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Thesis Title: Understanding the socio legal aspects of mahr and Maintenance among Muslims in India: a study of Delhi and Uttar Pradesh (UP)

Keywords: Muslim Women, Mahr, Maintenance, Islamic Law, Muslim Personal Law, Gender Justice, Intersectionality, Islamic Feminism, Legal Pluralism, Socio-Legal Research, Triple Talaq, Access to Justice

Findings

This thesis examines the socio-legal dimensions of Muslim women's rights to Mahr and maintenance under Islamic legal tradition, Indian law, and socio-cultural practices, with particular focus on Delhi and Allahabad. Adopting doctrinal, feminist, and socio-legal approaches, the study investigates the persistent gap between women's "de jure" entitlements and their "de facto" access to justice. It employs doctrinal analysis of religious texts, statutory provisions and judicial decisions, alongside field-based research comprising 20 in-depth case studies and 120 interviews with Muslim women, supplemented by 20 interviews with Muslim men from Delhi and Allahabad.

The findings demonstrate that despite the recognition of Mahr and maintenance under Islamic law and Indian statutory frameworks, their effective realization remains constrained by patriarchal practices, social stigma, limited legal awareness, economic dependency, familial pressure, procedural barriers, and institutional fragmentation. Women often navigate overlapping civil courts, Shariat forums and extra-judicial mechanisms, resulting in inconsistent outcomes and, in some cases, the waiver of legitimate claims. The study further highlights the complex consequences of the criminalization of triple talaq, particularly regarding women's continuing economic security.

Using intersectionality, Islamic feminist perspectives, and legal pluralism, the thesis demonstrates how gender, religion and socio-economic marginalization interact to shape women's access to justice. It advocates legal literacy, institutional accountability, gender sensitization, and accessible enforcement mechanisms to ensure that legally recognized rights translate into substantive justice.