



PO Box 3393,
Port Elizabeth, 6056
South Africa

Email: muftis@themajlis.co.za
[The Majlis](http://TheMajlis.co.za)

30 Sha'baan 1444 – 23 March 2023

THE KUFR 'NIKAH' BILL OF MR. GANIEF HENDRICKS

Howling a haraam canard, Mr. Ganief states in a pamphlet:

“....making South Africa the first country outside the Arab world to intruce (sic) shariah marriage law in its legislation.”

This claim is a monstrous canard – a LIE. It has absolutely no validity. The reason why Hendricks is able to brazenly make such a stupid claim is that he has no understanding of the Shariah. He has no right to use the term 'Shariah' for his nonsensical ideas.

Muslims should not be deluded and hoodwinked by the stupid, baseless canard this man has disgorged. The government has not introduced 'shariah marriage law in its legislation'. This claim is FALSE. The man should prove what he has falsely vomited. He does not have the haziest idea of what a 'shariah marriage is'.

His party is not an Islamic party. It is not permissible for Muslims to vote for the Haraam Al-Jahannam party or for any other party. Participation in kufr politics is haraam.

In the same pamphlet, the chap says:

“ISLAMIC LAW (SHARI'AH): A DEFINITION

Islamic Law” Shari'ah which regulates
all public and private behaviour means the
law as derived from traditional customs (Al

Urf the two primary sources, namely, the Quran and the Sunnah (Prophetic model) and that uses juristic tools such as ijma (the consensus) of Muslim Jurists or the individual jurist's qiyas (analogical deductions) to issue legal edicts"

The fellow just does not know what he is speaking. He has no Shar'i qualification to open his mouth on matters of Shar'i import. The Shariah is not derived from "traditional customs" which Mr.Hendricks describe as 'Urf'. 'Urf' is juridical principle formulated on the basis of the Qur'aan and Sunnah which are the two Primary Sources of the Shariah.

Any traditional custom which is in conflict with the Shariah is invalid and may not be accepted as valid Urf. Innumerable acts and practices become 'traditional' during the passage of time. Each custom is scaled on the basis of the Shariah for the attainment of a verdict.

The sources of the Shariah are the Qur'aan, the Sunnah, Ijma' (Consensus) and Qiyaas (the Analogical Reasoning process). The basis for the edicts to be issued in terms of this Principle is always the Qur'aan and Sunnah, never freelance rationalization, personal opinion and customs which have become part of tradition.

The fundamental requisite for the validity of juridical edict is that it must not be in conflict with the Qur'aan and Sunnah. Any edict which is in conflict with the Qur'aan and Sunnah will be invalid. Thus Mr.Hendrick's claim that the Shariah

".....means the law as derived from traditional customs
(Al Urf the two primary sources,"

is palpably baseless and untrue. The Shariah is not derived from 'urf' nor are the two Primary Sources of the Shariah, namely, the Qur'aan and Sunnah termed 'urf'.

His KNB (Kufr Nikah Bill) is a cunning red herring. There is absolutely nothing Islamic about the bills of Al-Jahannam party. Since he happens to be a Muslim, and since he has given a Muslim-sounding name to his kufr party, he seeks to trade the idea that his party is an Islamic one, hence he represents the Muslim community whereas he has absolutely no mandate to speak for the Muslim community or for even a segment of the Muslim community. As far as the Shariah is concerned, his qualification is NIL.