



COMMON GROUNDS, COMMON PATHS INTERFAITH MARRIAGES IN INDIA: A COMPLEX REALITY

Syed Shazia Banu *

ABSTRACT

Marriage is a part of life as well as society. This paper looks to answer the issue of the practicability of interfaith marriage in India. Interfaith marriages are also called interreligious marriages. The term “interfaith marriage” denotes a marital union wherein the mates belong to a different faith or religion. Interfaith marriages in India are a complex miracle, told by legal, social, artistic, and religious factors. Despite the Special Marriage Act (1954) and Supreme Court rulings upholding their validity, interfaith couples face challenges, including family and community disapprobation, conversion pressures, and particular law complications. Still, growing social acceptance, particularly among youngish generations, and the creation of confinity and understanding through interfaith marriages, punctuate their significance. This analysis explores the legality, challenges, and counteraccusations of interfaith marriages in India, emphasizing the need for education, legal reforms, and social support to foster an inclusive and different society. Despite legal recognition, navigating religious differences and societal acceptance remains a significant aspect for couples. The legality of children born to interfaith couples is defended by law, emphasizing inclusivity and respect for diverse backgrounds within the Indian societal fabric. This paper addresses how despite there being a law aimed at helping inter-religious marriages, the reality for these interfaith couples is extensively different and it is still veritably worrisome for inter-religious couples in India.

Keywords: Interfaith Marriages, Legality of Interfaith Marriage, Particular Laws, Special Marriage Act.

*BA LLB, SECOND YEAR, PRESIDENCY UNIVERSITY, BENGALURU.

INTRODUCTION

India, a land of different societies, persuasions, and traditions, has seen a rise in interfaith marriages, where individuals from different religious backgrounds come together in a match. This miracle presents a complex reality, marked by both acceptance and resistance. On one hand, interfaith marriages emphasize the confinity and diversity of Indian society, promoting collective understanding and respect. On the other hand, they often face challenges from family, community, and societal pressures, raising questions about identity, belonging, and the part of religion in particular lives. Interfaith marriages in India involve colourful religious combinations, including Hindu- Muslim, Hindu-Christian, Muslim- Christian, and others. Each combination presents unique dynamics, told by literal, artistic, and social surroundings. The trip of interfaith couples is often marked by courage, adaptability, and a deep commitment to their relationship. This disquisition of interfaith marriages in India delves into the complications, challenges, and triumphs of these unions, examining the legal, social, artistic, and religious aspects that shape their guests.

By understanding the complications of interfaith marriages, we can foster a further inclusive and accepting society, where love and collective respect know no religious boundaries. Interfaith marriages in India can be complicated. Indeed, though it is allowed by law, it can be tough because of different persuasions and what families predict. It is not just about the rules; it is also about how people see them in society. So, indeed though it is legal, there are still a lot of effects that make it tricky for couples from different faiths in India.

OBJECTS OF THE STUDY

The study has been taken with the following points:

1. To analyze the complications of interfaith marriages in India.
2. To bandy the legality of interfaith marriages.

EXPLORATION QUESTIONS

The following questions will be delved into to complete this composition:

1. How does the law cover the legality of interreligious marriages?
2. What is the part of religion in interreligious marriages?
3. Is conversion to one mate's religion necessary or anticipated?

4. What are the obstacles faced by interreligious couples in marrying each other?

THE COMPLICATIONS OF INTERFAITH MARRIAGES IN INDIA

Interfaith marriages in India can be complicated due to distinct reasons, including:

- 1) **Particular laws:** Different persuasions have their laws, which may not fete or confirm interfaith marriages. For illustration- Hindu particular laws¹, Muslim particular laws², Christian particular laws³ Etc.
- 2) **Family opposition:** Families may oppose interfaith marriages due to artistic, social, or religious differences.
- 3) **Social smirch:** Interfaith couples may face social smirch, demarcation, or acceptance from their communities.
- 4) **Religious differences:** Differences in religious beliefs, practices, and rituals can produce pressures and conflicts.
- 5) **Conversion issues:** One mate may be anticipated to convert to the other's religion, leading to conflicts.
- 6) **Legal complications:** Interfaith couples may face legal challenges, similar to registering their marriage under the Special Marriage Act.
- 7) **Cultural differences:** Different artistic backgrounds and traditions can lead to misconstructions and conflicts.
- 8) **Community pressure:** Community pressure to conform to traditional morals and prospects can be grueling.
- 9) **Lack of understanding:** Lack of understanding and education about each other's persuasions and societies can produce walls.
- 10) **Political and societal perceptivity:** Interfaith marriages can be sensitive due to political and societal pressures between different religious communities.

¹ Hindu Marriage Act 1955, s 5 (1)(5)

² Muslim Personal Law (Shariah) Application Act 1937, s 2

³ Indian Christian Marriage Act 1872, s 4

SPECIAL MARRIAGE ACT 1954

The legality of interfaith marriages is defended by the Special Marriage Act, of 1954. It legalizes marriages between two individuals of different persuasions, genders, or creeds. The crucial sections that legalize marriage under this Act are:

Section 4: Marriage between persons of different religions, estates, or creeds may be praised under this Act, notwithstanding that the parties to the marriage belong to different persuasions, gentries, or creeds.

In simpler terms, Section 4 allows:

1. Interfaith marriages: Marriage between individualities of different persuasions.
2. Intercaste marriages: Marriage between individualities of different gentries.
3. Inter-creed marriages: Marriage between individualities of different creeds (a creed is a set of beliefs or principles).

Section 4 states that a marriage may be praised under this Act if the ensuing conditions are fulfilled:

- 1) Monogamy: Neither party has a partner living at the time of marriage.
- 2) Age: The male has completed twenty-one times, and the female has completed eighteen times of age.
- 3) Mental Capacity: Both parties are of sound mind and can give valid concurrence.
- 4) Banned connections: The parties are not related to each other within the banned degrees of relationship (e.g., close family members).
- 5) Former marriage: If either party has been preliminarily married, divorce or death must have dissolved the former marriage. crucial Points

The parties must be monogamous, meaning they cannot have multiple consorts. The age conditions ensure that both parties are grown-ups and able to give concurrence. The internal ability condition ensures that both parties are of sound mind and can make informed opinions. The banned connections clause prevents marriages between close family members or cousins.

The former marriage clause ensures that all former marriages have been dissolved. By fulfilling these conditions, couples can ensure a valid and legal marriage under the Special Marriage Act, of 1954.

Section 5: This sec addresses the notice of intended marriage When a marriage is intended to be praised under this Act, the parties to the marriage shall give notice thereof in writing in the form specified in the Alternate Schedule to the Marriage Officer of the quarter in which at least one of the parties to the marriage has abided for a period of not lower than thirty days incontinently antedating the date on which similar notice is given. The notice is filed with the Marriage Officer of the quarter where the couple resides in Section 5 countries.

1) Marriage Notice: The parties must give notice of intended marriage to the Marriage Officer in the specified form. The notice must hold the following content, Names and ages of the couple, Occupations and places of Hearthstone, A statement that they are not related to each other within the banned degrees of relationship -protestation that they are not formerly married signatures of the couple.

2) Duration The notice must be given at least 30 days before the willed date of marriage. - This allows anyone who might have expostulations to the marriage to come forward and express their enterprises.

3) Publication The Marriage Officer will publish the notice intimately, by posting it on a noticeboard or in an original review. The notice is posted on a notice board or displayed prominently.

4) Expostulations Any person can expostulate to the marriage within 30 days of publication, stating the grounds for objection. However, the marriage may not be praised, If the expostulation is set up to be valid.

5) Investigation The Marriage Officer will probe the expostulation and decide whether to do with the marriage. Crucial Points the couple must give formal notice of their intention to marry. The notice period allows for public scrutiny and implicit expostulations the Marriage Officer will probe any expostulations and decide if no expostulations are entered, the marriage can go as planned.

By following this procedure, couples can ensure a transparent and formal process for their marriage under the Special Marriage Act 1954.

Section 6: Marriage notice book and publication.

1) The marriage officer shall keep all notices given under section 5 with the records of his office and shall also bang enter a true dupe of every similar notice in a book specified for that purpose, to be called the Marriage Notice Book, and similar book shall be open for examination at all reasonable times, without figure, by any person desirous of examining the same.

2) The marriage officer shall therefore beget a notice to be published, at the expenditure of the parties, by bending it to some conspicuous place in his office and also by publishing it in the prescribed manner, in one or further journals circulating in the quarter in which the parties are permanently abiding, and also, if the parties are permanently abiding in different sections, in one or further journals circulating in each of those sections."

Where either of the parties to an intended marriage is not permanently abiding within the original limits of the quarter of the Marriage Officer to whom the notice has been given under section 5, the Marriage Officer shall also beget a dupe of similar notice to be transmitted to the Marriage Officer of the quarter within whose limits similar party is permanently abiding, and that Marriage Officer shall therefore beget a dupe thereof to be fixed to some conspicuous place in his office.

Section 7:

1) Any person may, before the expiration of thirty days from the date on which any such notice has been published under sub-section (2) of section 6⁴, object to the marriage because it would contravene one or more of the conditions specified in section 4.

2) After the expiration of thirty days from the date on which notice of an intended marriage has been published under sub-section (2) of section 6, the marriage may be solemnized, unless it has been previously objected to under sub-section (1).

3) The nature of the objection shall be recorded in writing by the Marriage Officer in the Marriage Notice Book, be read over and explained, if necessary, to the person objecting, and shall be signed by him or on his behalf.

⁴ Special Marriage Act 1954, s 6

These sections collectively provide a legal framework for interfaith marriages in India, ensuring that couples from diverse backgrounds can marry and have their union recognized by law.

PERSONAL LAWS

These personal laws play a vital role in interreligious marriages, like

- 1) **Legal Framework:** Personal laws govern the marriage, divorce, inheritance, and custody rights of individuals from different religious communities.
- 2) **Marriage Solemnization:** Personal laws dictate how marriages are solemnized, registered, and recognized within each religious community.
- 3) **Conversion and Consent:** Personal laws often require one partner to convert to the other's religion, raising issues of consent, coercion, and cultural identity.
- 4) **Dissolution of Marriage:** Personal laws govern divorce, maintenance, and custody rights, which can be contentious in inter-religious marriages.
- 5) **Inheritance and Succession:** Personal laws determine how property and assets are inherited and distributed upon death or divorce.
- 6) **Custody and Guardianship:** Personal laws influence decisions regarding child custody, guardianship, and upbringing.
- 7) **Conflict Resolution:** Personal laws can create conflicts and disputes in inter-religious marriages, requiring navigation of multiple legal frameworks.

In India, for example, personal laws include the Hindu Marriage Act (1955), the Muslim Personal Law (Shariat) Application Act (1937), the Christian Marriage Act (1872), the Parsi Marriage and Divorce Act (1936)

LEGAL FRAMEWORK OF PERSONAL LAWS IN MATRIMONIAL MATTERS

- Marriage solemnization
- Marriage registration
- Dissolution of marriage
- Inheritance and succession

MARRIAGE SOLEMNIZATION IN PERSONAL LAWS

What is the solemnization of marriage?

In India, the solemnization of marriage refers to conducting an official ceremony with the appropriate rituals. The country's marriage laws are diverse, encompassing non-public laws particular to diverse religions, alongside the unique Marriage Act, of 1954 (SMA).

For Hindus, Kanyadaan and saptapadi (seven vows) solemnise a Hindu marriage.⁵ The Hon'ble Supreme Court held that marriage is not said to be in actuality if it is not celebrated or performed with the necessary customary observances. A marriage shall be praised in the eyes of the law when it has been conducted while following the observances of either of the parties. Further, the Court also held that simply after following certain observances as per their will, the parties cannot be said to be married because such a form will not be honoured by law and customs. What must be noted is that the observances must be conducted in practice according to the parties' customs and traditions.⁶

For Christians, a ceremony performed in a church, based totally on neighbourhood customs, is recognized as a legitimate marriage.⁷

The Kerala High Court held that section 4 of the Indian Christian Marriage Act requires that the marriage be praised in the presence of at least two substantiations or two witnesses. Section 5 of the Act requires that the person overlooking the marriage must be certified by the State Government to grant instruments of marriage between Christians. The court held that if these conditions aren't met, the marriage isn't valid under the Indian Christian Marriage Act of 1872⁸.

Under Muslim law, a legitimate marriage necessitates the consent of each event, giving vocal consent and signing a nikahnama. The Bombay High Court held that the free consent of the competent parties is compulsory. If the marriage is done without the free consent of the competent parties (i.e., Bridegroom & Bride) then the marriage is void.⁹

⁵ Hindu Marriage Act 1955, s 7

⁶ Bhaurao Shankar Lokhande v State of Maharashtra (1965) AIR SC 1564

⁷ Indian Christian Marriage Act 1872, s 4,5

⁸ Mary Sonia Zacharia v Union of India (1995) AIR Ker 644

⁹ Sayad Mohiuddin Sayad Nasiruddin v Khathijabibi (1939) AIR BOM 1020

The Special Marriage Act (Sma) 1954 gives a mundane opportunity, allowing people of different faiths or the ones opting out of spiritual traditions to marry civilly.

MARRIAGE REGISTRATION IN PERSONAL LAWS

Under Hindu Personal Law: The state government makes the provision available as proof to Hindus so that they can enter legitimate marriage in the prescribed manner. All rules developed under this law must be presented to the state legislature as soon as they are made. The Hindu marriage registrar has all the powers and a reasonable amount of time to review the documents, collect evidence, and certify them after payment of a fee.¹⁰

Under Muslim Personal Law: The registration of marriage in Muslims is mandatory because Muslim marriage is treated as a civil contract.¹¹ Marriage Registration Act 1981 en Muslims after the commencement of the Muslim Marriage Registration Act 1981, shall be registered from now on provided, within thirty days from the conclusion of the nikah ceremony. Nikahnama is the legal document in Muslim marriages that holds the essential conditions/details of the marriage.

Under Christian Personal Law: All the marriages solemnized in India between persons one or both profess or profess the Christian religion, shall be registered in a prescribed manner.¹²

DISSOLUTION OF MARRIAGE UNDER PERSONAL LAW

Dissolution of marriage is the formal or legal ending of a marriage by a court commonly called a divorce. A dissolution of marriage completely ends the legal relationship between spouses and ends the marriage.

Under Hindu Personal Law -

1) Any marriage solemnized under the Hindu Marriage Act, whether before or after the commencement of this act, may, on a petitioner presented by either the husband or wife, be dissolved by a decree of divorce on the grounds¹³ of Adultery, Cruelty, Desertion, Conversion, Unsound mind¹⁴

¹⁰ Hindu Marriage Act 1955, s 8

¹¹ Muslim Marriage Registration Act 1981, s 3

¹² Indian Christian Marriage Act 1872, s 27

¹³ Hindu Marriage Act 1955, s 13

¹⁴ ibid

2) Judicial Separation: It is the legal process in India, which allows a married couple to live separately while remaining technically married and this is different from divorce. On the grounds as mentioned in sec 13 of the Hindu Marriage Act, of 1955

- a) Venereal disease
- b) Renounced the world
- c) Presumed death - Has not been heard of as alive for seven years or more.

In India, judicial separation is governed by the Indian Divorce Act, of 1869 and the Hindu Marriage Act, of 1955. The difference between divorce and judicial separation is that divorce is the permanent dissolution of marriage and in judicial separation there is temporary suspense of marriage.

Under Muslim Personal Law:

Talaq or Divorce: In daily life, these two terms are used alternatively, but under Muslim law, if a person seeks “divorce”, he will be governed by the provisions of the Dissolution of Muslim Marriage Act, of 1939. Whereas “Talaq” proceedings are governed by Muslim Personal Laws.

Triple Talaq: Triple talaq is a form of divorce that was practiced in Islam, whereby a Muslim man may legally divorce his wife by pronouncing *talaq* (the Arabic word for divorce) three times. The pronouncement could be oral or written, or, in recent times, delivered by electronic means.

As telephone, SMS, email, or social media. The man did not need to cite any cause for the divorce and the wife need not have been present at the time of pronouncement.

Triple talaq (instant divorce) and talaq-e-mughallazah (irrevocable divorce) are now-banned means of Islamic divorce previously available to Muslims in India. Because Triple Talaq violates the rights of Muslim women, particularly their ‘right to equality (Article 14), right against discrimination (Article 15), and right to life and personal liberty (Article 21)’¹⁵.

‘The legal ban on Triple Talaq: The Muslim Women (Protection of Rights on Marriage) Act, 2019 passed on 30 July 2019 after an exceptionally long discussion and the opposition finally got the verdict (the Indian Supreme Court judgment of August 2017 described below) to all

¹⁵ The Constitution of India 1950, Art 14,15,21

women. It made triple talaq illegal in India on 1 August 2019, replacing the triple talaq ordinance promulgated in February 2019. It says instant triple talaq (talaq-e-biddat) in any form spoken, written, or electronic means such as email or SMS- is illegal and void. With up to three jails for the husband.¹⁶

Talaq-E-Tafweez: This is the only way through which a woman can give divorce to his husband; however, such power to give divorce needs to be delegated by the husband only. It is a form of an agreement made either before or after marriage providing that the wife will be privileged to get separated from her husband via divorce under the specified conditions:

- 1) In case the husband marries a second wife.
- 2) The husband is unable to maintain her for a specified period or any other condition that must not be opposed to public policy.

By Mutual Consent: Both the husband and wife mutually agree to dissolve the marriage without the court's intervention. Although the practice of giving Divorce by mutual consent was not recognized in Muslim Law, it was only available to Muslim women after the enactment of the Dissolution of Muslim Marriages Act, of 1939.

By The Death Of the Wife or Husband: The death of a person is a natural thing, and it is the most unexpected circumstance. If the spouse dies, then naturally the marriage ends. In the event of the death of a wife, the husband can remarry immediately. There is no restriction on the man as regards marriage. In the case of the husband's death, the period of iddat is to be followed by the widow. The period of iddat is 4 months and 10 days, and in the case of pregnancy, she has to wait until the delivery of the child to remarry.

Dissolution of Muslim Marriage Act, 1939: A Muslim marriage may be dissolved by the courts of India further, there are two ways

Lian: Lian can simply be described as the wrong charge of adultery on the wife by her husband. Whenever a husband imposes false adultery charges on his wife, then a wife can sue him and can also obtain a divorce on the same ground under the Act, by filing a regular suit for dissolution of marriage.

¹⁶ Shayara Bano v Union of India (2017) ibclaw.in SC 1077

In the case of *Zafar Husain v Ummat-ur-Rahman*, the Allahabad High Court held that a wife under Muslim law is entitled to file a suit against her husband for dissolution of marriage and can obtain a decree on the ground that she was falsely charged with adultery by him.

Essentials A husband must be adult and sane, and if he charges his wife of adultery, such a charge must be false, false charges do not ipso facto (by that fact itself) dissolve the marriage, they just provide a ground for the wife to move to the court to dissolve the marriage, marriage will continue until the decree for dissolution of marriage is passed by the court, judicial separation via a mode of *lian* is irrevocable. This mode applies only to Shia marriages not to *fasid* ones. Retraction can be made by the husband before the end of the trial, admitting that he made the charge of adultery against her wife and such charge was false.

Faskh - A Muslim marriage may be dissolved by the courts of India under the provision of sec 2 of the Dissolution of Muslim Marriage Act, of 1939 under the circumstances which are as follows:

- **Absence of husband:** If the husband is absent for four years the wife is entitled to a decree for dissolution of marriage. But if the husband returns within six months after passing the decree and satisfies the court that he is prepared to perform his conjugal duties the court must set aside the said decree.
- **Failure to maintain:** If the husband has neglected or has failed to maintain her for two years, the wife is entitled to a decree of the dissolution of the marriage.
- **Imprisonment of husband:** If the husband is sentenced to imprisonment for seven years or upwards, the wife is entitled to a decree of dissolution of marriage.
- **Failure to perform marital obligations:** If the husband fails to perform his marital obligations for three years without reasonable excuse, then the wife is entitled to a decree for dissolution of marriage.
- **Insanity, leprosy, or Venereal disease:** -If the husband has been insane for two years or virulent is suffering from leprosy or venereal diseases, the wife is entitled to dissolution of her marriage.
- **Option of puberty:** If the parties married when they were minors So when either the husband or the wife attains the age of puberty then they have the option to dissolve the marriage
- **Cruelty:** If the husband treats her with Cruelty, then the wife may obtain a decree for the dissolution of the marriage.

For example, if the husband has more than one Wife then if he does not treat all the wives equally it is also cruelty.

- Other grounds of dissolution in Muslim law: -The wife can claim Judicial dissolution on any other grounds like -'zihar', 'Khula', 'Mubarak', or Lian (false acquisition of adultery).
- Grounds of dissolution recognized by Mohammedan Law: The wife is also entitled to obtain a divorce on the grounds recognized as valid under the law.

Some of the ways grounds for cruelty physical assault, making defamatory statements affecting her reputation, forcing her to lead an immoral life, and obstructing her from practicing her religion, the husband has more than one wife and does not treat them equally.¹⁷

Changes brought by the Muslim Women Protection Act 2019

- Section 3 made it invalid and unlawful for the husband to pronounce triple talaq to his wife in any way, whether electronically, orally, or in writing.
- Section 4 As per this Section, any person who pronounces talaq to his wife in the manner given in Section 3 of the Act is subject to imprisonment for 3 years along with a fine.
- Section 5 allows Muslim women to ask for maintenance and money from their spouses after divorce to support themselves and their children.
- Section 6 As per this Section, women can contest custody of minor children as well. After divorce, both parents have equal rights over the children, and hence both contest in a court of law for the custody of the children.¹⁸

Under Christian Personal Law -

The grounds for divorce under Christian law -

There are several grounds for divorce under Christian law in India. The most common one is adultery, which is when one of the spouses has an affair. Other grounds for divorce include desertion, mental cruelty, and religious conversion. If one of the spouses converts to a different religion and the other one doesn't agree with it, that can also be grounds for divorce.

¹⁷ Pratibha Bansal et. al; 'Divorce under Muslim law' (2023) I pleaders
<<https://blog.ipleaders.in/muslim-law-divorce/>>accessed 5 August 2023

¹⁸ ibid

When it comes to getting a divorce, Christians in India have a few more grounds to choose from than those who follow other faiths. Here are the most common grounds for divorce under Christian law in India:

- **Adultery:** This is by far the most common ground for divorce, and it's easy to see why. If one partner is caught cheating, it can be grounds for the relationship to end.
- **Cruelty:** If one partner is routinely cruel or abusive, it can be grounds for a divorce. This can include physical, verbal, or emotional abuse.
- **Desertion:** If one partner leaves the relationship without any explanation or warning, it can be grounds for divorce.
- **Dishonesty:** If one partner has been caught lying or cheating, it can be grounds for a divorce.
- **Mental illness:** If one partner is diagnosed with a mental illness that makes them unable to care for themselves or the relationship, it can be grounds for a divorce.
- **Physical illness:** If one partner becomes seriously ill and is unable to care for themselves or the relationship, it can be grounds for a divorce.
- **Incurable insanity:** If one partner becomes incurably insane, it can be a reason for divorce.

Mutual Divorce Under Christian Marriage Act: Under the Indian Christian Marriage Act, a couple can legally get divorced if they mutually agree to it. To make their divorce valid, both parties have to agree on the following grounds, adultery, desertion for two years or more, cruelty, whether mental or physical, conversion to another religion by one spouse without the consent of the other, and incurable mental illness of one spouse.

INHERITANCE AND SUCCESSION IN PERSONAL LAWS

Under Hindu Personal Laws:

The Hindu Succession Act, of 1956 is an Act of the Parliament of India enacted to amend, codify, and secularize the law relating to intestate or unwilled succession, among Hindus, Buddhists, Jains, and Sikhs. The Act lays down a uniform and comprehensive system of inheritance and succession into one Act. The Hindu woman's limited estate is abolished by the Act. Any property possessed by a Hindu female is to be held by her as absolute property and she is given full power to deal with it and dispose it of by will as she likes. Some parts of this Act were amended in December 2004 by the Hindu Succession (Amendment) Act, 2005.

In the case of males: The property of a Hindu male dying intestate, or without a will, would be given first to heirs within Class I. If there are no heirs categorized as Class I, the property will be given to heirs within Class II. If there are no heirs in Class II, the property will be given to the deceased's agnates or relatives through male lineage. If there are no agnates or relatives through the male's lineage, then the property is given to the cognates or any relative through the lineage of females.

Class I heirs are sons, daughters, widows, mothers, and grandchildren. If there is more than one widow, multiple surviving sons, or multiples of any of the other heirs listed above, each shall be granted one share of the deceased's property. Also, if the widow of a pre-deceased son, the widow of a pre-deceased son of a pre-deceased son, or the widow of a brother has remarried, she is not entitled to receive the inheritance.

Class II heirs are categorized as follows and are given the property of the deceased in the following order, father, son's/daughter's son, son's/daughter's daughter, brother, sister, daughter's/son's son, daughter's/son's daughter, daughter's/daughter's son, daughter's/daughter's daughter, Brother's son, sister's son, brother's daughter.

In the case of females: Under the Hindu Succession Act, of 1956, females are granted ownership of all property acquired either before or after the signing of the Act, abolishing their "limited owner" status. However, it was not until the 2005 Amendment that daughters were allowed equal receipt of property as with sons. This invariably grants females property rights.

The property of a Hindu female dying intestate, or without a will, shall devolve in the following order upon the sons and daughters (including the children of any pre-deceased son or daughter) and the husband, upon the heirs of the husband, upon the father and mother, upon the heirs of the father, and the heirs of the mother.

Certain Exceptions: Any person who commits murder is disqualified from receiving any form of inheritance from the victim. If a relative converts from Hinduism, he or she is still eligible for inheritance. The descendants of that converted relative, however, are disqualified from receiving an inheritance from their Hindu relatives, unless they have converted to Hinduism before the death of the relative.

Under Muslim Personal Law:

Rules of inheritance

- A son gets double the share of the daughter wherever they jointly inherit.
- The wife gets one-eighth of the share if there are children and one-fourth of the share if there are no children. In case the husband has more than one wife, the one-eighth share is divided equally among them. The husband gets one-fourth of the share of his dead wife's property if there are children and one-half if there are no children.
- If the parent has more than one daughter, only two-thirds of the property is divided equally among daughters. If the parent has only one daughter, she inherits half of the parent's property.
- The mother gets one-sixth of her dead child's property if there are grandchildren, and one-third of the property if there are no grandchildren.
- Parents, children, husband, and wife all cases, get shares, whatever may be the number or degree of the other heirs.
- Mahr - Mahr is the total money or property that the husband is required to give the wife at the time of marriage (Nikah). The two types of mahr are the prompt mahr which is given to the wife soon after the marriage, and the deferred mahr, which is given to the wife when the marriage has ended, either due to the death of the husband or by divorce.
- Will - A Muslim can only give one-third of his/her total property through a will (wasiyat).
- Gift - Any type of property can be given as a gift.

Under Christian Personal Laws:

Inheritance and succession under Christian laws refer to the rules and principles governing the distribution of property and assets after a person's death, as guided by Christian teachings and traditions. Here are some key aspects:

- Biblical teachings: Christian inheritance laws are rooted in biblical teachings, such as "A father's property shall be given to the nearest relative" (Numbers 27:8-11).
- Intestate succession: If a person dies without a will, Christian laws often follow a pattern of intestate succession, where property passes to spouse and children (or descendants), parents, siblings, more distant relatives
- Testate succession: If a person leaves a will, Christian laws generally respect their wishes, provided they don't contradict biblical teachings or public policy.
- Widow's share: Christian laws often ensure a widow receives a portion of the estate, as mentioned in Proverbs 15:25.

- Equal sharing: Some Christian denominations, like Catholics, emphasize equal sharing among heirs, while others, like Protestants, may prioritize the husband-wife relationship.
- Charitable giving: Christians are encouraged to consider charitable bequests, reflecting Jesus' teachings on caring for the poor (Matthew 25:31-46).
- Ecclesiastical courts: In some Christian traditions, ecclesiastical courts may play a role in resolving inheritance disputes or interpreting Christian laws.

Please note that Christian laws on inheritance and succession can vary across denominations and jurisdictions, so this summary provides a general overview rather than specific legal advice.

CONVERSION OF ONE'S MATE'S RELIGION IS NECESSARY OR ANTICIPATED UNDER SPECIAL MARRIAGES

The Special Marriage Act 1954, in India, allows for interfaith marriages, but it does not necessarily require conversion to the spouse's religion.

- No compulsion: The Act does not compel either party to change their religion.
- Freedom of religion: Both partners are free to maintain their respective religions.
- Civil marriage: The Special Marriage Act provides for a civil marriage, separate from religious ceremonies.
- Optional conversion: If one partner wishes to convert to the other's religion, they can do so voluntarily.
- Marriage registration: The couple must register their marriage under the Act, regardless of any religious conversion.

The Special Marriage Act provides a secular framework for interfaith marriages, allowing couples to marry without converting to each other's religion.

THE OBSTACLES FACED BY INTERRELIGIOUS COUPLES MARRYING EACH OTHER

Interreligious couples in India may face obstacles when marrying each other due to various reasons, including:

- Legal complications: Different religions have different marriage laws, and interreligious marriages may not be recognized or registered under one or both religions' laws.
- Family opposition: Families may object due to cultural, social, or religious differences, leading to emotional distress and potential estrangement.
- Social stigma: Society may view interreligious marriages as unconventional or taboo, leading to social exclusion or judgment.
- Religious restrictions: Some religions may prohibit or restrict interfaith marriages or require one partner to convert.
- Conversion requirements: One partner may be required to convert to the other's religion, which can be a sensitive issue.
- Registration challenges: Registering an interreligious marriage under the Special Marriage Act 1954, can be a lengthy and bureaucratic process.
- Community pressure: Community leaders or members may disapprove or exert pressure against the marriage.
- Personal identity: Couples may face challenges in reconciling their religious identities and practices within the marriage.
- Children's religious upbringing: Deciding how to raise children in terms of religion can be a point of contention.
- Lack of support: Interreligious couples may find it difficult to find support and guidance from religious leaders or counsellors familiar with their situation.

It's essential to note that these obstacles can vary depending on the specific religions involved, regional cultural norms, and individual circumstances. Many interreligious couples successfully navigate these challenges and build strong, loving relationships.

CONCLUSION AND SUGGESTIONS

In conclusion, this study has stressed the complications and challenges faced by interfaith couples in India, where religious diversity and particular laws cross. Despite the legal frame handed by the Special Marriage Act, of 1954, social smirch, family opposition, and particular identity issues continue to pose significant walls. Still, the findings also suggest that numerous interfaith couples successfully navigate these challenges, fostering lesser understanding, forbearance, and acceptance.

As India continues to evolve into a further pluralistic society, it's essential to promote inclusive programs, educational enterprise, and social support systems that encourage interfaith harmony and celebrate the diversity of its populace. Eventually, this exploration underscores the need for a nuanced understanding of interfaith marriages in India, fetching both the challenges and openings they present. By embracing the complications of interfaith connections, we can work towards creating a more inclusive and harmonious society, where love and collective respect know no religious boundaries.

This conclusion summarizes the main findings, reiterates the significance of the study, and offers a forward-looking perspective, making it a befitting end to an exploration paper on interfaith marriages in India.

SUGGESTIONS

Interfaith marriages in India can be challenging due to cultural and religious differences. Also are some suggestions to consider:

- Open communication: Bandy of each other's beliefs, values, and prospects.
- Respect each other's faith: Understand and respect each other's religious practices and traditions.
- Choose a neutral marriage form: conclude with a civil marriage or a temporal form that blends rudiments from both faiths.
- Involve both families: Encourage both families to partake in the marriage and other important events.
- Seek support: Connect with other interfaith couples or join support groups for guidance and goad.
- Be set for challenges: -Face implicit opposition or review from family, buddies, or community with forbearance and understanding.
- Focus on shared values: Emphasize common values and pretensions that unite you as a couple.
- Learn about each other's customs Educate yourselves about each other's religious practices and cultural traditions.
- Find a concession: Balance your individual beliefs and practices with collaborative respect and understanding.

- Register your marriage: Register your marriage under the Special Marriage Act, of 1954, to ensure legal recognition.

Flashback, every marriage is unique, and interfaith marriages bear spare trouble and understanding. With love, respect, and open communication, you can make a strong and harmonious relationship.