

# Muslim MPs plan bill on family law

By Farooq Kasule

Muslim Members of Parliament are set to move a private member's Bill intended for the enactment of the Administration of the Muslim Personal Law Bill (AMPLB), 2008.

According to Kawempe North MP, Haji Latif Ssebaggala, who is also parliament's Imam, moving a private member's Bill will make the Government consider it as an urgent matter. "We are finalising the process to move a private member's Bill to have the draft of AMPLB passed into law because it will help to fast-track the Kadhi courts and provide for Muslim family laws in respect to marriage, divorce, inheritance and guardianship," Ssebaggala explained.

Ssebaggala, backed by fellow legislators; Hood Katuramu, Abbas Agaba and Zaitun Driwaru, made the revelation during a workshop organised by the Muslim Centre for Justice and Law (MCJL) at BMK House in Kampala on Wednesday.

The legislators concurred with law don Muhamud Sewayu that the current draft bills on marriage and succession before Parliament



Driwaru and Katuramu during a meeting aimed at steering the operationalisation of Kadhi courts at BMK House in Kampala on June 26. Photo by Ramadhan Abbey

have provisions that are contrary to Sharia law and the Quran.

"The technical committee on Muslim personal law was set up by the Uganda Muslim Supreme Council, subject to a Uganda Law Reform Commission letter,

dated November 7, 2007. Nationwide consultations involving various stakeholders were made and several amendments done before producing it. However, I am still puzzled that it has not been passed into law, but a revised version of the Kadhi

courts Bill, 2005 is being considered," Sewayu said.

## Loopholes

According to Sewayu, the Kadhi courts Bill, 2005, which is intended to replace AMPLB, has many loopholes in it and cannot bring out the spirit

## Other voices

Zurah Asanda, the MCJL president said they will continue engaging various stake holders to ensure that Muslim law is recognised.

Deputy Muftis Abdallah Ssemambo and Muhammad Ali Waiswa commended Muslims for coming out with a strong voice when it comes to Muslim affairs, which has led to the passing into law of Islamic banking.

in jurisdiction since civil courts have to apply the law in accordance with the existing legislations as opposed to what Islamic law provides," he said.

Sewayu noted that the Administration of the Muslim Personal Law Bill, 2008 is important because it will address loopholes in the Marriage and Divorce of Mohammedan Act of 1906.

He pointed out that the Marriage and Divorce of Mohammedan Act of 1906 does not prescribe remedies for the parties upon divorce, but the relief is given by the court.

Sewayu noted that the draft Bills on marriage and succession contain provisions which conflict with Islamic principles on marriage and succession, especially where a Muslim dies intestate.

He noted that the Islamic inheritance law has a comprehensive system for the rightful beneficiaries and the portions for each beneficiary in case one dies before writing a will.

"At the moment, there is conflict between Islamic inheritance and the Succession Act. This has given rise to serious problems and unjust consequences," Sewayu explained.

under article 129(1)(d) of the Constitution, which provides for subordinate courts like Kadhi courts to handle marriage, divorce, inheritance and guardianship complaints.

Sewayu said AMPLB is intended to offer an opportunity for Muslims to have a legal regime in conformity with their personal law, in addition to the promotion of their family values and afford better protection for women and children.

"The AMPLB was removed from the legislative process in 2010 for no clear reasons and this has accelerated conflict

# Zakat secures sh1b to fight poverty

By Vision Reporter

A Muslim charity has decided to use *Zakat* (alms) collected in 2018 to empower small businesses.

The charity, headed by Deputy Supreme Mufti Sheikh Muhamood Kibaate, is one of the many authorised to collect alms for the poor and needy. It is guided by other prominent leaders, such as Hussein Rajab Kakooza, Dr Ahmed Kisuule, Haji Majid Bagalaaliwo and Dr Ibrahim Matovu, among others.

"We always give help to needy Muslims, but they come back every year," he said. "We have, therefore, decided to inject more money into small businesses."

Kibaate made the remarks during the distribution of various machines, including those for bricklaying, car washing, carpentry, joinery and sewing for successful applicants at Old Kampala playground on Wednesday.

In addition, 10 women groups were given 4,000 chicks to improve their livelihood.

House of Zakat and Waqf Uganda (HZW) say the charity secured over sh1b. According to Hamzah Namungo Kasujja, an administrator at HWZ, the priority of *Zakat* funds is to alleviate poverty through direct financial support for the poor and needy since it is paid by those who have lots of money.

"*Zakat* should be strategically treated as a platform for poverty alleviation with a long-term effect rather than being merely treated as a charitable instrument with short-term effect," Kasujja said.

Dr Ahmed Kisuule, Uganda's former ambassador to Iran, implored Muslims to continue paying *Zakat*, saying it is one of

■ *Zakat* (giving alms) is a religious obligation in Islam and it is ranked next to prayers in importance. Every Muslim is required to pay 2.5% of his total savings and wealth above a minimum amount (*nisab*) annually. House of *Zakat* and Waqf Uganda was started to manage the collection and distribution of *Zakat* in the country. According to Islamic doctrine, the collected money should be given to the poor, those sympathetic to Islam, to the cause of Allah and stranded travellers.

## WHAT ZAKAT MEANS TO MUSLIMS



Muhamood Kibaate

the ways of fighting poverty in the Muslim community.

"When we are distributing *Zakat*, we do not mind which Muslim faction one is affiliated to. Therefore, we should not let our differences interfere with the collection of *Zakat*," Kisuule said.

Kisuule also commended President Yoweri Museveni for his continued support.

"Last year, the President donated sh200m towards this cause. We commend him for the work well done," Kisuule said.

Dr Ibrahim Matovu, the head of the education department at the House of Zakat revealed that many students have been offered scholarships.

"Ever since we started this programme, over 6,000 needy students have been enrolled in school and about 150 offered scholarships to pursue further studies at different levels. Therefore, if we continue to pay *Zakat*, the number will increase," Matovu said.

Kibaate disclosed that they collected over sh1.2b in *Zakat* last year.

"Women contributed over 50% of the money and this is a challenge to men," Kibaate added.

Bagalariwo warned *Zakat* collectors against mismanagement of the money, noting that it has been a challenge for most collecting entities.

# Luwero Muslims gear up for district Khadi consecration

Frederick Kiwanuka

Muslims in the East Buganda region are gearing up for a sh350m grand ceremony at which their first ever regional Kadhi will be consecrated.

The July 12 ceremony, which is scheduled to take place at Luwero mosque, will see Sheikh Mustapha Hamid Lule being consecrated as the first ever regional Khadi for East Buganda Muslim region.



Sheikh Mustapha Lule

## Autonomous regions

The Kampala-based Uganda Muslim Supreme Council (UMSC) recently demarcated the country into nine Muslim autonomous regions, each headed by a regional Kadhi.

The East Buganda Muslim region comprises eight districts including Luwero, Nakaseke, Nakasongola, Kiboga and Kyankwanzi.

According to a proposed plan, the seat for the East Buganda Muslim Region will be situated at Kiyana near Bombo town.

The Luwero district Khadi, Sheikh Ramathan Mulindwa Nsanja, said on Wednesday preparations for

## ON THE GROUND

■ Sheikh Lule is the former district Kadhi for Luwero.

■ He also served as personal private secretary to the late deputy Mufuti, Sheikh Mukiibi Kinene.

■ He is an Egyptian trained graduate in Sharia law.

the consecration ceremony were in high gear.