslim law provided by various scholars and schools culminated in Shariat Law. The four important schools of law are Hanafi, Maliki, Shaffie and Hanbali<sup>7</sup>.

The Vedas refer to women as Dharmapatni and hold them in the highest regard. Hinduism has always viewed a woman's duty as one of supporting the family and being heavily involved in the family's religious activities. In the Bhagavad Gita, Lord Krishna made it clear to Arjuna that women are just as deserving of and capable of obtaining moksha as male are<sup>8</sup>. The identification and worship of God as feminine is one of the deepest aspects of Hinduism. Actually, the only major religion that has always worshipped and still worships God in female form is Hinduism. Many Hindus worship Shakti, the energy of God, as it is personified in a Goddess. Hindu texts underline the distinctions between male and female deities while praising the attributes of the feminine divine and the spiritual similarity of both. It is said that the principles of men and women are like two wheels on a cart or two parts of a whole<sup>9</sup>.

Contrary to popular belief, women in Islam have the status of beloved equals. The Prophet publicly spoke about the value of women in the face of a historically strongly sexist environment, praising their special contributions to families and society, denouncing their mistreatment, and

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<sup>6</sup> 'Chapter 3: The Islamic Marriage System' <<https://www.alislam.org/book/pathway-to-paradise/islamic-marriage-system/>> accessed 21 April 2024.

<sup>7</sup> 'Marriage and Divorce in Context with Hindu and Muslim Laws' <<https://blog.ipleaders.in/marriage-divorce-hindu-muslim-laws/>> accessed 21 April 2024.

<sup>8</sup> 'Women's Rights and Inclusion - Practices in Hinduism - GCSE Religious Studies Revision - AQA - BBC Bitesize' <<https://www.bbc.co.uk/bitesize/guides/zvrsv9q/revision/10>> accessed 21 April 2024.

<sup>9</sup> 'Hinduism 101: Women and Hinduism - Hindu American Foundation' <<https://www.hinduamerican.org/blog/hinduism-101-women-and-hinduism>> accessed 21 April 2024.

fighting for their rights<sup>10</sup>. The pre-Islamic Arabian pagan civilization used to bury its female children alive out of an unreasonable prejudice. The Prophet strongly objected to this custom. He demonstrated to them how shielding their female offspring will shield them against Hell's flame<sup>11</sup>. A woman has an entirely autonomous individuality in Islam. Any agreement or bequest made in her name is valid. In her roles as a daughter, sister, wife, and mother, she has a right to inherit. She is completely free to select her spouse<sup>12</sup>.

## **CHAPTER 3: CHALLENGES IN PROMOTING WOMEN'S RIGHTS**

Gender norms and expectations, which have their roots in religious scriptures and cultural practices, frequently dictate certain duties and responsibilities for men and women in traditional Hindu culture. It is possible that women would be expected to put family responsibilities ahead of their own goals, which may limit their autonomy and prospects for personal fulfillment outside of the home. Women are expected to be experts in managing the home, maintaining a tidy and tastefully arranged space<sup>13</sup>. If a woman considers pursuing anything else, it is dismissed as absurd, invalid and outrageous. At the outset of the modern Hindu religion's formation, women were not viewed as inferior or subservient. Women constituted a number of the major personalities in Hinduism<sup>14</sup>.

Similar to this, traditional Islamic civilizations frequently maintain patriarchal gender roles in which women are primarily in charge of caring for others and home chores, while men are typically seen as the breadwinners and heads of their houses. The division of labor has the potential to limit women's opportunities for work, education, and decision-making authority<sup>15</sup>. Currently, women are not treated with the respect that Islam accords them in many Muslim communities. Muslims follow their own cultures and practices in various civilizations, and

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<sup>10</sup> 'The True Importance of Women in Islam | Penny Appeal' <<https://pennyappeal.org/news/importance-women-in-islam>> accessed 21 April 2024.

<sup>11</sup> 'THE STATUS OF WOMAN IN ISLAM' <<https://www.iium.edu.my/deed/articles/statusofwomen.html>> accessed 21 April 2024.

<sup>12</sup> 'Women in the Quran and the Sunnah' <[https://www.iium.edu.my/deed/articles/woman\\_quran.html](https://www.iium.edu.my/deed/articles/woman_quran.html)> accessed 21 April 2024.

<sup>13</sup> Shahida Zaidi and others, 'Sexual Rights and Gender Roles in a Religious Context' (2009) 106 International Journal of Gynecology & Obstetrics 151 <<https://onlinelibrary.wiley.com/doi/full/10.1016/j.ijgo.2009.03.029>> accessed 21 April 2024.

<sup>14</sup> 'WJEC A-LEVEL RELIGIOUS STUDIES'.

<sup>15</sup> 'Sechzer, J. A. (2004). "Islam and Women Where Tradition Meets Modernity" History and Interpretations of Islamic Women's Status. Sex Roles, 51, 263-272. - References - Scientific Research Publishing' <<https://www.scirp.org/reference/referencespapers?referenceid=2637300>> accessed 22 April 2024.

women face political oppression, patriarchal social structures, and cultural problems. Despite the focus on gender equality, rights, dignity, and status of women in the Quran and the Prophet's tradition, some people utilize these texts to exploit and discriminate against women by distorting some verses in order to dehumanize them<sup>16</sup>. Specifically, in marriages, consent plays an important role. Arranged marriages are very commonly accepted practice in Hinduism as well as Islam. Arranged marriages have the potential to strengthen societal cohesiveness and family peace, but they also run the risk of undermining women's agency and autonomy, especially if consent is not properly obtained or honoured<sup>17</sup>. Moreover, the practice of dowry, though legally prohibited, is still practiced in certain communities. This practice puts burden on the bride's family and also results in gender-based violence if the economic "obligation" by bride's family is not fulfilled. Divorce and the stigma attached with it is also a challenge for women in both Hinduism and Islam. Divorced women are more likely to face challenges, criticism and social pressure than men. In Islam, the process of getting Talaq, even though allowed to women, is much more complex process for women as against men as women When filing for divorce may face financial hardships, social stigma, and legal challenges<sup>18</sup>.

## **CHAPTER 4: LEGAL FRAMEWORKS AND REFORMS**

The major legislations that govern family matters or marriages for that matter are as follows:

1. Hindu Marriage Act, 1955: This act was approved by the Parliament of India on May 18, 1955. This act governs not only the institution of marriage but also provides law on restitution of conjugal rights, judicial separation, annulment, maintenance etc.
2. Hindu Succession Act, 1956: This Act deals with property succession and inheritance; it establishes a uniform and thorough system that covers both succession and inheritance; it also addresses unwilled succession; as a result, it encompasses all aspects of Hindu succession and brings them under its purview.
3. Hindu Adoption and Maintenance Act, 1956: This statute addresses the legal process for Hindus to adopt children as well as other related legal duties, such a maintenance for the

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<sup>16</sup> Khanum, R. A. (2008). Feminism Status of Women and Islam. Empowerment, 15, 67-78. - References - Scientific Research Publishing' <<https://www.scirp.org/reference/referencespapers?referenceid=2637292>> accessed 22 April 2024.

<sup>17</sup> Shireen J Jejeebhoy and Mukesh Ravi Raushan, 'Marriage Without Meaningful Consent and Compromised Agency in Married Life: Evidence From Married Girls in Jharkhand, India' (2022) 70 Journal of Adolescent Health S78.

<sup>18</sup> 'Divorce, Islam and Me: "I Will for Ever Be the Woman Who Left Two Husbands" | Marriage | The Guardian' <<https://www.theguardian.com/lifeandstyle/2019/feb/16/divorce-islam-me-woman-who-left-two-husbands>> accessed 21 April 2024.

children, spouse, and in-laws.

4. Special Marriage Act, 1954: The Indian Parliament passed the Special Marriage Act, 1954, which allowed legal marriage to be performed for all Indian citizens living abroad as well as those living in India, regardless of the parties' respective religions or beliefs. People from two distinct religious backgrounds are able to unite in marriage under the Special Marriage Act, 1954. When one or both of the husband and wife are not followers of Buddhism, Hinduism, Jains, or Sikhism, the Special Marriage Act, 1954, establishes the protocol for both the solemnization and registration of the marriage.
5. Muslim Personal Law (Shariat) Application Act, 1937: This act allows Muslims to apply Muslim personal law to their marriages, inheritances, and family concerns. It acknowledges Sharia as the supreme rule that governs Muslims in certain situations.
6. Muslim Women (Protection of Rights on Divorce) Act, 1986: This act covers divorce-related matters for Muslims and stipulates that divorced women must receive maintenance for a predetermined amount of time following their divorce.
7. The Dissolution of Muslim Marriages Act, 1939: It lays down grounds on which a Muslim woman can ask for divorce. The grounds includes grounds like failure to maintain her, cruelty, desertion etc.
8. Muslim Women (Protection of Rights on Marriage) Act, 2019 (Triple Talaq Bill): This act removed the practice of Triple talaq and criminalized it. The act also provides for penalty that has to be paid by the husband who pronounces instant triple talaq.

Hindu personal laws are criticized for being frequently patriarchal and discriminatory, especially when it comes to women's rights to marriage and inheritance. In a similar vein, Muslim personal laws have come under fire for features like one-sided divorce and restricted rights for women regarding inheritance and divorce. Reforming these laws to bring them into line with the ideals of the constitution has been attempted, but political and religious sensitivities have made the process tense and slow.

There are some amendments and cases that paved the way for women and made them able to demand for a right that was not previously granted to them. Mohd. Ahmed Khan vs Shah Bano Begum and Ors [Shah Bano case]<sup>19</sup> is an excellent example for this. A landmark case that had a significant impact on Muslim women's rights. It brought up significant issues about women's

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<sup>19</sup> 'Mohd. Ahmed Khan vs Shah Bano Begum And Ors on 23 April, 1985' <<https://indiankanoon.org/doc/823221/>> accessed 21 April 2024.

rights and assistance. Shah Bano's plea for financial support from her husband under Section 125 of the Code of Criminal Procedure was at the center of this case. The case brought attention to the fact that Muslim personal law lacks precise guidelines for financial support<sup>20</sup>. The decision determined that, in accordance with the Muslim Personal Law, a Muslim husband's duty to maintain a divorced wife who was unable to support herself continued after the iddat period. The court stated that this Muslim law regulation was unfair or inhumane since it put a divorced wife in a position where she was unable to sustain herself.

The court further declared that Mehr's contribution was insufficient to release him from his duty to support his wife<sup>21</sup>.

Moreover, the property rights of women has always been a question. Women were only granted restricted rights by the Hindu Law of Inheritance (Amendment) Act, 1929, which ruled the majority. They were only entitled to maintenance and could not independently own property. Muslim women had the right to inherit property, but only half as much as their male counterparts<sup>22</sup>. Furthermore, Hindu women were granted a limited estate in their husbands' property by the Hindu Women's Rights to Property Act of 1937. This meant that although they might use the property during their lifetime, they were not permitted to sell it or give it away in a will. The first notable statute to address women's inheritance rights was the Hindu Succession Act of 1956. It gave women the same rights as males to inherit family property. Their rights were somewhat restricted, though, as daughters were not made coparceners (joint heirs) in joint family property and agricultural land was not included<sup>23</sup>. An amendment was made in 2005 in the Hindu Succession Act. It gave daughters the same rights as sons to inherit equally and to become coparceners in joint family property from birth. This shift was a major step towards gender equality in women's property rights in India, as well as a boost to women's economic standing<sup>24</sup>.

Furthermore, the judgement of *Shayara Bano v. Union of India*<sup>25</sup> has also brought a significant

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<sup>20</sup> 'What Is Shah Bano Case? | What Is News - The Indian Express' <<https://indianexpress.com/article/what-is/what-is-shah-bano-case-4809632/>> accessed 21 April 2024.

<sup>21</sup> 'Shah Bano Case Summary' <<https://lawbhoomi.com/shah-bano-case-summary/>> accessed 21 April 2024.

<sup>22</sup> 'Women's Right to Property under Hindu Law' <<https://www.drishtijudiciary.com/to-the-point/ttp-hindu-law/women%E2%80%99s-right-to-property-under-hindu-law>> accessed 21 April 2024.

<sup>23</sup> 'Hindu Succession Amendment Act, 2005 - IPleaders' <<https://blog.ipleaders.in/critical-analysis-hindu-succession-amendment-act-2005/>> accessed 21 April 2024.

<sup>24</sup> 'Women's Property Rights in India - Hindu Succession Act' <<https://www.basichomeloan.com/blog/home-loans/womens-rights-to-property-in-india>> accessed 21 April 2024.

<sup>25</sup> 'Shayara Bano vs. Union of India [(2017) 9 SCC 1]' <<https://lawbhoomi.com/shayara-bano-vs-union-of-india-2017-9-scc-1/>> accessed 21 April 2024.

change and safeguarded women against the social evil of Triple Talaq. Triple Talaq is a practice in Islam where a husband can instantly divorce his wife without any state intervention just by pronouncing the word “TALAQ” thrice<sup>26</sup>. After the judgement was pronounced and triple talaq was struck down, the judiciary directed the Legislature to make a law for this purpose and hence, the legislature passed the Muslim Women (Protection of Rights on Marriage) Act, 2019 which provided for punishment and declared triple talaq void and illegal<sup>27</sup>.

## **CHAPTER 5: OPPORTUNITIES FOR CHANGE AND REFORMS**

Ensuring that current laws protecting women's rights—such as those prohibiting triple talaq, domestic abuse, and dowry harassment—are effectively implemented and enforced, Organizing legal literacy initiatives and awareness campaigns to inform women about their rights and the legal recourse they have in the event of discrimination or marital conflicts, In order to advance gender-sensitive readings of religious texts and traditions that support women's rights and dignity within marriage, interact with religious leaders, community elders, and significant personalities, To combat prevailing gender norms and stereotypes that uphold discrimination against women, gender sensitization programs should be incorporated into curriculum of educational institutions, religious centers, and community-based groups, establishing safety home and treatment facilities for women who have experienced domestic abuse or marital desertion, giving them access to mental, legal and psychosocial support etc are a few strategies that can be adopted by the stakeholders to advance and promote women's right. Islamic feminists fight for equality and justice for women within the bounds of Islamic teachings and beliefs. Through a feminist lens, they reinterpret texts from the Quran and Hadiths highlighting the core Islamic values of justice, compassion, and equality. Lately, a number of female academics have started reinterpreting the Qur'an using what may be referred to as a more "feminist" perspective<sup>28</sup>. Al-Huda is a group that supports Muslim women. Its clear-cut mission is to teach Muslim women how to read the Quran

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<sup>26</sup> 'Triple Talaq Bill - UPSC Notes (GS II) On The Triple Talaq Issue In India' <<https://byjus.com/free-ias-prep/triple-talaq-bill-upsc-notes/>> accessed 21 April 2024.

<sup>27</sup> 'ANALYSIS OF THE MUSLIM WOMEN (PROTECTION OF RIGHTS ON MARRIAGE) ACT, 2019 by Aarya Kumar Jha – JOURNAL FOR LAW STUDENTS AND RESEARCHERS' <[https://www.jlsrjournal.in/analysis-of-the-muslim-women-protection-of-rights-on-marriage-act-2019-by-aarya-kumar-jha/#google\\_vignette](https://www.jlsrjournal.in/analysis-of-the-muslim-women-protection-of-rights-on-marriage-act-2019-by-aarya-kumar-jha/#google_vignette)> accessed 21 April 2024.

<sup>28</sup> Zuraidah Binti Kamaruddin, Saidatolakma Binti Yunus and Adibah Binti Abdul Rahim, 'Proposals by Sisters in Islam (SIS) Pertaining To Ṭalāq Issues: An Analysis from an Islamic Perspective (Cadangan Oleh Sisters in Islam (SIS) Mengenai Isu-Isu Ṭalāq; Satu Analisis Dari Perspektif Islam)' (2017) 14 Journal of Islam in Asia <span style="font-size: 0.6em">(E-ISSN: 2289-8077)</span> 327.

in its original Arabic and comprehend its meaning. Beyond that, it also aims to inspire them to internalize the message of the Quran and use it as a roadmap for changing their own moral behavior. It may seem like a pretty simple aim to accomplish and not much of a step forward for a non-Muslim. But only a Muslim would be aware of how heavily men dominate Islamic scholarship, Quran reading, and the creation and sharing of religious knowledge<sup>29</sup>. Organizations such as Bharatiya Muslim Mahila Aandolan (BMMA) contribute to the advancement of women in society. It is an independent, secular, rights-based mass organization headed by Muslim women that defends Muslims' claim to Indian citizenship<sup>30</sup>. BMMA successfully contested women's admission to the Haji Ali shrine in Mumbai through legal means. Additionally, it supported the campaign that was successful in granting women permission to perform puja at the Shani Shingnapur temple in Maharashtra and were also one of the petitioners in the triple talaq case.<sup>31</sup>

## **CHAPTER 6: CASE STUDIES AND EMPIRICAL EVIDENCE**

The case studies and study results that highlight the real-life experiences that Hindu and Muslim women have in marriage are as follows:

Of the 28,811 reports of crime against women that the National Commission for Women (NCW) received in 2023, over 55% came from Uttar Pradesh. Of the 28,811 reports of crime against women that the National Commission for Women (NCW) in 2023 over 55% came from UP. According to NCW data, the right to dignity category—which includes harassment other than domestic violence—received the most number of complaints (8,540). 6,274 allegations of domestic violence were filed after this. There were 4,797 reports of dower harassment, 2,349 of molestation, 1,618 of police indifference to women, and 1,537 of rape and attempt to rape<sup>32</sup>. In India, there were approximately 6.4 thousand recorded incidents of dowry deaths in 2022. This represented a steady decline from 2014, when there were roughly 8.5 thousand of them<sup>33</sup>. According to a BMMA study from 2022, 84% of women supported the outlawing of polygamous

<sup>29</sup> Khanum Shaikh, 'Gender, Religious Agency, and the Subject of Al-Huda International' (2013) 11 Meridians 62.

<sup>30</sup> 'About – Bharatiya Muslim Mahila Andolan' <<https://bmmaindia.wordpress.com/about/>> accessed 21 April 2024.

<sup>31</sup> 'Triple Talaq: Muslim Mahila Andolan Welcomes Ordinance' <<https://www.deccanherald.com/india/triple-talaq-muslim-mahila-693493.html>> accessed 21 April 2024.

<sup>32</sup> '28,811 Complaints of Crimes against Women Received in 2023, over 50% from U.P.: NCW Data - The Hindu' <<https://www.thehindu.com/news/national/28811-complaints-of-crimes-against-women-received-in-2023-over-50-from-up-ncw-data/article67695834.ece>> accessed 21 April 2024.

<sup>33</sup> 'India: Dowry Deaths 2022 | Statista' <<https://www.statista.com/statistics/632553/reported-dowry-death-cases-india/>> accessed 21 April 2024.

marriages<sup>34</sup>. According to the Crime in India-2021 report, 31.8% of instances filed under the category of crimes against women were classified as "Cruelty by Husband or His Relatives." In cases pertaining to "Marriage Related Issues" (more precisely, "Dowry Related Issues"), the percentage of female victims who died by suicide was highest, according to the National Crime Records Bureau's "Accidental Deaths & Suicides in India 2021" report<sup>35</sup>. Although making up 6.9% of India's population, only 4.9% of Muslim women hold official jobs. According to the 2011 Census, the percentage of illiterate Muslim women was close to 48%, the highest of any religious group. Experts claim that patriarchy and illiteracy have been two major causes of Muslim women's low labor force participation<sup>36</sup>.

## **CHAPTER 7: LITERATURE REVIEW**

Sr no.	Nature of Literature	Name of Literature	Review	Research Gap in Literature	Intended Research
1.	Article	What Muslim Women face every day at work	The discrimination faced by Muslim and Hindu women is discussed in this article. It contains information from interviews and data that shows hiring managers are more likely to hire a Hindu woman than a Muslim one. It also discusses how the political landscape is	The article, while attempting to address the political climate, neglects to address any other particular topic, such as the exploitation of women's rights in marriage. It makes no	In my paper, I address a particular subject such as the exploitation of women's rights in marriage. Additionally, it discusses relevant laws and case law and makes recommendations for future avenues to advance women's rights which is for both Hindu and

<sup>34</sup> 'Polygamy Causes Severe Trauma, 84% Wives Want It Outlawed: Study | Mumbai News - Times of India' <<https://timesofindia.indiatimes.com/city/mumbai/polygamy-causes-severe-trauma-84-wives-want-it-outlawed-study/articleshow/96384927.cms>> accessed 21 April 2024.

<sup>35</sup> 'UNDP Report Exposes India's Gender Bias Crisis - Frontline' <<https://frontline.thehindu.com/news/the-latest-undp-report-reveals-biases-against-women-worldwide/article66985325.ece>> accessed 21 April 2024.

<sup>36</sup> 'What Muslim Women Face Every Day at Work' <<https://thewire.in/communalism/everyday-struggles-of-indian-working-muslim-women>> accessed 21 April 2024.

			evolving and how this is "brain washing" the population.	mention of any relevant legislation or case law.	Muslim women rights unlike the Article.
2.	Research paper	Education Of Muslim Women In India : A Brief Discussion From Past To Present	This paper examines the educational progress of Muslim women in India since the country's independence as well as potential avenues for their empowerment.	This paper focuses on the advancement of Muslim women's education in India, with a particular focus on women's education. It does not address the rights of women in marriage.	My paper also explore the challenges in ascertaining women rights in marriage that too for both Hindu and Muslim marriage and also addresses potential and prevailing opportunities in the same.
3.	Research Paper	Evolution Of Hindu And Muslim Marriage Laws In India	This essay examines the entire process for developing Hindu and Muslim marriage laws from the ground up, including their main features, modifications made to the regulations,	This paper only talks about the personal law's evolution and significance and is not specifically taking about women's right.	My paper talks about significance of certain laws that aim at protection of women right and aim to advance them further.

			significant case- judgments, and current evolution in terms of laws and traditions		
4.	Research Paper	Review On The Women's Rights And Islamic Law In Southeast Asia	This study looks at how women's rights and Islamic law interact in Southeast Asia. This study looks at how women's rights are affected by Islamic law as it is understood and applied in the area. It also looks at possible areas for reform that could strengthen the protection and advancement of women's rights within the parameters of Islamic law.	This research focuses on Muslim women's rights in south east Asia and is not specific to the protection of women's rights in marriage.	The opportunities that should be leveraged to promote and advance women's rights are added by my research which have been missing from current literature
5.	Article	9 Verses From the Quran and Sunnah	This article points out the verses from Quran and Sunna that indicate	As this article specifically talks about Muslim	My research paper takes reference from this article and also adds the points of

		<p>That Protect Women and Their Rights</p>	<p>importance of women in Islam and the verses that aim at protecting rights of women. This article is written with the objective to clarify and establish that Islam does not promote or preach to practice acts that violate women's right.</p>	<p>women, it makes no mention of Hindu Women's right</p>	<p>Hindu women and their rights. My research also includes legislative sources and reforms in it as well unlike in the article where only the primary sources are considered like Quran and Sunna.</p>
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### **CONCLUSION**

The intricate interactions between gender dynamics, legal frameworks, and religious standards in Hindu and Muslim weddings have been examined in this study paper. The study has brought attention to the obstacles that women encounter while attempting to exercise their rights under these customs, including patriarchal standards, restricted autonomy, and discriminatory practices like triple talaq and dowries. Notwithstanding these obstacles, the study has found a number of avenues for improvement and reform, such as campaigns for legislative changes, gender-sensitive readings of religious scriptures, and legal literacy programs. This research adds to larger conversations on women's rights, social justice, and religious freedom by thoroughly addressing these concerns.

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