Polity & Governance · GS - II

Comment on the constitutional and federal dimensions of implementing a Uniform Civil Code in a diverse country like India.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 26/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Article 44, gender justice, religious freedom, personal laws, Concurrent List, cooperative federalism, cultural diversity, constitutional morality

Model Answer

The Uniform Civil Code (UCC) seeks to establish a common framework governing personal matters such as marriage, divorce, adoption and succession, irrespective of religious affiliation. Article 44 directs the State to endeavour to secure such a code, making it an important constitutional objective.

Constitutional Dimensions

1. **Equality and gender justice:** Uniform legal standards can address discriminatory practices in personal laws and strengthen equality under Articles 14 and 15.
2. **Religious freedom:** Articles 25 and 26 protect religious freedom and denominational autonomy. However, these rights are subject to constitutional limitations and do not automatically place every secular aspect of personal law beyond legislative reform.
3. **Directive Principles:** Article 44 must be considered alongside Fundamental Rights and the constitutional commitment to social reform. Article 37 makes Directive Principles non-justiciable but fundamental to governance.

Federal Dimensions

1. **Legislative competence:** Entry 5 of the Concurrent List covers marriage, divorce, adoption, wills, succession, joint family and partition, enabling both Parliament and State Legislatures to legislate on these subjects, subject to constitutional provisions.
2. **Regional diversity:** Different communities and regions follow distinct customs and traditions. Uniformity must therefore be balanced with legitimate cultural and customary protections.
3. **Cooperative federalism:** State-level initiatives, consultations and legislative experimentation can contribute to wider policy discussions, but differences in implementation may create legal complexity.

Principles for Implementation

A UCC should emerge through extensive consultation, gender-sensitive legal reform, protection of constitutional rights and transparent legislative processes.

Conclusion

The objective should be substantive equality rather than mechanical uniformity. A constitutionally sound UCC must reconcile individual rights, social reform, religious freedom and India's pluralistic federal structure.

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