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Uniform Civil Code

Why In The News?

- Implementation Of The **Uniform Civil Code, 10 Lakh Jobs In The Manufacturing Sector, And A State Capital Region Tag For Bengaluru** Are Among The Top Promises Made By The BJP In Its Manifesto For The May 10 **Karnataka Assembly Election**.

NDTV

Uniform Civil Code In Karnataka Among BJP's Election Promises

Karnataka Election 2023: The BJP, which faces a tough electoral battle in the state this time, has said that its promises touch every section of the society.

Uniform Civil Code (UCC)

- A Uniform Civil Code Means That All Sections Of Society Irrespective Of Their Religion Shall Be Treated Equally According To **A National Civil Code**, Which Shall Be Applicable To All Uniformly.
- They Cover Areas Like- **Marriage, Divorce, Maintenance, Inheritance, Adoption, And Succession Of The Property**. It Is Based On The Premise That **There Is No Connection Between Religion And Law In Modern Civilization**.

Reference To UCC In Indian Constitution

- **Article 44** Corresponds With Directive Principles Of State Policy Stating That The State Shall Endeavour To Provide For Its Citizens **A Uniform Civil Code (UCC)** Throughout The Territory Of India.



Issue Of UCC - Before 1947

- The **Lex Loci Report Of October 1840** Stressed The Importance And Necessity Of Uniformity In The Codification Of Indian Law, Relating To Crimes, Evidence, And Contracts.
- But It Also Recommended That The **Personal Laws Of Hindus And Muslims** Should Be Kept Outside Such Codification.
- **The Queen's 1859 Proclamation** Promised Absolute Non-Interference In Religious Matters.

Issue Of UCC - Post 1947

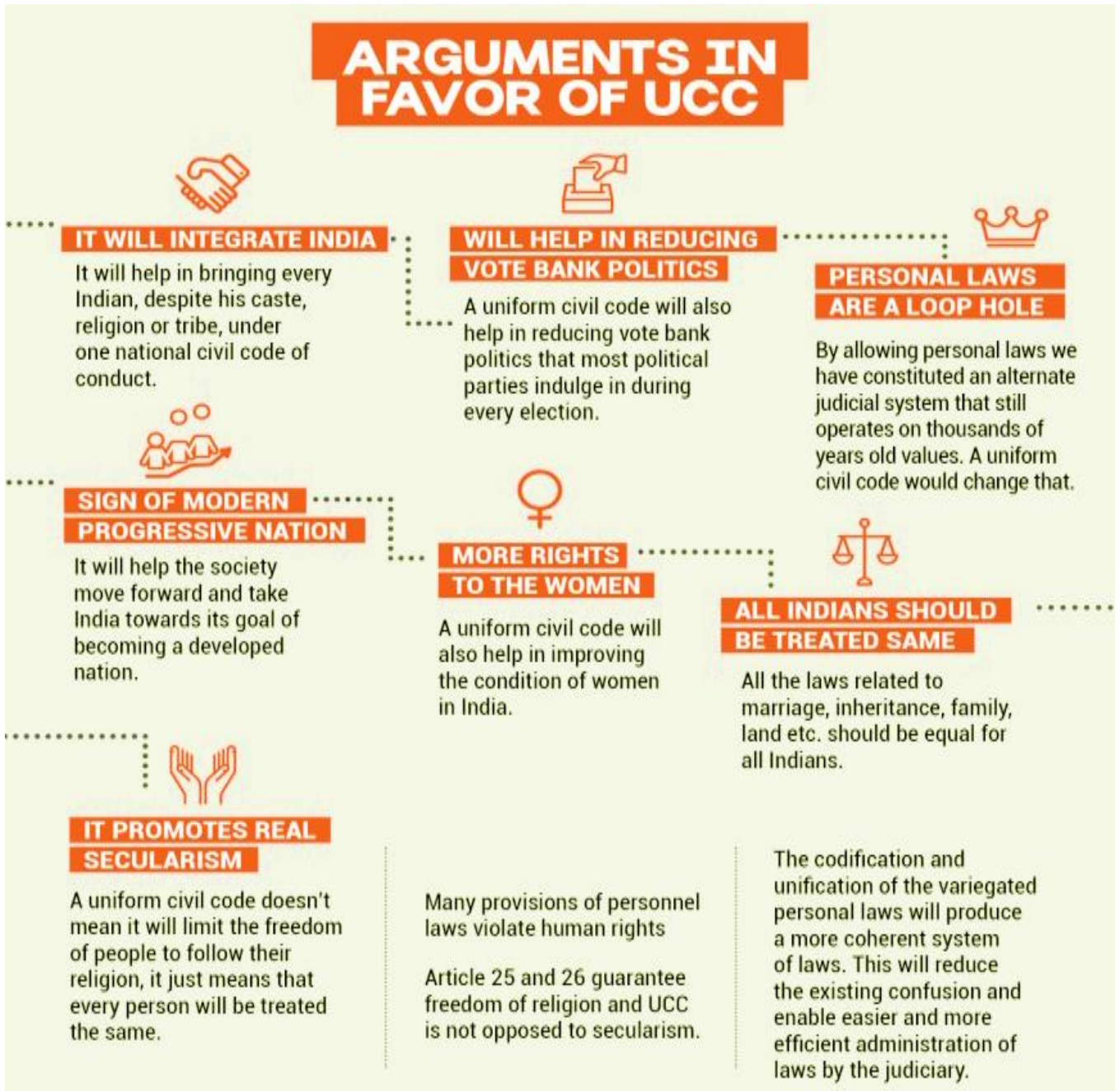
- **Jawaharlal Nehru And Dr. B.R Ambedkar** Pushed For A Uniform Civil Code. However, They Included The UCC In The Directive Principles Of State Policy (**DPSP, Article 44**) Mainly Due To Opposition From Religious Fundamentalists And A Lack Of Awareness Among The Masses During The Time.



Landmark Reforms & SC Judgements Regarding UCC

- The Hindu Code Bill Of 1955
- The Hindu Marriage Act
- Minority And Guardianship Act
- Adoptions And Maintenance Act
- Special Marriage Act
- Shah Bano Case
- Sarla Mudgal Case

Issues Associated With UCC:



CHALLENGES

The task of actually devising a set of rules that will govern all communities is a very formidable and tedious one considering the vast range of interests and sentiments to be accounted for.

Misinformation about UCC -
Content of UCC has not been spelt out leading minorities to believe that it is a way of Hinduise them.

Some sections in Minorities claim it is a way of imposing majority views on them.

Lack of political will due to the complexity and sensitivity of the issue.

Change in laws in favour of women like Hindu inheritance Act has neither brought about any change in the percentage of property held by women nor in their status.

Different religious communities have different personal laws which lead to politicization.

SUGGESTIONS

In order to promote the spirit of uniformity of laws and accomplish the objectives enshrined in Art.44 of the Constitution, the following suggestions need immediate consideration.

A progressive and broadminded outlook is needed among the people to understand the spirit of such code. For this, education, awareness and sensitisation programmes must be taken up.

The Uniform Civil Code should act in the best interest of all the religions.

A committee of eminent jurists should be considered to maintain uniformity and care must be taken not to hurt the sentiments of any particular community.

The matter being sensitive in nature, its always better if the initiative comes from the religious groups concerned.

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