



Uniform Civil Code in Secular India : An Analytical Study

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Abstract : *Since time immemorial, women have been subject to oppression and subjugation. Among the various factors, religion reigns supreme, be it Hinduism or any of the minorities' religions. Patriarchy is reflected in religious practices and women have followed them with rectitude because of orthodox and parochial opinion. With the passage of time, laws were made to safeguard women's rights but personal law was not touched even by the British Government. Even the Makers of the Constitution failed to reach a consensus on this issue. As of now, the matter stands still. Enactment of the UCC under Article 44 of the Constitution has provoked heated debates. The judicial pronouncements have also failed to emancipate women, as law makers did not have the political will to enact it. The time has come for women to*

spearhead a movement against atrocities committed in the name of family affairs. This work has initiated a dialogue after analyzing the varied perceptions of religious priests, women, jurists and politicians. Thus, this work generalizes that women irrespective of all religions, want to defy rigid personal laws and clamour for justice. So, before negating the whole idea of the Uniform Civil Code in Secular India, leaders should deliberate on the decision-making level and of the common man in society at large. They must all fill in the questionnaire provided by the law commission for better results.

Keywords: *Patriarchy, Orthodox, Parochial, Rectitude, Consensus and Spearhead*

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Introduction :

Known as a secular state, we have just accepted secularism as a value but have not asked ourselves what it means to be a secular state. We have just gone on mouthing slogans. Good slogans and Bad slogans, for instance, "Sarva Dharma Sambhava", 'Islam Khatre Mein Hai' and 'Hindustan for Hindus' or 'Hindu Rashtra'. These slogans have done enough harm to Akhand i.e. unified Bharat. But we have not started discussing what happens when the state is secularized. Even in the debate of the Constituent Assembly, the proposal made by K. M. Munshi for inserting the word 'secular' in the Constitution, argues that the state be secular, not simply seeking to counter the danger of sectarian violence, but to emphasize the equality of citizens before the law (Tejani, 2007:251) but it was rejected thrice and the