UNIFORM CIVIL CODE: NEED OR MYTH

AYUSH PANDEY

STUDENT AT NATIONAL LAW INSTITUTE UNIVERSITY, BHOPAL

I. ABSTRACT

India is currently going through a major debate of either to have *Uniform Civil Code* (UCC)¹ or to go with the existing concept of having multiple personal laws. Different legal scholars have kept their objective views of having or not to have UCC. In this article, we explore the complex and multi-faceted debate on the implementation of the Uniform Civil Code in India. The UCC proposition, as it is known in India, is based on Article 44 of the Constitution, which is part of the directive principles of state policy. This provision seeks to create a uniform civil code applicable to all citizens, which would transcend religious and community personal laws.

This constitutional vision, however, is accompanied by a complex web of legal, social and political realities that create significant contradictions and challenges. As of now, it is not logical to either defend or attack the provisions of the uniform civil code without looking at the draft document of the same. But, we as humans have already anticipated the bill and started debating on it without having any solid basis for it. In this article, we will try to gain some knowledge about UCC and areas surrounding it.

II. KEYWORDS

- A. Uniformity
- B. Constitutional aspect
- C. Conflict of laws
- D. Impact of UCC
- E. Need for UCC

III. INTRODUCTION

Uniform Civil Code, with its literal meaning, here, stands as following. Uniform refers to uniformity and similarity among the citizens, regardless of their gender, religion, etc. Civil means the legal matters apart from criminal aspects; they majorly deal with comparatively smaller matter of offences. Code refers to codified set of laws. So UCC collectively means a uniform set of codified laws that deals with matters external to criminal laws. Uniformity is necessary because, as provided by the Indian Constitution article 14, The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.² But there are certain loopholes due to the enforceability of multiple personal laws, which exempts the citizen such equality.

Civil matters deal with the involvement of offences that can be termed as "private disputes." Some of the primary areas of civil cases are:

Family - This includes issues pertaining to marriage, adoption, divorce, etc. laws.

Property – It covers inheritance and succession.

Contracts - It deals with Employment, rent agreement, etc.

IV. ARTICLE 44 OF THE INDIAN CONSTITUTION

It refers to the Uniform Civil Code. The constitution has a provision for Uniform Civil Code in Article 44 as a Directive Principle of State Policy which states that **The State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India**. Article 44 of the Constitution calls upon the State to endeavor towards securing a uniform civil code throughout the territory of India. It falls within Part IV of the Constitution titled as Directive Principles of State Policy (DPSP)

It had been introduced in the Indian Constitution since the first oath of the constitution was taken. It refers to a single set of law regulating every citizen in India is intended to replace the personal laws based on the scriptures and traditions of each major religious community in the nation. Currently, India has different personal religious laws, for eg. Muslim personal law, Hindu personal law, etc. Personal law covers property, marriage and divorce, inheritance and succession.³ The purpose of the Uniform Civil Code is that all the religious communities in India should be governed equally. The Uniform Civil Code would be applicable to all religious and tribal communities. This essentially means that existing personal laws like the Hindu marriage act

¹ Article 44 of the Indian Constitution

² Article 14 in the Constitution of India 1949 - Indian Kanoon, https://indiankanoon.org/doc/367586/ (last visited Aug 16, 2023).

³ Uniform civil code, LEGAL SERVICE INDIA - LAW, LAWYERS AND LEGAL RESOURCES, <u>https://www.legalserviceindia.com/legal/article-773-uniform-civil-code.html</u> (last visited Aug 16, 2023).

(1955), the Hindu succession act (1956), and the Muslim personal law application act (1937) will technically become void.¹ DISCUSSION BY CONSTITUENT ASSEMBLY ON ARTICLE 44

When the UCC (Article 35, Draft Constitution of India 1948)² was being discussed by the constituent assembly, it triggered an environment of debate among the members. Most of the opposition of the draft came from Muslim members. They wanted their personal laws to be untouched by the constitution and no interference was to be tolerated. Few contentions that were raised were that this law interferes with the freedom of religion; that it would create disharmony among the Muslim community and last was that it was incorrect to meddle with the personal laws without consultation and approval of specific religious communities.

Meanwhile, it was also defended by the committee members on the basis that UCC is necessary in order to uphold the unity of the country, and promote the secular structure of the nation. Upliftment of women community will be much more difficult with the enforceability of personal laws; and it was also contended that only Muslim community will not be the one being affected but also the Hindu community will also be interfered.

India already had a common criminal code (IPC) but the new law related to family and property issues. It was later on pointed out that UCC will not be a mandate and will only be included under Directive Principles of State Policy (DPSP), where these principles serve as guiding principles for the governance of the country and no compulsory obligation will reside with the ruling government to implement the provisions immediately.

V. CONSTITUTIONAL CONTRADICTIONS

In Indian Constitution, the diversity of the country has been kept in mind while framing the articles. It can be seen by the fact that every religion is provided with their own power to manage their affairs, and other such rights. But article 44 of the Indian Constitution violates the fundamental rights that are guaranteed by the constitution, these rights include article 25 (It guarantees the freedom of conscience, the freedom to profess, practice, and propagate religion to all citizens), article 29 (protection of interests of minorities), etc. UCC also contradicts the special provisions given to states such as Nagaland, Mizoram, etc. Therefore, it becomes extremely important to interpret what and how the constitution framers wanted article 44 to be and same should be carried on with rather than doing anything for one's own political benefit.

VI. RELATED JUDGEMENTS

• Sarla Mudgal, & Others v/s Union of India, 1995

On one hand, Hindu marriages are governed by the Hindu Personal law which applies to Hindus, Jain, Sikhs, and Buddhists. On the other hand, Muslim marriages are governed under the archaic provisions of Shariat law, 1937. Hindu marriage laws allow monogamy whereas Muslim individuals are allowed to marry as many as four women at a time.³ The judgment in this landmark case raised the issue of the common civil code and its potential impact on the constitutional right to freedom of religion. This case remains a key reference in the current debate on a UCC. Under Article 44 of the Constitution of India, the state is required to provide a Uniform Civil Code (UCC) to all its citizens. The court emphasizes on the abuse of personal laws and reiterates that a well-functioning UCC can correct these inequalities and ensure gender equality.

In this case, Meena Mathur was married to Jitender Mathur in 1978. Jitender started to develop affection towards Sunita Narula, and in order to circumvent the provision of section 494 of the Indian Penal Code, 1860, he along with Sunita, changed his religion and got converted into Islam and adopted Muslim religion. Meena Mathur found that her husband Jitender Mathur married another woman named Sunita Narula alias Fathima. After marrying to Sunita, Jitender converted himself back to Hindu and escaped the liability of maintaining his second wife, Fathima, for which he is not liable in either of the personal laws. Here, Religious conversion became the way out for people to tie the knot with another woman without dissolving their prior marriage, only due to the presence of differentiating personal laws.

It was held that the husband (or any of the spouses) cannot do another marriage unless the first marriage has been legally dissolved. After solemnization of marriage under a particular religion, if the spouse converts him/herself to another religion merely with the objective of doing another marriage, then the earlier solemnized marriage will not get nullified because the rights of the other partner (who still practices the first religion) will get violated. It also gets against the principle of natural justice, as someone who wants to deceit his wife, he can easily do so without having to be prosecuted under article 494 of the Indian penal code, 1860. And if someone wants to do second marriage, then his/her first marriage should be dissolved as per the procedure established by law prior to that of marrying for another time.

Mohd Ahmad Khan v/s Shah Bano Begum⁴

It is one of the remarkable cases which have dealt with the problem of "Triple Talaq Verdict". It substantiated to be a milestone in the struggle of rights, freedom for the Muslim women. It is commonly known as the "Shah Bano Case".

¹ Explained: What is uniform civil code, which countries follow it and why it is controversial, Zee Business (2023), <u>https://www.zeebiz.com/trending/politics/news-uniform-civil-code-narendra-modi-bip-centre-minorities-pm-modi-opposition-controversy-stst-242211</u> (last visited Aug 16, 2023).

² Article 44: Uniform Civil Code for the citizens, Constitution of India (2023), <u>https://www.constitutionofindia.net/articles/article-44-uniform-civil-code-for-the-citizens/</u> (last visited Aug 16, 2023)

 ³ Case analysis: Sarla Mudgal V/S Union of India, Legal Service India - Law, Lawyers and Legal Resources, <u>https://www.legalserviceindia.com/legal/article-9651-case-analysis-sarla-mudgal-v-s-union-of-india.html</u> (last visited Aug 16, 2023).
⁴ Case analysis-Mohd Ahmad Khan V/s Shah Bano Begum, Legal Service India - Law, Lawyers and Legal Resources,

⁴ Case analysis-Mohd Ahmad Khan V/s Shah Bano Begum, Legal Service India - Law, Lawyers and Legal Resources, <u>https://www.legalserviceindia.com/legal/article-216-case-analysis-mohd-ahmad-khan-v-s-shah-bano-begum.html</u> (last visited Aug 18, 2023).

A LANDMARK ON THE INDIAN CONSTITUTION

In 1932, Shah Bano was married to Mohd. Ahmad Khan who was a renowned lawyer in Indore. After 14 years of their marriage, Mohd. Ahmad Khan married another woman who was younger than him. In 1975, when Shah Bano was of 62 years, she was thrown out of her house along with her 5 children (3 sons and 2 daughters) by her husband. Her husband promised to give Rs.200 as her monthly allowance, but when he abandoned her maintenance, she filed a law suit in 1978. Following this, Mohd. Ahmad Khan gave divorce to his wife Shah Bano by uttering "Triple Talaq" and it was irrevocable. After this, he took a safeguard that since Shah Bano is no more his legal wife, therefore he is no more entitled to provide her the maintenance or alimony.

The local court directed him to provide Rs.25 per month as her maintenance. After this, Shah Bano made an appeal in MP High Court for receiving Rs.179 per month as her maintenance. Shah Bano's precedent went to Supreme Court and filled a petition against the verdict of High Court of Madhya Pradesh. Primary argument of Ahmad Khan was that he cannot keep any kind of connection with Shah Bano as it is prohibited and is not allowed by Islamic laws/Islam and is "Haram". Therefore, he is not legally responsible to maintain her.

The Supreme Court held that Section 125[3] of Code of Criminal Procedure solicited to Muslims too, without any sought of discrimination. And court also observed that this rule of Muslim law was against humanity and was wrong because in this case the wife was not even able to maintain herself.

Justice Y. V. Chandrachud lamented in the Shah Bano case (1985) that Article 44 "has remained a dead letter" because "no evidence of any official activity for framing a common civil code for the country" had been produced. Here, personal religious law acted as a hindrance to provide justice to Shah Bano. He wanted a beginning to be made in that direction "if the Constitution is to have any meaning".¹

VII. COUNTRIES HAVING UCC

India has always believed in the ideology of Unity in Diversity. The diverse element exists in the homogeneous structure of our Indian society. Uniform Civil Code is followed in countries like US, Pakistan, Bangladesh, Malaysia, Turkey, Indonesia, Egypt and Ireland. All of these nations have a single set of personal rules that apply to all religions; no individual religion or group has its own set of laws.²

In case of France, Voltaire, a French author, famously lamented that a person travelling France would have to switch laws as frequently as he did horses.³ Napoleon campaigned for a single set of written laws that applied to everyone because he was determined to unite France into a powerful modern nation. He consulted and told various French legal scholars to compose a uniform law for France. And then, in 1804, the Civil Code of France came into existence. The Napoleonic Code, which established a unified legal system and promoted secularism, had a tremendous impact on the development of French society.

The Uniform Civil Code in Turkey was launched in 1926. The Islamic laws were replaced by Turkish Civil Code which was a modern civil code that provided secular family laws while providing gender parity. This law has been a success by providing Turkish women with more rights and freedom.

VIII. IMPACT OF UCC ON SOCIETY

One of the primary objectives of UCC is to establish equality and feeling of justice in matters related to personal laws. The UCC may prevent religious discrimination and promote equal rights and opportunities for all persons by providing a uniform set of laws applicable to all citizens, regardless of their religious affiliations.⁴

Many of the personal laws in India have a gender bias that is negatively framed towards women, and UCC aims to eliminate such discriminations and promote gender justice. In such a way, UCC can contribute to the women that will ensure their social, economic, and legal equality.

The existence of various different personal laws can lead to legal complexities and confusion. By implementing the UCC, numerous family laws would be streamlined and harmonized, providing legal certainty and improving legal procedures. Individuals and families can benefit from this simplicity by minimizing uncertainty and ensuring that laws are applied consistently across the country.

Personal laws of our country are deeply rooted in our traditional customs and rituals, which may not have as much importance in current era of modernization as they have had in the past. Since they do not align with our modern societal value and needs, the UCC provides an opportunity to replace those laws by incorporating more progressive principles that are more relatable in current society.

The UCC is in line with the Secular fabric that our country has adopted, it empathize equal treatment of law for every Indian, irrespective of their religion or religious beliefs. Its execution enhances the secular values enshrined in the Indian Constitution and fosters a feeling of national identity that transcends religious differences.

¹ Priya Kumari Shukla, The 360° UPSC debate: Is uniform civil code "unnecessary and undesirable" or "justice for all communities" The Indian Express (2023), https://indianexpress.com/article/upsc-current-affairs/the-360-upsc-debate-is-uniform-civil-code-unnecessary-and-undesirable-or-justice-for-all-communities-8690947/ (last visited Aug 19, 2023).

² Explained: What is uniform civil code, which countries follow it and why it is controversial, Zee Business (2023), https://www.zeebiz.com/trending/politics/news-uniform-civil-code-narendra-modi-bjp-centre-minorities-pm-modi-opposition-controversy-stst-242211 (last visited Aug 16, 2023).

³ Bria 15 2 a the code napoleon, Constitutional Rights Foundation, <u>https://www.crf-usa.org/bill-of-rights-in-action/bria-15-2-a-the-code-napoleon</u> (last visited Aug 20, 2023).

⁴ Uniform civil code: Triple talaq debate, polygamy issue, etc.., CivilsDaily (2019), <u>https://www.civilsdaily.com/story/uniform-civil-code/</u> (last visited Aug 18, 2023).

The implementation of a UCC may be met with opposition from religious communities and traditionalists, who may see it as a violation of their religious beliefs and practices. It can be difficult to manage this opposition and ensure a smooth transition.

One of the most important aspects of a UCC is how it is interpreted and enforced. The judicial system plays an important role in ensuring that the UCC is applied in accordance with the principles of equal treatment and secularism. And is being interpreted as the constitution makers wanted it to be. In order to implement a UCC, it may be necessary to work together with the public to inform them about the changes to the law and how they will affect them. This will help to reduce confusion and opposition.

IX. DEMERITS OF PERSONAL LAWS

One of the main drawbacks of religious laws is that they exhibit inequalities among both the genders. Women are always on the negative side whether it is a matter of marriage, divorce, property succession, etc.

Personal laws are related to any one specific religion and it is influenced by their religious rituals and traditions. Although, these laws help in protecting the interests of its followers but this might also result in spreading biases about any particular religion. And eventually this might lead to differential treatment of people belonging to other religion or following other religious belief.

Many provisions of the personal laws still contain outdated practices and customs that do not align with the current livelihood of the society. These provisions can give rise to inequality and might act as a hindrance in the process of becoming more inclusive and equitable society.

Due to the lack of a uniform civil code, distinct personal laws are applied to people depending on their religious affiliation. This lack of uniformity might lead to distinctive treatment and unequal rights, undermining the principles of equality and justice.

X. MYTHS ABOUT UCC¹

One of the biggest misconceptions is that UCC will only wash away the Muslim personal law. This perception has created a misbelief that the UCC is intended to undermine or replace Islamic practices. Although, by thorough reading we can understand that main objective of UCC is to establish uniformity and to do away all the personal religious laws, not only Muslim personal law.

Another myth is that Muslim personal law is outdated and prejudiced towards women. This misconception ignores the reality that true Islamic law recognizes the value of the family and gives grounds for divorce based on irretrievable collapse, while also acknowledging the sanctity of family life.

Some people believe the UCC disregards local laws that are covered by legislative rules or constitutional protections. This impression results from a disregard for last clause of Article 44, which states that the UCC should be applicable "throughout the territory of India." When developing a consistent code, it is crucial to recognize and take into account the variety of local and customary rules.

There is also a myth that no steps have been taken towards establishing a uniform civil code. However, the article recognizes the adoption of a number of legislation with broad application, changes to personal laws, and continuous initiatives to gradually harmonize family laws. These developments show development in the direction of a UCC.

XI. WHY NOT UCC BE IMPLEMENTED

In Indian society, we can find people of both the mindset, some who supports the implementation of UCC and some who are against it and do not want it to take place. We would look into some of the key pointers that people put forward as the basis of their argument for not supporting UCC.

As we know that UCC is mentioned in the Directive Principles of State Policy (DPSP), which is a set of ideals meant to be kept in mind by the state when it formulates policies and enacts laws.² But likewise, there are other DPSPs mentioned on which state is silent or does not takes any action to implement the, for eg. Restriction of smoking and drinking.

Constitutional scholars claim that one of the main arguments against the use of the Uniform Civil Code is that it is seen to violate the constitutional freedom to practice one's religion freely. This privilege allows religious groups to uphold their own set of personal laws. Article 25, which gives each religious group the right to independently manage its internal affairs while Article 29 protects their right to maintain their particular cultural legacy, serves as an example of this. In addition, it is argued that the concept of "one nation, one law" cannot be applied to the private laws of communities because codified civil and criminal laws, such as the Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC), do not follow this principle. It is clear that anticipatory bail laws vary from state to state. In all groups, it is said by experts, the Uniform Civil Code may possibly enforce a code that is inspired by Hindu practices. Clauses relating to family disputes over property inheritance might be included in a Uniform Civil Code example. These clauses may be consistent with Hindu customs and would place legal responsibilities on other cultures to follow them.

¹ Uniform civil code: Triple talaq debate, polygamy issue, etc.., CivilsDaily (2019), <u>https://www.civilsdaily.com/story/uniform-civil-code/</u> (last visited Aug 19, 2023).

² Admin, DIRECTIVE PRINCIPLE OF STATE POLICY (DPSP) (ARTICLE 36-51) - PART-IV OF INDIAN CONSTITUTION - UPSC INDIAN POLITY BYJUS (2023), <u>https://byjus.com/free-ias-prep/directive-principles-of-state-</u>

policy/#:~:text=One%20being%20justiciable%20and%20the,formulates%20policies%20and%20enacts%20laws. (last visited Aug 19, 2023).

According to 21st Law Commission, Uniform Civil Code is presently deemed unnecessary and not recommended. It further believes that personal laws serve as a strong indication of a vibrant democratic system rather than indicating discriminatory practices. It also explained that implementation of a uniform law throughout any country is harmful for marginalized and vulnerable groups. It suggested that instead of implementing an uniform law, the government should ensure gender parity by focusing on reforming personal laws in such a way that no gender bias or discrimination is present, and not by focusing solely in the process of implementation of UCC. The Law Commission expressed its support for achieving "equality within communities" and not "equality between communities".

The personal law is included in the Concurrent List, this shows that the intention was to maintain legal diversity, if creating legal uniformity had been the main priority, personal laws would have been added to the Union List, giving Parliament sole authority to create legislation addressing these issues.

XII. BJP ANGLE ON UCC

BJP, the ruling party in India, has been in the support of the implementation of UCC. It can be apprehended that it is mainly because BJP in its manifesto of 2019 General Election (Lok Sabha Elections) clearly mentioned to bring UCC to the country. It will be reasonable to assume that the core voters group of the party, the middle class Hindu families, was demanding the UCC and therefore BJP included it as one of its objectives¹. After that, since the party came to the power, for the consecutive time, BJP started to make plans in order to implement UCC. The Prime Minister is trying to make it look as easy as possible to implement the UCC. But even after staying in the power, no significant step has been taken on a pan-India level which solidifies the party's move on the issue. Whereas, on state-level, in Uttarakhand, BJP has initiated the process by formation of a five-member committee which is headed by former Supreme Court judge, Justice (retd.) Ranjana Prakash Desai. This committee is expected to make draft report and after that, steps will be taken by the BJP-ruled state of Uttarakhand to implement UCC as soon as possible. The reason why BJP is reluctant to take harsh steps for directly implementing the UCC is that it is conscious of not offending the minorities. The Prime Minister's strong support for a Uniform Civil Code (UCC) has the potential to widen the gap between the various castes and classes in India. A Uniform Civil Code (UC) will affect not only Muslims but also other minority religious communities as well. This is because of the differences in cultural traditions between the states, the castes and the social strata within the Hindu society. For example, the customs of tribal communities are completely different from the customs of a typical urban Hindu family². In a nutshell, BJP will try its best in order to get UCC implemented, as they believe it will bring uniformity to the country, there might also be some of their political motives, as may be speculated by few citizens, but after all they are just speculations and no logical reasoning and backing is generally provided so we cannot say anything solid about the same.

XIII. EQUILIBRIUM BETWEEN 25-28 AND 44

People often argue that implementing UCC will make a way for the erosion of rights of minority and cultural pluralism. Therefore, there needs to be a balance between the articles 25-28 of the Indian Constitution and article 44 as the most important thing is to make sure that it's not just a political stunt, but a well-thought-out strategy for achieving a harmonious government and society. The implementation of a Uniform Civil Code (UCC) should not be based on emotive arguments between majority and minority communities, nor be a political stunt. Rather, it should be conducted through intellectual effort and thorough consideration of its impact on the multifaceted nature of the nation.³ Acknowledging the need for a Uniform Civil Code, it is essential to ensure that it is implemented in a manner that is compatible with the social climate. However, it is also essential to avoid using the UCC as a means of imposing majority beliefs or attacking minority practices. To ensure that the UCC is implemented in a balanced manner, it is important to ensure that it respects diversity and upholds minority rights. The current debate around the UCC is often motivated by political considerations. Rather than resorting to mere rhetoric, it is essential for policy makers to focus on the drafting of a law that takes into account the various religious liberties and practices while adhering to constitutional objectives. Establishing this balance while implementing the Uniform Civil Code is a complex task that necessitates intellectual diligence, impartial deliberation and a comprehensive comprehension of India's diversity and cultural identity. By doing so, the UCC can contribute to the promotion of gender equality, social harmony and the unity of India.

XIV. CONCLUSION

Inclusive and Consultative Approach: The process of formulation of UCC should consist of an inclusive and consultative approach. Engaging with a wide range of stakeholders is essential, including legal professionals, social reformers, religious leaders, community representatives, and the general public. It will make sure that various points of views are taken in consideration and the issues of different communities are being addressed.

Creating a Comprehensive Code: To create a comprehensive UCC, a representative team of renowned social reformers and legal experts should work together. This draught should uphold the ideals of justice, equality, and contemporary cultural norms without engaging in religious prejudice or gender inequity.

¹ Explained: What is so contentious about India's uniform civil code that aims to annul personal laws?, WION, <u>https://www.wionews.com/india-news/explained-what-is-the-contentious-issue-of-indias-uniform-civil-code-610086</u> (last visited Aug 16, 2023).

² SK Sadar Nayeem, BJP's Uniform Civil Code Push: A political tool to polarise people for 2024 election The Indian Express (2023), <u>https://indianexpress.com/article/opinion/columns/bjps-uniform-civil-code-push-a-political-tool-polarise-people-for-2024-election-8852902/</u> (last visited Aug 20, 2023).

³ Equilibrium between articles 25-28 and 44: The imperative for a uniform civil code, The Wire, <u>https://thewire.in/law/equilibrium-between-religious-freedom-and-ucc-dpsp</u> (last visited Aug 20, 2023).

Addressing Misconceptions and Concerns: There ought to be an effort made to dispel the myths and worries surrounding the UCC. It is possible to clear up misconceptions and improve knowledge of the goals and advantages of a standard civil code through clear communication and public conversation. Apprehensions can also be reduced by respectfully interacting with religious leaders and communities.

Gradual Implementation: The UCC should be implemented gradually due to the intricacy of personal laws and the diversity of Indian society. Phased changes should be implemented to ensure a smooth transition and the establishment of the required legislative framework and public awareness. This method recognizes the necessity of giving considerable thought to and adjusting to certain social and cultural situations.

Legislative Process: The legislature should be given the opportunity to review, comment on, and amend the UCC draught. Legislators' participation in the legislative process enables democratic oversight and permits revisions based on the suggestions and inputs of many stakeholders.

Education and Sensitization: To inform the public about the UCC, its goals, and its potential advantages, public awareness campaigns and sensitization programs should be run. This can facilitate a smooth implementation process by fostering consensus and gaining support from the general public.

JudicialReview: When the UCC is implemented, there can be legal issues. The judiciary has a critical role in interpreting and enforcing the UCC's constitutionality. A fair balance between individual freedom and community interests is maintained by judicial review, which also guarantees that the code is consistent with the fundamental rights enshrined in the Indian Constitution.

Given the complexity of the constitutional requirement for a unified civil code, it is essential to be cautious and explicit when describing its goals, purposes, and methods of application. The advancements gained thus far and the shortcomings in the current family law system point to the necessity of incremental reforms. At last I would like to conclude this document by saying that, whatever is beneficial for our society and social integrity, only such practices should be followed and anything acting as a threat to our society should be eliminated at the earliest. Proper information about UCC should be spread and miscommunication caused by some political parties, only for their political objective, is detrimental for our social fabric and should be avoided. And at last, we the people are required to think logically and support what we feel is correct for our nation.