

Uniform Civil Code unacceptable to the Muslim community Muslims are bound to follow Sharia in their religious matters

Joint Press Conference By Aimplb and Muslim Organisations

Press Note

The All India Muslim Personal Law board along with all prominent Muslim organizations like Jamiat Ulema-e-Hind, Jamaat e Islami Hind, Muslim Majlis e Mushawarat, Milli Council, Markazi Jamiat Ahle Hadees plus the schools of thought like Deobnad, Bareilvi, Ahle Hadith, Shia etc reject the questionnaire prepared by the Law commission. It is also explicitly expressed that this is unacceptable to the Muslim community and make honest appeal to the community to boycott and not to respond to the questionnaire of the Law Commission.

The fact is that the questionnaire points to the ulterior intentions of the commission and is an attempt to nullify the Muslims personal Law. The question is framed so as to confuse the respondents. By referring to article 44 of the constitution, an attempt is made to give a constitutional position to Uniform Civil code. This is false and deceit as the clause is Directive Principle which is not bound to be implemented.

So far as the constitution is concerned basic importance is for the fundamental rights. As per article 25 of the fundamental rights, each and every individual has the right to follow, practice and propagate the religion of his/her choice.

Revered courts have time and again upheld this fact that fundamental rights are supreme. If the central government is serious in implementing the directive principles, then it should implement such articles of the Directive Principles that are directly connected with the well being and welfare of the people like total prohibition, universal education for all children, provision of health facilities to all, toilets in all households etc.

Nobody disputes with this provisions which are essential for the nation for progress and development. It is a false illusion that uniform civil code will bring national integration. Many wars have taken place between two sections which followed same religion and same personal laws. Imposing uniform civil code will invite disunity and disintegration instead of integration.

It will create a sense of deprivation in the minds of minorities which will be detrimental to the nation. People of the country following diverse faiths – Hindus, Muslims, Christians, Buddhists, Sikhs, Dalits, Adivasis etc jointly fought the freedom and liberated the nation from the clutches of the British. In spite of variations in personal laws all these group fought with signal mind and shoulder to shoulder.

In demographic point of view, the United States is a small country compared to India, but there, the personal law of each State is different. Giving consideration to the aspirations and satisfactions of the people give unity and strength to that nation. The Indian constitution is also framed on the foundation of unity in diversity. People following different faiths and beliefs take part in the social life following their religious beliefs independently and keeping this diversity and differences they work together for the progress and security of the country as a joint nation and society. India is a nation of different religions, cultures and dialects. We have many tribal groups who are brought to the mainstream with whom

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agreements and assurances were made that no interference will be made in their cultural identity and it will be safe. So such steps for forcible uniform civil practice will be a threat to the security of the nation itself.

India is nation of diverse cultures and different religions. Personal laws of all these groups are derived from their religious texts or scriptures and it has unique relevance in their cultural identity. Therefore any kind of interference in this is not only a violation of religious freedom enshrined in the constitution but will put an end to their unique cultural identity.

The questionnaire of the Law Commission is vague and confusing. It gives an impression that the Personal laws are responsible for social inequalities and gender disparities and have nullified the rights of women. The questionnaire reveals in Toto the intension of the commission. Some of the questions point to the fact that it has been framed to target a particular religious group and their personal law.

Intention of the affidavit by the central government relating to the issues of triple talaq, polygamy, maintenance of divorcees etc or the questionnaire of the Law Commission, both are aimed at clearing the way for Uniform Civil Code. This is nothing but a calculated effort to disrupt the communal harmony and social fabric by raising controversial issue when the country as a whole is facing so many serious and important problems. We appeal to all peace and justice loving people of the country to oppose this move. It seems that the government wants to divert the attention of the people from the serious issues which it failed to contain and control miserably. We also appeal to all secular parties of the country to oppose the move of the central government so that it will be forced to withdraw from this endeavour.

The Personal Law Board wants to make it clear to the central government as well the Law Commission that the personal law is the voice of the entire Muslim community and that they will not bear any kind of interference in the personal law and that all the Muslim organizations and schools of thought are strongly behind the Personal Law Board. The decision to boycott the Law Commission has taken jointly, unitedly and after due deliberations and discussions.

The Board wants to convince the community that it is following the cases filed against the Muslim personal law with full preparations and have made a panel of legal experts and are utilizing senior legal luminaries and have filed sound submission from both Sharia and legal perspectives. The Board strongly sticks to its position that a change of even an alphabet in the Sharia is not admissible and acceptable. These are derived from the Quran and Hadith and are in unison with the needs and aspirations of human beings. We are of the strong conviction that if the court goes through the submissions filed by the Personal Law Board, then the decision will be in its favour. The Board also appeals to the community to make its voice louder and stronger with their full support and respond positively to the calls that will be made by the Board.

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