

## **‘Sustainable Development and Legal Uniformity: Analyzing the Intersection of Uniform Civil Code and Environmental Policies’**

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### **ABSTRACT**

Through this research article, the researcher has tried to establish a relationship between sustainable development and legal uniformity. This research article discusses legal uniformity, especially in the civil matters i.e Uniform Civil Code. In this research article, only two major topics of the UCC, first issues related to marriage and second issues regarding inheritance, have been discussed because every research article has its own word limit and it is very important to follow it. Through this article, the researcher has tried to explain how a UCC can prove useful for India? It has been mentioned in this article that by implementing the UCC, India can move fast in achieving the Sustainable Development Goal and can improve its ranking.

### **INTRODUCTION**

Sustainable development aims to meet the needs of the present without compromising the ability of future generations to meet their own needs. In this context, the intersection of legal uniformity and environmental policies is becoming increasingly relevant. A pivotal framework in Indian law is the Uniform Civil Code (UCC), which seeks to replace personal laws based on the scriptures and customs of each major religious community in India with a common set governing every citizen. This article explores how the UCC can interact with contemporary environmental policies to promote sustainable development, balancing individual rights with collective environmental responsibilities.<sup>i</sup>

Sustainable development can be defined as a country's approach to economic development without compromising the quality of the environment for future <sup>ii</sup>generations. In the name of economic development, the price of environmental damage is paid in the form of land degradation, soil erosion, air and water pollution, deforestation etc. This loss may outweigh the benefits of greater quality production of goods and services.<sup>iii</sup>

Sustainable development goals are a set of 17 global objectives set by the United Nations (UN) to address the various social, economic and environmental challenges facing the world today. These goals provide a shared blueprint for countries to work together towards creating a more equitable, inclusive and sustainable world by 2030.<sup>iv</sup>

#### **1.1 Reason to environmental crisis**

##### **( i ) Population explosion**

- High rate of population growth adversely affects the environment.
- This increases the demand for environmental resources, but their supply is limited.
- This results in overuse and misuse of resources.

## **( ii ) Increase in economic activities**

- Increased economic growth results in prosperous consumption and production of goods and services.
- It produces wastes that are beyond the absorption capacity of the environment.

## **( iii ) Rapid industrialization**

- Rapid industrialization has led to deforestation and depletion of natural resources.
- This causes water to become polluted due to the accumulation of increasing amounts of toxic substances and industrial waste in water bodies.

## **(iv) urbanization**

- Large scale migration of population from rural to urban areas results in rapid growth of slum areas.
- This puts additional burden on the existing infrastructure activities.

## **(v) Deforestation**

- Deforestation means cutting trees, clearing forests etc.
- It adversely affects the environment and causes other problems.

## **(vi) Increasing use of pesticides , insecticides and chemical fertilizers**

- Farmers and workers face health problems due to increased use of poisonous pesticides, insecticides and chemical fertilizers.
- Chemical elements are also included in the crops produced from it.

## **2. History of Sustainable Development**

The concept of sustainable development formed the basis of the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro<sup>vi</sup> in 1992. The first international effort to formulate strategies and plans for moving towards a more sustainable pattern of development was made at the Earth Summit in 1992. The summit was attended by many heads of state<sup>vii</sup>, representatives of national governments<sup>viii</sup>, national and international organizations as well as NGOs. Sustainable development was the solution to the problems of environmental degradation discussed by the Brundtland Commission<sup>ix</sup> in the 1987 report Our Common Future.

The remit of the Brundtland Report was to investigate the numerous concerns that had been raised in previous decades, namely, that human activity was having severe and negative impacts on the planet, and that patterns of growth and development would be unsustainable if they continued unchecked. Key works that highlighted this thinking included Rachel Carson's Silent Spring (1962), Garret Hardin's Tragedy of the Commons (1968), the Blueprint for Survival by the Ecologist magazine (1972) and the Club of Rome's Limits to Growth report (1972).

The clear origin of the term sustainable development is not found in the Stockholm Conference held in 1972 but it is believed that the concept of sustainable development was first recognized internationally in this 1972 United Nations conference<sup>x</sup>. The main reason behind this recognition is that what is fundamental to sustainable development today, such as earlier development and environment were addressed as separate issues but were clearly agreed to be managed together at the Earth Summit. The international community also agreed on this fundamental Basia principle of sustainable development at the Stockholm Conference.

The term was popularised 15 years later in Our Common Future, the report of the World Commission on Environment and Development, which included what is deemed the 'classic' definition of sustainable development: "development which meets the needs of the present without compromising the ability of future generations to meet their own needs".

It was not until the Rio Summit, however, that major world leaders recognised sustainable development as the major challenge it remains today.

## **2.1 History of Sustainable Development Goals**

- The history of the Sustainable Development Goals in dates back to 2000 when the United Nations adopted the Millennium Development Goals (MDGs) to address global poverty, hunger and education.<sup>xi</sup>
- However, the MDGs had some limitations, leading to the development of more comprehensive and universal goals. The 17 Sustainable Development Goals were introduced in 2015 with the aim of addressing a wide range of issues including climate change, economic inequality and sustainable consumption.
- The SDGs build on the success and lessons learned from the MDGs and serve as a global commitment towards achieving a better and more sustainable future for all.
- The 2030 Agenda for Sustainable Development, adopted by all UN Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and in the future. At its core are the 17 Sustainable Development Goals which are an urgent call to action by all developed and developing countries in global partnership.<sup>xii</sup>

## **3. India and Sustainable Development Goals**

The National Family Health Survey-5 and Sustainable Development Goals Report 2021, and 2024 talks about India's position on the Sustainable Development Goals.

### **3.1 Sustainable Development Goals Report- 2021**

India's performance in the Sustainable Development Goals Report 2021 is quite disappointing. Due to this report, India has been ranked 120th among 165 countries.

- According to this report, India's worst performance was in SDG-10<sup>xiii</sup> and SDG-12<sup>xiv</sup>.
- India's performance declined in SDG-4<sup>xv</sup> and SDG-15<sup>xvi</sup>.
- No change in India's performance in SDG-2<sup>xvii</sup>, SDG-5<sup>xviii</sup>, SDG-11<sup>xix</sup>, SDG-16<sup>xx</sup>
- Slight improvement seen in SDG-1<sup>xxi</sup>, 3<sup>xxii</sup>, 7<sup>xxiii</sup>, 6<sup>xxiv</sup>, 9<sup>xxv</sup>, 14<sup>xxvi</sup>.
- India is moving towards achieving SDG-6 and SDG- 13<sup>xxvii</sup> goals.

### **3.2 Sustainable Development Goals Report- 2024**

Recently, the Sustainable Development Report<sup>xxviii</sup> for the year 2024 was released. According to this report, India is currently ranked 109th out of a total of 166 countries. This report is released every year and its main purpose is to keep an eye on the member nations to see how well the member countries are progressing towards achieving the Sustainable Development Goals after they were adopted by 193 UN member countries in the year 2015 so that important suggestions can be given in the future UN summit, which will make it easier to reach this goal.

India's SDG Index score is 63.99%, which shows how much progress the country has made towards achieving all the SDGs. India is performing better every year but at this velocity, a lot of time will be wasted in achieving the goals. That is why India needs better management to perform better in SDGs.

### **3.2.1 Top Five Countries in Leading SDG Achievement**

Finland<sup>xxxix</sup> is in the first place among the top five countries in terms of achieving SDGs. Sweden<sup>xxx</sup> is in second place, Denmark<sup>xxxi</sup> is in third place, Germany<sup>xxxii</sup> is in fourth place and France<sup>xxxiii</sup> is in fifth place in terms of achieving SDGs.

### **3.2.2 Countries with the Lowest Scores in SDG Achievement**

At the other end of the scale, the countries with the lowest scores are Yemen<sup>xxxiv</sup>, Somalia<sup>xxxv</sup>, Chad<sup>xxxvi</sup>, the Central African Republic<sup>xxxvii</sup>, and South Sudan<sup>xxxviii</sup>.

**3.2.3 India's Neighboring Countries Score in SDG Achievement** Among India's neighboring countries, Bhutan<sup>xxxix</sup> is ranked 61. Apart from this, China<sup>xl</sup> is ranked 68, Sri Lanka is ranked 93, Nepal is ranked 95, Bangladesh is ranked 107, which are ahead of India. Only Pakistan is behind India, which ranks 137.

The most frightening and terrifying thing in this report is related to food and land systems. This report specifically states that sustainable development related to food and land systems is far behind its target. On this basis, this report says that by 2030, 600 million people will suffer from hunger.

According to this report, due to the current situation, we will be far behind the individual targets of SDG by 2030. According to an estimate, only 16% of the Sustainable Development Goals will be achieved by 2030. The main reason for this is that 84% of the countries are either progressing at a slow pace or are lagging behind. This report shows that Nordic countries<sup>xli</sup> are at the forefront in achieving SDGs while BRICS<sup>xlii</sup> countries are making progress in achieving SDGs but poor and weak countries are struggling in achieving SDGs and are lagging far behind.

### **3.3 National Family Health Survey-5**

Talking about National Family Health Survey<sup>xliii</sup>-5, the most shocking figures have been made regarding SDG-2. The survey has shown that India is still far away in achieving SDG-2. The number of anemic children under 5 years of age increased by 67% in 2019-20 compared to 59% in 2015-16.<sup>xliv</sup>

India has to go all out to achieve the goals of SDG-4 and 5. Even today, many boys and girls in India are away from quality primary and secondary levels. At many levels we see a situation like gender inequality. There is a problem like and child-marriage in villages.

### **4. Sustainable Development Goals and Uniform Civil Code**

Generally, we can say that there is no direct relation between Sustainable Development Goals and Uniform Civil Code. Another one where the Sustainable Development Goals talk about the environment and its related matters is environmental matters. At the same time, the Sustainable Development Goals talk about some social empowerment. On the other hand, Uniform Civil Code mainly advocates uniform civil law for all religions and classes.

If we think deeply, we will come to know that by implementing the Uniform Civil Code, India can move very fast towards achieving the sustainable development goals because the rules of the Uniform Civil Code will

empower the society and eliminate discrimination<sup>xlv</sup> at many levels. which is an important goal of sustainable development. Apart from this, there are many other matters which are indirectly linked to the Sustainable Development Goal. This goal can be achieved by implementing Uniform Civil Code.

Now we will discuss whether sustainable development goals can be achieved by implementing such a uniform civil code.

#### **4.1 Marriage**

The main objective of implementing a Uniform Civil Code is to prevent child marriage from taking place across all castes and classes throughout India. Because among many religious people, marriage takes place according to their tradition and child marriage is recognized in that tradition. The purpose of the Uniform Civil Code is to prevent childbearing among all religions and to set a minimum age for marriage.<sup>xlvi</sup>

#### **4.2 Consequences of child marriage**

- Children do not get proper opportunity for education.
- Due to becoming mother at a young age, women have to face many problems.
- There is a huge increase in population.

#### **4.3 Inheritance**

There are two types of succession- testamentary and intestate. If the properties of the deceased are divided among the persons desired by him as per his wish, then it is called testamentary succession. On the contrary, in intestate succession, the property of the deceased is vested in his legal heirs. Inheritance is also governed by personal law according to the religion of the person.<sup>xlvii</sup> Here also through this personal law, women are treated unfairly at the time of property division. Therefore, a uniform law should be made on inheritance and this will also be possible only when the Uniform Civil Code is implemented. The benefit of this will be that gender equality will increase, it will help in eliminating inequality, girls will also have economic growth and a sense of justice will be born. All these are also the goals of SDG which India will also have to achieve. Therefore, by making a Uniform Civil Code, India can also improve its rank in the SDG Index.

#### **4.3 Relation between SDG achievement and Uniform Civil Code**

In India, matters related to marriage are determined by personal law. For people of all religions except Muslims<sup>xlviii</sup>, the age of marriage is considered to be adulthood. Despite this, child marriage is still prevalent in India. To stop child marriage, the government needs to make a strict law which is equally applicable to people of all religions and this will be possible only when the UCC law is made and implemented in the country.

If an age of marriage is fixed and it is strictly enforced then children till a certain age will get the opportunity of education and will be able to get quality primary and secondary levels education. This will help in achieving the Sustainable Development Goals as quality education is a Sustainable Development Goal and the Sustainable Development Goals Report 2021 notes the poor performance of quality education in India. An estimated 640 million girls and women were married in childhood globally and 1/3 in India alone<sup>xlix</sup>.

A uniform law on marriage will also help India achieve the SDG target. Marriage at a certain age will help control the ever-increasing population, due to which the health of girls will also be good, gender equality will

be promoted, it will also help in reducing poverty, the problem of hunger can also be reduced, the quality of education will also improve due to less population. Etc. All these reforms can be achieved only after making a law and strictly implementing it and the point to note is that all these are also the goals of SDG. So we can say that by implementing a uniform law, India can easily achieve the goals of SDG.

Another objective of the Uniform Civil Code is to bring reforms in matters of inheritance. In India, inheritance cases are also resolved through personal law. The problem is that in cases of inheritance, there is a lot of difference between boys and girls in matter of inheritance.

If a Uniform Civil Code is implemented then gender discrimination can be eliminated. Achieving gender equality is also a goal of sustainable development. The Sustainable Development Goals Report 2024 has also revealed that there has been no change in India's performance in matters of gender equality.<sup>1</sup> If a Uniform Civil Code is implemented then it will be difficult to achieve the goal of gender equality. India can progress very fast.

## **5.0 Conclusion**

Finally, as a conclusion, we can say that, The United Nations has adopted the concept of sustainable development has done a great job. The concept of sustainable development only by adopting this, we can give our coming generations a chance to live. We can provide the necessary environment for this. This concept gives us the freedom to live with dignity in the present time. Because it is about eradicating poverty, providing enough food to everyone, eradicating inequality, Quality education for all, good health facilities, clean water etc. which are necessary for living with dignity. It is very important. Apart from this, it helps in saving the environment, Life on land, Life under water, Climate action, Economic also worries about progress etc. which makes it clear that the problems that may arise in the future can also be solved through sustainable development try to remove it through now is being done.

To fulfill this mission of the United Nations, the countries of the world showed a lot of interest and started trying to fulfill the SDG goals according to their capabilities. India is also trying to fulfill the SDG goals but till now it has not got the expected success. If India has to improve its position by achieving the SDG goals, then a uniform civil code for personal law will have to be implemented. By implementing this, India can move very fast towards achieving many SDG goals. A uniform civil code will have a direct and indirect impact on many of SDG goals and India will be able to take positive initiatives towards achieving this goal.

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#### ENDNOTE

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<sup>iv</sup> “Sustainable Development Goals | United Nations in India,” available at: <https://india.un.org/en/sdgs> (last visited January 21, 2025).

<sup>vi</sup> UNCD, also known as the Earth Summit, was a major United Nations conference held in Rio de Janeiro from 3 to 14 June 1992.

<sup>vii</sup> Almost 100 heads of state

<sup>viii</sup> 178 representatives from national government

<sup>ix</sup> The Brundtland Commission, also known as the World Commission on Environment and Development (WCED), was a United Nations (UN) sub- organization that aimed to promote sustainable development. The commission was established in 1983 by UN Secretary-General Javier Pérez de Cuéllar. The commission's chair was Gro Harlem Brundtland, a former Prime Minister of Norway and Director-General of the World Health Organization.

<sup>x</sup> The United Nations Conference on the Human Environment was held in Stockholm, Sweden, during June 5-16, 1972.

<sup>xi</sup> Dag Hammarskjöld Library, “Research Guides: UN Documentation: Development: 2000-2015, Millennium Development Goals” available at: <https://research.un.org/en/docs/dev/2000-2015> (last visited January 21, 2025).

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<sup>xiii</sup> Reduced inequality

<sup>xiv</sup> Responsible consumption and production

<sup>xv</sup> Quality education

<sup>xvi</sup> Life on land

<sup>xvii</sup> Zero hunger

<sup>xviii</sup> Gender equality

<sup>xix</sup> Sustainable cities and economies

<sup>xx</sup> Peace, justice and strong institution.

<sup>xxi</sup> No poverty

<sup>xxii</sup> Good health and well-being

<sup>xxiii</sup> Affordable and clean energy

<sup>xxiv</sup> Clean water and sanitation

<sup>xxv</sup> Industry, innovation and infrastructure

<sup>xxvi</sup> Life below water

<sup>xxvii</sup> Climate action

<sup>xxviii</sup> The UN Sustainable Development Solutions Network (SDSN) released the Sustainable Development Goals Report 2024.

<sup>xxix</sup> SDG score of 86.4

<sup>xxx</sup> SDG score of 85.7

<sup>xxxi</sup> SDG score of 85.0

<sup>xxxii</sup> SDG score of 83.4

<sup>xxxiii</sup> SDG score of 82.8

<sup>xxxiv</sup> SDG score of 46.9

<sup>xxxv</sup> SDG score of 45.4

<sup>xxxvi</sup> SDG score of 45.1

<sup>xxxvii</sup> SDG score of 44.2

<sup>xxxviii</sup> SDG score of 40.1

<sup>xxxix</sup> SDG score of 72.5

<sup>xl</sup> SDG score of 70.9

<sup>xli</sup> The Nordic countries are a group of five sovereign states and three autonomous territories in Northern Europe and the North Atlantic:-

Sovereign states:- Denmark, Finland, Iceland, Norway, and Sweden.

Autonomous territories:- The Faroe Islands and Greenland (Denmark), and Åland (Finland).

The term "Nordic" comes from the word "Norden", which means "North" in Danish, Norwegian, and Swedish. The Nordic countries are also sometimes called the Norse countries because the dialects spoken in the region are grouped



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under the Norse languages. The Nordic countries are known for their strong historical ties and tradition of cooperation across national boundaries. Since the 20th century, they've shared a similar model of welfare state.

<sup>xlii</sup> BRICS stands for Brazil, Russia, India, China, and South Africa, and is the name of an intergovernmental organization that aims to increase economic and geopolitical cooperation between its members. The term was originally used to describe a group of countries with rapid economic growth that were expected to become the world's leading economic powers in the 21st century.

After 13 years without expansion, at its 15th summit held in Johannesburg on 22-24 August 2023, BRICS welcomed four new members into its ranks - Egypt, Ethiopia, Iran and the United Arab Emirates – and is now informally called BRICS+.

<sup>xliii</sup> The National Family Health Survey (NFHS) is a survey conducted by the Ministry of Health and Family Welfare (MoHFW) of India to collect data on health, population, and nutrition. The survey is conducted every three years and the results are used to inform policy and programs.

<sup>xliv</sup> “Combined Factsheet Compendium\_12Dec20 (1).pdf.”

<sup>xl</sup> Business Standard, “Explained: How Uniform Civil Code will impact marriage, adoption, inheritance,” 2024 available at: [https://www.business-standard.com/finance/personal-finance/explained-how-uniform-civil-code-will-impact-marriage-adoption-inheritance-124020800227\\_1.html](https://www.business-standard.com/finance/personal-finance/explained-how-uniform-civil-code-will-impact-marriage-adoption-inheritance-124020800227_1.html) (last visited January 21, 2025).

<sup>xlvi</sup> Sunita Mishra and Harini Balasubramanian, “Hindu Succession Act: Law of Property Inheritance in India” *Housing News*, 2024 available at: <https://housing.com/news/all-about-property-rights-in-india/> (last visited January 21, 2025).

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<sup>xlviii</sup> Ibid

<sup>xlix</sup> “The-Sustainable-Development-Goals-Report-2024.pdf.”