

INTRODUCTION

The High Court's Order as it applies to The Majlis (the 11th Respondent), states as follows: "It is declared that the 11th Respondent, that operates and carries on its business internationally, and

that is the body who dispenses advice to Muslims worldwide, has an obligation to make known to

the public and the 5th Respondent (i.e. the Minister of Justice & Constitutional Development), the

attitude of the Muslims in South Africa to the enactment of the Muslim Marriages Bill."

In compliance with this Order of the Court, and more importantly, in compliance with Islam's command of Amr Bil Ma'roof Nahy Anil Munkar (Commanding Righteousness and Prohibiting Evil), which is a Waajib obligation Allah Ta'ala has imposed on the Ulama-e-Haqq, The Majlis shall, Insha'Allah, commence, in addition to other measures, a series of articles to inform the Ummah of South Africa of the reality and of the kufr of the so-called 'Muslim' Marriages Bill which

some entities in the community, motivated by sinister mundane and nafsaani designs, are desperate

to hoist on to the Muslim Ummah. Insha'Allah, the insidious Bill of Kufr will be analyzed clause by clause for the understanding of the Muslim community.

The analysis will be twofold – from the Shariah's perspective and from the Constitutional angle.

The Qur'aan and the Sunnah determine the Shariah's standpoint, while the country's Constitution is

the basis for the determination of the constitutionality of the Bill. The summary of the Shariah's stance is embodied in the following Qur'aanic aayat:

- "Those who do not decree in terms of that (Shariah/Law) revealed by Allah, verily, they are the Kaafiroon (Unbelievers)." (Al-Maaidah, aayat 44)
- "Those who do not decree in terms of that (Shariah/Law) revealed by Allah, verily, they are the Zaalimoon (Cruel Oppressors)" (Al-Maaidah, aayat 45)
- "Those who do not decree in terms of that (Shariah/Law) revealed by Allah, verily, they are the Faasiqoon (Immoral Transgressors)." (Al-Maaidah, aayat 47)
- "Then We have established you on a Shariah with regards to (all your) affairs. Therefore follow it, and do not follow the vain desires of those who know not." (Al-Jaathiyah, aayat 18)

The ultimate act for assignment into everlasting perdition in terms of the Qur'aan and Ahaadith is

the commission of KUFR. In the aforementioned verses, the Qur'aan Majeed ascribes the attributes

of zulm (cruelty, tyranny, injustice) and fisq (immorality, flagrant violation of Allah's Law) to the Islamic concept of Kufr (unbelief, ingratitude to Allah Ta'ala, rejection of Islam).

Preference to any law, custom or practice over and above the Shariah is Kufr. Changing any Law

of the Shariah is Kufr. Fettering the generality of a Qur'aanic command with unsubstantiated stipulations is Kufr. Rendering any aspect of the Shariah subservient to man-made rules, regulations

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and laws is Kufr. Transmogrification of the Shariah is Kufr. In a nutshell, the so-called 'Muslim' Marriages Bill is KUFR for it is an insidious mutilation and transmutation of the divine, immutable

Shariah of the Qur'aan and Sunnah. This incontrovertible fact will become conspicuous as we go

along with the two-fold elaboration of the clauses of the Bill.

It is important that Muslims understand that the MMB is not the brainchild of the government. The government did not present the MMB specimen of a hybrid 'shariah' for imposition on the Muslim community. MMB is not the effect of the desire of the government. While the government

does have a political agenda for entertaining the Bill, it was grossly misled by the NNB Jamiat (No

Name Brand Jamiat) and by MJC (Muslim Judicial Council) regarding support for and opposition to the insidious Bill.

The misinformation fed to the government embodies the following ingredients:

- The vast majority of the Muslim community supports the Bill.
- UUCSA, the phantom or paper entity represents the Muslim community and the Ulama of South Africa.
- In the entire country only The Majlis opposes the Bill.

The aforementioned myths and blatant lies have now been exploded and debunked. The deluge of

opposition and protests which has flowed into the office of the Minister of Justice & Constitutional

Development, the hundreds of Muslim organizations opposed to the Bill, the numerous anti-MMB

petitions, the submissions by legal experts and other Muslim professionals, the submissions of legal

agencies such as the Legal Resources Centre, the thousands of objections lodged by sms, the thousands of letters of protest by Muslims writing in their individual capacities, the High Court action and order, the further court actions still in the pipeline, have opened the eyes of the government who has been constrained to extend the closing date for comment from 15th March to

31 May, 2011.

We are confident that the authorities have by this time understood the gross and flagrant unconstitutionality of the Bill and the strong aversion which the overwhelming majority of the Muslim community has for the insidious Bill of Kufr.

This Introduction will be followed, Insha'Allah, by a series of articles to ensure that all Muslims gain a thorough understanding of the Bill to enable them to lodge informed comment and protest to

this divisive Kufr measure which the government is gratuitously attempting to legislate at the behest of the NNB Jamiat and MJC entities on the basis of a grossly mistaken premises. We assure

the government that whatever political promises the MJC has made are figments of a mirage. Insha'Allah, a separate article will explain and expose the pernicious nafsaani motives of the NNB

Jamiat and the MJC underlying their desperate desire for enactment of the Kufr Bill.

THE INSIDIOUS KUFR 'MUSLIM' MARRIAGES BILL OUR OBLIGATION TO COMMENT IN TERMS OF THE H

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It is the incumbent obligation of every Muslim to object to the Kufr MMB. Send your letter of objection to the Minister of Justice & Constitutional Development:

THE MINISTER OF JUSTICE

C/O MR T. N. MATIBE

PRIVATE BAG X81

PRETORIA 0001

FAX 086 648 7766

E-MAIL: TMatibe@justice.gov.za

For our records, please forward a copy of your letter of objection to:

The Majlis, P. O. Box 3393, Port Elizabeth 6056 OR e-mail: muftis@themajlis.net

OR Fax 041-4513566

Jazaakallaah! May Allah Azza Wa Jal reward you abundantly for taking a stand in defence of the

Deen.

"Whoever searches for a deen other than Islam, never ever will it be accepted from him." (Qur'aan)

"Verily, the Deen by Allah is only Islam." (Qur'aan)