

# MIS MUN '23

## LOK SABHA



Agenda: Exploring the pros and cons of the implementation Uniform Civil Code(UCC) in India





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# LETTER FROM THE SPEAKERS:

Dear members,

We are delighted to welcome you all to Lok Sabha, Mussoorie International School Model United Nations'23. We are honored to chair this committee and conduct the session as you debate on this year's agenda 'Exploring the pros and cons of the implementation of Uniform Civil Code(UCC) in India'.

We have long believed that MUNs are a great opportunity to practice and hone your advocacy skills for the discussion of global concerns. They play a crucial role in building diplomatic expertise and critical thinking in the minds of prospective conciliators as well as raising public awareness on matters of international causes. Our goal is to make sure each one of you gets a comprehensive view of the committee and the agenda.

We at MIS MUN'23 Lok Sabha would like to provide a forum for discussion of the UCC in India. This background material will provide you with an overview of the committee, the agenda, and some key areas to look into.

The themes we have addressed should help the committee come up with an innovative resolution to the issues. We genuinely hope that each delegate can find their voice for their nation and work respectfully with other delegates in order to maintain the smooth functioning of the committee.

Our excitement to serve as your speakers is unbounded and we are looking forward to engaging debates. We hope you have a remarkable time in this committee.

If you run into problem conducting your research drop us a mail at [loksabha.mismun@gmail.com](mailto:loksabha.mismun@gmail.com) Sincerely,

SPEAKER

Muskan Aryan

DEPUTY SPEAKER

Pratyakchha Karna

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# COMMITTEE OVERVIEW:

The Constitution of India was adopted on 26 November 1949 and came into effect on 26 January 1950, proclaiming India to be a sovereign, democratic republic. This contained the founding principles of the law of the land which would govern India in its new form, which now included all the princely states which had not acceded to Pakistan.[citation needed]

According to Article 79 (Part V-The Union.) of the Constitution of India, the Parliament of India consists of the President of India and the two Houses of Parliament known as the Council of States (Rajya Sabha) and the House of the People (Lok Sabha).

The Lok Sabha (Lower House of the People) was duly constituted for the first time on 17 April 1952 after the first General Elections held from 25 October 1951 to 21 February 1952

The Lok Sabha is composed of representatives of people chosen by direct election on the basis of Universal Adult Suffrage. The Constitution of India allows for a maximum of 550 members in the House, with 530 members representing the States and 20 representing the Union Territories. At present, the Lok Sabha has 543 seats filled by elected representatives. The term of the Lok Sabha, unless dissolved, is five years from the date appointed for its first meeting. However, while a proclamation of emergency is in operation, this period may be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case, beyond a period of six months after the proclamation has ceased to operate. Through this MUN we aim on helping you all experience the proceedings of the Lok Sabha and also wish to see enthralling debates and expect all the members to come up with possible solutions that lead to the development of a more peaceful environment.

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# AGENDA OVERVIEW:

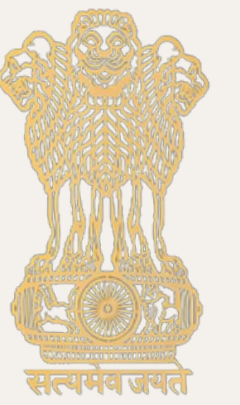
The Uniform Civil Code (UCC) has been a subject of intense debate and discussion in India for decades. The idea behind a UCC is to have a common set of laws governing personal matters such as marriage, divorce, inheritance, and adoption for all citizens, irrespective of their religious affiliations. India, being a diverse country with multiple religions and religious laws, currently has different personal laws for different religious communities. It refers to the idea of replacing personal laws based on religious practices with a single set of uniform laws applicable to all citizens irrespective of their religion, caste, or community. The concept aims to bring about social and legal reform, but it also raises significant concerns. The proposals in UCC include monogamy, equal rights for son and daughter over the inheritance of paternal property, and gender and religion-neutral laws with regard to the will, charity, divinity, guardianship, and sharing of custody.

The Uniform Civil Code aims to establish a uniform legal framework for all citizens, regardless of their religion. Article 44 in the DPSP, found in Part IV of the Constitution, states that “the State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India”

The Uniform Civil Code (UCC) aims to enforce a uniform legal framework to all citizens, irrespective of their religion. Right now, matters including marriage, divorce, and succession are governed by religion-based personal laws.

In India, the Uniform Civil Code (UCC) has been the subject of protracted discussion and controversy for many years. It alludes to a system of rules that apply universally to all individuals regardless of their religious beliefs and that regulate personal concerns including marriage, divorce, inheritance, and adoption. Although some see UCC as a contentious subject, it's crucial to note that its adoption can have a lot of beneficial effects on society.

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# TOPICS TO LOOK INTO:

## Promoting Gender Equality:

One of the significant advantages of a UCC is its potential to promote gender equality. In the existing system, personal laws based on religious practices often discriminate against women, particularly in matters of inheritance, divorce, and maintenance. Implementing a UCC can ensure equal rights for women in all communities, empowering them to make decisions regarding their personal lives. By abolishing gender-based discrimination, a UCC can contribute to the overall progress of society, enabling women to fully participate in the economic, social, and political spheres.

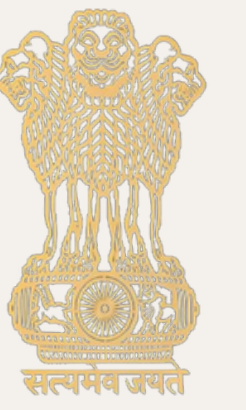
## Social Cohesion and Unity:

India is a diverse nation with various religious and cultural communities. The presence of different personal laws for different communities can sometimes create divisions and hinder social cohesion. Implementing a UCC can help foster a sense of unity and belonging among citizens by establishing a common set of laws that transcends religious boundaries. It can encourage a shared understanding of legal rights and responsibilities, promoting the harmonious coexistence of diverse communities.

## Secularism and Constitutional Values:

The implementation of a UCC aligns with the principles of secularism and the values enshrined in the Indian Constitution. It upholds the idea of equal treatment under the law, irrespective of one's religious background. By eliminating religious based laws in personal matters, a UCC can reinforce the secular fabric of the country, ensuring that the state does not interfere in matters of personal faith while guaranteeing fundamental rights to all citizens.

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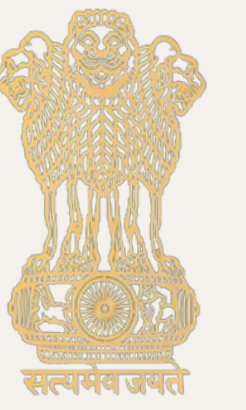
### Simplification and Access to Justice:

The existence of multiple personal laws creates complexity and confusion in the legal system. A UCC simplifies the legal framework by replacing diverse personal laws with a single set of rules applicable to all. This simplification can enhance access to justice for all citizens, eliminating the need for individuals to navigate through different legal systems based on their religious affiliation. It can also reduce the burden on the judiciary, streamlining legal processes and promoting efficiency in the delivery of justice.

### Promoting Modernity and Progress:

India is a rapidly evolving nation, embracing modern values and principles. A UCC can be seen as a progressive step that aligns personal laws with contemporary societal norms. It can help overcome outdated customs and practices that may be discriminatory or regressive, fostering a more inclusive and forward-thinking society. The implementation of a UCC can facilitate the integration of diverse communities and encourage social progress by ensuring that personal laws are consistent with the evolving aspirations of the nation.

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# GOVERNMENT'S STANCE:

## BJP:

BJP has initiated a discussion in the party and the country on the Uniform Civil Code after Prime Minister Narendra Modi spoke of the need for UCC. UCC has been part of BJP's manifesto since the inception of the party. BJP feels that it's an idea whose time has come for implementation.

## INC:

The Congress has led the charge against the proposed UCC, saying that the previous Law Commission had said that it is "neither necessary nor desirable at this stage" to have a Uniform Civil Code. They argue that the UCC would violate the freedom of religion of minority communities and argue that the UCC is not necessary, as the current system of personal laws is working well. The Opposition parties fear that the UCC would be used by the ruling BJP to impose Hindu majoritarianism on the country.

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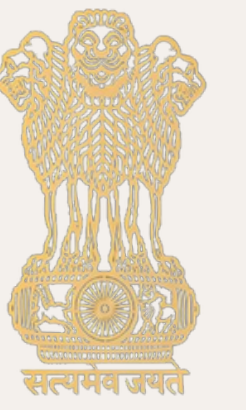
## Challenges in Implementing UCC

Many religious and minority groups perceive the Uniform Civil Code (UCC) as a violation of their religious freedom and cultural autonomy. They express concerns that the UCC might impose a dominant or uniform law that disregards their unique identities and diverse practices.

## What are the 5 uniform civil code?

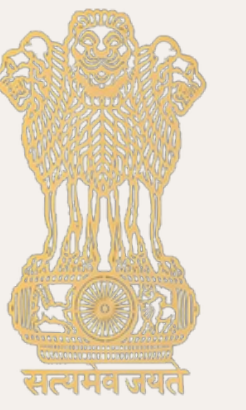
UCC is meant to replace various laws currently applicable to various respective communities, which are inconsistent with each other. These laws include the Hindu Marriage Act, Hindu Succession Act, Indian Christian Marriages Act, Indian Divorce Act, Parsi Marriage and Divorce Act.

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# PROS OF THE UCC:

- 1. Equality and Secularism:** One of the primary arguments in favor of the UCC is that it promotes equality and secularism. Treating all citizens equally under the law, regardless of their religious background, aligns with the principles of a modern, inclusive society.
  - 2. Women's Rights:** Uniform civil laws have the potential to address gender inequalities prevalent in personal laws. They can provide equal rights to women in matters related to marriage, divorce, inheritance, and property ownership, helping to empower them and improve their socioeconomic status.
  - 3. Legal Simplification:** Replacing a complex web of religious laws with a single set of uniform laws can simplify the legal framework, making it easier for citizens to understand and navigate the legal system. This could lead to quicker resolution of legal disputes and reduce litigation.
  - 4. National Integration:** Implementing a Uniform Civil Code could foster a sense of national unity and integration by minimizing divisions based on religious and communal lines. It could contribute to a stronger sense of shared identity among citizens.
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# CONS OF THE UCC:

- 1. Cultural and Religious Diversity:** India is a diverse nation with a multitude of religions, cultures, and traditions. Critics argue that imposing a single set of laws might infringe upon the cultural and religious rights of various communities, undermining the country's pluralistic ethos.
  - 2. Minority Apprehensions:** There are concerns that a Uniform Civil Code could disproportionately affect religious and ethnic minorities, leading to a perception of majoritarianism and potentially alienating these communities.
  - 3. Social Disruption:** Changing deeply entrenched personal laws can lead to social unrest and disruption, particularly in conservative and traditional communities. Any abrupt change could be met with resistance and hinder the overall objective of legal reform.
  - 4. Implementation Challenges:** India's diverse population presents significant challenges in implementing a Uniform Civil Code. Adapting laws to accommodate varying practices and beliefs across regions and communities could prove to be a complex and time-consuming process.
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# RELIABLE RESOURCES:

Conduct research with the help of credible resources:

1. Hindustan Times
2. NDTV
3. The Hindu
4. The Times Of India
5. The Economic Times

While researching on the agenda, members should focus on these types of research:

1. Topic Background
  2. Party Stance
  3. Possible Solutions
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