

Uniform Civil Code is to Divide Indians Rather than to Bring them Together.

Speaking at an election preparation program called 'Mera Booth Sabse Maj booth' in Bhopal recently, Prime Minister Narendra Modi said that it is the responsibility of the government to implement the Uniform Civil Code laid down in the Constitution in its directive principles. BJP wants a slogan that can give them rich dividends before the parliamentary elections of 2024, as the present government failed miserably on all fronts to fulfill the aspirations of the people who voted and gave them a tyrannical majority. After the shameful defeat in the recent Karnataka elections, the BJP is hectically searching for a device or slogan to divert the attention of the people, especially for the forthcoming elections to five states and the 2024 Lok Sabha elections.

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. UCC is part of Part IV of the Constitution which includes the Directive Principles of State Policy. Article 44 in Directive Principles of State Policy (DPSP) states that "The State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India". Implementation of the Uniform Civil Code is one of the BJP's poll promises.

The 22nd Law Commission's constitution is a one-sided attempt to obtain a verdict while orchestrating a one-sided opinion by WhatsApp University. The previous commission's report in 2018 received overwhelming civil society responses, concluding that the formation of the Uniform Civil Code (UCC) is neither necessary nor desirable. The commission emphasizes that disparities do not necessarily indicate discriminatory practice but rather serve as indicators of a strong democratic system. It also emphasizes that countries are shifting their focus towards acknowledging and accommodating differences, rather than relying on uniform legal frameworks that promote uniformity among culturally diverse populations. The commission's strong inclination is towards prioritizing gender equality within communities. The five-year transition from 21st law commission to the 22nd has not established a solid foundation for the reconsideration of the decision. Dr. Ambedkar emphasized the State's reluctance to use authority in a way that could be objectionable.

Many democrats and intellectuals are questioning that if there is plurality in already codified civil and criminal law, how can the concept of "One Nation, One Law" be applied to diverse personal laws of various communities. Homogeneous societies often experience stagnation and decline. India's unique diversity, including 19,500 dialects spoken as mother tongue and a rich cultural heritage, does not contradict secularism.

Though patrilineal societies are dominant the Property ownership in northeastern states and other tribal areas is often community-owned. The 5th and 6th schedules of the constitution provides special status to safeguard the identity and culture of the Tribals and Adivasis. They have different rituals for marriage and death. The UCC will affect the very identity of tribal communities.

The main purpose of highlighting UCC is to project a false notion towards the Muslim community who can have four wives. The latest census shows a low number of women for 1,000 men, leading to the question of marrying multiple times. The 1961 Census records polygamy prevalence in Adivasi at 15.25%, Buddhists at 7.9%, Jains at 2%, Hindus at 5.80%, and Muslims at 5.70%. So, the mischievous slogan is meant to spread a false canard and divide society to achieve their nefarious goal.

The Union government should focus on resolving other social ills such as the Devadasi system, Khap Panchayat, honor killings, dowry murders, trafficking, and other issues rather than constantly harping on UCC. Let them address these pressing issues, which include unemployment, poverty, and inflation. Let's continue to enhance democracy and secularism as a whole, while retaining national security as the top priority, with more extensive engagement with all parties involved.