

Can a Uniform Civil Code Help Achieve the Sustainable Development Goals: An Analytical Study of India

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Abstract
The State is instructed to attempt to provide a Uniform Civil Code (UCC) as specified in Article 44 of India's Constitution, and the discussion has now moved from the theoretical aspect to that of implementation with Uttarakhand enacting a regional code in January 2025. However, the discourse addresses hardly the issue of whether a uniform code implementation would serve the Sustainable Development Goals (SDGs) set by the family laws, namely targets 1.4, 5.1, 5.3, and 5.a. The following document attempts to answer this question via a qualitative comparative case study of Goa, Uttarakhand, Turkey, and Tunisia relying on a three-tiered approach distinguishing between the written law, execution, and results, and it is based on laws, court verdicts, public documents, and survey results. Uniformity or reforming of the codes leads to the accelerated improvement of the legal indicators, however, results will depend on registration, regulation process, legitimacy, and substantial content of the code. There is an evident delay in Turkey which is decades behind after codification. There is no reform happening in Tunisia in inheritance, and in Goa, the legal share in marriage property does not guarantee control over property for women. Uttarakhand has a uniformly applied code for all religions, however, it preserves unequal marriage ages; it allows disinheritance via the will, has no matrimonial property regime, and makes an exception for Scheduled Tribes. Hence a UCC is a necessary but insufficient precondition for achieving SDG targets. The paper comes to an end with an SDG-targeted design and monitoring checklist.

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1. Introduction

Article 44 of the Indian Constitution has stated that "the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India" (Indian Constitution, 1950, art. 44) [13]. As a Directive Principle, it cannot be enforced in court but Article 37 declares that these principles are fundamental to the governance in the country (Indian Constitution, 1950, art. 37) [13]; for many years, it remained an aspiration. In 1985, the Supreme Court observed that Article Number 44 became "a dead letter" (*Mohd. Ahmed Khan v. Shah Bano Begum*, 1985) [41] and the discussion of legislative inaction continued in the subsequent decisions (*Sarla Mudgal v. Union of India*, 1995; *Jose Paulo Coutinho v. Maria Luiza Valentina Pereira*, 2019) [27, 52]. As of 2024, the matter has passed to the States, which have legislative power over marriage, divorce, and inheritance issues under Entry Number 5 of the Concurrent List (Indian Constitution, 1950, sch. VII, list III, entry 5) [13]. The first post-independence State Code was adopted by Uttarakhand on 27 January 2025 (Press Trust of India, 2025; Uniform Civil Code, Uttarakhand, 2024) [48, 57].

For a long time, the public discourse on UCC promoted discussions on matters like national unity, secularism, and rights of minorities (Menski, 2008) [38]. However, it did not consider a challenge that had already been tackled by India. As per Agenda 2030, governments around the world need to commit to ending discrimination against women and girls (goal 5.1), ending child marriages (goal 5.3), and providing women with equal rights over resources and control over land, property, and inheritance (goals 5a and 1.4) (United Nations, 2015) [58]. Some of the commitments stated above are measured directly through family laws themselves: indicator 5.1.1 on laws guaranteeing equality in marriage and family life, and indicator 5.1.1 on women's land rights, including their inheritance rights. Out of 120 nations studied for indicator 5.1.1, none was successful in achieving 100(United Nations Statistics Division). Nevertheless, progress can always be made, and there were even 56 successful reforms noted between 2019 and 2023.

India's own monitoring results correlate with this. For the SDG India Index 2023–24, Goal 5 on gender equality, has the lowest score among all goals at 49 (NITI Aayog, 2024) [45], but the World Bank that India's framework scores at 74.4 on its long-standing index but only 60.0 on its extended one which is below the world average (World Bank, 2024) [61]. The fifth National Family Health Survey (NFHS-5) discovered that 23.3% women aged between 20 and 24 have had their marriage before the age of 18. In addition, it found that among women aged 15–49, 43.3% of women owned a house or land either solely or jointly (International Institute for Population Sciences [IIPS], 2021) [25], but the share of women in operational holdings was only 13.87% in 2015–16 (Ministry of Agriculture and Farmers Welfare, 2018) [39]. Each of these outcomes is influenced at least partially by the rules of marriage, divorce, and inheritance that personal laws provide.

This article investigates if and under what circumstances the UCC can contribute to the realization of the SDG goals. It examines the shortcomings of personal laws in India in meeting these goals and what the experience of countries with either unified or reformed family law codes teaches us about the link between legal reforms and actual results, as well as the features of law-making and implementing that will make the Indian UCC effective rather than a mere gesture. The author comes to the conclusion that while the UCC is necessary for the good results, it is not enough. The code establishes rules governing family life in theory, while its practical impact depends on how the institutions responsible for registering marriages, resolving disputes, and enforcing property rights operate. Simply introducing a new code is not enough to create new sets of practices, because without proper institutions that assume the responsibility of the referee, the scoreboard and players accept the rules a new code might become nothing but an empty declaration.

The paper presents an SDG-index framework that separates written law from implementation and outputs; comparison of the newly minted Uttarakhand codex to the long-established codes of Goa, Turkey, and Tunisia; baseline indicators for assessing the new code; and an SDG-aligned design checklist. Section 2 reviews the literature and lays out the framework, Section 3 describes the methods, and Section 4 maps the SDG gaps in Indian personal law. Sections 5 and 6 analyze the cases, Section 7 compares them, Section 8 tests counterarguments, Section 9 proposes a roadmap, and Section 10 concludes.

2. Literature Review and Conceptual Framework

2.1. The Indian Debate

There are three dominant positions about the question of uniform code in India. The first view regards the Uniform Code as a tool for giving equal citizenship to all. B. R. Ambedkar argued in favor of introducing a provision on uniform code during Constituent Assembly in 1948 when it was opposed by the Muslim members who wanted to safeguard their personal laws; he observed that Parliament should perhaps go ahead and implement the Uniform Code for those who would willingly accept it (Constituent Assembly of India, 1948) [12]. E.g. this was linked later by the Supreme Court to issues of national integration (*Mohd. Ahmed Khan v. Shah Bano Begum*, 1985) [41] and Parashar (1992) [46] has also pointed out that family laws reforms were treated by the state mainly as a matter of national integrity and relations among communities, rather than one of equality of sexes.

The second perspective, which emerged after the Shah Bano affair and the growth of Hindu nationalist politics separates gender justice from standardisation. Agnes (1999) [2] argued that the codification of Hindu law in the 1950s preserved several forms of discrimination and warned against assuming it was a neutral basis for a legal scheme, while Menon (2014) [37] showed how the demand for UCC became linked to the politics of majoritarianism. The third perspective believes in reform within every personal law. Menski (2008) [38] argued that judicial harmonisation, especially with regard to maintenance in view of *Danial Latifi v. Union of India* (2001) [14] had already begun to yield converging results, and the 21st Law Commission found that UCC is "neither necessary nor desirable at this stage" and instead recommended the adoption of uniform age for marriage, compulsory registration and equal division of property acquired after marriage, and suggested that divorce on ground of irretrievable breakdown may be decided along with the property regime (Law Commission of India, 2018) [34].

2.2. Legal Change, Outcomes and the State

In a second body of work, writers have explored whether family law reform leads to any changes for women. Agarwal (1994) [1] argued that women may have independent rights over land and differentiated between ownership and control, while Kabeer (1999) [29] described empowerment as a process beginning from resources to agency to outcomes. The evidence on succession reform from India is mixed. The changes to Hindu Succession Act did increase the probability of daughter's inheritance but there is still a huge gap with sons (Deininger *et al*., 2013) [15]. Among states with early reforms, families with a first-born daughter and access to prenatal sex detection were between 3.8 and 4.3 percentage points less likely to have a girl for the second child which the authors connect with the desire of the parents to retain land within the family (Bhalotra *et al*., 2020) [8]. According to Brulé (2020) [9], women should be given rights along with the means to fulfil them. In the case of the UCC debate, this means that while equal rights might not be realised, a code must be created that could combat its backsliding. Comparative research can shed light on variations in different countries' experiences. For instance, Htun and Weldon (2011) [22] showed that the type of legal tradition determined the level of gender equality concerning family law, with religious countries exhibiting the least equality, however, reform is only possible once opponents become less

influential. Meanwhile, Charrad (2001) [10] connected the 1956 reforms in Tunisia with the independence of the new state from tribal structures.

2.3. Research Gap and Framework

There are two gaps here. Not many studies have evaluated a UCC against the SDGs, and the Uttarakhand code which is set to have a release in 2024 has not been assessed or compared with the earlier codes of Goa, Turkey, and Tunisia. Therefore, the present study utilizes the three-level framework based on Kabeer's (1999) [29] sequence and the distinction made by Agarwal (1994) [1] between formal/ legal rights and actual rights. The first phase of evaluation, which is referred to as law on paper, investigates the code and compares its content to the targets provided which consist of a minimum age, free consent to marriage, monogamy, equal opportunities for getting divorced, the support of maintenance for divorced individuals, fair matrimonial property regulations, and equal anti-disinheritance regulations confirmed by the indicators 5.1.1 and 5.a.2. The second phase of the evaluation, called implementation, examines whether the code, when applied, involves registration, availability of courts, and knowledge about law (as indicated by the targets 5.c and 16.3). The third phase of evaluation, which is called outcomes, investigates the difference after the application of the law according to the targets 5.3.1 and 1.4.1 (the codification data were provided by the statistics division of UN in 2024) [4].

3. Methodology

By utilizing structured, focused comparisons, the research employs a qualitative comparative case study design wherein the same inquiries are posed for each case (George & Bennett 2005) [17]. Each family law regime is analyzed through different stages of the framework as well as four domains: marriage formation, divorce and maintenance, succession, property, and registration. The divorced case selection strategy (Seawright & Gerring, 2008) [53] is employed to ensure diversity in terms of place, time, and type of reform: Goa as the only common family code in India above one century of implementation, Uttarakhand as the first state code created after gaining independence, Turkey as a secular code created in 1926 and upgraded in 2001, and Tunisia as an example of reform within Muslim law. As both international cases are Muslim-majority countries, the analysis allows investigating how both Muslim family law, which is the main issue in India, has been reformed following these stages. The information resources consist of laws and judicial decisions and different reports. (Law Commission of India, 2018; NITI Aayog, 2024; United Nations Statistics Division, 2024; World Bank, 2024) [34, 45, 59, 61]; data sets from NFHS-5 (IIPS, 2020, 2021) [24, 25], 2018 Turkey Demographic and Health Survey (Hacettepe University Institute of Population Studies, 2019) [19] and UNICEF's collected data for Tunisia (UNICEF, 2016, as cited in Musawah, 2023); government implementation statistics as published in the press; and literature review of relevant academic work. For each domain, the analysis summarizes the legal provision, what we know about the execution process, and whether outcome assessments were available, and contrasts all occurrences to highlight common mechanisms instead of seeking to assess causal impact. Goa's positive indexes are again confirmed by urbanization, wealth, and education; Uttarakhand's regulation appeared too recently for outcome assessment data; surveys measuring ownership are based on self-reports; and the international cases are supported by English language material.

4. India's Personal Laws and the SDG Gap

The family law of India is based on pluralism. The effect of colonial courts was to implement Hindu and Muslim law for matters relating to marriage, succession and rituals (Agnes, 1999) [2], while section 2 of the Muslim Personal Law (Shariat) Application Act of 1937 permits its application for Muslims, although agricultural land was exempted from its scope; Hindu law was partially codified since 1955. The law of each community has undergone reform at its own pace, as determined by courts. Although Hindu daughters became coparceners as per Hindu Succession (Amendment) Act of 2005 in the joint family property, Syrian Christian women of Kerala got the right to inherit equally only after a court ruling in 1986 (*Mary Roy v. State of Kerala*, 1986) [36]. Again, the matter of maintenance for divorced Muslim women moved between the legislature and the courts from 1985 to 2024 when through a ruling, the Supreme Court of India confirmed their eligibility to have access to the general maintenance remedy under the criminal procedure law (*Mohd. Abdul Samad v. State of Telangana*, 2024) [40]. Instant triple talaq was set aside in 2017 and criminalized in 2019 (*Shayara Bano v. Union of India*, 2017; Muslim Women (Protection of Rights on Marriage) Act, 2019).

The gaps that are still available are summarized in Table 1. The area where the SDGs are most relevant to personal law is inheritance. In Islamic personal law, daughters inherit only half of what sons receive (Agnes, 1999) [2]. According to Section 15 of the Hindu Succession Act, the property of a woman dying without a will and without children and husband will go to the heirs of the husband's family instead of the family of the deceased (Law Commission of India, 2018) [34]. Many customs about land concerning Scheduled Tribes exclude women from inheritance while tribal succession remains unaffected (Hindu Succession Act, 1956) [20]. No laws outside Goa entitle wives to part ownership of property acquired by couples during marriage after dissolution of marriage. This was a loophole that the Law Commission aimed to address through equal distribution of assets on divorce, subject to the discretion of the judges (Law Commission of India, 2018) [34]. The data corroborate the rules. The reports on women owning land or houses increased from 38.4% in NFHS-4 to 43.3% in NFHS-5 (IIPS, 2021) [25]; however these statistics involve joint ownership and do not assure power (Agarwal, 1994) [1]. Moreover, women's ownership of operational land rose only from 12.79% in 2010-11 to 13.87% in 2015-16 (Ministry of Agriculture and Farmers Welfare, 2018) [39].

Hindus are not permitted to practice polygamy; not even a conversion to Islam would do them any good (the *Sarla Mudgal* versus Union of India case, 1995), while polygamy can still be practiced by men of Islam. The number of polygamous families is small in the different communities: women married to polygamous husbands make 1.4% of all married women, including 1.3% of Hindus, 2.1% of Christians, and 1.9% of Muslims. The highest number of polygamous marriages is noted in the north-eastern territories with a large tribal population (Sahoo *et al*., 2023) [51]. Child marriage, however, poses a larger challenge. The Prohibition of Child Marriage Act of 2006 allows for different minimum ages of marriage (18 for females, 21 for males). According to

section 3 of the Act, most child marriages are voidable rather than void, which does not comply with the criteria of indicator 51.1. A bill aiming at changing the minimum age for marriage of women to 21 and giving the Act the overriding effect has been submitted for consideration in 2021 and rejected (PRS Legislative Research, 2021) [50]. The Supreme Court in 2024 delineated a framework for ensuring implementation while leaving it to Parliament to determine whether the Act surpasses personal laws (*Society for Enlightenment and Voluntary Action v. Union of India*, 2024) [56]. The Law Commission of India (2018) [8] proposed a uniform age of 18 years for both males and females stating that a lower minimum age for women fosters the idea that wives should be young than their husbands. Although registration has been declared as the means of linking the minimum age to its application in *Seema v. Ashwani Kumar* (2006) [54], the concept proves ineffective in practice, and in 2017 the Law Commission suggested creating an Indian-wide system of marriage registration (Law Commission of India, 2017) [33].

Two uniformities are noticeable. Discrimination occurs under Hindu, Muslim and tribal customary law and various major gaps such as unequal marriage ages, voidable child marriages and absence of matrimonial property rights are common across communities, therefore SDG-related reform sits outside the context of reforming the law of a single community. The gaps can also be found mainly in inheritance, property and child marriage areas which are the subjects of direct SDG measurement, whereas polygamy which is mostly discussed in popular discourse does not seem so significant from quantitative viewpoint. A code limited to standardizing the existing rules would not bring any changes to Table 1.

Table 1: Selected Gender-Unequal Features of Indian Family Law and the SDG Targets Engaged

Feature	Communities affected	SDG targets	Status
Daughter inherits half a son's share	Muslims	1.4, 5.a	In force
Property of a childless intestate woman passes to her husband's heirs before her parents	Hindus (Hindu Succession Act, s. 15)	1.4, 5.a	Flagged for reform by the Law Commission of India (2018) [8]
Women excluded from land under custom	Many Scheduled Tribes	1.4, 5.a	Left intact in *Madhu Kishwar* (1996) [35]; tribes exempt from the Uttarakhand code
No share in property acquired during marriage	All, except in Goa	5.a	Equal division proposed by the Law Commission of India (2018) [8]
Different minimum ages of marriage (18 and 21)	All	5.1, 5.3	Retained in the Uttarakhand code
Child marriage voidable rather than void	All	5.3	Prohibition of Child Marriage Act, 2006, s. 3
Polygamy permitted for men	Muslims	5.1	Prevalence 1.4% across all communities

Note. Compiled by the author from the sources cited in Section 4.

5. The Indian Cases: Goa and Uttarakhand

5.1. Goa

Jose Paulo Coutinho v. Maria Luiza Valentina Pereira (2019) [27] remarks on Goa as "a perfect example of an Indian State" with civil law as it utilizes the Portuguese Civil Code of 1867, which remained in effect after incorporation under section 5(1) of the Goa, Daman and Diu (Administration) Act, 1962, with its provisions for succession being amended in December 2016 under the Goa Succession, Special Notaries and Inventory Proceedings Act, 2012. There are three defining features with regard to the SDGs, namely, the two-stage civil marriage registration process, which registers age and consent (Is Goa Civil Code, 2018) [26]; the community of property by default which gives each of the spouses ownership of half of the common property should it be dissolved (*Jose Paulo Coutinho v. Maria Luiza Valentina Pereira*, 2019) [27]; and equal inheritance of sons and daughters, with parent being forbidden from making a decision on the distribution of the daughter's part of the inheritance in their testament (Goa Succession, Special Notaries and Inventory Proceedings Act, 2012, ss. 68, 83, 227) [18]. Thus, Goa features registration of marriages which contributes to goal 5.3; marriage property system that supports objective 5.a; as well as protected inheritance that fulfills goals 1.4 and 5.a.

However, the legality of these rights is complicated and not altogether equal. The Code of Usages and Customs of Gentile Hindus was established in 1880, and even if it allows for a Hindu man to take a second wife, it is not being followed. The husband possesses and manages the family property, and their daughters give up on claiming equal parts of it after being paid with jewelry at their weddings. Therefore, even if the women were to receive property before their marriage by virtue of the pre-marital agreement, it is sometimes impossible to approve of it legally (Is Goa Civil Code, 2018) [26]. These data support this argument (Table 2). The region positioned itself above the national average regarding child marriages (5.8% against 23.3%) and domestic violence (8.3% against 29.3%) owing to urbanization and development of education as well as income. Nonetheless, only 23.2% of women in the state can indicate their possessions in the form of land or houses as opposed to 43.3% at the national level and 33.9% according to NFHS-4 (IIPS, 2020, 2021) [24, 25].

5.2. Uttarakhand

The code of Uttarakhand (Act no. 3 of 2024) [57] came into effect on January 27, 2023, and is applicable to all the people except the members of the Scheduled Tribes and the people who are protected under the rights given to them under Part XXI of the Constitution (Press Trust of India, 2025; Uniform Civil Code, Uttarakhand, 2024, s. 2) [48, 57]. The code prohibits bigamy; maintains the minimum marriage ages of 21 for men and 18 for women; it requires marriages to be registered within 60 days, and the failing to do so intentionally attracts a penalty of up to Rs 10,000. The code limits the divorce to the courts by providing a few common grounds; it makes extrajudicial divorce illegal; it provides equal share of sons and daughters in the property of intestates while also allowing any adult to bequeath his property.

The marriages are required to be registered; non-registration of marriage will not make the marriage invalid. Live-in couples must register within a month; children from such relationship would be treated as legitimate.

The code addresses target 5.1 through monogamy and common grounds for divorce, as well as targets 1.4 and 5.a through similar intestate share for both parties, but three decisions limit its efficacy. It upholds disparate marriage age, which contradicts the Law Commission's recommendation (Law Commission of India, 2018) [34]. The code provides for complete testamentary freedom, which, according to Agnes (2024) [3], eliminates the protection of the Hindu Daughter's coparcenary share and the Muslim inheritance law cap of bequest at one-third which implies that a parent can will away his property so that the daughter does not get her just share. Additionally, it does not provide any provisions for matrimonial property. Commentators also feel that the code derives mostly from Hindu law and retains the colonial-based system of restitution of conjugal rights (Agnes, 2024, Kumar & Ullal, 2024) [3]. Registration serves as the main tool of the initiative: the number of registered marriages reached 1,006 between January 27 and February 12, 2025 (ETV Bharat, 2025) [16]. The same does not apply to the provisions related to live-in relationships since, as of February 12, 2025, only three couples registered (ETV Bharat, 2025) [16]; moreover, on that date, the High Court had issued a notice in connection with complaints addressing the new codification, including the prosecution of live-in relationships (Upadhyay, 2025) [60]. The NFHS-5 data show that 10.0% of females aged 20-24 were married before the age of 18 and that 24.6% of women owned a house or land (IIPS, 2021) [25], and only further survey rounds will prove if the indicators change after 2025.

Table 2: Baseline SDG-Relevant Indicators for the Indian Cases, NFHS-5 (2019–21)

Indicator	India	Goa	Uttarakhand	SDG link
Women aged 20–24 married before age 18 (%)	23.3	5.8	10.0	5.3.1
Women aged 15–49 owning a house or land, alone or jointly (%)	43.3	23.2	24.6	1.4, 5.a
Women with a bank or savings account they themselves use (%)	78.6	88.3	80.2	5.a, 8.10
Ever-married women aged 18–49 who have experienced spousal violence (%)	29.3	8.3	15.1	5.2.1

Note. Data for Goa were collected in 2019–20 and for India and Uttarakhand in 2019–21 (IIPS, 2020, 2021). All values predate the Uttarakhand code.

6. The International Cases: Turkey and Tunisia

6.1. Turkey

The new civil code that came into being in 1926 introduced by the newly-created Turkish Republic put an end to the religious family law and made civil marriage obligatory, banned polygamy, transferred divorce cases to courts and allowed daughters to share inheritance equally (Kandiyoti, 1987; Akipek Öcal & Arslan, 2024) [4, 30]. The code, while uniform, created gender inequalities as the husband became the head of the family, the property regime became one of separate property, and until 1992, the wife was required to get her husband's approval for working outside (Anıl *et al*., 2005) [6]. Implementation of those laws was even slower. Many couples, especially in the rural areas, continued to marry according to the religious laws instead of using the new civil legislation, thus leaving the children without any protection under the law, thus requiring several amnesty laws; even after muftis were granted the right to conduct civil marriages from 2017, the proportion of couples using this right was lower than 2%, while the number of strictly religious marriages did not decrease (Akipek Öcal & Arslan, 2024) [4]. Simply put, uniform codes cannot eliminate traditional ways communities still see as valid. Content only caught up with the second reform. On the campaign of 126 women's organizations, a new Civil Code came into effect on January 1, 2002, abolishing headship (husband), establishing spouses as equal, and enacting equal property sharing by default (though, by default, for property acquired after that time) due to the importance of unpaid household work (Anıl *et al*., 2005) [6]. Turkey's legal framework now stands at a score of 82.5 according to Women, Business and the Law index of the World Bank while India has 74.4 (World Bank, 2024) [61], yet nearly 100 years after codification, 14.7% of Turkish women aged 20–24 are reported to have been married before turning 18 (Hacettepe University Institute of Population Studies, 2019) [19].

6.2. Tunisia

The enacted Tunisian Code of Personal Status on August 13, 1956 during President Bourguiba's era had resulted in ending polygamy, necessitated permission to tie the knot from both parties and replaced unilateral repudiation with divorce proceedings (Charrad, 2001; Musawah, 2023) [10, 42]. Unlike Turkey, Tunisia posed the reforms as the reinterpretation of Islamic law and derived legitimacy (Charrad, 2001) [10]. Subsequent amendments in the legislation abolished the wife's duty of obedience in 1993 and established marriage at age 18 in 2007 although judges can also allow early marriage (Musawah, 2023) [42]. With respect to inheritance, daughters instead of enjoying the equal share will generally inherit half that of sons although Article 143 bis provides an only daughter to own her parents' estate (Musawah, 2023) [42]. In June 2018, a presidential committee proposed a recommendation for equal inheritance, which resulted in President Beji Caid Essebsi promising to push through a law making equal shares the norm, with the option of opting out through a notarized will. However, the ruling coalition partner Ennahda rejected it within a couple of weeks (Human Rights Watch, 2018) [23]. The proposal later stalled due to Essebsi's demise in 2019, and his successor, Kais Saied, dismissed the idea as a 'false debate' he claimed had been settled by the Quran, in 2020 (Bajec, 2023) [7]. The legacies of men led to women in rural areas sometimes rejecting even their rightfully unequal shares of inheritance, so that the land remains in the family (Musawah, 2023) [42]. The results are in contrast with law: despite the fact that only around 2% of women aged 20-24 had been married before the age of 18 (UNICEF, 2016, as cited in Musawah, 2023), Tunisia received a rating of 64.4 on the World Bank index (World Bank, 2024) [61]. Tunisia illustrates how reform can be possible within a religious framework but fails at the point of inheritance, as well as how reform imposed from above is likely to be vulnerable due to changes in coalitions.

7. Cross-Case Analysis: What Moves the SDG Indicators?

Table 3 summarises the four cases against the framework. Four lessons follow.

Table 3: Comparative Assessment of Four Family-Law Regimes

Case	Law on paper	Implementation	Outcomes	Lesson
Goa (1867 code; 2012 succession law)	Civil registration; community of property; equal inheritance with a reserved half	Husband administers common property; daughters often relinquish shares	Child marriage 5.8%; house or land ownership 23.2%	A property regime helps, but equal control does not follow automatically
Uttarakhand (2024; in force 2025)	Monogamy; court divorce; equal intestate shares; ages 21 and 18; unrestricted wills; no matrimonial property regime; tribes exempt	1,006 marriage and three live-in registrations in 17 days; constitutional challenges pending	No post-code data; baseline child marriage 10.0%	Strong on registration; gaps in age, wills and matrimonial property
Turkey (1926; revised 2001)	Secular code; husband head of family until 2001; equal sharing of acquired property from 2002	Religious-only marriages persisted; repeated amnesty laws	Child marriage 14.7%; WBL score 82.5	Practice lagged law for decades
Tunisia (1956; revised 2007)	Polygamy banned; judicial divorce for both spouses; age 18 for both; unequal inheritance	Equal-inheritance bill stalled, 2018–2020	Child marriage about 2%; WBL score 64.4	Legitimacy sustains reform; inheritance is the hardest frontier

Note. WBL = Women, Business and the Law 2024 legal frameworks score (World Bank, 2024). Other sources as cited in Sections 5 and 6.

7.1. Legal Indicators Move Quickly, Outcomes Slowly

The initial phase of each case demonstrates quick progress. The laws of Turkey and Tunisia had an immediate impact on the way polygamy and divorce were treated legally, while the code in Uttarakhand had a similar effect in relation to the regulations concerning its non-tribal community. However, the results took much longer to materialize: nearly 100 years after the codification process, the number of young brides below 18 in Turkey is equal to one out of seven Hacettepe University Institute of Population Studies, 2019). The Committee's response to the success of implementation of the laws will be reflected in the settlement of the UCC as early as the moment of its adoption (Indicators 5.1.1; 5.a.2). However, the success of implementation will be reflected by other indicators long after the introduction of the UCC (Indicators 5.3.1; 5.a.1). Even a relatively advanced state like Goa has weak outcomes in law ownership despite the fact that its code dates back more than 100 years. This shows that, while regulations can be established, their implementation and social changes can be slower than expected.

7.2. Registration Is the Hinge

Registration thus transforms the minimum age from a norm into a verifiable rule, and gives proof of marriage to women who claim maintenance or property. The two-stage procedure in Goa has long made marriage dependent on such a record, while recurrent amnesties have been forced in Turkey due to the failure to draw religious unions into the civil system. The Uttarakhand portal, with 1,006 registrations of marriage in its first 17 days, gives the maiden test as to whether a code can make registration routine. The design, however, matters. Compulsory registration can disempower women in unregistered marriages who depend on the presumption of marriage created through prolonged cohabitation (Agnes, 2024) [3], and the fact that only three live-in pairs have registered their relationship during the same period (ETV Bharat, 2025) [16] indicates that harsh punishment is more effective than a welcoming mechanism. Registration is most effective when it is free of charge, uncomplicated, and associated with attractive offerings. Moreover, complete registration will help states monitor child marriage easily through administrative data rather than rely on periodic surveys.

7.3. Content Matters More than Uniformity

Codes can be uniform without necessarily being the same. For example, Turkey's code of 1926 has kept the husband in control of the family for almost 75 years (Anıl *et al*., 2005) [6]. Goa has a code requiring control over common property by the husband (Is Goa Civil Code, 2018) [26]. Tunisia has unequal inheritance (Musawah, 2023) [42]. Uttarakhand has unequal marriage ages. The success of target 5.a. will depend on two elements in particular. The first one is that there is no protection against disinheritance. Where equal inheritance brings on avoidance as Indian statistics show (Bhalotra *et al*., 2020) [8], shares are equal only as to paper. The property allocated under a will has to be equal only on paper. Goa's reserved half and Muslim-law share of a third, which brings in protection, are not enacted in the Uttarakhand code (Agnes, 2024) [3]. One more aspect to be looked into is property belonging to spouses. The joint property system problematisation in Goa and Turkey's new approach since 2002 implies that what couples earn throughout marriage comes from the work done by both partners which includes remuneration-free household labour (Anıl *et al*., 2005) [6]. Wills help women to receive their share as inheritance thus they benefit from this kind of property when their parents pass away. However, marital property has an impact on divorce or desertion which leaves women without any possibilities to get something because of their vulnerability in situations like that. Although the Law Commission of India (2018) [8] suggested equal shares of property in matrimonial cases and the CEDAW committee (2013) included the idea of equal share upon the dissolution of the marriage, Uttarakhand's law is not based on these theories. Hence, the issue concerning any proposed law should be not its conformity with the existing laws but rather which issues presented in Table 1 it solves.

7.4. Legitimacy and Inclusion Determine Durability

The methodology through which a certain code is designed is critical in determining its length of survival as well as how well it functions. The reforms produced in Tunisia have lasted for approximately seventy years, but having been centrally produced, they have faced a variety of obstacles. In Turkey, a strongly supported country-wide movement was needed in order to ensure that the benefits promised by the new code finally made a reality (Anıl *et al*., 2005) [6]. It has been proven that reform in governance requires the weakening of opposition forces resisting such reform (Htun & Weldon, 2011) [22]. Uttarakhand's code has been passed on the first day of debate without giving much attention to the opposition demand for a special session of the committee dealing with the decision (Press Trust of India, 2024) [47]. The

new code is going to meet some powerful resistance from various organizations in the state (Upadhyay, 2025) [60], and this code leaves out tribal women, which is we will study in detail as they need more protection by the law in India than anyone else (Kumar & Ullal, 2024) [32].

8. Counterarguments Tested

The first counter-argument holds that a Uniform Civil Code would infringe on religious freedoms. Article 25(2) of the Indian Constitution maintains the rights of the State to control secular affairs of religion and promote welfare and reform (Constitution of India, 1950, Art. 25(2)); civil effects of marriage and inheritance laws are controlled in all religious communities; the judiciary has already identified some customs such as instant triple talaq as invalidated (*Shayara Bano v. Union of India*, 2017) [55]. The example of Goa demonstrates that religion does not disappear under the uniform civil law, even though the latter accommodates relatively many religious identities (Almeida, 2023) [5]. The specific notion goes even further: Uniform Codes extend Hinduism to majority religion while other protections are lost. The Sustainable Development Goals framework poses a solution, standing for opting for the most protective principles from each religion, such as community property and reserved share of Goa's law, prohibition for disinheritance of Muslim law, and equal inheritance rights for daughters in Hinduism.

According to the Law Commission of India (2018) [8], there has been yet another argument which states that discrimination can be abolished in the context of personal laws. Changes occurring within a particular structure carry credibility since Tunisian practice illustrates (Charrad, 2001) [10], but the Indian experience demonstrates that it can be rather limited: Hindu daughters waited from 1956 until 2005 to gain coparcenary rights; maintenance of divorced Muslim women passed from one court to another for more than forty years; and tribal women are excluded both from the scope of new legislation and the Uttarakhand code. The possibility to combine these two arguments seems to be achievable by the implementation of the system based on the principle of gradual convergence: there should be minimum requirements of rights that should be combined for every personal law allowing ethnic and social groups to maintain practices that do not discriminate above that minimum level.

One other objection relates to privacy concerns. The right to privacy is based on the concept of personal autonomy, which permits individuals to make their own personal choices with respect to their family and relationship matters (*Justice K. S. Puttaswamy (Retd.) v. Union of India*, 2017). Critics argue that laws requiring couples in a live-in relationship to register make a mockery of the right to privacy, but some judges are of the opinion that the law is unconstitutional (Kannan, 2024) [31], and the court has already issued notices to the relevant authorities regarding the petitions against the provision (Upadhyay, 2025) [60]. The objection is not applicable to the marriage law, considered by the Supreme Court as a requirement for registering all marriages (*Seema v. Ashwani Kumar*, 2006) [54]. Therefore, an SDG-compliant provision must retain mandatory marriage registration and make the registration of a live-in relationship voluntary.

One last drawback is that laws drafted and passed by each state could result in a variety of different codes, as evidenced by the vast differences between the codes of Goa and Uttarakhand. But this variety can serve the purpose of education if the codes of each state are analyzed on the basis of universal SDG indicators. Since the Concurrent List permits legislation by both state and national levels, a legislative framework of the national law that defines the minimum set of requirements for each SDG indicator would permit the joint benefits of both.

9. Towards an SDG-Aligned Code: A Roadmap

The comparative study highlights six design principles which can be found in Table 4 including the current status of the Uttarakhand code. First of all, content should be given priority with regard to the establishment of changes, such as having the minimum marriage age set for 18 years for both men and women according to the recommendations provided by the Indian Law Commission or 21 according to the legislative proposition put forward in 2021 which prohibited the underage marriages. Secondly, women and men should have equal opportunities regarding the dissolution of the marriage, as well as the possibility to obtain compensation although men should retain their share after divorce. Registration must primarily be viewed as a service instead of as a watch technique, being free of charge, digital, childbirth-connected, and maintaining the concept of marriage and the possibility of living together for those willing to do so. It should be a gradual process and involving consultation, as suggested by Ambedkar when indicating a voluntary beginning and raising the necessity to post bills for comments in the Assembly while getting the legislative review done and consulting tribal councils about gender-just custom law changes, meeting the request of the 16.7 on participatory decision making. The code must contain the possibility of its application laying down family courts and legal aid because women's involvement in governance favors this outcome. Every code must contain public monitoring in terms of SDG indicators as well as the establishment of the future independent review meeting.

Table 4: An SDG-Aligned Design Checklist for an Indian Uniform Civil Code

Design element	SDG targets	Comparative reference	Status in the Uttarakhand code
Single minimum age of marriage for both sexes	5.1, 5.3	Tunisia (18 for both since 2007)	Not adopted
Monogamy and court-based divorce for both spouses	5.1, 16.3	Turkey; Tunisia	Adopted
Equal intestate shares for sons and daughters	1.4, 5.a	Goa; Turkey	Adopted
Reserved share protecting heirs against disinheritance	1.4, 5.a	Goa (half of the estate)	Not adopted
Default equal sharing of property acquired during marriage	5.a	Goa; Turkey (from 2002)	Not adopted
Simple, universal registration of marriage	5.3, 16.3	Goa; Uttarakhand portal	Adopted; penal live-in registration contested
Inclusion of tribal women through consultation	10.3, 16.b	None among the cases	Scheduled Tribes exempted
Public monitoring against SDG indicators	5.c, 16.b	None among the cases	Recommended by this study

Note. Compiled by the author from the analysis in Sections 4 to 8.

10. Conclusion

This study researched whether the prospect of implementing a uniform civil code will accomplish sustainable development goals and analyzed four jurisdictions on the basis of a framework which divides legal controls into several components. The answer is, with some qualifications, affirmative. A uniform code generally boosts the legal aspects of sustainable development goals. Furthermore, Uttarakhand has included mandatory online registration in its code from the very start. Nevertheless, outcomes cannot be achieved only through the implementation of the code: Turkey demonstrates that rights in theory may exist for decades before being actually implemented; Tunisia shows that reforms could stall at the inheritance stage due to changes in government coalitions; Goa exemplifies that a legal right to joint property cannot be equated with a real share of women in property.

The key conclusion is that sameness is neither enough nor, on its own, the objective. The SDGs call for a standard level of rights related to the issue of gender that all nations need to follow and deal with. A UCC is one of the ways to formulate this baseline. The code implemented in Uttarakhand partly fulfills this need, while being notable for the solutions it provides, including monogamy and the grounds for divorce. However, it does not include a definitive age of marriage, matrimonial property regulations, guarantees against disinheritance, and participation of women from tribal communities. In this regard, one can conclude that although a UCC is a necessity, it is still not enough for fulfilling the SDGs.

The comparative design focuses on finding out mechanisms instead of causative effects, and thus far, the Uttarakhand code can only be evaluated against baselines. Future research should examine the code in the light of survey rounds conducted post-2025, compare Uttarakhand districts to other similar districts in neighbouring states, comprêrhë how women experience aspects of registration, inheritance and divorce under the new code, as well as whether and how tribal communities reform their customary laws according to their definitions of justice in gender. The SDGs replace the discussion of identity with an empirical question of whether the code selected by India changes the lives of women governed by it.

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