

**UNIFORM CIVIL CODE IN INDIA: AN ANALYSIS OF THE
CONFLICT BETWEEN COLLECTIVE INTEREST OF THE SOCIETY
AND THE RIGHT OF INDIVIDUAL'S PERSONAL IDENTITY**

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ABSTRACT

The Uniform Civil Code's (UCC) potential implementation within the intricate societal fabric of India necessitates a deep dive into its advantages, challenges, sentiments, and the legal foundations it may disturb. The country needs to check and analyse the pragmatism and challenges involved in applying it to the entire nation. The problem is always regarding the clash of cultural and religious diversity that need to be preserved on one hand, versus the Constitutional morality that protects and guarantees an equity-based society on the other.

The Constituent Assembly aspired not just to merely bring about the codification of laws, but to enact a law as a symbol of a progressive and egalitarian society. The framers of the Constitution could not come to a unanimous decision on whether UCC was enforceable in a country like India. Hence, it undoubtedly became an easier task to enlist UCC as an unenforceable Directive Principle.

The Courts have time and again been advocating for the implementation of UCC as a step towards securing a cohesive legal framework. Intricate consultations and recommendations have been tabled by the Law Commission, which reflect the complexity of formulating a UCC amidst a mosaic of personal laws. The government's advocacy for, or, resistance to the UCC shapes the very fabric of the nation's legal unification. The introduction of a UCC carries the potential to eliminate gender-biased provisions inherent in personal laws. Cultural and traditional practices, deeply embedded within religious customs may clash with the concept of legal uniformity proposed by the UCC. This resistance could manifest in both legal disputes and civil unrest, further complicating the already strenuous path to implementing a UCC in India. But it is imminent for the laws of the land to play a balancing role in harmonising these conflicts and protecting the interest of the entire nation.

Keywords: Uniform Civil Code, Personal laws, Article 44, Uttarakhand Uniform Civil Code, 2024, Constitutional morality, Personal Identity v. Collective Interest

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INTRODUCTION

The Uniform Civil Code (UCC) represents an aspiration embedded within the constitutional framework of India. As it is inscribed as a principle that needs to be achieved by the State soon, and this was way back in the 1950's.¹ In order to establish a single, cohesive set of secular laws that govern all citizens, irrespective of their religion, caste or orientation in matters of marriage, divorce, guardianship, and inheritance is nothing short of a humongous task for a country as diverse and vast as India.

It is a known fact that the UCC's potential implementation within the intricate societal fabric of India necessitates a deep dive into its advantages, challenges, sentiments, and the legal foundations it may disturb.² The essence of the problem lies in navigating the tightrope between the unification of civil laws and the accommodation of India's diverse religious customs and personal laws. This will pose as a balance which is fundamental to the nation's secular ethos, but at the same time affecting the religious sentiments and grounds of faith of many citizens. Hence, the study seeks to unravel the complex interplay between the envisioned UCC and the entrenched personal laws that currently operate within India's pluralistic society.³ India being a signatory of international instruments such as the International Convention on the Elimination of all forms of Discrimination Against Women of 1979, has an outbound obligation to ensure gender inequity is not practised under the pretext of personal law norms.⁴

a. Objective of the Study

The implementation of the Uttarakhand Uniform Civil Code 2024 has led to an unending debate regarding the need and acceptability of a Civil Code that is understood to overthrow the personal laws. The study aims to weigh the advantages and disadvantages of a uniform civil code under several perspectives in order to analyse the pragmatism and challenges involved in applying it to the entire nation.

b. Review of Literature

Constituent Assembly Debates, 1948. The records of the debates relating to the implementation of Uniform Civil Code in India post-independence throws light upon the mindset of the Constitution's

¹ Constituent assembly debates on Uniform Civil Code.

² 'Uniform Civil Code: History, implications, and minority perspectives', Published in Frontline on July 18, 2023

³ Dr Vijender kumar, Naresh Kumar Vats, 'Uniform Civil Code: An Attempt to Explore its Affordability' Journal of Law and Public Policy, Volume 4 (2017)

⁴ Jyothi Rattan, 'Uniform Civil Code in India: A Binding obligation under International and Domestic Law', Journal of Indian Law Institute, Volume 46, No. 4 (2004) pp.577-587

draftsmen, who were torn between establishing a strong constitutional framework and safeguarding the civil and religious sentiments of the people who have contributed to the formation of Union of India.

Law Commission of India report of 2018. The report makes a detailed analysis on the past, current and future status of Uniform Civil Code in India. Although the report suggests a status quo for the personal laws, nonetheless, the report has perused on the potentials of implementing a watertight Uniform Civil Code.

The book titled “*Constitutional Law of India*” by *H.M. Seervai*. The author extensively covers the connection between the guaranteed Fundamental rights and the unjusticiable Directive Principles of State Policy, stressing the need to bridge the rights and policies to build a better India.

The book titled “*Constitutional Law: Civil Liberties and Individual Right*” by *William Cohen & David J Danelski’s*. The authors vouch for the importance of individual rights and liberty, that is viewed to be more important than State Policies that aim at policing the society.

The Article titled ‘*Uniform Civil Code: An Attempt to Explore its Affordability*’ from the *Journal of Law and Public Policy*, by *Dr Vijender kumar and Naresh Kumar Vats*. The article weighs the pros and cons of implementing the Uniform civil code in India.

The article titled ‘*Uniform Civil Code: A detailed Analysis*’ by *Tanya Sharma*, from the *Journal Pen Acclaims*. This article delves into the latest developments in the realm of personal laws that has been largely broughforth by the well-established judgements proclaimed by the Apex Court.

c. Methodology

The study has adopted the doctrinal method of research by relying upon principal authorities in the form of Legislative enactments, constitutional assembly debates, law commission reports and Parliamentary debates. Secondary sources in the form of text books, articles and newspaper reports have also been relied upon to understand the overall opinion concerning Uniform Civil Code.

d. Research Problem

The study analyses the various perspectives that either supports or discourages the application of Uniform Civil Code in a nation, that is taking pride in its basic features of Secularism and tolerance of religious practises. The Constitutional morality on the other hand urges the

Judiciary and Legislative bodies to make laws that focus towards an egalitarian society that is bound by the rule of Law

HISTORICAL PERSPECTIVES OF THE PERSONAL LAWS AND THE VISION FOR A UNIFORM CIVIL CODE

The intricate fabric of India's legal system has traditionally woven distinct personal laws for various communities, specifically dealing with marriage, divorce, guardianship, and succession. These personal laws reflect the community-specific rituals and customs. The focus then was particularly on how difficult it was for the British to get the least done – to encapsulate in legislations the personal laws of the Hindus via the Hindu Code Bill.⁵ This has brought significant reform but remained subject to revision in light of conservative opposition.

At the cradle of India's stand for legal plurality was the Constituent Assembly. The members of that Constituent assembly were the architects of independent India, who while drafting the Constitution, were cognizant of the diverse tapestry of Indian society and thus proposed Article 44⁶ to be enshrined as a non-justiciable vision for India.⁷ This gesture encompasses the aspiration for a Uniform Civil Code – a progressive concept aimed at unification under a broad legal umbrella. Their aspiration was not just to merely bring about the codification of laws, but to enact a law as a symbol of a progressive and egalitarian society.

The framers of the Constitution could not come to a unanimous decision on whether UCC was enforceable in a country like India, where people celebrate cultural and religious diversity as their pride. Especially in matters of personal laws such as Marriage, divorce and inheritance, people on one side stood for protection of religious freedoms and practises guaranteed under the Constitution, while the others were the torchbearers for social progress by unifying the legal system eliminating any forms of discrimination based on personal laws.

Constituent Assembly debates on UCC

The records of the constituent assembly debates shows that Dr. R Ambedkar, Sardar Vallabhai Patel, Dr Rajendra Prasad, Alladi Krishnaswami Iyer and Pandit Jawahar Lal Nehru and almost the entire members of the then Congress party vociferously supported the idea of enacting the UCC. Whereas, the members representing minority interests like Mohammad Ismail,

⁵ Initially proposed and drafted in 1921, ultimately passed in the year 1948.

⁶ Under Chapter IV – Directive Principles of State Policy of the Indian Constitution – Uniform Civil Code

⁷ Tanya Sharma, 'Uniform Civil Code: A detailed Analysis' Pen Acclaims, Volume 12, September 2020

Naziruddin Ahmed, Mehboob Ali Baig, Ahmed Ibrahim, K T Shah and Begum Aizaz Rasul, among others raised concerns about the potential ill impact of UCC that is likely to affect the muslim personal laws.⁸ The above members brought up a resolution to oppose the enactment of UCC.

The constituent assembly had overall conducted a debate that pitted modernisation and egalitarianism against religious autonomy and pluralistic diversity. At the time when independence from the imperial clutches seemed very important than any collective rights, it undoubtedly became an easier task to enlist UCC as an unenforceable Directive Principle. But, at the same time, it highlights the intention of the draftsmen to idealise and aim to achieve to realise the enforcement of UCC in the near future.

Later, when Dr. Ambedkar became the Law Minister of the independent India in 1950, he proposed for the uniformization of the Hindu personal laws in the form of the Hindu Code Bill – thereby eliminating the concepts of “Joint family Property”, Doctrine of Survivorship, right by birth and elimination of caste as a factor in inheritance and adoption. This Bill could not be passed because of the vehement opposition, but Dr. Ambedkar did not stop, and he motioned the bill once again in 1951. Even then, the Bill was rejected to be passed as an enactment, which resulted in the law minister’s resignation. Eventually, the bill was modified and passed as four different legislations in the year 1955-1956. The modified version could not house all of Dr. Ambedkar’s vision for a uniform law, yet was progressive and paved way as a pioneer in the codification of personal laws. Whereas, the Uniform Civil Code that is proposed in the modern times seeks to unify the personal laws of all religions and to bring it under a single code.

The fact is that the battle of the social reformists who wanted the UCC against the formalists and minority protagonists who did not want to disturb religious and customary practises, had overturned into a battle of the leftists versus the right wing, with astonishingly the right wing supporting for the implementation of the UCC. This change of mindset and agenda has been attributed to the reforms that brought-forth concentrated amendments of the Hindu personal laws alone, thereby letting the personal laws of other religions to remain regressive and against the equality principles.

⁸ Constituent Assembly Debates – 23rd November, 1948

LEGAL PERSPECTIVE ON ENFORCING THE UNIFORM CIVIL CODE

The Judiciary's voice, primarily that of the Supreme Court, has been pivotal in stirring the discourse on the Uniform Civil Code. In the landmark case of *Keshavanandha Bharthi V State of Kerala*⁹, the honourable Justice SM Sikri had criticized the Government for not taking any effective steps in realising the goal of the Constitution's draftsmen. It was also pointed out that the Uniform Civil Code is a necessary tool in the interest of the integrity of the nation.

The Courts have time and again been advocating for the implementation of UCC as a step towards securing a cohesive legal framework. In the case of *Sarla Mudgal V. Union of India*¹⁰, the court had vehemently opined that no particular community can oppose the introduction of UCC, that is meant for all the citizens in India. Justice Sahai had also given suggestive measures that can be taken by the Government of India, for the effective implementation of the Uniform Civil Code. But, later on, in the case of *Lily Thomas v. Union of India*¹¹, had settled on the decision that no Courts can compel the Government to adopt or enforce the un-enforceable Directive Principles of State Policy. This was because, the Part IV of the Indian Constitution does not create any justiciable rights upon the citizens of India.

In 2015, in the case of *ABC V. State (NCT of Delhi)*¹², once again the supreme court had pointed out the disparity shown by the personal laws against the rights of a woman. An unwed woman cannot be a natural guardian to her own child under the Christian Personal laws, while it is not the case with a Hindu unwed mother. This shows the disadvantage that women face in comparison to their counterparts belonging to a different religion.

An in-depth examination reveals intricate consultations and recommendations tabled by the Law Commission, which reflect the complexity of formulating a UCC amidst a mosaic of personal laws.¹³ Rooted in the constitutional doctrine, the UCC finds its mandate in Article 44 of the Indian Constitution, which unequivocally calls upon the State to strive for a uniform legal code for its citizens.¹⁴ Nevertheless, a nuanced debate persists on the constitutional validity and the practicality of the UCC against the backdrop of India's pulsating diversity. Proponents argue it advances the principle of equality, while opponents claim it encroaches upon the religious autonomy protected under the Constitution, laying bare the deep-seated

⁹ (1973) 4 SCC 225

¹⁰ AIR 1995 SC 1531

¹¹ AIR 2000 SC 1650

¹² 2015 SCC Online SC 609

¹³ Law Commission of India report, 2018

¹⁴ Constituent Assembly Debates, 1948

contentions that continually challenge the UCC's enforcement. The latest being, the Law Commission's UCC panel has solicited public views and opinions regarding the enforcement of UCC in the place of the diverse personal laws.¹⁵

Diverse societal context and the Uniform Civil Code

Implementing a Uniform Civil Code (UCC) in a country marked by profound cultural and religious plurality presents unique challenges. Each religious community in India is currently governed by its distinct set of personal laws, deeply rooted in their cultural and religious ethos. These laws impact the very fabric of these communities, dictating personal matters such as marriage, divorce, succession, and guardianship. The enforcement of a UCC, therefore, introduces a potential collision with the existing personal laws, leading to societal repercussions that could range from resistance to a fundamental reconfiguration of communal identities.¹⁶ The societal implications of enforcing the UCC cannot be overstated, as they might not only reshape legal contours but also social relationships and the manner in which communities interact with each other and the state.

POLITICAL DIMENSIONS OF THE UNIFORM CIVIL CODE

The political landscape surrounding the implementation of the Uniform Civil Code (UCC) diverges significantly among India's political factions—some uphold its enforcement as a step towards national integration, while others fear it could undermine cultural plurality. Recently, state-level measures, such as Gujarat's formation of a committee to assess UCC applicability, foreground the regional quest to deliberate on its enforcement within diverse societal fabrics.¹⁷ The central government's role oscillates between facilitation and stasis; although it has the authority to legislate, the UCC's realization remains mired in political intricacies. Herein lies the paradox—the government's advocacy for or resistance to the UCC shapes the very fabric of the nation's legal unification. This implies a continuous negotiation between the ideals of uniformity and the tenets of federal autonomy.

¹⁵ June, 2023

¹⁶ Sukhvinder Singh Dhari Afaq, 'Understanding Uniform Civil Code: Its needs and Challenges' Russian Law Journal, Volume 11 (1S)(2023)

¹⁷ Munjal, Diksha. "What is the Uniform Civil Code and how will it play out in a country as diverse as India?" The Hindu, 6 November 2022.

Enactment of UCC in Uttarakhand

In the recent times, the state of Uttarakhand pioneered in implementing the Uniform Civil Code within its territory. The implementation began with the setting up of a high-level committee headed by retired Supreme Court Judge, Justice, Rajana P Desai¹⁸ along with 4 other members.¹⁹ The following are propagated as the key features of the state-wide UCC, that are notable for aiming at equality and uniformity across the personal laws:

- Mandatory registration of Live-in relationships, aimed at recognising and protecting the rights of live-in partners akin to marriage.
- Prohibition of any forms of Polygamy or Bigamy, thereby promoting fidelity in marriage and uniformity in the position of a married women's rights and claims.
- Mandatory registration of marriages under a common registry in order to protect the legal standing of the marriages and the rights of the spouses.
- Abolition of the label of "illegitimate children", hence extending equal rights to all the children whether born in or out of a wedlock, in the matters of inheritance and maintenance.
- Uniform grounds for Divorce, for both men and women, allowing them to seek separation and maintenance on the premises of similar rights, ensuring fairness and equity.
- Equality in the rights of men and women in matters of inheritance by eliminating the Coparcenary system.
- Protecting the rights of the Tribals by exempting them from the application of the UCC, in order to safeguard their traditional and cultural rights.

On the flip side, the Uttarakhand UCC has failed to bring about the complete gender equity by not recognising the issues related to the personal matters of the LGBTQIA community, with regard to their rights to marriage, inheritance and adoption. However the Bill has been passed and marks a progressive shift towards the forming of bias-free society starting from universalising personal law.²⁰

¹⁸ Committee formed in May, 2022

¹⁹ The committee submitted its report on February 2, 2024

²⁰ The UCC of Uttarakhand was enacted on March, 2024

GENDER PERSPECTIVES AND THE UNIFORM CIVIL CODE

The ambit of the Uniform Civil Code (UCC) extends significantly to the realm of gender equality, a pivotal concern often mired by the implications of personal laws. Feminist narratives assert that these disjointed personal laws frequently perpetuate gender disparities, necessitating a critical discourse on the potential of the UCC to proffer a more equitable legal framework. In the legal context, the enforcement of a singular code is poised to alter the status quo markedly, advancing, or undermining women's rights. Socially, the introduction of a UCC carries the potential to eliminate gender-biased provisions inherent in personal laws, thus heralding substantial repercussions for the empowerment of women.²¹ The complex interplay of these legal and social dimensions suggests that the tapestry of women's rights may be rewoven under the aegis of a uniform code, albeit with careful consideration of the nuanced and divergent impacts on women across different communities.

The issue of gender disparity is that most of the religions and its practises visualises and portrays women as the weaker sex who needs protection in the form of institutions such as marriage and joint family system. A women's existence is not approved by her own identity, but by the identity of the man/men that she is related to. This thumb rule is applied to all personal law matters such as – Marriage, Divorce, Guardianship, Property rights, Inheritance and for the purpose of identifying ancestry.

Changing times require change in laws

In an era where right to privacy is held as a fundamental right under the Constitutional provisions²², the legislations on the other side of the horizon are keen in telling the women of the nation that they are subordinate beings, who do not have an independent identity of themselves when it comes to personal matters relating to family, marriage, inheritance, etc.

The Supreme Court held that there cannot be inequality of rights against women in the name of personal law, and that implementation of UCC will be the only solution to remove all kinds of gender bias across various religions in the Sarla Mudgal case.²³ Also, the fact that the maintenance rights of a Muslim divorcee women even after the period of Iddat, that was upheld by the Apex Court²⁴ was overturned by way of a legislative action²⁵ that negated the landmark

²¹ Debjani Chakravarty, 'Uniform Civil Code', "Sociology of Genders", <https://ebooks.inflibnet.ac.in/socp10/chapter/uniform-civil-code/>

²² Justice K S Puttaswamy V. Union of India, (2017) 10 SCC 1

²³ AIR 1995 SC 1531

²⁴ 1985 SCR (3) 844

²⁵ The Muslim Women (Protection Of Rights On Divorce Act), 1986

ruling. Nonetheless, socially shunned practises like child marriages, one-sided divorces, non-recognition of inheritance rights, bias in custodial rights, etc., are all against the interests of women in most of the religious personal laws.

RELIGIOUS AND CULTURAL IMPLICATIONS

A pivotal challenge in enforcing the Uniform Civil Code (UCC) in India lies in addressing the potential impingement upon religious freedoms and minority rights, a critical facet that fuels opposition amongst diverse communities. Cultural and traditional practices, deeply embedded within religious customs may clash with the concept of legal uniformity proposed by the UCC. The intricate interplay between religion and culture is integral to the social fabric of India, thereby leading to profound deliberation over whether the legal system should seek to encompass or override such distinctions. The quest for a singular legal framework risk stirring of cultural upheaval. Traditionalists potentially view the UCC as a threat to the preservation of their ceremonial heritage, which poses a formidable obstacle to its acceptance and implementation.

The supporters of religion based personal laws believe that in India the minority communities' interests is likely to be affected by the implementation of a nation-wide UCC, as it touches upon their religious sentiment and traditional practises. Yet, when a battle of sorts arises between the upkeep of Constitutional morality such as equality, liberty and equity versus a particular community's formalistic beliefs, times have proven that the former should always be given predominance and priority over the latter, thus ensuring a egalitarian and progressive society.

CHALLENGES IN IMPLEMENTING THE UNIFORM CIVIL CODE

The apparent practical difficulties in enforcing a uniform set of laws across India's myriad cultures and religions cannot be understated. Laying down a homogeneous legal framework in a country that celebrates a mosaic of distinct customs would impose complex administrative and logistical challenges, necessitating a high level of coordination across various levels of governance. One cannot overlook the potential resistance from religious and cultural groups, who may perceive the imposition of a Uniform Civil Code (UCC) as an encroachment on their constitutionally guaranteed freedoms to practice and preserve their cultural identity.²⁶ This

²⁶ Zeenat Shaukat Ali, 'The Implementation of a Uniform Civil Code', India Foundation – Articles and Commentaries.

resistance could manifest in both legal disputes and civil unrest, further complicating the already strenuous path to implementing a UCC in India.

a. Comparative analysis of legal uniformity internationally

In assessing the prospects for India's implementation of a Uniform Civil Code (UCC), one must regard international precedents to gauge potential outcomes. Several countries, each with their own cultural matrix, have ventured to unify personal laws, and their experiences offer valuable lessons. Legal uniformity, as enforced in various jurisdictions, aims to harmonize conflicting statutes into a coherent legal framework, often leading to societal consolidation. However, the challenge that lies in aligning varied customs and convictions into a singular code cannot be overstated, especially within the rich tapestry of India's diversity. Insights from these global benchmarks serve not as blueprints but as cautionary tales, providing foresight on the implications of moulding many into one, which must be considered in India's own journey towards legal homogenization.

b. Public sentiment on Uniform Civil Code

The enforcement of a Uniform Civil Code (UCC) is a subject on which Indian public opinion is starkly divided, reflecting the country's inherent diversity and complexity. Survey data indicates a palpable ambivalence towards the UCC, with notable acceptance in certain segments overshadowed by staunch resistance in others, primarily from communities apprehensive about losing their religious autonomy. Understanding this public sentiment is pivotal for policymakers, as it exerts a profound impact on the feasibility of implementing the UCC.²⁷ The dichotomy in public perception embodies the challenge of reconciling the quest for uniform legal principles with the preservation of cultural pluralism that characterizes the Indian social fabric.

c. The Uniform Civil Code debate

The judiciary has been instrumental in shaping the discourse on the Uniform Civil Code (UCC) through landmark judgments that nudged the legislative to reconsider the fragmented legal landscape of personal laws. High-profile cases, such as the Shah Bano case of 1985, became catalysts for the debate, as the Supreme Court, navigating between personal laws and codified criminal procedure, underscored the need for a UCC. Subsequent judgments have sustained

²⁷ Munjal, Diksha. "What is the Uniform Civil Code and how will it play out in a country as diverse as India?" *The Hindu*, 6 November 2022.

this momentum; the apex court's directives in the more recent Paulo Coutinho case²⁸ reiterated the call for a uniform code. These judicial decisions have significantly impacted the UCC debate, with the Supreme Court provocatively flagging the absence of a UCC as a lacuna in the legal system that must be addressed to ensure parity and unification of civil rights across different religious communities.

CONCLUSION

In the light of the above-mentioned analysis of the different perspectives, it may well be concluded that there is still a long way in realizing a satisfactory and amicable UCC into India's multi-religious, diverse diaspora. However, one must not forget that universalisation of laws for all as one, and progression are the keys to any nation's development and transformation.

Future of the Uniform Civil Code

Envisaging the enforcement of the Uniform Civil Code unfolds a panorama of potential benefits, apex among them being the promise of legal uniformity and the elimination of discrepant personal laws. Not only could this promulgate egalitarianism, theoretically bridging societal fissures, but it might also engender long-term tranquility within India's multifaceted legal fabric. Nonetheless, a calibrated approach is advocated, one that judiciously respects the nation's diverse ethos while steering towards a homogenized legal system. Recommendations point towards gradual implementation, replete with substantive discourse among various stakeholders, to ensure the UCC is not a stentorian imposition but a harmonious meld of uniformity and diversity.

Pragmatic approach to Uniform Civil Code in India

In conclusion, the complexities involved with enforcing a Uniform Civil Code (UCC) in India are deeply rooted in the nation's diverse cultural tapestry, which has led to the existence of multiple personal laws. These laws intricately govern aspects such as marriage, divorce, guardianship, and succession, reflecting the pluralistic ethos that defines Indian society. The call for a UCC, while constitutionally envisaged to ensure equal justice, encounters formidable challenges in reconciling with this diversity. The examination undertaken herein underlines that while uniformity in civil codes could promote national integration, the pragmatic adoption must be achieved without undermining the social fabrics that characterize India. Ultimately,

²⁸ Jose Paulo Coutinho V. Maria Luiza Valentina Pereira, MANU SC 1257 (2019)

the pursuit of a UCC must consider the legitimacy of individuals' cultural identities, thereby proposing a balanced approach that harmonizes equal rights with the nation's pluralistic nature.²⁹

The perspective study has thus analysed the different angles of the “why’s” and “why not’s” of the implementation of the UCC. The fact that developing countries cannot be pulled down by anti-socialistic sentiments is undeniable. At the same time, it is imminent to make an impact assessment as to who would be the most-affected, and what measures could be taken to minimize their cause of worry. India, being a pluralistic secular society, is responsible to achieve its socialist goals and protect the interest of the minorities, although both may have different connotations at some point. And, when the interests are in conflict, the laws of the land should play a balancing role in harmonising these conflicts and protecting the interest of the entire nation.

²⁹ Lalitha Kumari D, ‘Is India Ready For Uniform Civil Code’, JETIR, Volume 6, Issue 6 (2019)