



No need for uniform civil code now, says law panel

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The Law Commission of India said a Uniform Civil Code (UCC) is “neither necessary nor desirable at this stage.”

Cultural Diversity

- The Commission said secularism cannot contradict the plurality prevalent in the country.
- The Commission, led by former Supreme Court judge B.S. Chauhan, said, “Cultural diversity cannot be compromised to the extent that our urge for uniformity itself becomes a reason for threat to the territorial integrity of the nation.”
- A unified nation does not necessarily need to have “uniformity.”
- “Efforts have to be made to reconcile our diversity with universal and indisputable arguments on human rights,” the Commission said.
- Difference does not always imply discrimination in a robust democracy, the government’s topmost law advisory body said.

Secularism-Majoritarianism

- The term ‘secularism’ has meaning only if it assures the expression of any form of difference.
- This diversity, both religious and regional, should not get subsumed under the louder voice of the majority, the Commission said.
- At the same time, it said, discriminatory practices within a religion should not hide behind the cloak of that faith to gain legitimacy.

Codification of all Personal Laws

- It said the way forward may not be UCC, but the codification of all personal laws so that prejudices and stereotypes in every one of them would come to light and can be tested on the anvil of fundamental rights of the Constitution.
- “By codification of different personal laws, one can arrive at certain universal principles that prioritise equity rather than imposition of a Uniform Code, which would discourage many from using the law altogether, given that matters of marriage and divorce can also be settled extra-judicially,” the commission reasoned.

Suggested measures

- It suggested certain measures in marriage and divorce which should be uniformly accepted in the personal laws of all religions.
- These amendments in personal laws include fixing the marriageable age for boys and

girls at 18 years so that they marry as equals, making adultery a ground for divorce for men and women and to simplify divorce procedure.

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