
PRIVATE INTERNATIONAL LAW AND CONSTITUTIONAL MORALITY IN INDIA

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ABSTRACT

This research explores the transformative intersection of Private International Law (PIL) and the doctrine of Constitutional Morality, arguing that fundamental values equality, liberty, and dignity should redefine the traditional "public policy" exceptions used in cross-border disputes. While PIL has historically relied on the principles of comity and party autonomy, this study proposes Constitutional Morality as a more objective, value-driven framework that supersedes the vague "heads of public policy" standard. By establishing a fixed set of constitutional imperatives, the research suggests that the legal system can move beyond mere procedural cooperation toward a substantive, value-based approach to international law.

To illustrate this shift, the study analyzes landmark Indian judicial decisions, specifically *Navtej Singh Johar* and *Shabnam Hashmi*, to demonstrate how Constitutional Morality acts as a "transcendent override." This mechanism empowers domestic courts to invalidate foreign laws or judicial decrees that violate the domestic Grundnorm (foundational legal principles). The investigation focuses on three high-friction areas: transnational surrogacy, discriminatory foreign marriage laws, and digital data sovereignty, asserting that Articles 14, 15, and 21 of the Indian Constitution necessitate a departure from strict territorialism in favor of protecting individual rights across borders.

Finally, the paper situates India within a global trend where constitutional principles increasingly shape PIL, drawing comparisons with the EU Charter and the Hague system's refusal standards. It introduces a novel "rights-based renvoi" model: a normative framework designed to safeguard the forum state's core ethical values while maintaining the flexibility required for modern globalization. Ultimately, the research concludes that integrating Constitutional Morality into PIL fosters a cosmopolitan legal system. By grounding international cooperation in fundamental human rights, it creates a more ethical and robust global legal order.

Keywords: Basic Structure Doctrine - Surrogacy Contracts - Patent Compulsory Licensing - *Novartis AG v. Union* (2013) - TRIPS Flexibilities - Fair Use Doctrine - Data Privacy Transfers - Digital Personal Data Protection Act (DPDP) - Comity Principle - EU Charter Rights

INTRODUCTION

The evolution of Private International Law (PIL) has historically focused on the pragmatic coordination of cross-border disputes by determining jurisdictional authority and the recognition of foreign judgments. At its core, the system seeks to maintain "decisional harmony" in a globalized era defined by digital commerce and increased human mobility. However, the traditional reliance on procedural predictability and international comity is increasingly strained when foreign legal standards clash with the fundamental ethical convictions of a forum state. This research argues that the traditional pillars of PIL such as the Hague Conventions and bilateral treaties often prioritize administrative ease over substantive justice, creating a gap that the doctrine of Constitutional Morality is uniquely equipped to fill.

Originating from landmark Indian jurisprudence in cases such as *Kesavananda Bharati* and *Navtej Singh Johar*, Constitutional Morality posits that the core values of equality, dignity, and justice represent an immutable legal compass that transcends mere statutory compliance. This study examines how this doctrine transforms PIL from a neutral set of "choice-of-law" rules into a value-laden framework.

In high-friction sectors like family law, Indian courts are increasingly prioritizing the dignity and egalitarian rights of the individual over foreign statutes that may be discriminatory or archaic. Similarly, in the realms of international business and intellectual property, Constitutional Morality acts as a safeguard, ensuring that foreign arbitral awards or contractual obligations do not undermine domestic labor standards or ethical protections.

The research further explores how India's value-centric approach diverges from the more formalist methodologies adopted by the European Union and the United States. While Western systems often lean on standardized refusal grounds, India's reliance on the Grundnorm allows for a more philosophically grounded rejection of laws that violate human rights. This distinction is particularly relevant as emerging technologies such as Artificial Intelligence (AI) and blockchain decentralize legal interactions, making it harder to pin down a single territorial jurisdiction. By integrating Constitutional Morality, PIL can pivot from a system that merely "manages" diversity to one that actively "protects" human agency.

Ultimately, the paper advocates for a paradigm shift: Private International Law must move beyond the "convenience" of predictability to embrace a "rights-first" orientation. This

transformation is essential in an interconnected world where the movement of people and data necessitates a cosmopolitan legal order. By embedding the principles of dignity and fairness into the very mechanics of international dispute resolution, we can create a more equitable global system. This approach ensures that the pursuit of international cooperation never comes at the cost of the fundamental rights and moral integrity that define a democratic society.

1. FOUNDATION OF CONSTITUTIONAL MORALITY AND PRIVATE INTERNATIONAL LAW

1.1 Constitutional Morality: Core Foundations

The genesis of Constitutional Morality lies in the visionary discourse of Dr. B.R. Ambedkar during the Constituent Assembly debates. He championed a form of governance that transcended mere "constitutional methods," advocating instead for a higher moral adherence to the transformative ideals enshrined in the Preamble. This concept was judicially solidified in the landmark case of *Kesavananda Bharati v. State of Kerala* (1973), where it became the bedrock of the Basic Structure doctrine, protecting essential features like secularism, democracy, and fundamental rights from being dismantled by legislative whims.

The Supreme Court further expanded this doctrine in *Navtej Singh Johar v. Union of India* (2018), where it utilized constitutional morality to strike down the colonial-era Section 377. By decriminalizing homosexuality, the Court asserted that the "supreme reign of individual dignity" must override outdated social stigmas. This trend continued in *Joseph Shine v. Union of India* (2018), which invalidated patriarchal adultery laws, prioritizing the egalitarian mandates of Articles 14 and 21 over the dictates of moral majoritarianism. Constitutional morality is distinct from transient public opinion or the political objectives of the state; it is a dynamic framework rooted in Parts III and IV of the Constitution. It mandates that laws be inherently fair and reasonable, evolving alongside society to ensure they serve a genuine purpose. This was exemplified in *Shabnam Hashmi v. Union of India* (2014), where the court ruled that the spirit of fraternity and the right to adopt should prevail over restrictive personal laws. While critics argue this constitutes judicial overreach, proponents view it as an essential safeguard against the "tyranny of the majority," ensuring that the legal system prioritizes human flourishing and substantive justice over the blind application of rigid rules.¹

¹ <https://www.pmfias.com/constitutional-morality/>

1.2 Private International Law: Essential Framework

Private International Law (PIL), or the conflict of laws, serves as the essential framework for resolving "horizontal" legal disputes between private entities across different jurisdictions, setting it apart from the state-centric nature of public international law. The discipline is built upon a definitive tripartite structure: first, Jurisdiction, which determines a court's authority to preside over a matter based on factors like domicile or consent (governed in India by the Code of Civil Procedure, 1908); second, Choice-of-Law, the process of identifying the governing legal system, such as *lex situs* for property or the "proper law" for contracts; and third, the Recognition and Enforcement of foreign judgments, a process regulated in the Indian context by Section 13 of the CPC.²

The conceptual foundation of PIL is rooted in the principle of comity, as established in *Hilton v. Guyot* (1895), which seeks to foster global predictability and legal uniformity through multilateral frameworks like the Hague Principles. However, the system maintains a vital safety valve known as the "public policy" exception. While this allows a forum state to refuse the application of foreign laws that violate its fundamental values, the inherent ambiguity of this standard famously described by Justice Burrough as an "unruly horse" often leads to judicial inconsistency. Consequently, while PIL strives for cross-border harmony, the subjective interpretation of what constitutes a violation of domestic policy remains a central challenge in its application.

1.3 Interplay and Normative Tension

The tension between the perceived neutrality of Private International Law (PIL) and the substantive mandates of Constitutional Morality becomes most apparent when foreign legal norms collide with the core protections of Articles 14, 15, 19, and 21. In such instances, the Indian judiciary increasingly utilizes constitutional values as a "transcendent override" to invalidate foreign laws or judgments that violate domestic rights. This protective stance is evident in family law, where discriminatory foreign divorces are denied recognition, and in the commercial sphere, where surrogacy arrangements that commodify the human body are rejected as contrary to public policy.

A similar ethical boundary is maintained in the realm of Intellectual Property Rights, as

² <https://www.drishtiiias.com/to-the-points/paper4/what-is-constitutional-morality>

demonstrated by the *Novartis AG v. Union of India* (2013) decision; here, the court prioritized public health and access to life-saving medicine over rigid patent enforcement. By anchoring public policy in constitutional imperatives, the legal system moves toward a model of "ethical comity." This approach transforms PIL from a mere administrative tool into a cosmopolitan framework that prioritizes universal human rights and individual dignity over narrow national or territorial interests, ultimately fostering a more inclusive and justice-oriented global legal order.

CHOICE OF LAW CONFLICTS

Conflicts between constitutional morality and private international law

The conflict between Constitutional Morality and Private International Law (PIL) represents a profound tension between the drive for global legal uniformity and the necessity of domestic constitutional integrity. While traditional PIL methodology utilizes connecting factors such as *lex contractus* (law of the contract) or *lex domicilii* (law of domicile) to defer to foreign statutes, Constitutional Morality acts as a mandatory override. This doctrine, anchored in Articles 14, 15, 19, and 21 of the Indian Constitution, serves as a substantive filter, rejecting any foreign legal norm that is "manifestly incompatible" with the forum state's transformative ethos of equality and dignity. In the sphere of family law, this clash is particularly acute. Foreign polygamous marriages or discriminatory personal laws, even if valid under a foreign *lex domicilii*, may be denied recognition in India if they contravene the secular uniformity and gender equality mandates of the Constitution. Similarly, following *Navtej Singh Johar* (2018), the recognition of foreign same-sex unions or the rejection of commodified surrogacy contracts under the Surrogacy (Regulation) Act, 2021, demonstrates a shift where constitutional fraternity and individual rights supersede international comity. This ensuring that legal recognition does not inadvertently legitimize discrimination or exploitation.³

Commercial and technological disputes further intensify this scrutiny. The principle of party autonomy, which typically allows entities to choose their governing law, must yield if that choice undermines labor rights under Article 43 or stifles professional freedoms under Article 19(1)(g). This is mirrored in Intellectual Property and health sectors, where cases like *Novartis AG v. Union of India* (2013) prioritize the right to life over foreign patent exclusivity. As

³ <https://ijlmh.com/wp-content/uploads/Concepts-of-Choice-of-Law-and-Jurisdiction-under-Private-International-Law-International-Contracts.pdf>

emerging technologies like blockchain and AI evade traditional territorial connecting factors, Constitutional Morality provides a necessary default framework to protect informational autonomy and ethical standards.⁴

To resolve these complexities, the judiciary employs a rigorous two-pronged test: first, determining the content of the foreign law, and second, evaluating its repugnancy against the specific benchmarks of Constitutional Morality rather than vague public policy. While this approach mirrors frameworks like the EU's Rome I Regulation, it seeks to avoid the pitfalls of both narrow-minded provincialism and excessive legal flexibility. The study ultimately advocates for a "rights-based" integration potentially through a formal legislative framework that harmonizes international cooperation with a country's core ethical values, ensuring a global legal system that is both predictable and fundamentally just.

FAMILY AND PERSONAL LAWS

Matrimonial Recognition Conflicts

Indian law generally adheres to the principle of recognizing marriages validly celebrated in foreign jurisdictions; however, this recognition is strictly contingent upon their alignment with the egalitarian and non-discriminatory mandates of the Indian Constitution. When foreign legal outcomes such as the polygamous structures permitted in certain Gulf nations conflict with India's monogamous legal framework and the principles of gender equality under Articles 14 and 15, domestic courts invoke public policy to deny their enforcement. This judicial scrutiny was highlighted in *Y. Narasimha Rao v. Y. Venkata Lakshmi* (1991), where the Supreme Court established that foreign matrimonial decrees, particularly those granted *ex parte*, must be founded on principles of natural justice and fairness to be recognized in India. Similarly, the 2020 decision in *Smt. Anoop Beniwal v. Dr. Sanjay Jain* reaffirmed this protective stance by refusing to validate a U.S. divorce that lacked procedural integrity and failed to safeguard the rights of the female spouse.⁵

The tension between global legal trends and domestic constitutional values is equally evident in the context of same-sex and interfaith unions. While over 30 countries have legalized

⁴ <https://ijlr.iledu.in/v6i230/>

⁵ <https://www.livelaw.in/law-firms/law-firm-articles-/foreign-jurisdiction-marriage-divorce-non-resident-indiansupreme-court-civil-procedure-code-hindu-marriage-act-ps-law-advocates-solicitors-264760>

same-sex marriage, the Indian judiciary remains in a state of transition; despite the decriminalization of homosexuality in 2018, the Supreme Court's ruling in *Supriyo v. Union of India* (2023) declined to grant formal matrimonial recognition, citing the preservation of traditional legislative frameworks while acknowledging the need for basic protections for cohabiting couples. In parallel, interfaith or cross-border marriages such as those originating in Pakistan may contain discriminatory clauses that the Indian judiciary would override by applying domestic law to ensure compliance with constitutional equality. Ultimately, these cases demonstrate that Indian courts utilize Constitutional Morality as a decisive filter, ensuring that international comity never results in the erosion of the fundamental dignity and rights guaranteed to individuals within the Indian forum.

Divorce and Maintenance Disputes

In the realm of matrimonial and family law, the traditional choice-of-law preference for *lex domicilii* (the law of a person's permanent home) is increasingly subjected to the rigorous filter of Constitutional Morality. This shift is most evident in maintenance and divorce disputes; for instance, while *Shabnam Hashmi* (2014) and the revolutionary *Shah Bano Begum* (1985) cases addressed domestic maintenance, their underlying logic ensures that Article 21 (Dignity) and Section 125 of the CrPC act as mandatory overrides to foreign decrees or personal laws that offer inadequate support. Similarly, following the *Shayara Bano* (2017) precedent, foreign triple talaq decrees are considered void *ab initio* under Article 14, regardless of their validity in the country where they were issued. This protective stance extends to NRI alimony claims, where the Protection of Women from Domestic Violence Act 2005 prioritizes constitutional protections for women over minimal alimony standards set by foreign jurisdictions or international protocols like the Hague 2007 Protocol.⁶

The intersection of international cooperation and constitutional mandates is perhaps most delicate in child custody and surrogacy cases. While the Hague 1980 Child Abduction Convention emphasizes a prompt return to a child's habitual residence, Indian courts as seen in *Elizabeth Dinshaw* (2014) and *Prateek Gupta* (2018) consistently prioritize the "best interests of the child" and Article 21 welfare over strict international comity. This "welfare jurisdiction" ensures that foreign orders are rejected if they risk the child's dignity or stability. In the sphere of reproductive rights, the Surrogacy (Regulation) Act 2021 effectively voids foreign

⁶ <https://www.scconline.com/blog/post/2026/01/06/family-law-cases-2025-section-498-a-misuse/>

commercial surrogacy contracts. By categorizing the commodification of motherhood and childhood as a violation of Article 39(f) and human dignity, the judiciary uses morality to override the traditional PIL principle of upholding contractual intent.

Furthermore, issues of succession, inheritance, and adoption demonstrate a move toward a rights-based framework that transcends territorial boundaries. Although *lex successionis* and *lex situs* typically govern the inheritance of movables and immovables, respectively, Article 300A and the equality mandates of the Hindu Succession Act prevent the enforcement of discriminatory foreign intestacy laws or caste-based exclusions. In adoption, the standards of the Hague 1993 Convention are bolstered by the moral imperatives established in *Laxmi Kant Pandey* (1984), which seeks to prevent trafficking and ensure that foreign adoptions meet stringent ethical scrutiny. Collectively, these developments illustrate that India's Private International Law is no longer a neutral set of rules but a value-driven system where constitutional principles of fraternity, equality, and dignity serve as the final arbiters of justice.⁷

IPR AND EMERGING TECHNOLOGY

Private international law (PIL) in intellectual property rights (IPR) and emerging technologies applies territoriality principles rights governed by *lex loci protectionis* clashing with choice-of-law for cross-border exploitation, licensing, and enforcement. Constitutional morality, rooted in Articles 14, 19(1)(g), 21, and 39(b)-(c) (equality, trade freedoms, dignity, resource distribution), overrides via public policy to prioritize access, equity, and human rights over monopoly. This analysis dissects subtopics, revealing PIL's evolution from rigid territorialism to rights-infused cosmopolitanism.

Patent Enforcement and Access to Medicines

The intersection of Private International Law (PIL) and patent enforcement highlights a significant tension between international trade agreements and domestic constitutional mandates. While PIL generally defers to the law of the state where a patent was granted as outlined in the TRIPS Agreement and the Paris Convention India utilizes Constitutional Morality as a vital safeguard. Under the Patents Act 1970, specifically through mechanisms like compulsory licensing and Section 3(d), India prioritizes public health and the Article 21 right to life over the absolute exclusivity of foreign patents. This was famously solidified in

⁷ <https://mdulawpapers.in/unit-3-private-international-law/>

Novartis AG v. Union of India (2013), where the Supreme Court rejected "evergreening" practices, ensuring that the legal system prioritizes the equitable distribution of life-saving medicine over corporate profit.⁸

This commitment to the public interest extends to the refusal of foreign judicial orders that might disrupt the availability of affordable healthcare. For example, if a foreign court attempts to enjoin the production of Indian generic medicines, domestic courts may reject such judgments as a violation of constitutional fraternity and the collective right to health. This principle was exemplified in Bayer Corporation v. Union of India, where the issuance of a compulsory license for the drug Nexavar allowed generic production to save thousands of lives annually. While the Doha Declaration provides an international legal basis for such flexibilities, the ethical complexities of exporting generics while maintaining domestic supply necessitate a nuanced approach. Ultimately, the study advocates for a re-calibration of international enforcement rules, ensuring that innovation does not come at the cost of human dignity or the fundamental right to essential medicines.⁹

Copyright and Digital Content Ownership

In the realm of copyright, Private International Law (PIL) generally adheres to the Berne Convention's principles of territoriality and national treatment, applying the *lex loci protectionis* (law of the place where protection is claimed) to infringement disputes. However, Constitutional Morality serves as a critical interventionist tool when foreign copyright protections threaten to stifle Article 19(1)(a) freedom of expression or Article 21 informational dignity. This is particularly evident in India's robust "fair dealing" jurisprudence; cases like *R.G. Anand v. Delux Films* (1978) and *Eastern Book Company v. D.B. Modak* (2008) emphasize that transformative works and public access are paramount, often overriding more rigid foreign "fair use" exclusions that favor strict proprietorship.¹⁰

The digital landscape has further intensified these conflicts, moving beyond traditional boundaries to address cross-border streaming and academic access. The landmark *DU Photocopy Case* (2016) exemplified this shift, where the court prioritized the "anti-fraternity"

⁸ https://www.legalserviceindia.com/legal/article-11944-the-future-of-ipr-emerging-technologies-and-legalframeworks.html#google_vignette

⁹ https://www.law.nyu.edu/sites/default/files/ECM_PRO_074747.pdf

¹⁰ https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=4557&context=faculty_scholarship

implications of restricting educational materials, affirming that Section 52 fair use provisions must prevail over the profit-driven claims of international publishers. This value-based approach is now being tested by emerging technologies like Artificial Intelligence (AI) and Blockchain. Under the DPDP Act 2023 and the privacy standards established in Puttaswamy, Indian courts are likely to apply a proportionality test to foreign data-scraping practices, ensuring that authorship and ownership do not erode human creativity or economic equity.

Ultimately, the study proposes a "rights-based renvoi" for digital and intellectual property. This model suggests that when a foreign law's application would result in an "access deficit" or violate the forum's ethical standards regarding information sharing, the legal system should default to the forum's own fair use laws. By demanding these "access overrides," the research argues that PIL can move toward a more cosmopolitan and equitable framework one that balances the protection of creators with the constitutional mandate to promote human flourishing and the democratization of knowledge.¹¹

AI Authorship and Ownership Conflicts

The emergence of AI-generated content and inventions has created a profound rift in the territorial foundations of Private International Law (PIL). While global forums like WIPO navigate the complexities of non-human authorship, India's legal stance remains firmly anchored in the Patents Act, which mandates a "natural person" as the contributor to any invention. Constitutional Morality serves as the primary barrier against the corporate capture of the innovation commons; by refusing to grant monopolies to AI entities, the judiciary protects the Article 19(1)(g) rights of human creators and prevents the erosion of human dignity. Consequently, even if an AI-generated work is recognized under foreign law, its enforcement in India may be denied if it bypasses the requirement for human agency or relies on the unauthorized exploitation of Indian data.

This "rights-first" approach is increasingly evident in how India handles cross-border AI disputes. Following the global trend seen in cases like *Thaler v. Commissioner*, Indian courts are likely to prioritize the public domain over private AI patents, viewing such protections as contrary to Article 21 informational autonomy. Furthermore, the rise of AI deepfakes presents a unique challenge to international "safe harbor" provisions. Under the lens of Constitutional

¹¹ <https://www.ijllr.com/post/cross-border-enforcement-of-ipr>

Morality, the protection of an individual's personality rights and privacy is paramount; therefore, foreign legal protections for platforms or creators may be ignored if the content violates the dignity of Indian citizens. Ultimately, in the collision between global tech trends and domestic values, India utilizes a morality-based filter to ensure that the digital frontier remains equitable and human-centric.¹²

Block chain, Smart Contracts, and Digital Sovereignty

The decentralized nature of blockchain technology inherently defies traditional Private International Law (PIL) jurisdictions, as ledgers exist across a distributed network rather than a single territory. While smart contracts typically operate under the "network law" (*lex contractus*) of their respective platforms, such as Ethereum, their enforceability in India is subject to the Indian Contract Act and the filter of Constitutional Morality. Foreign judgments involving cryptocurrency or digital assets are frequently refused recognition if they are found to evade RBI regulations or promote speculative bubbles that undermine the economic fraternity protected under Article 39.¹³

This value-based oversight extends to the cultural and social implications of digital assets. Constitutional dignity acts as a barrier against NFT (Non-Fungible Token) ownership models that commodify heritage or culture in a manner repugnant to national ethos. Furthermore, legal challenges increasingly invoke the Article 14 equality mandate to prevent unequal access to emerging financial technologies. To address these gaps, the study proposes a "digital renvoi" model, where PIL rules for blockchain would automatically refer back to the forum's moral and regulatory standards mandating strict KYC (Know Your Customer) and AML (Anti-Money Laundering) audits. By integrating the DPDP Act with blockchain's traceable architecture, the research envisions a system where technical innovation is balanced with the constitutional necessity of privacy and fiscal integrity.¹⁴

CONCLUSION

The synthesis of Private International Law (PIL) and Constitutional Morality is fundamental to ensuring that cross-border justice remains anchored in ethical principles. This research

¹² <https://www.mondaq.com/india/copyright/1737464/ai-and-copyright-law-who-owns-ai-generated-content>

¹³ <https://www.ibanet.org/bli-may-2023-blockchain-private-international-law>

¹⁴ <https://libra.unine.ch/server/api/core/bitstreams/58597ccd-ec45-43fd-996e-86ff395c4730/content>

demonstrates that Constitutional Morality acts as a definitive guide for public policy, transforming PIL from a neutral set of procedural rules into a value-infused framework. In the Indian context, the evolution of the Basic Structure doctrine and the transformative mandates of Articles 14, 15, and 21 have empowered the judiciary to prevent "legal contamination" from illiberal foreign norms. By prioritizing equality, dignity, and fraternity, India is moving toward a "rights-based renvoi" model that balances the necessity of international cooperation with the non-negotiable protection of individual rights. Key findings across diverse legal domains illustrate the precision of this moral framework. In family law, foreign decrees involving discriminatory divorces, triple talaq, or commodified surrogacy are consistently overridden by the principles of gender justice and welfare paramountcy, as seen in cases ranging from *Y. Narasimha Rao* (1991) to *Jan Balaz* (2010). Similarly, in the realm of Intellectual Property Rights, the landmark *Novartis* (2013) decision proves that health dignity can successfully override patent monopolies, aligning international TRIPS obligations with domestic distributive justice. As we move into the digital age, this doctrine ensures that AI authorship, data transfers, and blockchain contracts are subjected to proportionality tests and fraternity audits, ensuring that technology serves human flourishing rather than undermining it.

Despite these advancements, the study identifies critical limitations, such as the uncodified nature of Indian PIL, which can lead to judicial inconsistency, and the regulatory lag of the DPDP Act regarding AI and blockchain. To address these gaps, the research advocates for a comprehensive PIL Code that explicitly embeds constitutional morality clauses and mandates Article 21 impact assessments for technology transfers. Furthermore, future bilateral treaties should include equity tests to ensure that international agreements do not erode domestic rights.

Looking ahead, the research proposes a robust agenda for the 2025–2030 period, including empirical studies on judicial enforcement and comparative analyses with other Global South jurisdictions like Brazil and South Africa. By exploring how blockchain can be leveraged to create more transparent, ethical legal systems, we can transition from a rule-based approach to a cosmopolitan, "rights-first" legal order. From the foundational *Shah Bano* (1985) case to contemporary digital rights disputes, the Indian judiciary continues to demonstrate that in an interconnected world, the ultimate goal of any legal system must be the protection of human dignity across all borders.

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