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## Triple Talaq: Ban this un-Islamic practice and bring in a uniform civil code

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Lawmakers must look at all religious personal laws and push for a uniform civil code. When undertaking reforms, the wisest thing to do is to study different personal laws and adopt the best practices

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 M Muneer



Muslims women celebrate the Supreme Court's decision on triple talaq, Mumbai (File Photo)(PTI)

It all happened a few months ago. A determined leader declared it barbaric, and vowed to reform it. A body of bearded old men certainly not wiser, happy to shoot down anything progressive until it becomes irrelevant, vehemently opposed that leader. All happened over an issue — instant triple talaq — that does not find backing in the holy book. Instant triple talaq is a regressive practice, where by repeating the word “talaq” thrice, often without even understanding its meaning, marriages are annulled and lives are ruined.

Looking back at the events that unfolded earlier this year, the All India Muslim Personal Law Board should have had more mat and Quranic knowledge not to fight for something banned in the holy book. It should have rather used its resources to enlighten masses that are uninformed and ill-informed about the subject. By defending a non-Islamic issue only to get defeated, they have increased the stature of that leader among the uneducated and exploited Muslim women. Most surprising was the 3-2 verdict against it in the Supreme Court, which should have been 5-0.

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Contrary to popular belief, as seen by the practice of its followers, Islam is not a regressive religion. A word often used in the Quran is 'think'. The best of intellectual exploration and scientific discovery happened in Islamic society (Mesopotamia, present day Iraq) till the 11th century: More than two-thirds of the stars in the sky have Arabic names. We all use Arabic numerals. Many of us are familiar with these Islamic names: Algebra, algorithm, azimuth, nadir, alchemy, alcohol, elixir, and so on. It all changed in the 17th century with an influential Muslim theologian proclaiming all science as evil, and progress was brought to a grinding halt then.

As the apex court has passed the baton to the policymakers to frame a law to reframe the triple talaq form of divorce, Parliament's winter session will see this issue being discussed. In the first place, the question of banning instant triple talaq does not arise because the surah Al-Baqarah, the second chapter in the Quran, gives clear instructions on this topic in verses 226-241. When the Quran has given the guidelines for the practice, is there a need for a new law? Or is proper enforcement what we need?

As Parliament convenes to discuss the issue, it would be productive if the lawmakers look at all religious personal laws and push for a uniform civil code. When undertaking reforms, the wisest thing to do is to study different personal laws and adopt the best practices.

A uniform civil code will bridge the chasm between innocent Muslims who blindly follow the clerics, and the Right-wing fringe Muslims who should welcome the idea of joining the mainstream by embracing a uniform civil code. Parliament must seriously think about reformative laws that will benefit everyone.

Let us hope that our lawmakers pass a law that criminalises instant triple talaq and assimilate the best practices from personal laws to form a uniform civil code.

*M Muneer is board member, Medici Institute, New York*

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