



PRESS RELEASE



MJC (SA) STATEMENT ON THE CAPE ACCORD

Wednesday, 20 June 2018

At the Special General Majlis Meeting of the Muslim Judicial Council (SA) on Wednesday 20 June 2018, the MJC further deliberated the contents of the Cape Accord with the objective of formulating a position on it.

Prior to stating the concluded upon position, The Muslim Judicial Council (SA) reiterates:

1. It's commitment to:
 - The attainment and preservation of the higher objectives of Islāmic Law (*Maqāṣid Al-Sharīh*);
 - The universal values of peace, tolerance, mutual respect, human dignity, harmonious coexistence in all its diversity and plurality, social cohesion and nation building;
 - The establishment and maintenance of safe and secure societal environments that promote prosperity;
2. That the *Úlamā* fraternities are duty bound to provide religious and moral guidance wherever and whenever it is required;
3. That it is the duty and responsibility of the MJC to protect the creed of *Ahl Al-Sunnah Wa Al-Jamāáh*;
4. That as a Muslim society within a South African context our rights as citizens are guaranteed and enshrined in the South African constitution and Bill of Rights. These include:
 - freedom of religion;
 - freedom of speech;
 - freedom of association;

- the protection of minority rights in relation to culture, language and religion;

Infringement on any of these rights allows South African citizens recourse to the courts of law as well as the Chapter 9 institutions;

5. It's opposition to **blanket** *Takfir* (excommunication) of the *Shī'ah*.

In addition, it is critical to highlight that:

- The MJC, since the inception of democracy in South Africa, has played an integral role in the establishment of interfaith forums, and the active promotion of tolerance and mutual respect amongst individuals and groups;
- The MJC supports the IEC (Independent Electoral Commission) to maintain peace, tranquillity and calmness during elections;
- The MJC has and continues to participate in conferences and dialogues on religious moderation (*wasatiyyah*), locally and internationally.

In light of the above, the MJC asserts that the Cape Accord:

1. Is a voluntary association and agreement between certain organizations;
2. Is only a document of moral import that does not add to that which the MJC already espouses;
3. Is not legally enforceable. Therefore, any controversial matter related to non-signatories renders the Cape Accord insignificant in relation to them;
4. Did not adequately and broadly consult with *Úlamā* bodies, the community and organizations;
5. Is surrounded by contextual inconsistencies;
6. Contains textual flaws and ambiguities.

Consequently, the MJC (SA) has elected not to be a signatory to the Cape Accord. The MJC remains sincerely committed to mutual respect, tolerance and social cohesion, and will unequivocally advocate against and denounce sectarianism, hate speech, violence and abuse.

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MJC Secretary-General