

MUSLIM MARRIAGES

Written by Administrator
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THE COURT'S RULING AND THE STUPID GLOATING

The Western Cape High Court has ruled that the State has a constitutional obligation to enact legislation to recognize Muslim marriages and to regulate the consequences thereof. The court ordered that Parliament enacts such legislation within 24 months.

The kuffaar Women's Legal Centre (WLC) which had sought this ruling stupidly gloated that the judgment is an "enormous victory for Muslim women". The gloating by these kuffaar women is stupid and fallacious. There is no victory for Muslim women in this kufr judgment. True Muslim women do not in the first place approach the kuffaar court for directives in matters for which Allah Azza Wa Jal has already issued His Decree more than fourteen centuries ago. The Divine Orders of the Shariah are binding and final on all Muslims. Therefore, Muslims will not efface their Imaan by resorting to kuffaar courts for rulings which have no validity in the Shariah.

Only women who profess to be Muslim, but in reality are bereft of Imaan, will run to the kuffaar court to seek shaitaani 'relief' in conflict with the Law of Allah Ta'ala. Such women are *Murtad*. Thus the hallucinated 'enormous victory' concerns these *Murtaddah* women, not Muslim women. Furthermore, even for these *Murtaddaat*, the court's ruling is no victory. It is merely old wine in a new bottle.

There is no new consequence in the court's ruling. It is simply an affirmation of the stance which the courts have adopted and according to which they have been issuing verdicts and decrees since the past 20 years. The courts have always recognized Islamic marriages despite such marriages being invalid in terms of the law of the country. However, for purposes of granting women maintenance, custody of children and large portions of the husband's assets – all in total contravention of the Shariah – the kuffaar courts have accepted the validity of Muslim marriages. There is therefore nothing new to gloat about.

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The position remains the same, and will remain the same even if the government enacts the legislation the court has ordered. Whilst the court has given a time frame of 24 months, the process will take about five years, and may even be thwarted by other factors and developments. There exists a ludicrous notion in the minds of ignorant Muslims regarding the court's decree. They labour under the fallacious idea that the court's order means the legislation of the kufr MMB (Muslim Marriages Bill). The order is nothing of the kind. The order is simply a decree "full of sound and fury signifying nothing" as well as kufr stupidity.

Any legislation to recognize Muslim marriages will not affect true Muslims in any way whatsoever in view of the fact that genuine Muslims will not take the route to the kuffaar court to have their matrimonial matters resolved in terms of kufr law. Those who profess to be Muslims but who in reality are *munaafiqeen* and *murtaddeen*, also are in no need of legislation for recognition of their marriages. They are quite comfortable with the secular kufr laws, hence their clamour for recognition is incongruent and irrational.

The High court's order is a superfluity and it appears more of a symbolic gesture to placate the women's lobby. Even an adultery union is accorded validity for the purposes of maintenance, etc. Hence, whatever consequences the ordered legislation will proffer the recognition of Muslim marriages, are available right now without such legislation.

Insha-Allah, we shall comment in greater detail after having studied the judgement. However, as far as Muslims are concerned the judgment is inconsequential. Even if legislation for recognition is enacted, it shall have no material consequences for true Muslims.

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