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# **GENDER DISCRIMINATION IN INDIAN FAMILY SUCCESSION: A LEGAL PERSPECTIVE**

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## **Abstract**

The pervasive discrimination against women in Indian households is examined in this essay, with special focus on the treatment of male and female heirs differently. It examines the social and legal frameworks that sustain these differences, highlighting the widespread preference for male heirs in terms of inheritance, kinship responsibilities, and social status. The study draws attention to institutional biases that disproportionately impact female heirs, often robbing them of their rightful property rights and influence over family decisions.

The challenges faced by parents of daughters, who have to contend with social pressures and stigma, are also highlighted in the study. These parents typically deal with social and financial difficulties that are made worse by cultural norms that prioritise boys and dowry requirements. These factors not only perpetuate intergenerational cycles of adversity but also diminish women's status within family and community dynamics.

Furthermore, the piece dives into the daily lives of young women and their families, illustrating how deeply rooted gender norms affect opportunities for job, healthcare, and education. It believes that limited legislative protections and societal apathy exacerbate discriminatory practices rather than making them a thing of the past.

The goal of this article is to provide readers with a comprehensive understanding of the issues faced by female heirs and their families in India by combining legal research and sociological viewpoints. It advocates for social and legal changes that provide justice and gender equality in family systems.

**Keywords:** *Gender Discrimination, Patriarchal Inheritance Practices, Succession Rights, Dowry System, Socioeconomic Disparities, Legal Protections*

## Introduction to Gender Discrimination in Indian Families

In India, family life holds immense cultural and social significance. Traditionally governed by patriarchal norms, inheritance practices typically favor male successors. This chapter delves into gender disparities in Indian families, examining the differential treatment between male and female heirs, the challenges faced by parents of daughters, and the daily obstacles confronting girls and their families.

Historically, the preference for male heirs has been deeply ingrained in socio-economic and cultural traditions. Sons are often regarded as the carriers of the family lineage, inheritors of property, and future providers for aging parents. In contrast, daughters are frequently perceived as financial burdens, partly due to dowry expectations and the assumption that they will marry and move away from their parental homes<sup>1</sup>. These disparities not only mirror societal attitudes but also influence legal frameworks and everyday family dynamics.

Parents of daughters frequently endure societal pressures and discrimination. From birth, families may encounter stigma and bias, with relatives and community members openly or subtly favoring male offspring. This can lead to unequal treatment in resource allocation, educational opportunities, and social standing<sup>2</sup>.

Moreover, girls themselves face numerous discriminatory practices. They may experience restrictions on their freedoms, disparities in access to education and healthcare, and limited prospects for personal and professional growth. These challenges are exacerbated by entrenched gender norms that often relegate women to subordinate roles within the family structure.

This chapter explores the legal and social dimensions of these issues, analyzing the development of laws addressing gender discrimination and identifying current gaps. Real-life experiences and case studies illustrate the pervasive nature of gender bias within Indian families, underscoring ongoing struggles for gender equality and the urgent need for further legal and societal reforms.

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<sup>1</sup> Rashi Kabra, Bonam Shruti, & Akshat Mittal, A Critical Analysis of Gender Inequality Relating to Property Rights in India, 2 Indian J. Integrated Res. L. Issue 1 (2024)

<sup>2</sup> Devendra Damle, Siddharth Srivastava, Tushar Anand, Viraj Joshi, and Vishal Trehan, *Gender discrimination in devolution of property under Hindu Succession Act, 1956*, No. 305 (May 25, 2020).

## Legal Framework Governing Family Succession in India

The legal framework governing family succession in India is intricate, involving various personal laws applicable to different communities. The Hindu Succession Act, 1956, is central to succession among Hindus, aiming to modernize traditional Hindu inheritance and succession laws.

Succession laws in India vary by religion-specific personal laws. Hindus, Sikhs, Jains, and Buddhists adhere to the Hindu Succession Act, 1956<sup>3</sup>. Muslims follow personal laws rooted in the Quran and Hadith, detailed further by the Shariat Act of 1937<sup>4</sup>. Christians and Parsis are governed by the Indian Succession Act, 1925<sup>5</sup>. Each law set provides distinct provisions on family inheritance rights, property division, and distribution processes.

The Hindu Succession Act, 1956, marks a significant shift in Hindu inheritance law, moving from the Mitakshara and Dayabhaga schools to a uniform statutory code. It applies to Hindus, Buddhists, Jains, and Sikhs, governing intestate succession (when there is no will). The Act distinguishes between coparcenary property (ancestral property inherited up to four generations) and self-acquired property. Traditionally, under Mitakshara, coparcenary included male members, while Dayabhaga allowed both sons and daughters to be coparceners.

A pivotal aspect of the Hindu Succession Act was its effort to grant property rights to women, historically denied under patriarchal norms. Initially, daughters had limited rights, not being coparceners with equal rights in ancestral property as sons. Widows and mothers were entitled to a share, whereas daughters were confined to their father's self-acquired property.

Over time, the Hindu Succession Act has undergone several revisions aimed at addressing gender disparities and ensuring equitable rights for women. A significant milestone occurred with the 2005 amendment, which marked a transformative reform<sup>6</sup>. The Hindu Succession (Amendment) Act, 2005, granted daughters equal coparcenary rights alongside sons. It acknowledged daughters as coparceners from birth, granting them equivalent rights and responsibilities in family property. This amendment marked a pivotal advancement towards

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<sup>3</sup> Hindu Succession Act, 1956

<sup>4</sup> Shariat Act of 1937

<sup>5</sup> Indian Succession Act, 1925

<sup>6</sup> Saumya Uma, "Lesser than equal? A feminist analysis of Hindu family law in India," *The African Journal of Gender and Religion* vol. 28, no. 2 (2022).

gender parity by enabling daughters to assert their rights to property partition and inheritance from ancestral estates. Importantly, it abolished prior discrimination against married daughters, ensuring that all daughters, irrespective of marital status, could inherit property on par with sons<sup>7</sup>.

Furthermore, the 2005 amendment reformed rules of succession in cases of intestate death. It elevated the mother to the status of a Class I heir, alongside widows, sons, and daughters, thereby ensuring her equitable share in her deceased son's estate. These changes were intended to fortify women's property rights, fostering their economic security and autonomy.

Despite these progressive legislative changes, challenges persist in the effective implementation of the Hindu Succession Act and its amendments. Deep-seated societal norms and patriarchal attitudes often obstruct women from asserting their rightful claims to property. Many women remain unaware of their legal entitlements, and even when knowledgeable, familial pressures and traditional norms frequently discourage them from pursuing these rights<sup>8</sup>. In rural areas especially, where customary practices hold sway, women encounter heightened resistance and systematic denial of their lawful inheritances.

Over time, courts have shaped the interpretation of the Hindu Succession Act, playing a crucial role in reinforcing women's rights and clarifying legal ambiguities. In the landmark case of *Vineeta Sharma v. Rakesh Sharma* (2020), the Supreme Court of India declared that the 2005 amendment to the Act applies retrospectively. This ruling established that daughters have coparcenary rights from birth, regardless of their father's survival at the time of the amendment, marking a significant stride towards affirming daughters' equal entitlement to ancestral property<sup>9</sup>.

Beyond legislative amendments like the Hindu Succession Act, other legal reforms have been enacted to combat gender discrimination in inheritance. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, safeguards the rights of parents and senior citizens, ensuring they receive necessary care and maintenance from their children. This legislation empowers parents to seek legal remedies for maintenance, recognizing children's responsibility

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<sup>7</sup> Agarwal, Bina. "Landmark Step to Gender Equality", *The Hindu*, September 25, 2005

<sup>8</sup> Agnes, Flavia. "His and Hers." *Economic and Political Weekly* 47 (2012): 10-12.

<sup>9</sup> *Vineeta Sharma v. Rakesh Sharma* (2020)

towards their parents' welfare.<sup>10</sup>

The legal landscape governing family succession in India has evolved considerably, particularly through reforms to the Hindu Succession Act, 1956. These reforms aim to rectify gender biases and secure equitable property rights for women. However, the efficacy of these laws hinges on their implementation and societal acceptance of women's rights. Continued efforts are essential to raise awareness, educate women about their legal entitlements, and challenge patriarchal norms to achieve genuine gender equality in family succession and inheritance.

### **Differentiation Between Male and Female Successors**

In Indian society, the disparity between male and female heirs has long been influenced by traditional practices, customs, and legal frameworks, as well as various case studies highlighting gender bias in inheritance disputes. Historically, Indian customs have favored male heirs, reflecting a patriarchal system that places greater importance on male descendants. In many communities, property and wealth are passed down through the male line to keep family assets within the paternal lineage. Daughters were often excluded from inheritance or given minimal shares, as their primary role was seen as managing the household and eventually joining their husband's family after marriage.<sup>11</sup> This exclusion was justified by the belief that married daughters would be financially supported by their husbands and therefore did not need an inheritance from their natal family.

The legal landscape in India has significantly evolved to address these gender disparities. The Hindu Succession Act of 1956 was a landmark law aimed at providing a more equitable distribution of property among male and female heirs. However, the original Act still had biases, particularly regarding ancestral property, where sons were given preferential treatment. It wasn't until the Act's amendment in 2005 that daughters were granted equal rights as sons in inheriting ancestral property. This amendment was a significant step toward gender equality in inheritance laws, ensuring that daughters could inherit property from their parents regardless of their marital status.

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<sup>10</sup> The Maintenance and Welfare of Parents and Senior Citizens Act, 2007

<sup>11</sup> Chakravarti, Uma. "From Fathers to Husbands: Of Love, Death and Marriage in North India." In *Honour: Crimes, Paradigms and Violence Against Women*, edited by Lynn Welchman and Sarah Hossain, 308-331. London: Zed Books, 2005.

Despite the existence of progressive legal provisions, the enforcement of these laws faces significant obstacles. A major problem is the widespread lack of awareness among women regarding their legal rights. In numerous rural regions, where traditional customs prevail, many women remain unaware of the laws safeguarding their inheritance rights. Furthermore, societal pressure and family expectations often discourage women from asserting their claims. They frequently encounter resistance from male relatives, who may perceive women's inheritance as a threat to their financial stability and family cohesion. The legal process can also be daunting and costly, deterring many women from seeking their rightful share of inheritance<sup>12</sup>.

Several case studies exemplify the enduring gender bias in inheritance disputes in India. One particularly notable case involved the Supreme Court ruling in favor of a woman who had been deprived of her share of ancestral property by her brothers. The court upheld the 2005 amendment to the Hindu Succession Act, which guarantees daughters equal rights to inherit ancestral property, irrespective of the date of their father's death. This judgment was pivotal as it clarified that the amendment has retrospective effect, thereby strengthening the legal standing of daughters in both ongoing and future inheritance disputes.

In another case, a woman from a rural area was coerced by her brothers into signing away her inheritance rights. Despite existing legal protections, her lack of education and awareness about her entitlements left her susceptible to such exploitation. With assistance from a local non-governmental organization (NGO), she contested the coerced agreement in court and ultimately secured her rightful share of the property. This case underscores the essential role that advocacy groups and legal aid organizations play in empowering women during inheritance disputes and ensuring that their legal rights are recognized and enforced.

Furthermore, the distinction between male and female heirs extends beyond property inheritance to encompass various forms of wealth and assets, including businesses and family-run enterprises. In numerous traditional business families, sons are meticulously prepared to take over the family business, while daughters are frequently excluded from pivotal decision-making roles.<sup>13</sup> This exclusion persists even when daughters have the necessary skills and education to contribute meaningfully. Despite their qualifications, they may find themselves overlooked in favor of their brothers, thus reinforcing gender inequality within the economic

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<sup>12</sup> Everett, Jana Matson. *Women and Social Change in India*. New Delhi: Heritage Publishers, 1979.

<sup>13</sup> Rajasekaran, Ilangoan. "In the Name of Honour." *Frontline*, March 13, 2020.

domain.

In conclusion, although there have been significant advances in the legal framework governing inheritance in India, the disparity between male and female successors continues to be a multifaceted issue, deeply rooted in long-standing traditional practices and customs. Legal reforms have indeed laid the groundwork for greater gender equality. However, the successful implementation of these reforms demands ongoing efforts to raise public awareness, challenge entrenched societal norms, and empower women to assert their rights. Case studies of inheritance disputes highlight both the progress achieved and the enduring challenges that must be addressed to attain genuine gender equality in inheritance and succession matters.<sup>14</sup>

### **Impact on Parents of Female Children**

The impact on parents of female children in India is profound, affecting numerous aspects of their lives and often perpetuating cycles of gender discrimination. Societal attitudes and expectations heavily shape how parents perceive and experience the birth and upbringing of daughters. In many parts of India, deep-rooted cultural norms and traditions prioritize male children over female children<sup>15</sup>. This preference for sons is driven by various factors, including the continuation of the family name, the perceived economic benefit of sons in supporting parents in old age, and the dowry system, which places a significant financial burden on families with daughters.

Parents of female children often face societal pressure and stigma. They may be subject to pity, scorn, or even direct discrimination from their communities and extended families. This societal bias can lead to a sense of shame or inadequacy among parents, especially mothers, who might be blamed for not producing a male heir.<sup>16</sup> These attitudes are not just limited to rural areas but can also be prevalent in urban settings, albeit in more subtle forms. The impact of these societal attitudes extends beyond the parents, affecting the daughters themselves, who grow up in environments where their worth is constantly undermined<sup>17</sup>.

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<sup>14</sup> Damle, Devendra et al. "Gender discrimination in devolution of property under Hindu Succession Act, 1956." National Institute of Public Finance and Policy (NIPFP) Working Paper Series No. 305, May 25, 2020.

<sup>15</sup> Menon, Nivedita. "It isn't about women." *The Hindu*, July 15, 2016.

<sup>16</sup> Rajkotia, Malavika. *Intimacy Undone: Marriage, Divorce and Family Law in India*. New Delhi: Speaking Tiger Books, 2017.

<sup>17</sup> Parashar, Archana. *Women and Family Law Reform in India*. New Delhi: Sage Publications, 1992.

The impact on parents of female children in India is profound, touching multiple aspects of their lives and often perpetuating cycles of gender discrimination. Societal attitudes and expectations heavily influence how parents perceive and experience the birth and upbringing of daughters. In many parts of India, deep-rooted cultural norms and traditions prioritize male children over female children. This preference for sons is driven by various factors, including the continuation of the family name, the perceived economic benefit of sons in supporting parents in old age, and the dowry system, which places a significant financial burden on families with daughters.

The economic ramifications of having female children can be quite severe for families. Despite being legally banned, the dowry system persists widely in practice. Parents of daughters often endure years of saving to afford a dowry, which imposes significant financial strain. This practice can drain family resources, hinder opportunities for investment in more prosperous livelihoods, and perpetuate cycles of poverty. Moreover, in some households, essential resources such as education and healthcare are preferentially allocated to sons, creating disparities in opportunities and outcomes for daughters<sup>18</sup>. This economic favoritism further entrenches gender inequality and restricts the potential for girls to contribute equally to their families and society at large.

Emotionally, the burden on parents of female children can be profound. The ongoing concern for their daughters' safety, given the high incidence of gender-based violence in India, is a significant source of stress. Additionally, parents may experience emotional turmoil due to societal pressure to conform to traditional gender norms, leading to strained family relationships. The obligation to arrange marriages for their daughters, often at a young age, can cause additional anxiety and emotional distress. Parents frequently feel helpless in protecting their daughters from societal injustices and in ensuring their well-being and happiness<sup>19</sup>.

Legal recourse and robust support systems are essential for addressing the pervasive challenges of gender discrimination in Indian families. The Indian government has enacted several laws to safeguard the rights of women and girls, including the Dowry Prohibition Act<sup>20</sup>, the

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<sup>18</sup> Menon, Madhavi. *The Case Against Marriage*, November 7, 2020, <https://www.article-14.com/post/the-case-against-marriage>.

<sup>19</sup> Pathak, Vikas. "The Quest For Our Glorious Past Is How The Right-Wing Woos The People." *Outlook*, October 8, 2021.

<sup>20</sup> Dowry Prohibition Act

Prohibition of Child Marriage Act<sup>21</sup>, and the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act<sup>22</sup>. These legislative measures are significant steps forward; however, they encounter substantial hurdles in terms of effective implementation and enforcement.

Navigating the legal system can be an intimidating and complex process for many parents, particularly those from lower socio-economic backgrounds. Factors such as lack of awareness, limited financial resources, and insufficient support exacerbate the difficulties faced by these families. Many parents are unaware of their legal rights or how to access the necessary legal aid, which further complicates their ability to seek justice.

In addition to legal measures, support systems provided by both governmental and non-governmental entities are crucial in combating gender discrimination. Government initiatives, like the Beti Bachao Beti Padhao (Save the Daughter, Educate the Daughter) campaign, aim to shift societal attitudes towards gender equality and enhance access to education and healthcare for girls. This campaign has made strides in promoting the value of girl children and addressing deep-seated cultural biases.<sup>23</sup>

Non-governmental organizations (NGOs) also play a pivotal role in this sphere. They offer indispensable support through advocacy, legal aid, and community programs designed to empower both parents and daughters. These organizations focus on raising awareness about gender discrimination, educating families about their legal rights, and providing critical support services to those affected by gender biases<sup>24</sup>. Through workshops, outreach programs, and legal assistance, NGOs help bridge the gap between legislation and real-world application, ensuring that the intended protections reach those who need them most.

Overall, while legal frameworks are a necessary foundation, the combination of robust support systems and societal change initiatives is vital for creating a more equitable environment for girls and women in India. By addressing both the legal and social dimensions of gender discrimination, a more comprehensive and effective approach can be developed to protect and empower the next generation.

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<sup>21</sup> Prohibition of Child Marriage Act

<sup>22</sup> Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act

<sup>23</sup> Everett, Jana Matson. *Women and Social Change in India*. New Delhi: Heritage Publishers, 1979

<sup>24</sup> Menon, Nivedita. "It isn't about women." *The Hindu*, July 15, 2016.

Despite various initiatives, the effectiveness of legal and support systems varies greatly across different regions and communities. In certain areas, cultural resistance to change remains deeply entrenched, and the stigma associated with seeking help can deter parents from accessing available resources. To ensure that legal protections lead to tangible changes, there must be sustained efforts in education, advocacy, and community engagement. Addressing the underlying economic and social factors that perpetuate gender discrimination is crucial. These factors include poverty, lack of education, and deeply rooted patriarchal norms.

In conclusion, the impact on parents of female children in India is complex, encompassing societal attitudes and expectations, economic and emotional consequences, and the effectiveness of legal recourse and support systems. Addressing these issues necessitates a comprehensive approach that integrates legal measures, economic support, and societal change. By challenging gender biases and promoting equality, India can foster a more just and equitable environment for all children, regardless of gender.

### **Daily Life Discrimination Against Girls and Their Families**

Discrimination against girls and their families, particularly mothers, remains a deeply entrenched issue across many regions of India, evident in both rural and urban environments. This bias is complex and pervasive, affecting various facets of daily life, including education, employment opportunities, social and cultural practices, and the roles within the community and extended family.

In terms of education and employment, girls frequently encounter substantial obstacles from a very young age. In rural areas, the preference for male children can result in unequal access to education. Families with scarce resources often prioritize the education of their sons, believing that sons are more likely to provide economic support in the future. This preference can significantly hinder the educational prospects of daughters. Even in urban settings, where educational institutions are more readily available, girls may still face considerable resistance when aspiring to higher education or careers traditionally dominated by men. This resistance is frequently rooted in societal norms that emphasize marriage and domestic responsibilities for women over their personal and professional development. Mothers, in particular, are often pressured by their in-laws to adhere to these conventional roles, thereby perpetuating a cycle of restricted educational and employment opportunities for their daughters. This cyclical pattern ensures that the discrimination faced by one generation is passed down to the next,

limiting the potential and aspirations of girls and reinforcing gender inequality in the broader society<sup>25</sup>.

Social and cultural practices significantly reinforce gender discrimination in Indian families. In many households, particularly in rural regions, longstanding customs and societal norms dictate that girls are less valuable than boys. These customs include practices like dowry, which places a considerable financial burden on the bride's family, thereby perpetuating the notion that daughters are economic liabilities. This perception often leads to emotional and material neglect, with daughters receiving less attention, nutrition, and medical care compared to their male siblings. Although these practices may be less overt in urban areas, underlying biases continue to influence the treatment of girls.<sup>26</sup> For example, girls may be discouraged from engaging in specific extracurricular activities or pursuing careers in fields deemed unsuitable for women, reinforcing gender stereotypes and limiting their opportunities.

The community and extended family also play a pivotal role in perpetuating discrimination against girls and their families. In many rural communities, the extended family and neighbors are instrumental in enforcing societal norms. Mothers who challenge these norms by advocating for their daughters' education or independence often face ostracism or pressure from their in-laws and the broader community. This creates a hostile environment that discourages the empowerment of girls. In urban areas, although the influence of the extended family may be less direct, societal expectations and peer pressure still lead to discriminatory practices<sup>27</sup>. For instance, mothers may face judgment from their in-laws and peers if their daughters do not conform to traditional gender roles, resulting in tension and conflict within the family.

The ramifications of such discrimination are profound and extensive. When girls are systematically deprived of equal opportunities in education and employment, their chances of attaining economic autonomy diminish, thus perpetuating cycles of poverty and dependence. Moreover, the psychological toll is significant; facing discrimination can lead to diminished self-esteem and a lack of confidence, which in turn stymies their personal and professional

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<sup>25</sup> Nayar, Madhav. "The 'Glorious' History of Hindutva and its Hypocrisies." *Livewire*, August 13, 2019.

<sup>26</sup> Rahul Sapkal, "From Mother to Daughter: Do Equal Inheritance Property Laws Reform Improve Female Labour Supply, Educational Attainments in India?", *Asian Journal of Law and Economics* Vol. 8, no. 1 (December 2014), 1-36.

<sup>27</sup> Archana Mishra, "Vicissitudes Of Women's Inheritance Right- England, Canada And India At The Dawn Of 21st Century," *Journal of the Indian Law Institute* 58, no. 4 (October 2016), 481-508.

development.<sup>28</sup> Mothers who contend with familial pressures and bias from their in-laws may struggle to champion their daughters' ambitions, thereby reinforcing entrenched gender disparities.

Addressing this pervasive issue requires a comprehensive approach that tackles its underlying causes and challenges societal norms that uphold gender inequality. Essential strategies include educational initiatives that actively promote gender parity, legislative reforms aimed at safeguarding the rights of girls and women, and community-driven efforts to challenge entrenched stereotypes. Moreover, empowering mothers to advocate effectively for their daughters and providing them with robust support systems are crucial steps toward dismantling the cycle of discrimination and fostering a more equitable society.<sup>29</sup>

In conclusion, pervasive discrimination against girls and their families, especially mothers, remains a pressing concern across rural and urban India. This discrimination manifests through multiple facets, including unequal access to education and employment opportunities, deeply ingrained social and cultural norms, and the significant influence of community and extended family structures<sup>30</sup>. Effectively addressing these disparities demands a focused and sustained effort to challenge and transform the entrenched societal attitudes that perpetuate gender inequality. It is imperative to advocate for equal opportunities and rights for girls, ensuring they enjoy the same privileges and prospects as their male peers.

### **Legal and Social Reforms: The Way Forward**

Legal and social reforms are crucial in addressing gender discrimination in Indian families, especially concerning succession laws and the treatment of female successors. Despite progressive laws, deep-rooted societal norms and practices continue to perpetuate inequality<sup>31</sup>. A multifaceted approach involving legal amendments, advocacy, awareness campaigns, and active participation of NGOs and civil society is necessary to create a more equitable environment.

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<sup>28</sup> Uma, Saumya. (2023). Lesser Than Equal?: A Feminist Analysis of Hindu Family Law in India. *African Journal of Gender and Religion*. 28. 10.36615/ajgr.v28i2.1485.

<sup>29</sup> Rajak, K. (2020). Trajectories of Women's Property Rights in India: A Reading of the Hindu Code Bill. *Contemporary Voice of Dalit*, 12(1), 82-88. <https://doi.org/10.1177/2455328X19898420>

<sup>30</sup>

<sup>31</sup> Anush Agarwal, Daughter's Property Right

Proposed amendments to succession laws are essential for ensuring gender equality in inheritance rights. The Hindu Succession Act of 1956, which governs the inheritance rights of Hindus, Buddhists, Jains, and Sikhs, was a significant step towards gender equality.<sup>32</sup> However, it has its limitations. For instance, while daughters were granted equal rights to ancestral property in the 2005 amendment, practical implementation remains a challenge. Many families still favor male successors, leading to the exclusion of women from their rightful inheritance.<sup>33</sup> To address this, further amendments should focus on strengthening the legal framework and ensuring stringent enforcement. This includes simplifying the process for women to claim their inheritance, providing legal aid, and establishing special courts to handle inheritance disputes efficiently.

In addition to legal reforms, advocacy and awareness campaigns play a vital role in changing societal attitudes towards gender discrimination. Public awareness campaigns can educate people about the legal rights of women and the importance of gender equality. These campaigns should target various stakeholders, including families, communities, and local authorities, to create a widespread understanding of the issue. Schools and educational institutions can incorporate gender equality into their curricula to instill these values from a young age. Media campaigns, workshops, and seminars can also be effective in reaching a broader audience. Furthermore, collaboration with religious and community leaders can help in reshaping traditional beliefs and practices that perpetuate gender discrimination.<sup>34</sup>

The role of NGOs and civil society is instrumental in driving social reforms and supporting victims of gender discrimination. NGOs can provide legal assistance to women fighting for their inheritance rights and offer counseling and support services to those facing discrimination. They can also play a critical role in monitoring the implementation of laws and advocating for policy changes. By working closely with the government, NGOs can ensure that policies are effectively translated into action at the grassroots level. Additionally, civil society organizations can mobilize communities, create support networks, and foster a culture of equality and respect for women's rights.

Empowering women economically is another essential aspect of social reform. Initiatives that

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<sup>32</sup> Inheritance of Indian Women; a Perspective by Sona Khan

<sup>33</sup> "Gender Inequality And Personal Laws" by Anchit Bhandari and Urvarshi Jaswani

<sup>34</sup> Riju Mehta, Inheritance right of women, Economic times, July 2019

promote women's education, skill development, and entrepreneurship can enhance their financial independence and bargaining power within families. Economic empowerment can also reduce the reliance on inheritance as the primary means of security for women, thereby challenging traditional norms that favor male heirs.<sup>35</sup>

Legal and social reforms must be accompanied by efforts to address the broader cultural and societal norms that underpin gender discrimination. This includes challenging patriarchal attitudes and promoting the value of daughters. Celebrating the achievements of women and girls, and highlighting positive role models, can contribute to changing perceptions and attitudes. Community-based programs that engage men and boys in discussions about gender equality can also be effective in fostering a more inclusive mindset.

Moreover, it is crucial to ensure that existing laws are implemented effectively. This requires adequate training for law enforcement officials, judiciary members, and other relevant authorities to handle cases of gender discrimination sensitively and efficiently.<sup>36</sup> Establishing monitoring and evaluation mechanisms can help in assessing the impact of legal and social reforms and identifying areas for improvement.

International collaboration and learning from best practices in other countries can also enhance the effectiveness of reforms in India. By studying successful models of gender equality and inheritance rights from around the world, India can adopt and adapt strategies that have proven to be effective in different contexts.

In conclusion, addressing gender discrimination in Indian families requires a comprehensive approach that combines legal amendments, advocacy, awareness campaigns, and the active involvement of NGOs and civil society. By strengthening the legal framework, promoting gender equality through education and awareness, and supporting women economically, India can move towards a more just and equitable society where the rights and dignity of all individuals are respected and upheld.

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<sup>35</sup> Dadaji Bhikaji vs. Rukmabai (1885) ILR 9 Bom 529. For a detailed discussion, see Sudhir Chandra, "Rukmabai: Debate Over Woman's Right to her Person", *Economic & Political Weekly*, (1996)

<sup>36</sup> Malavika Rajkotia, *Intimacy Undone: Marriage, Divorce and Family Law in India*, (New Delhi: Speaking Tiger Books, 2017)

## Conclusion

The persistence of gender discrimination in Indian families, particularly in the context of succession and daily life, reflects deep-seated patriarchal norms and socio-cultural biases. This paper has explored the multifaceted dimensions of such discrimination, shedding light on how male and female successors are treated differently and how parents of girl children, as well as the girls themselves, face systemic biases.

In the realm of family succession, the preference for male heirs remains prevalent, often resulting in the exclusion or marginalization of female successors. Legal reforms, such as the Hindu Succession (Amendment) Act, 2005, have sought to address this imbalance by granting daughters equal rights to inherit ancestral property. However, societal acceptance and implementation of these legal provisions lag behind, with traditional practices and beliefs continuing to undermine the position of female successors.

The discrimination extends beyond property rights, permeating various aspects of daily life. Parents of girl children often encounter social pressures and economic burdens, stemming from practices like dowry and the undervaluation of women's contributions both within the household and the wider community. This entrenched bias manifests in educational and professional opportunities, where girls and women face barriers that limit their potential and reinforce their subordinate status.

Girls, from an early age, are subjected to discriminatory practices that shape their experiences and aspirations. Whether through limited access to education, healthcare, or opportunities for personal growth, these biases have long-term implications on their lives and well-being. The societal preference for sons over daughters exacerbates gender imbalances and perpetuates cycles of discrimination and inequality.

Despite these challenges, there is a growing recognition of the need for change. Advocacy efforts, legal reforms, and grassroots movements are increasingly challenging the status quo, promoting gender equality, and empowering women and girls. It is imperative that these efforts are supported and expanded, with a focus on changing societal attitudes and ensuring the effective implementation of laws designed to protect and promote the rights of women and girls.

In conclusion, while progress has been made, the journey towards gender equality in Indian families is far from complete. Addressing the deeply ingrained discriminatory practices requires a concerted effort from all sectors of society, including the legal system, government, civil society, and individuals. By fostering an environment of equality and respect, we can hope to create a future where both male and female successors are valued equally, and where girls and their families can thrive free from discrimination.

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