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Uniform Civil Code and the Protection of Women's Rights: Constitutional and Legal Perspectives

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ABSTRACT

Ever since the enactment of the Constitution, the Uniform Civil Code (UCC) has been one of the most important yet controversial constitutional issues in India. Article 44 of the Constitution directs the State to endeavour to secure a uniform civil code for the citizens throughout the territory of India. The question of a UCC is especially crucial against the background of women's rights, since aspects of family life such as marriage, divorce, maintenance and succession have traditionally been regulated by personal laws. The divergences between personal-law regimes have at times produced unequal legal consequences for women of different religious communities. At the same time, any proposal for a UCC raises constitutional questions of religious freedom, cultural diversity, minority rights and individual autonomy. This paper critically reviews how a Uniform Civil Code bears on the rights of women, both constitutionally and legally. It examines Articles 14, 15, 21, 25, 26 and 44 of the Constitution and assesses the judiciary's approach to gender equality and personal laws through landmark cases. It also discusses the recent enactment of a Uniform Civil Code in Uttarakhand as a working test of uniform civil regulation. The argument is that a UCC can become an effective instrument of substantive gender justice only when it rests on constitutional morality, equality, dignity and individual autonomy. Uniformity must not mean the enforcement of majoritarian practices; the aim should instead be a common minimum standard of rights that does not erode legitimate religious and cultural freedom. The paper concludes that the success of a UCC should not be measured by the consistency of legal rules alone, but by its capacity to remove discrimination and to enhance the autonomy, dignity, economic security and access to justice of women.

Keywords: Uniform Civil Code, Gender Justice, Personal Laws, Religious Freedom, Article 44, Family Law

I. INTRODUCTION

India is marked by great religious, cultural, linguistic and social diversity, and the family-law system of the country is an expression of that diversity. Marriage, divorce, maintenance,

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adoption, guardianship and succession have always been governed by a mixture of personal laws, legislation, custom and judicial precedent. Indian family law is therefore not a wholly homogeneous body of rules: different communities may be subject to different sets of rules in the field conventionally described as personal law.¹

The Constitution of India seeks to balance this diversity with the principles of equality, liberty, dignity and justice. Article 44, which forms part of the Directive Principles of State Policy, provides that the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India. Article 44 is not a binding provision and cannot be enforced by a court, but it expresses a significant constitutional aspiration. The constitutional position, however, cannot be understood through the lens of Article 44 alone. It must be read together with the Fundamental Rights, especially Articles 14, 15, 21, 25 and 26.²

The UCC debate takes on a distinct dimension when viewed in the light of women's rights. Family law deals with matters that directly shape the social and economic position of women. Marriage confers status; divorce affects personal freedom and economic stability; maintenance may make the difference between dignity and destitution after the breakdown of a marriage; and inheritance determines whether a woman is economically independent in the long term. Inequity in family law can therefore have a far wider impact, across the whole family network, than the individuals concerned may realise.³

The UCC controversy cannot be reduced to a contest between uniformity and religious liberty. A constitutionally sound UCC must reconcile equality between the sexes with freedom of religion. Article 25 safeguards freedom of conscience and the right freely to profess, practise and propagate religion, though that right is subject to constitutional limits. Article 25(2) further permits the State to regulate secular activities associated with religious practice and to provide for social welfare and reform.⁴

The introduction of a UCC in Uttarakhand has added a new turn to this debate. With the State's UCC framework in force from 27 January 2025, the issue has ceased to be a purely theoretical question of constitutional discourse and has become a matter of legislative and administrative practice. The Uttarakhand UCC portal now offers services relating to marriage, divorce, succession, wills and live-in relationships.⁵

¹ M.P. JAIN, *INDIAN CONSTITUTIONAL LAW* (LexisNexis 8th ed. 2018).

² H.M. SEERVAI, *CONSTITUTIONAL LAW OF INDIA: A CRITICAL COMMENTARY* (Universal Law Publishing 4th ed. 2015); *INDIA CONST.* arts. 14, 15, 21, 25, 26 & 44.

³ KUSUM, *FAMILY LAW LECTURES: FAMILY LAW I* (LexisNexis 5th ed. 2019).

⁴ *INDIA CONST.* art. 25; Jain, *supra* note 1.

⁵ Uniform Civil Code, Uttarakhand, 2024, No. 3 of 2024 (India); Uniform Civil Code, Uttarakhand, Rules, 2025, <https://ucc.uk.gov.in/server/file/uploads/shared-files/ucc-rules-2025-en.pdf>; Services, UNIFORM CIVIL CODE

The focal question of this study, then, is whether a Uniform Civil Code can serve as a useful instrument for securing the rights of women without contradicting India's constitutional commitment to religious freedom and pluralism.

II. CONCEPT AND CONSTITUTIONAL BASIS OF THE UNIFORM CIVIL CODE

A Uniform Civil Code may be understood in general terms as a common body of civil rules that applies to personal matters without regard to the religious affiliation of the individual. The fields ordinarily brought within a UCC are marriage, divorce, maintenance, adoption, guardianship, succession and inheritance.

The constitutional foundation of the UCC lies principally in Article 44, which provides that the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.

The placement of Article 44 among the Directive Principles carries constitutional weight of its own. Directive Principles are not enforceable in the way that Fundamental Rights are. They are, however, fundamental in the governance of the country, and the State is to apply them in making laws and framing policy.

The constitutional basis of a UCC must therefore be understood as a combination of Article 44 and the Fundamental Rights.

A. Article 14

Article 14 guarantees equality before the law and the equal protection of the laws. A UCC justified on the ground of gender justice must satisfy the constitutional requirements of non-arbitrariness and reasonable classification.

Existing personal laws do not necessarily infringe Article 14. Constitutional scrutiny is nonetheless warranted where a rule of personal law produces discriminatory effects that deny women equal status.⁶

B. Article 15

Article 15 prohibits discrimination on grounds including religion and sex. The provision is directly relevant to the UCC, because the family-law rights of women may be affected by religious identity and gender at the same time.⁷

UTTARAKHAND, <https://ucc.uk.gov.in/services> (last visited Sept. 6, 2026).

⁶ INDIA CONST. art. 14; Jain, *supra* note 1.

⁷ INDIA CONST. art. 15.

Article 15(3) further permits the State to make special provision for women and children. Legislative change aimed at enhancing the substantive equality of women is therefore constitutionally permissible.⁸

C. Article 21

Article 21 protects life and personal liberty. Its meaning has been broadened through judicial interpretation to include dignity, autonomy and other dimensions of individual liberty.

Family law is directly connected to Article 21, since questions of marriage, divorce, reproductive choice, residence, maintenance and family relations bear on individual autonomy and dignity.⁹

D. Articles 25 and 26

Articles 25 and 26 guarantee freedom of religion and the rights of religious denominations. These freedoms are, however, not absolute. Article 25 is subject to public order, morality, health and the other provisions of Part III of the Constitution.¹⁰

Article 25(2) also permits State intervention in secular activities associated with religious practice and in matters of social reform. This provides constitutional room for reform of those features of personal law that carry substantial civil consequences.¹¹

III. PERSONAL LAWS AND THE PROTECTION OF WOMEN'S RIGHTS

Personal laws have traditionally been central in determining the position of women within the family. They govern marriage, divorce, maintenance, inheritance, guardianship and other aspects of family life.

A. Marriage and matrimonial rights

Marriage creates a range of legal rights and obligations. An egalitarian legal system must secure free consent, legal capacity, a minimum age, monogamy where constitutionally mandated, registration, and protection against forced marriage.

Different personal-law regimes have traditionally laid down different rules on marriage. Such disparity becomes problematic where it leaves women with different levels of protection.

A UCC must therefore lay down universal minimum rules on consent, age, registration, prohibited relationships and matrimonial remedies. Religious ceremonies may continue to be

⁸ INDIA CONST. art. 15(3).

⁹ INDIA CONST. art. 21.

¹⁰ INDIA CONST. arts. 25–26.

¹¹ INDIA CONST. art. 25(2).

performed, so long as the civil consequences of marriage do not conflict with the rights guaranteed by the Constitution.

Registration of marriage is of special importance to women. Official records provide proof of marital status and support claims relating to maintenance, inheritance, divorce and other legal matters. The Uttarakhand UCC portal now offers an organised marriage-registration procedure with a prescribed set of documents and time limits.¹²

B. Divorce

Divorce directly affects a woman's dignity, independence and financial stability. A just legal system must offer both spouses equal grounds and equal procedures, and women must not be placed at a disadvantage in dissolution.

This was recognised as a constitutional matter in *Shayara Bano v. Union of India*,¹³ where the Supreme Court set aside talaq-e-biddat, or instant triple talaq.

The judgment showed that gender justice may require judicial review of personal-law practices whose operation is arbitrary. It was followed by the enactment by Parliament of the Muslim Women (Protection of Rights on Marriage) Act, 2019.¹⁴

The lesson for UCC reform is that the law of divorce must serve women and men equally and must not permit unilateral action that compromises either dignity or the rule of law.

C. Maintenance

The economic security of women depends to a great extent on maintenance.

In *Mohd. Ahmed Khan v. Shah Bano Begum*,¹⁵ the Supreme Court recognised that a divorced Muslim woman is entitled to the secular right of maintenance created by section 125 of the Code of Criminal Procedure, 1973 (now section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023).¹⁶

Shah Bano is more than the dispute it decided. It demonstrated that secular social-justice legislation could be used effectively to protect women even where personal laws differ. The case also brought Article 44 into the national constitutional debate.

¹² Uniform Civil Code, Uttarakhand, 2024, *supra* note 5; Registration of Marriage, UNIFORM CIVIL CODE UTTARAKHAND, <https://ucc.uk.gov.in/service-details/6628e978cb0f60d283c33511> (last visited Sept. 6, 2026).

¹³ *Shayara Bano v. Union of India*, (2017) 9 SCC 1 (India).

¹⁴ The Muslim Women (Protection of Rights on Marriage) Act, No. 20 of 2019, INDIA CODE (2019), §§ 3–4.

¹⁵ *Mohd. Ahmed Khan v. Shah Bano Begum*, (1985) 2 SCC 556 (India).

¹⁶ The Code of Criminal Procedure, No. 2 of 1974, INDIA CODE (1974), § 125; The Bharatiya Nagarik Suraksha Sanhita, No. 46 of 2023, INDIA CODE (2023), § 144.

A gender-just UCC must take a holistic approach to maintenance, taking into account the financial needs of the claimant, the income of both spouses, the length of the marriage, the standard of living, child-care responsibilities, unpaid housework, the contributions of either spouse and the financial consequences of the breakdown of the marriage. That would be a step towards substantive, rather than merely formal, equality.

D. Inheritance and property rights

The economic independence of women cannot be separated from property. Under a regime of merely formal equality, a woman who holds no property rights of her own remains economically vulnerable.

A significant change in this field was the Hindu Succession (Amendment) Act, 2005, which enhanced the property rights of daughters by conferring on them equal coparcenary rights.¹⁷

In *Vineeta Sharma v. Rakesh Sharma*,¹⁸ the Supreme Court made it clear that coparcenary rights accrue to daughters by birth, and that the father need not have been alive on the date the 2005 amendment came into force.

The principle that emerges from *Vineeta Sharma* is directly applicable to the UCC debate: equality in family law must deliver practical economic rights, and not merely declare in form that the relationship is egalitarian.

Any future UCC ought therefore to rest on parity between women and men in matters of succession. At the same time, reform must not diminish rights that have already been secured under progressive legislation. Gender justice should be built on the highest available standard, not on the lowest common denominator.

IV. JUDICIAL APPROACH TOWARDS PERSONAL LAWS AND GENDER JUSTICE

The Indian judiciary has contributed greatly to establishing the link between personal laws, constitutional rights and the equality of women.

A. Mohd. Ahmed Khan v. Shah Bano Begum

In this case the Supreme Court upheld the right of a divorced Muslim woman to maintenance under section 125 of the Code of Criminal Procedure (now section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023).^{19,20}

¹⁷ The Hindu Succession (Amendment) Act, No. 39 of 2005, INDIA CODE (2005).

¹⁸ *Vineeta Sharma v. Rakesh Sharma*, (2020) 9 SCC 1 (India).

¹⁹ *Mohd. Ahmed Khan*, *supra* note 15.

²⁰ Code of Criminal Procedure, *supra* note 16, § 125; Bharatiya Nagarik Suraksha Sanhita, *supra* note 16, § 144.

The Court identified the secular character of the maintenance provision and emphasised its social-justice purpose. The ruling became a seminal reference point in the constitutional debate on personal laws.

From the standpoint of women's rights, *Shah Bano* made it clear that a woman's economic security cannot be placed wholly outside the operation of general social-welfare law merely because she belongs to one religious community or another.

B. Sarla Mudgal v. Union of India

In this case the Supreme Court examined instances in which a Hindu husband had converted to Islam in order to contract a second marriage while the first marriage still subsisted.²¹

The Court considered the relationship between conversion, monogamy and the different personal-law regimes. The case exposed the fact that legal pluralism could, in some situations, be abused to escape matrimonial obligations.

The case is therefore highly relevant to the rights of women. A legal system should not allow differences between personal laws to be used as a device for evading matrimonial obligations.

C. Shayara Bano v. Union of India

Instant triple talaq was declared invalid by a 3:2 majority of the Supreme Court.²²

The case was especially significant because it established that a practice grounded in personal law could be subjected to constitutional scrutiny where it produced unjust outcomes. The ruling thus treats the invocation of religious identity as insufficient, in itself, to confer conclusive immunity from constitutional principles.

D. Vineeta Sharma v. Rakesh Sharma

Here the Supreme Court affirmed the equal status of daughters under section 6 of the Hindu Succession Act, 1956, as amended.²³

The case did not concern a UCC as such, but it is highly pertinent because it shows how family-law reform can advance the substantive equality of women. The judgment upholds the principle that daughters are not to be treated as economically inferior to sons merely by reason of their sex.

²¹ *Sarla Mudgal v. Union of India*, (1995) 3 SCC 635 (India).

²² *Shayara Bano*, *supra* note 13.

²³ *Vineeta Sharma*, *supra* note 18; The Hindu Succession Act, No. 30 of 1956, INDIA CODE (1956), § 6 (as substituted by the Hindu Succession (Amendment) Act, No. 39 of 2005).

V. UNIFORM CIVIL CODE AS AN INSTRUMENT OF GENDER JUSTICE

The strongest case for a UCC, from the standpoint of women's rights, is that it may bring about a measure of gender equality across communities.

A. Uniformity in marriage

A UCC may establish uniform standards on minimum age, free consent, registration, prohibited relationships and matrimonial capacity. Documentary records of this kind can be especially helpful to women who need to have their marriage registered, or who need ready access to such records. Such evidence can prove decisive in proceedings concerning maintenance, inheritance and divorce.²⁴

B. Equality in divorce

A common framework would help to avoid significant disparities in legal norms that arise from religious affiliation alone. Both spouses must be assured equal procedural rights, equal grounds for dissolution and protection against wrongful or unequal termination of the marriage.²⁵

C. Equal maintenance rights

Maintenance policy should rest on economic need and equality, not on religious identity. A modern gender-just framework should also recognise unpaid domestic labour. Women often make substantial contributions to the household even when they have no direct financial income, and care-giving and domestic contributions should therefore be taken into account in the calculation of maintenance.²⁶

D. Equal inheritance

Equal inheritance is perhaps one of the most significant elements of women's empowerment. Ownership of property enhances the bargaining power of women within the family and reduces economic dependence. A UCC that underpins gender-neutral succession rules would therefore go a long way towards securing gender equality in the long term.

E. Guardianship and children's rights

Gender-neutral concepts of guardianship and custody should also be instituted in a UCC. The paramount consideration should be the best interests of the child. At the same time, women must not be disadvantaged, since they undertake most of the care-giving responsibilities.²⁷

²⁴ Jain, *supra* note 1.

²⁵ FLAVIA AGNES, LAW AND GENDER INEQUALITY: THE POLITICS OF WOMEN'S RIGHTS IN INDIA (Oxford Univ. Press 1999).

²⁶ Kusum, *supra* note 3.

²⁷ Agnes, *supra* note 25.

VI. RELIGIOUS FREEDOM AND CONSTITUTIONAL LIMITS OF A UCC

However well intentioned, the introduction of a UCC raises serious constitutional questions. India's constitutional framework does not insist on total homogeneity in every aspect of social life. Article 25 safeguards freedom of conscience and religious practice, subject to constitutional restrictions. The vital question is therefore the distinction between religious practice and its civil consequences.

Marriage, divorce and succession may be religious in character, but they also generate legal and economic consequences. A constitutionally reasonable UCC must therefore concentrate on the civil consequences of family relations rather than attempt to regulate theology or religious ritual.²⁸

A. Risk of majoritarianism

One of the most serious concerns raised by critics is that uniformity might in practice become a process of imposing the norms of the majority community on minorities. That would be contrary to constitutional pluralism. A UCC cannot simply substitute majority personal law for minority personal law. It ought instead to draw on constitutional principles and on the progressive elements found in the various legal traditions.

B. Constitutional morality

The idea of constitutional morality offers a helpful model for resolving the tension between tradition and equality. Where a customary practice does not conform to the constitutional guarantees of equality and dignity, constitutional values should inform reform. At the same time, reform must proceed in a democratic, consultative and constitutionally legitimate manner. Its aim should be to safeguard the rights of individuals without unduly erasing cultural identity.

VII. UTTARAKHAND UNIFORM CIVIL CODE: A CONTEMPORARY DEVELOPMENT

The State of Uttarakhand represents the most significant contemporary experiment in the implementation of a UCC in India. The State Legislature enacted the Uniform Civil Code, Uttarakhand, 2024, which was brought into force in January 2025. The Uniform Civil Code, Uttarakhand, Rules, 2025 came into effect on 27 January 2025. The official UCC portal describes the framework as covering personal civil matters such as marriage, divorce, inheritance and succession.²⁹

²⁸ INDIA CONST. art. 25; Jain, *supra* note 1.

The practical importance of the Uttarakhand model is substantial, because it gives policy-makers and scholars an opportunity to assess how uniform civil rules function in practice. From the standpoint of women, some of the key questions are:

- whether marriage registration enhances the legal security of women;
- whether access to divorce has become more equal;
- whether inheritance rights are being implemented effectively;
- whether maintenance claims are processed efficiently;
- whether the system is accessible to women in rural areas;
- whether registration requirements are creating an administrative burden; and
- whether vulnerable communities are being assisted in making adequate use of the law.

The official Uttarakhand portal now lists services relating to the registration of marriage, the acknowledgement of already registered marriages, the registration of divorce or nullity, live-in relationships, intestate succession and testamentary succession. The marriage-registration service on the portal also sets out the documentary requirements and offers both standard and expedited timelines, which shows how the UCC is being realised through administrative processes.³⁰

Notably, the Uttarakhand experience cannot be treated as a ready-made model for the whole country. India is vast in its demographic, cultural and customary diversity, and a national UCC would be considerably more complex, both constitutionally and administratively. The Uttarakhand framework has, moreover, continued to evolve: the amendments and changes made to it in 2025 and 2026 are documented on the Government Orders page of the portal.³¹ Uttarakhand can and should therefore be regarded as a legislative experiment whose outcomes remain to be evaluated empirically.

²⁹ Uniform Civil Code, Uttarakhand, 2024, *supra* note 5; Uniform Civil Code, Uttarakhand, Rules, 2025, *supra* note 5.

³⁰ Services, *supra* note 5; Registration of Marriage, *supra* note 12 (listing a standard timeline of fifteen days and an expedited “Tatkal” timeline of three days).

³¹ Government Orders, UNIFORM CIVIL CODE UTTARAKHAND, <https://ucc.uk.gov.in/government-orders> (last visited Sept. 6, 2026) (listing, among others, the Uniform Civil Code, Uttarakhand (Amendment) Ordinance, 2025; the Uniform Civil Code, Uttarakhand (Amendment) Ordinance, 2026; and the Uniform Civil Code, Uttarakhand (Amendment) Act, 2026).

VIII. CHALLENGES IN IMPLEMENTING A GENDER-JUST UCC

A. Religious and cultural diversity

The various communities of India have developed distinct customs and traditions in relation to family life. Constitutional pluralism must be considered carefully in the drafting of any common legal framework.

B. Minority concerns

Minority communities may perceive a UCC as an intrusion upon their religious identity. These concerns cannot be disregarded. Meaningful consultation with minority communities, women's organisations, legal academics, religious bodies and civil society is indispensable to establishing legitimacy.

C. Intersectionality

Women do not constitute a homogeneous group. Women in rural or economically disadvantaged communities, tribal women and members of other marginalised groups may face complex and intersecting disadvantages. A UCC cannot, in the end, be judged on its formal legal equality alone, but on the practical impact it has on vulnerable women.

D. Protection of existing progressive rights

One fundamental principle is non-regression. Where an existing personal law affords women a superior right to that offered by the proposed UCC, reform should not weaken that protection in the name of technical uniformity. The aim of reform must be to raise the normative standard of rights, not to compress progressive protections.

E. Administrative accessibility

A progressive law cannot succeed if it is not readily accessible. Registration procedures need to be inexpensive, available electronically and available through local administrative bodies. Women who lack digital literacy must not be left out.

IX. SUGGESTIONS FOR A GENDER-JUST UNIFORM CIVIL CODE

An effective UCC should embody the following principles.

A. Constitutional supremacy

The UCC should be founded on Articles 14, 15 and 21 and must be consistent with the guarantees of religious freedom in Articles 25 and 26.

B. Gender justice

The Code should confer equal rights in marriage, divorce, maintenance, guardianship, adoption and succession.

C. Extensive consultation

Constitutional scholars, jurists, women's groups, minority groups, religious bodies, tribal leaders and civil society should be included in the drafting process.

D. Accessible marriage registration

Registration should be simple, inexpensive and easily accessible. It must not become an added burden for women in poverty or in rural areas.

E. Recognition of unpaid domestic work

Household work, child care and family care should be recognised in maintenance and matrimonial financial relief as genuine contributions to the family.

F. Equal property rights

Equal inheritance should be an inherent feature of the UCC. Women should not be deprived of, or made to surrender, their independent property rights as a consequence of marriage.

G. Protection against forced and child marriage

The UCC ought to include effective measures against child marriage, forced marriage and other forms of exploitation.

H. Effective legal aid

Legal aid should be strengthened so that women can exercise their rights regardless of income or geographical location.

X. FINDINGS AND DISCUSSION

The discussion yields a number of important findings.

To begin with, Article 44 promotes a legitimate constitutional goal, but it does not require immediate nationwide uniformity. The provision must be construed in harmony with the Fundamental Rights.

Second, uniformity as such is not the decisive justification for a UCC from the standpoint of women's rights. The justification lies in the possibility of establishing minimum standards of equality and dignity.

Third, Indian judicial decisions have already made significant contributions to the reform of family law.

Fourth, uniformity of law must not be confused with substantive equality. Women's rights may exist on paper and yet remain inaccessible because of social, economic and institutional constraints.

Fifth, the Uttarakhand experience offers valuable material for empirical assessment. Its implementation shows that a UCC is no longer merely a constitutional aspiration or a political controversy, but a functioning sphere of State-level law. The official portal records the delivery of services relating to marriage, succession and other civil matters.

Sixth, a national UCC must adopt a non-regressive approach. Existing progressive rights must be preserved and, where feasible, extended.

Lastly, gender justice must be the key measure of success. The question is not whether all citizens are subject to the same rules, but whether those rules secure equal dignity, autonomy, security and opportunity.

XI. CONCLUSION

The Uniform Civil Code occupies a special place on India's constitutional agenda, standing at the intersection of equality, religious freedom, individual autonomy and social reform. Article 44 expresses the constitutional aspiration of a common civil framework, though its realisation must remain consistent with the Fundamental Rights.

A well-conceived UCC holds considerable promise from the standpoint of women's rights. It can establish common standards for marriage, divorce, maintenance, inheritance, guardianship and adoption. It can prevent the exploitation of differences between personal-law regimes as a means of evading matrimonial obligations. It can also enhance the economic independence of women by conferring equal rights of inheritance and property ownership. The Indian judicial tradition shows that family-law reform and constitutional values are closely connected.

At the same time, a UCC should not be regarded as a panacea for every form of gender discrimination. Standardised rules may prove ineffective where women lack legal awareness, are economically disadvantaged or have no access to institutions. Moreover, a UCC that disregards the religious and cultural diversity of India may generate constitutional and social conflict.

The experience of Uttarakhand is therefore of real importance. The State's UCC has put in place administrative arrangements for marriage, divorce and succession, and its continuing

implementation and revision offer an opportunity to examine whether uniform civil regulation genuinely enhances women's access to justice and legal security.

Finally, the achievement of a Uniform Civil Code cannot be evaluated by the extent to which it creates legal uniformity. The more significant question is whether it brings about substantive equality.

A constitutionally valid UCC should therefore be gender-just, religion-neutral, rights-based, inclusive and centred on individual dignity. It ought not to seek to eliminate legitimate cultural diversity or to impose the practices of one community upon another. Rather, it must construct a constitutional floor below which no citizen, and especially no woman, can fall.

The future of UCC reform in India should thus be guided by the principle of uniformity with equality and diversity with constitutional dignity. Its aim should be to ensure that every woman, regardless of religion or community, enjoys equal legal capacity, economic security, matrimonial protection, inheritance rights and access to justice. Only such a framework can make the constitutional vision of Article 44 a genuinely useful instrument of gender justice.
