ABSTRACT

There has been a growing interest to focus the research on issues related to inheritance rights of women belonging to the Syrian Christian community, the oldest and predominant Christian community in Kerala, especially after the implementation of the Indian Succession Act (1925). The study has made an attempt to elucidate the implications of the legal changes in inheritance rights among Syrian Christian women belonging to five principal Syrian Christian denominations, namely Orthodox, Jacobite, Syro-Malankara Catholics or (Reethu), Marthoma and Church of South India (CSI). The major objective of the study was to assess the levels of awareness, knowledge and attitudes of Syrian Christian women on inheritance rights and allied issues in the light of the Indian Succession Act (1925).

Given the fact that Syrian Christian women belonged to varied socio-economic and demographic backgrounds, a sample survey approach to assess the awareness, knowledge and attitudes of Syrian Christian women was adopted. The primary data were collected through a field survey, among Syrian Christian women residing in Adichanalloor village and Kollam town of Kollam district of Kerala. Two stage stratified sampling technique was employed and using probability proportionate to size method, a total of 300 married women were selected from five randomly selected Churches of Syrian Christian denominations. Necessary information from the respondents was collected by administering interview schedule, which comprised both structured and open-ended questions. Collected data were analysed by using Statistical Package for Social Sciences (SPSS) adopting bivariate and multivariate techniques. The denomination was adopted as controlled variable to find out the similarities and differences of women’s responses towards inheritance issues. Denominations like Orthodox, Jacobite and Reethu were meaningfully merged into one as ‘Orthodox Syrian’, and constituted by (45.3%) of the total sample and Marthoma and CSI were merged into one as ‘Reformed Syrian’ (54.7%). In order to understand the utilisation aspect of the law, three case studies of Syrian Christian women involving qualitative approach have been covered.

Sampled women were all married and they were largely (28.7%) in the age group of 31-40 years. Respondents with two children- one son and one daughter constituted (32.7%) and those with two living siblings- one brother and one sister constituted 14.7 per
cent among them. Those who were from nuclear families were more (55.7%) than those who were from joint families (44.3%). Majority of the respondents (73.3%) lived with 2-5 members in the household. Mean number of family members in both denominations was 4.1

A higher percentage (38.3%) of them was educated up to secondary level. The Reformed Syrians had greater representation of collegiate level than those among the Orthodox Syrians. Good exposure to electronic and print media viz. newspapers and gender and socially relevant magazines was reported especially among the Reformed Syrians. Almost three-fourths (70.3%) of the women were housewives. Those who were in the service sector, the participation rate of the Reformed Syrians were more (23.8%) as compared to that of the Orthodox Syrians (13.2%). The mean household income of women belonging to both denominations was Rs.98460. Considerable proportion (37.7%) of the respondents did not know about the parental property.

Syrian Christian women’s responses towards empowerment of women had brought out a gender positive approach. A few gender positive responses of the women were—girls should be given maximum education (90.3%), active participation in decision-making matters (84.3%), women should exercise their rights over earnings (80.3%). Such positive gender perceptions were observed among all women belonging to various denominations. Association with women’s programmes like kudumbashree and Young Women Christian Association (YWCA) had enhanced these women’s empowerment level, reflecting on gender positive outlook and participation in women’s programmes.

Syrian Christian women were knowledgeable with regard to the changes in inheritance law (86.7%), share of daughters in intestate property (86.3%) and the type of property that could be inherited (67.3%). Higher education and exposure to print media might have given the Reformed Syrians an edge over their counterpart, the Orthodox Syrians. However, almost all women (93.7%) of both denominations were ignorant about the retrospective effect of the law.

Favourable response towards equal inheritance rights was reported among 60.0 per cent of the respondents, with 67.6 per cent from the Orthodox Syrians and 53.7 per cent from the Reformed Syrians. Though the women believed in gender equality; the practice of dowry, protection of family relationships, promotion of love and peace based on
Christian principles, insufficient parental property were some pertinent binding factors, which shaped their outlooks, and such an attitude was observed across both the denominations. It was significantly noticeable that the college educated women of both the denominations were non-assertive towards an equal share. More logical, analytical and pragmatic views were reported from such educated women regarding equal inheritance rights. Preference for a share in the testamentary property, i.e., inheritance through a parental Will, was high (70.0%) and it was more (79.3%) among the Reformed Syrians as against 58.8 per cent of the Orthodox Syrians. Some of the motivating factors for a positive leaning towards gender inclusive Will include: economic security through ownership of land, sense of belongingness to natal family, and share in property as an effective means to overthrow the practice of dowry. Nearly two thirds (62.2%) of the Reformed Syrian women preferred a share in the property while such an attitude was shown by only 30.9 per cent of the Orthodox Syrian women. Majority of them got dowry in connection with marriage and those who got share were negligible. However, irrespective of wealth they acquired in connection with marriage, majority of them were not in a position to exercise their equal inheritance rights, based on a host of personal, familial or legal grounds.

Various socio-demographic and economic determinants of respondents’ knowledge and attitudes towards inheritance rights were analysed. Women who were at a higher age (51+ years) had more knowledge of intestate property, compared to lower age groups, and it was differentially noticeable among the women of two denominations significant (at 0.01 level). Those who had (2+) sons and daughters displayed more knowledge on intestate property, while a curvilinear association was noticed among the Orthodox Syrians. Number of brothers (3+) and knowledge regarding intestate property were found to be negatively related and it was differentially observed among both the denominations. In contrast, in case of the number of sisters it was very positive. Sampled women of both nuclear and joint families largely knew about intestate property.

A positive association between the education of women and their knowledge of intestate property was observed. The higher education among the Reformed Syrians had contributed to their higher knowledge. Women, irrespective of whether they regularly or occasionally exposed to media, were knowledgeable regarding intestate property. With an
increase in income level of the respondents, an increase in knowledge of intestate property was noticed, especially among the Reformed Syrians. Respondents of both the denominations, irrespective of their employment status largely knew about intestate property.

The older women (51+ years), especially the Reformed Syrian women, were less favourable towards equal inheritance rights as compared to the younger women (<=30 years), who showed a higher preference for equal share. The Orthodox Syrians with number of sons (2+) were patriarchal towards equal inheritance rights. The attitude was gender positive with number of daughters (2+). Women with (3+) brothers showed a higher preference for equal share. The positive relationship between the number of brothers and attitude towards equal inheritance rights was found to be significant (0.05 level) and also differentially noticed among the women of two denominations. Number of sisters showed gender positive trend among both the denominations.

A higher preference for an equal share in intestate property was shown by those women with lower education, while the collegiate women were the least favourable group. There were logical and analytical reasons for such an attitude among educated women. Influence of media was positive towards creating a favourable attitude towards equal inheritance rights, especially among the Orthodox Syrians. A higher income (Rs. 200001+) showed lesser preference for equal share among women of both the denominations and the association was found to be highly significant among the Orthodox Syrian women. Women who were employed were less favourable towards equal share and it was differentially noticed among the women of the both the denominations under focus.

Regarding testamentary property rights of daughters, younger women (<= 30 years), were more in favour of it than the older women (51+ years). Women with (2+) male children had a negative influence on their outlooks towards daughters becoming heirs through a parental Will and it was prominent among the Orthodox Syrians. The trend was reversed when there were only daughters. Those with (3+) brothers tended to be less inclined towards daughter inclusive Will, except in the case of Reformed Syrian women. There was a significant association (at 0.05 level) among the Orthodox Syrian women. Relationship between number of sisters and attitude towards testamentary inheritance
rights showed a positive trend. Irrespective of type of family they belonged to, the women had a positive approach towards testamentary inheritance rights.

College education of women of both the denominations have influenced greatly significant at (0.001 level), towards testamentary rights of women, especially so among the Reformed Syrians. Education seems to have enabled the respondents to perceive the significance of property ownership as an important agent of empowerment of women, channelised through a parental Will. Exposure to print media had contributed towards a positive attitude for inheritance rights in testamentary property and such association was found to be highly significant (at 0.001 level) among the Reformed Syrians. Respondents with a higher income were more favourable towards testamentary inheritance rights. Employment status exerted greater preference for testamentary inheritance rights particularly among the Reformed Syrians, while for the Orthodox Syrians, the desire was relatively higher among the unemployed women.

Logistic regression analysis of knowledge and attitude towards inheritance rights has shown significant association with some of the dependant and independent variables. Among a set of determining variables, age, education, income and number of brothers were found to have greater effect on knowledge and attitudes of the respondents towards inheritance rights. Three case studies of Syrian Christian women belonging to different socio-economic strata, have revealed that all three women had resorted to legal measures to claim their equal inheritance rights in the property on the grounds of cheating, humiliation and breach of trust by their brothers.

The study has brought out the issues pertaining to the gaps in knowledge and attitude relating to inheritance rights, after the implementation of the Indian Succession Act (1925) in Kerala in 1986. Besides, the findings of the study also threw up new ways and means for the effective execution of the inheritance laws. Based on the findings of the study, the researcher has proposed a set of recommendations in the area of succession rights that could be beneficial not only for Syrian Christian women, but for women in general. The suggestion was made for undertaking further research in the area of succession rights with a methodological consideration of denominational stratification among the Syrian Christian women. Other suggestions which were mainly based on
findings of the study refers to: the need to promote village level awareness programs, legal aid services, legal empowerment of women on inheritance issues and property ownership, especially among the lower socio-economic groups. The findings of the study revealed the need to review the application of the Indian Succession Act (1925) by taking into account the class differences among the Christian community in Kerala. Further, it was suggested for the adoption and framing of suitable legal policy measures in succession rights among the Christians, where daughters could become co-heirs along with sons through a parental Will. The study called for the active participation of women’s organisations, Non-Govermental Organisations, Church leaders, legal fraternities and other similar agents for the effective implementation of gender inclusive inheritance practices.