

**INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES**
[ISSN 2581-5369]

Volume 4 | Issue 1

2021

© 2021 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com>)

This Article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in International Journal of Law Management & Humanities after due review.

In case of **any suggestion or complaint**, please contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication at **International Journal of Law Management & Humanities**, kindly email your Manuscript at submission@ijlmh.com.

Uniform Civil Code, Legal Pluralism and Indian Constitution

ABHISHEK JENA¹

ABSTRACT

Many post-colonial states have to confront numerous jurisdictions, cultural and religious diversity, and states are frequently unable to harmonize struggling factions after independence. This leads to unequal, religious differences in standards that give way to subverting international human rights, particularly for women, and leads to situations that are theoretically unconstitutional, yet still real in democratic states. The multiculturalism-based states also face the problem of equalizing values that emerge out of contradictions between advocates of cultural pluralism and states that are dedicated to guaranteeing constitutional and equitable rights.

The purpose of this article is to clarify the implications of the Universal Civil Code and to put it into line with the introduction in Indonesia and achieve the possible convergence of all civil laws inclusive of religious distinctions as conceived by the Indian Constitution under Art. 44.

I. INTRODUCTION

India is so diversified and incongruous that its life, from casual observations to scholarly academics, for whom poverty, analphabetism, and cultural plurality do not make a democratic country, is a land of inconsistencies, paradoxes, and variations. But India challenged all odds, courageous mass upheavals, labor struggles, ethnic strife, and secessionist movements, populations separated into ideologies, linked by a common thread of all who dwell in this great country. A country of hope where millions aspire and work every day to turn our ancestors' and mothers' vision of the constitution of India into a fact that has become our most respected and adored text for all.

The principle of freedom is one of the foundations of Indian constitutionalism. It pervades the whole text and expresses itself distinctly in various and latently inherent clauses in all others. The preamble promises to ensure social and economic fairness and fair standing and opportunities among other stuff. In the preamble, the principle of freedom that was built on the

¹ Author is a student at Student at Symbiosis Law School, Hyderabad, India.

realities of our nation's existence and the experience was never idealistic. Equality never meant that all should be viewed as equals and blinded to past citizens, but equally compassionate and caring about both, while considering that no one is the precise duplicate of another. Our Constitution thus advocates for unequal discrimination as a way to fulfill this fundamental imperative, thus embracing the universal definition of equality.

Another constitutional ideal of brotherhood is attached to equality and freedom², which encompasses respect for each individual and paves the way for the unity and integrity of the nation³. 'India' was very difficult to associate with us as it is neither simple nor simple, nor a single language, faith, or culture that makes it possible. In an effort to subvert populist movements and avoid a revolution it was the strategy of the British to widen the division between various groups of the population. Despite our desperate efforts, we could not unite with the differences which divide us and make us famous throughout the world. *Our Achilles heel has always been the lack of collective spirit*. Diversity itself can be a source of influence, and not all can be relegated to a common view of the truth⁴. We must always have our truth: we are not uniform. We are not fair, and we oppose progress and improvement vociferously to preserve our status quo before a crisis strikes us and pressures us to improve our way of thinking and thinking. Recent examples may be the economic reforms of 1991 or the new revisions to the penal laws of our nation surrounding harassment and sexual abuse in the light of the horrific loss of innocent life.

The secret to understanding our constitutional responsibilities and value rests in a democratic, open-minded, and literate mass that concerns itself with unfeudal and secular principles and firmly believes in the rule of law. This is where B.R. Ambedkar said, "Who do we have this right for? We have this freedom to change our social system, which is full of injustice, prejudice, and other aspects that clash with our fundamental rights⁵."

II. UNIFORM CIVIL CODE: HISTORICAL BACKGROUND

India is a secular country with single citizenship and the state guarantees to each of us certain basic rights that are enforced equally without prejudice on the basis of ethnicity, creed, sex, caste, or place of birth. Uniformity of laws is thus a requirement for a just and equal state, as envisaged in the Constitution. The French writer Andre Malraux once asked Pandit Nehru what

² The Constitution of India, Article 51A

³ We are Indians, firstly and lastly - B.R. Ambedkar

⁴ Excerpts from Indira Gandhi's convocation address delivered at University of Delhi on April 1, 1980, available at http://aicc.org.in/web.php/indira_gandhi/speech/4# (Last visited on October 8, 2020).

⁵ CAD, vol. 7, p 746.

had been his biggest challenge since independence. Nehru answered, "The only way to create a just state is by means. Perhaps, too, to establish a secular state in a religious world⁶".

At independence, India was illiterate, weak, deeply feudal, and the horrors of partition were still fresh. The constitution, as a revolutionary text, had decimated the traditional pillars of Indian society, in which the caste system had been uprooted and criminal offenses had been untouchable; everyone had been considered equal and equality and the rule of law had been founded where all had equal rights. However, in a multicultural and pluralistic society such as India, faith plays a prominent role in dictating the laws applicable to its adherents, and it is the duty of the constitutional framers to create a civil code for the country in Part IV of the Constitution. Pandit Nehru and Dr. B.R.Ambedkar (1st law minister) were advocates of this theory, all of whom saw its adoption as vindicating India's dedication to modernity and secularism.

Article 44: *"The state shall endeavor to secure for the citizens a uniform civil code throughout the territory of India."*

When this article was debated in the constituent assembly, it aroused and aroused a great deal of resentment and protest, especially among Muslim members and also among Orthodox Hindus, who regarded these proposed reforms as a full repeal of the Hindu tradition and inappropriate interference with caste rules and conventional gender ties⁷. Their line was that they refrained from involvement with personal rules under the British dictatorship, so why couldn't the successor state pursue the same path because Muslims believed that the laws of descent, marriage, adoption, succession, and divorce of their societies were inseparable from their religion and that the adoption of a uniform civil code would contradict the right to freedom of religion and would be too ambitious and pre-existing⁸.

The Hindus were picked out because they had a vast majority and endured a robust reform campaign. The codification had a dual purpose: first, to improve the rights and status of Hindu women; second, to remove the inequality and distinctions of caste. These reforms have gone a long way in the direction of gender equality, a concept missing from the Hindu faith and a drastic deviation from the main body of law. The doughty opponent of this bill was Rajendra Prasad, who saw the bill as imposing radical values on the whole Hindu society of the microscopic minority⁹. After the 1952 elections, the initial bill was split into pieces and the

⁶ Andre Malraux, *Antememoirs* 145 (Hamish Hamilton Publishing House, London, 1968).

⁷ Ram Chandra Guha, *India After Gandhi* 230 (Picador India, London, 2007).

⁸ CAD, vol. 8 543-6, 722-3.

⁹ SPC, vol. 6 399-404.

Prime Minister argued that 'the true development of the country means development not only on the political level, not only on the economic level but also on the social level.¹⁰ They were led by the new law minister, H.V. Pataskar, and he noted that the current law is focused on the constitutional recognition of dignity.

Thus, unimagined amendments were made to the Hindu constitution, but the government did not find it necessary to do the same with the Muslims, since after the brutality and ostracization of the Muslims in the partition of India, the Muslims were weak and uncertain, looking to the state for security. Another issue, also connected to Partition, was the absence of a credible middle class. A substantial number of Muslim civil servants, judges, intellectuals, physicians, and merchants had emigrated to Pakistan, while the remaining Muslims were the working class, fishermen, laborers, and craftsmen. The Muslims of India were a huge marginalized group under relentless pressure from Hindu Communalism and Pakistan's provocation.

In the opinion of the scholar, it was easier to codify the Hindu law since the very premises on which Hinduism constructs its identity are liberal and not restrictive. In 1966, in the case of *Sastri Yagnapurushadj v. Muldas Bhudardas Vaishyathe*, in an effort to define Hinduism, the Court said, "If we think of the Hindu faith, it is difficult, if not impossible, to define the Hindu religion, or even to explain it properly, as it does not seem to fulfill the limited conventional features of any religion or creed. It can be broadly defined as a way of life and nothing more".

Thus, the Hindus were made to adhere to a uniform civil code when they were able to adopt a new way of thought and to undo the inequality that had existed and earned acceptance under the guise of faith. Religion has been rescued from being a roadblock to liberation. Moreover, it was the Hindu leaders who had introduced uniform legislation, except for the Muslims, the ruling majority asked them to mix their holy religious identity with the others in the name of secularism and patriotism. Moreover, owing to the fact that there have been so many inconsistencies between the traditions of the various Hindu sects, uniformity has not been seen as a danger to identification or tradition, Muslims were purposely left out, and Pandit Nehru remarked that "*at present, the time in India is not ripe for me to try to force it into (uniform civil code). I want to ready the land for this*"¹¹. This is still the view even though Islam's interaction with democracy and rule of law remains highly contested in the modern world¹².

As a result, the Uniform Civil Code was included in the group of Directive Standards of Public Policy. While they are unjustifiable, they are perceived to be central to the government of the

¹⁰ Jawaharlal Nehru *Speeches* vol. 3 438-54 (Delhi Publications Divisions, New Delhi, 1958).

¹¹ D.E. Smith, *India as a Secular State* 326 (Princeton University Press, London, 1963).

¹² In the *Case of Refah Partisi (the Welfare Party) and others v Turkey* (2003) 37 EHRR 1.

nation, and it is the responsibility of the State to apply these values to the legislative method¹³.

III. UCC AND COURTS

The judiciary has been deeply committed to the ideals of secularism and the goal of building a composite Indian society. In 1996, in *Pannalal Bansilal Pitti v. State of Andhra Pradesh*, the Supreme Court reaffirmed its commitment to this integrationist vision of nation-building by maintaining procedural uniformity in the following terms: "The founding fathers developed a democratic constitution to incorporate all facets of society into one Bharat. Article 44 aims to promote uniformity for citizens of different religions." Another groundbreaking decision is that of *S.R. Bommai v. Union of India*¹⁴, in which the Supreme Court held that secularism was an integral part of the basic structure of the Constitution. Justice Ramaswamy said, "*Secularism in the Constitution is not anti-God ... this Court does not support the wall of distinction between law and faith ...*" Justice Reddy said, "*Secularism is nothing more than a passive mindset of religious tolerance. It is a good principle of fair justice for all faiths.*" The Supreme Court deplored the fact that Article 44 of the Constitution remained "a dead text". In the same decision, the Supreme Court firmly affirmed Parliament's constitutional authority to amend personal laws and encouraged the Government to introduce a common civil code to facilitate national integration.

In *Ahmad Khan v. Shah Bano*¹⁵, the Supreme Court pronounced its judgment in gross breach of the Muslim Personal Rule. This decision would have opened the way for a uniform civil code in India if the Muslims of the country had not opposed the same thing. It was held:

"It is also a matter of sadness that Article 44 of our Constitution remains a dead text. The idea seems to have gained ground that it is for the Muslim community to take the lead in the reform of their personal rule. No group is likely to bell the cat by making free concessions on this subject. It is the State which is responsible for maintaining a uniform civil code for the people of the country and, without a doubt, has the constitutional competence to do so. We understand the challenges involved, but a start needs to be made. However, a piecemeal effort by the courts to fill this distance between personal laws can not take the place of a common civil code. Justice is a much more satisfactory way to administer justice than justice on a case-by-case basis."

Chandrachud CJ in the above case observed:

¹³ The Constitution of India, art.37.

¹⁴ The Constitution of India, art.37.

¹⁵ AIR 1985 SC 945

The 1772 Regulations, which preceded the Regulations of 1781, stipulated that either group should be regulated by its "private" rule in matters relating to succession, marriage, religious practices, and institutions. As the constitution, not religion, is the authority under which personal constitution has been permitted to exist and continues to operate, the same may be superseded/supplemented by the introduction of a uniform civil code. In this opinion, no Group will resist the adoption of a uniform civil code for all people of the territories of India.

In *Ms. Jordan Diengdeh vs S.S. Chopra*¹⁶, the court observed:

It is also clear that the law on judicial division, divorce, and nullity of marriage is far, far from uniform. It is definitely time for a complete overhaul of the law of marriage and for a uniform law to extend to everyone. It is proposed that the time has arrived for the legislature to interfere in these affairs in order to lay down a uniform code of marriage and divorce and to lay down, by statute, a way out of unfortunate circumstances. In the case of *Mrs. Mary Roy Etc. Etc vs State Of Kerala & Ors*¹⁷ In 1986, the Supreme Court ruled that the terms of the Syrian Christian Law of Travancore, 1916, and the Cochin Succession Act, 1921, which restricted the right of Syrian Christian women to their paternal land, were unconstitutional. However, it was only in 2010 that the decree in Mary Roy's case was executed and she was allowed to demand back her brother's share of her father's house.

We can also infer that India is committed to maintaining its constitutional mandate of secularism and that, over the years, we are progressing towards what is envisaged in Article 44. The judiciary has done its hardest to ensure secularity and freedom, but it is the State's responsibility to ensure that Article 44 becomes law. The obvious lack of politics does not contribute to the realization of our constitutional responsibilities.

IV. UCC AND THE RIGHT TO EQUALITY

The Constitution stresses the obligation of the State to maintain social order with a view to the principle of equality. The purpose of the State is to create social welfare by reducing inequalities, wherever they exist, in terms of status, services, and resources by means of constructive legislation¹⁸. Article 14, 15, and 25 can be invoked in favor of the implementation of a uniform civil code.

¹⁶ 1985 SCR Supl. (1) 704

¹⁷ 1986 AIR 1011

¹⁸ 1986 AIR 1011

Article 14: Equality before law: “*The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.*”

Article 15: “Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.”- “(1) *The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth, or any of them. (3) Nothing in this article shall prevent the State from making any special provision for women and children. (4) Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.*”

Article 25: “Freedom of conscience and free profession, practice, and propagation of religion.”

--”(1) *Subject to **public order, morality, and health** and to the **other provisions of this Part**, all persons are equally entitled to freedom of conscience and the right freely to profess, practice, and propagate religion. (2) Nothing in this article shall affect the operation of any existing law or prevent the State from making any law— (b) Providing for **social welfare and reform** or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.*”

We may assume that fair treatment means the lack of any arbitrary prejudice on the part of the laws themselves or in their implementation. No one should be placed at some disadvantage in situations that do not offer some fair basis for a particular treatment. Equal treatment of the law implies subjection to the same rules which apply to us of the same circumstances¹⁹. The reasonableness of classification will depend on the purpose for which the classification is made. So in *B, Archana Reddy and Ors. Vs The State of AP*,²⁰ The Court held that "Articles 14, 15 and 16 enjoin upon the State to treat all its people equally irrespective of their religion, faith or belief. Whether a group, caste or class is entitled to the benefit of affirmative action does not depend upon religion, faith or worship." In this case, the court ruled that there were 5 percent reservations for Muslims in Andhra Pradesh in Educational Institutions and appointments/posts in Public Services²¹. “There is no prohibition to declare Muslims, as a community, socially and educationally backward for the purposes of Articles 15(4) and 16(4) of the Constitution of India, provided they satisfy the test of social backwardness.”

The phrase "equal protection of the law" is a proactive duty on the State to ensure equality

¹⁹ *Lindsley v. Natural Carbolic Co.*, 1910, 220 US 61

²⁰ 2005 (6) ALD 582

²¹ State to Muslim Community Ordinance, 2005 (Ordinance No. 13 of 2005, dated 20-06-2005)

before the law by introducing the economic and social reforms needed. If the State keeps the current inequality unchanged by the legislation, it fails to provide all people with full treatment under the rules²². The **fundamental premise** is *that there should be no prejudice between one individual and another if their situation is the same with respect to the subject matter of the legislation*.

Hence, the state is under a positive duty to

1. Rectify laws (existing or enacted) and personal laws, which flout this principle.
2. Reform personal laws which create inequality based on sex, religion, etc.

Restrictions on freedom of religion²³

1. Public order, morality, or health.
2. Another provision of part III of the constitution
3. Regulation of non-religious practices associated with religious practices
4. Social welfare
5. Social reform
6. Throwing open Hindu religious institutions of a public character to all classes and sections.

Section 118 of the Indian Succession Act was found to violate Article 14 since classification between Christian testators and others and legacies for religion and legacies for other purposes were considered to be unreasonable and had no connexion with the objective sought²⁴. In *Reynold v. the United States*²⁵, it was held that while religious beliefs were constitutionally protected, religious practices were subject to state regulation. In the same way, "*Hanif Qureshi v. the State of Bihar*" states that perhaps the sacrifice of cows on Eid ul Azha is not an integral practice of Islam and is therefore prohibited in the interests of public order.

Marriage is a social institution, and so any disorders or disabilities which flow from it are the subjects of social reform²⁶, and the state has the power to intervene with religious traditions in order to carry out social reform. In "*Shamim Ara vs. U.P. state and Another*", the court ruled that the husband had no unilateral right to triple talaq and that he had to give good arguments for the separation and go through attempts at mediation. In the Sarla Mudgal case, it was held

²² *St. Stephen College v. University of Delhi*, AIR 1992 SC 1630

²³ *Saifuddin v. State of Bombay*, AIR 1962 SC 853

²⁴ *John Vallamattom v. Union Of India*, 2003 6 SCC 611

²⁵ 25 L ED 244: 98 US 145 1878 at pp. 166, 167.

²⁶ *State of Bombay v. Narasu* AIR 1952 Bom 84 (para. 7)

that "*Religious beliefs, abuses of human rights and equality are not sovereignty but tyranny.*"

Summarily, state regulation of the right to freedom of religion may be as follows

- Practices that are not the essence of any religion but merely are associated with it may be regulated by the state in the interest of the general public.
- Even if they form an integral part of religion, it would be subject to state regulation, in so far as necessary, in the interests of public order, morality and health'.

May we claim that having more than one partner, denying equitable treatment inland, succession, ownership, adoption, marriage, divorce, voicing one's individuality exclusively on the basis of one's sex, maybe necessary practices or form the heart of every religion? And should this be permitted in a society founded on secularism, rule of law, and equality?

V. UNIFORM CIVIL CODE IN INDONESIA

India, which is home to much of the world's Hindus, is also home to nearly half of the world's main religions and is home to 11 percent of the world's Muslim community – the second largest after Indonesia. Turkey has 5% of the Muslim community. According to the Indonesian National Census of 2010, the population is 237.6 million²⁷. Indonesia is perceived by the population to be the third-largest democracy in the world. Muslims make up the majority of 87.5 percent of the population, Christians 9 percent, and Hindus and Buddhists 3 percent and 2% of the population, respectively²⁸.

After Indonesia's independence in 1945, the founding fathers had to determine what kind of state Indonesia should become and the fundamental ethos on which the state should be centered. While Indonesia is a majority Muslim community, its pre-Islamic Buddhist and Hindu heritage remains strong. On one side, after decades of colonial rule, they had the ability to establish an Islamist state. On the other hand, cultural traditions that have produced and preserved great diversity would make it difficult to understand Islamic rule, and the declaration of an Islamic State could lead to the secession of non-Muslim islands. At the end of the day, the drafting committee settled on a unitary state with equal rights and citizenship for everyone²⁹.

²⁷ National Census of Indonesia 2010 available at http://www.bps.go.id/65tahun/SP2010_agregat_data_perProvinsi.pdf (Last visited October 9, 2020).

²⁸ Pew Research, Religion & Public Life Project, Demographic Study: The Global Religious Landscape Oct 09, 2020 available at <http://www.pewforum.org/2020/10/09/global-religious-landscape-exec/> (Last visited October 9, 2020).

²⁹ Yüksel Sezgin & Mirjam Künkler, *Contesting Boundaries Of Private And Public: Religious Law In India And Indonesia, 2010* available at <http://igov.berkeley.edu/sites/default/files/Sezgin%20Kunkler.pdf> (Last visited October 09, 2020)

Indonesia is a secular state under the leadership of Pancasila. In August 1945, they decided to use the word One and Only God instead of Allah in the Constitution of Indonesia. This was done, in particular, to strengthen the confidence of minorities who preferred to use the term Tuhan and could be connected with it. Indonesia's official motto is "Bhinneka Tunggal Ika," which can be translated as "Peace in Diversity." The national coat of arms in Indonesia is Garuda Pancasila. Indonesia's national airline is also influenced by this Hindu mythological bird, Garuda Indonesia. Hanuman is the official mascot of Indonesia's military intelligence, and Lord Ganesh has imprinted a 20,000 rupiah note of that nation on it.

The Constitution of Indonesia is very special in terms of its relationship between religion and state. It is mentioned that the state is founded "on the belief in the One and Only Deity," but at the same time, it does not include the name of any faith. Historic understanding of the legislative framework shows that the Constitution is impartial with regard to religions and worldviews. The Constitution, however, favors a theistic worldview over a non-theist one. Religious freedom is recognized in accordance with Article 29(2), which states that "*the State shall guarantee the freedom of faith and worship of every person in accordance with his religion and belief.*" In addition, the second constitutional amendment significantly changed the chapter on civil rights in line with Article 28 of the Constitution. Those which are precisely relevant to religious freedom are Article 28E (1)³⁰ and (2)³¹ and Article 28I³². These Articles integrate fundamental freedom as is generally defined in contemporary constitutions, namely the freedom to worship and practice the religion of their choosing. On the freedom line, Article 28E allows for more attention on religious freedom, and Article 28 E(2) may also be read as protection of non-theistic worldviews. On the equal hand, though, it seems that there has been little improvement in the rights of non-theist believers.

Civil Code In Indonesia

Indonesia adopted the Civil Code on 29 April 1847. It extends similarly to all people, irrespective of their religious affiliations. The Indonesian Civil Code is divided into three sections. Book One deals with the rights and responsibilities of "individuals" surrounding divorce, maintenance, guardianship, parenting, annulment of marriages, minorities, marriages,

³⁰Article 28E (1) Every person shall be free to choose and to practice the religion of his/her choice.

³¹The Constitution of the Republic of Indonesia, art. 28E(2): Every person shall have the right to the freedom to believe his/her faith (kepercayaan), and to express his/her views and thoughts, in accordance with his/her conscience.

³²Article 28I(1) The rights to life, freedom from torture, freedom of thought and conscience, freedom of religion, freedom from enslavement, recognition as a person before the law, and the right not to be tried under a law with retrospective effect are all human rights that cannot be limited under any circumstances. (3) *The cultural identities and rights of traditional communities shall be respected in accordance with the development of times and civilisations.*

separation of properties, etc. Book Two is titled "Property" concerned with land possession, mortgages, servitudes, wills, succession, ungoverned inheritances, division of estates, the precedence of debts, etc. Book Three deals with "Contracts" listing the basic conditions pertaining to contractual obligations. The largest Muslim-majority nation in the world stands as a testament to those who claim that cultures governed by Islam do not show reverence for other faiths.

VI. CONCLUSION

India is a multi-racial, multi-religious and multilingual nation with large differences and disparities amongst citizens that have been accentuated through time through ethnic, conventional disparities. The state has been mindful of these fundamental inequalities in society. There is therefore a long tradition of affirmative action for backward groups to achieve prosperity and social justice. Having taken notice of the initiative taken before independence, the constitutional framers have recognized the need to recognize and provide for those who are discriminated against and/or socially and economically backward.

The law expert Satyabrata Rai Chowdhuri also said, "Because preferential treatment for any religious community is in breach of the UN Covenant on Civil and Political Rights and the Declaration on the Right to Development adopted by the World Conference on Human Rights, it is hoped that Parliament would create a common civil code without further delay, discarding religion from social ties and pers³³.

The adoption of the Uniform Civil Code in India is in the possession of the Indian masses and their religious leaders and ultimately leaves to the will of the political parties. That will only be done if the entire Indian population, in general, is wise enough to embrace the Uniform Civil Law that will regulate their personal affairs. It is a time-consuming task that can only be accomplished by a slow process of civilization, and one can be hopeful that the idea of the Universal Civil Code functions realistically in the Indian subcontinent, superseding fundamentalism and religious fanaticism. A uniform civil code is important to the national security of the country. This code would also secure our religious freedom. The uniformity of civil law is therefore important for the purpose of gender justice. This would follow the criteria of Article 14 of the Constitution of India. In September 2003, during an informal session at PGI Chandigarh, then-President A. P. J. Abdul Kalam advocated the need for a uniform civil code.

³³Satyabrata Rai Chowdhuri, "A Common Civil Code: It is a Constitutional Obligation" *The Tribune* 30 July 2003 p.10