

R2 MILLION AND R20 MILLION WHICH IS THEIR MOTIVE POWER FOR MMB

Written by Administrator

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The MAJLIS, PO Box 3393, Port Elizabeth, 6056

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THE KUFR MMB

**WHY ARE THEY SLOGGING INSANELY FOR THE KUFR MMB?
IT IS THE HARAAM CARROT/CARRION OF R2 MILLION AND R20 MILLION WHICH IS
THEIR MOTIVE POWER**

Men of intelligence and discernment know why the proponents of the Kufr so-called 'Muslim' Marriages Bill are prepared to barter away even their Imaan to get MMB legislated and shoved down the throats of the Ummah in South Africa. There is an evil motive underlying the desperate struggle to get MMB enacted as law. Let us unfold this conundrum for you dispassionately.

Early in 2010 prior to the release of the draft bill for comment, the proponents of MMB (UUCSA which consists primarily of MJC and the NNB Jamiat of Fordsburg) were 100% sure that the bill was as good as law, and even if the skies had to crack, MMB would be legislated into law. Early last year there was a so-called ulama meeting organized by the NNB Jamiat to ostensibly discuss the draft bill. Unexpectedly, some Ulama from Jamiatul Ulama Gauteng attended since the meeting was advertised as an 'ulama' meeting. The NNB clique was taken aback by the attendance of the Ulama of Jamiatul Ulama Gauteng.

The meeting which was advertised was in fact a farce. It was a miserable attempt to hoodwink the public. As far as the NNB crowd was concerned, the bill was a cut and dried issue. They behaved as if they were parliament who had already legislated the bill. The so-called 'ulama' meeting refused to discuss the draft bill. The purpose of the meeting, it was clear, was twofold: (1) To inform its (i.e. NNM Jamiat's) members who had gathered that the MMB will soon be law, and (2) To make merry with refreshments and light banter unexpected of Ulama.

During the ensuing months since the frivolous party, MJC and NNB Jamiat characters were meanwhile lobbying the government in clandestine meetings. The government was fed the following false information by these two miscreant bodies: (a) That the phantom organization called UUCSA represented the whole of the Muslim community of South Africa. (b) In the entire country there was only one dissenting voice, namely The Majlis. Thus, the two miscreants thought that they were riding on top of the crest of a wave as far as

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the bill was concerned. For them it was no longer a 'bill'. It was already a 'law' requiring only a couple of final polishing touches.

However, then came the big shock for MJC and NNB Jamiat. (By the way, NNB Jamiat means No Name Brand Jamiat). When the Ministry of Justice & Constitutional Development released the draft bill for public comment, the spirits of the two miscreant bodies were in entirety deflated. They had all along laboured under the misapprehension that the bill which the Minister would be realising would be the very same draft bill which the NNB Jamiat-MJC 'parliament' had already promulgated. In total conflict with their happy expectation, the Minister of Justice had expunged from the draft bill all the provisions pertaining to the court structure which the miscreants had included in the earlier draft bill.

Since the provisions pertaining to the courts were blatantly unconstitutional in that they sought to curtail the jurisdiction and freedom of the judiciary, the Minister had no alternative but to delete the offending, unconstitutional provisions. When MJC and NNB Jamiat realized that the very motive for which they were fighting for the bill had been thwarted, they fell into an eerie silence. Hence, for five weeks since the publication of the bill, they failed to comment. They had been caught by surprise and their spirits were utterly deflated. They were now in a dilemma. The bill as it currently stands is meaningless for the NNB Jamiat and MJC because it does not serve their pernicious monetary agenda for which they had been prepared to sell their Imaan down the sewer drain.

Among the court provisions in the earlier draft was the stipulation of Muslim judges and Muslim assessors. One provision required that a Muslim judge should preside in Muslim marital disputes. Another provision required two Muslim assessors to sit with the judge.

It is necessary to emphasize that the stipulation of Muslim judges was not by virtue of any consideration for the Shariah. Similarly, the requisite of Muslim assessors was not because of any Deeni concern. Both these wayward bodies believe that even non-Muslim judges may adjudicate in Muslim marital disputes and issue decrees of Talaaq and Faskh despite the fact that there exists consensus in the Ummah that a non-Muslim judge has no wilaayat (jurisdiction) over Muslims, hence his decree of Talaaq and Faskh is not valid.

In the previous draft bill which the UUCSA proponents had expected to be released for comment, appears the following provisions:

"15 (1) (a) the Judge President or other head of the court which has

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jurisdiction shall appoint a Muslim judge from that court to hear such dispute, and if there is no Muslim judge, the Minister for Justice & Constitutional Development shall appoint a duly admitted practicing Muslim advocate or attorney of at least 10 years' standing as acting presiding officer:

(b) the court shall be assisted by two Muslim assessors who shall have specialised knowledge of Islamic law..."

Someone may ask: 'What is wrong with these clauses? They provide for Muslim judges and Muslim assessors.' There is much that is wrong with these provisions. The first wrong is the insincerity of the drafters of the bill. Secondly, there is a sinister motive underlying these clauses. Thirdly, the stipulation of 'Muslim' judges by the MPL clique is not due to Shar'i motivation.

Although the Shariah stipulates that only a Muslim judge subservient to the Shariah has jurisdiction to adjudicate in Muslim disputes, the proponents of the bill do not accept this, hence in the previous draft bill they have included the following provisions:

"Provided that in urgent matters and in cases of an application under Rule 43 of the High Court Rules, the matter may be determined by a non-Muslim judge sitting without assessors."

So, while (a) and (b) above, provides for Muslim judges and Muslim assessors, this clause dispenses with both. Both, the Muslim judge and the two Muslim assessors are eliminated. This establishes beyond the slightest vestige of doubt, that according to the insincere MJC-NNB Jamiat-UUCSA clique, a non-Muslim judge has wilaayat (jurisdiction) over Muslims in diametric conflict and rejection of the Qur'aanic aayat: "Never will Allah grant jurisdiction to the kaafireen over the Muslimeen." This aayat is the fundamental basis for the negation of wilaayat of non-Muslims. There exists consensus of the Ummah – of all Four Math-habs – on this negation. But, the UUCSA clique flagrantly and rebelliously perpetrates the kufr of saying and accepting that a non-Muslim judge does have wilaayat over Muslims. And, to aggravate and compound their stark kufr, they shamelessly even kick our the Muslim assessors to allow the lesbian, gay, faasiq/faasiqah, faajir/faajirah judge to make 'ijtihad' in the Qur'aan and Hadith, and to stupidly interpret what appears in the Shariah's kutub (books) of Fiqah (jurisprudence).

Betraying further and conclusively, their kufr concept, the MMB Kufr clique, adorned their draft bill with the following kufr provision:

"15 (3) Any decision of the court shall be subject to appeal to the Supreme Court of Appeal in accordance with the applicable Rules of

Court....”

Thus, the decision of the Muslim judge of the High Court – a decision which is ostensibly according to the Shariah – is not the final word. Such decision is the subject of appeal. The non-Muslim judge of the Supreme Court has all the right and power to cancel the ‘Shar’i’ decree of the Muslim judge of the High Court. It is noteworthy that while the bill provides for Muslim judges for the High Court, there is no such provision affecting the Supreme Court which will function as normal. Non-Muslim judges of all persuasions and sexual orientation will sit in judgement to interpret the Shariah and issue decrees according to their nafs in the light of the country’s laws and the constitution.

It is thus conspicuous that the provisions pertaining to Muslim judges and Muslim assessors are insignificant and of only cosmetic worth. Now why did the MPL clique demean their intelligence with these contradictory and dishonest clauses. These clauses are not the product of their ignorance. These provisions are the effects of a clear design to hoodwink the Ummah and to appease the government.

The cosmetic portrayal of ‘Muslim’ judges is to trick Muslims into believing that the bill is shariah-compliant and that the decrees will be issued by Muslim judges who do have wilaayat as stipulated by the Shariah. The study of most people is perfunctory. They browse through the bill without understanding what they are reading, especially with so much silly legal jargon. The Islamic terms such as Nikah, Talaaq, Faskh, Khula’ Nafqah, Tafweedhut Talaaq, Muslim judges, Muslim assessors, etc., with which the draft bill is peppered create the impression that the bill is Islamic and compliant with the Shariah when in reality it is pure KUFR.

The non-Muslim judge story and laying hands off from the Supreme Court are for government consumption for procuring approval of the bill. The MPL clique understands well that while they may tamper with the Shariah as much as their nafs desires, they may not do likewise with the country’s laws and constitution. Conflict with the constitution will veto the bill, hence they felt constrained to concede to non-Muslim judges for the High Court and to totally refrain from the attempt to curtail the power of the Supreme Court.

All these so-called ‘Muslim’ provisions regarding the court were expurgated by the Minister of Justice who denuded the draft bill of the blatantly unconstitutional court provisions, hence the present ‘Muslim’ Marriages bill is without these clauses which are the primary reason for the insane support of the kufr bill.

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When the MMB was published by the Minister of Justice, the MPL clique was aghast with disbelief. They were shocked into silence when they realized that provisions which are their mainstay for supporting the bill were no where in the bill. They were confused and receded into silence for five weeks since the publication of the bill. While the opponents of the kufr bill were having a field day criticizing, commenting and protesting against the bill, the UUCSA gang could not react. They began their feint rumblings to announce their new stance many weeks after publication of the bill. They adopted an ambivalent stance, contending that some provisions in the bill are 'un-Islamic and in conflict with Islamic law'. But when they were asked by several persons: 'Which provisions are un-Islamic and in conflict with Islamic law?', they refused to respond. They adopted a policy of beating about the bush with meandering arguments to deflect the enquirer from his enquiry. They intransigently refused to spell out exactly which provisions are 'un-Islamic' and 'in conflict with Islamic law'.

While to those who lack understanding of the pernicious motives of this clique, such refusal seems intransigent, it is in reality dictated by their prudence and the desire to save face. The reason why they refuse to furnish the simple information by merely informing the community of the un-Islamic clauses, is not a deep mystery. The fact is that every provision in the bill has been manufactured by the MPL clique – from A to Z. Nothing is the handiwork of the government. When it slipped out of their mouths that some provisions were 'un-Islamic' and 'in conflict with Islamic law', they realized the gaffe, hence their refusal to comment and spell out the un-Islamic clauses. They could not point out un-Islamic provisions because they themselves had fabricated all the clauses and provisions of the bill. How can they now say that what their own hands had wrought is in conflict with Islamic law?

While they are not concerned with all the other un-Islamic provisions because they themselves are responsible for such provisions, they are vastly perturbed by the deletion of the provisions pertaining to Muslim judges. The reason for their insistence to have the courts' provisions included is mercenary and most despicable. These kufr MMB proponents have maintained that they will be in charge of appointing the marriage officers, Muslim assessors and their eyes are locked on the target of Muslim judges. They are out to be the Muslim judges who will preside in the MPL court should their plot succeed.

One schizophrenic self-styled 'expert of Islamic law' believes that he would be the first such judge. Another quack sheikh has rushed off to a non-Muslim country to obtain a scrap degree in 'Muslim marital

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law' since his eyes are set on the judge's post. Now why are they craving for these positions. Apart from the mundane 'prestige' which comes with these positions, a judge's annual salary is R2 million , and the golden handshake at the end of his term is R20 million. This then solves the riddle underlying the mad desire for the promulgation of the Kufr bill, that is, the previous Kufr bill, not the current one.

Since the current bill has robbed them of the R2 million and R20 million, and of becoming the marriage officers and assessors, they are no longer enamoured with the bill. They have gone back to the boardroom with their kufr policy of 'engagement' in the bid to get the deleted court provisions reinstated.

They are prepared to destroy their Imaan for monetary gain. They have betrayed Allah, His Rasool and the Ummah. They are prepared to transmogrify and mutilate the Shariah beyond recognition to fill their pockets with haraam money. They are among the worst specimens of vermin under the canopy of the sky, inhabiting and polluting the earth. In the words of the Hadith: "They search for the dunya with the amal (practice) of the Aakhirah", i.e. they barter away Islam and their Imaan for haraam money.