

Kenya Supreme Court Ruling Manifests a Clash of Civilization between Islam and Capitalism

News:

The Kenya Supreme Court on Monday ruled that children born out of wedlock to Muslim fathers are entitled to inherit from their father's estate, marking a significant development in the interpretation of Islamic personal law in Kenya. In their judgment, Supreme Court judges emphasized the need to balance the application of Muslim personal law with constitutional protections. The court cited Article 24(4), which permits the limitation of certain rights under personal laws such as Islamic law, but stressed that such limitations must be reasonable, justifiable, and narrowly defined.

Comment:

The Kenya Supreme Court ruling manifests the reality of the clash of civilization and identity crisis among the Muslim populace in Kenya and across the world at large. Today the Muslims are at a crossroads between the Western secular liberal system and Islam. This ruling also vividly indicates the core values of freedom of ownership and personal freedom as supreme over the Lord of man, life and universe. This translates to children born from adultery and fornication as legally binding relationships hence promoting evil in society.

The wellbeing of a society is never a priority in liberal society rather individual desires and whims are sovereign and absolute. This creates a society that lacks moral values and upholds evil over good. This rewards adultery and undermines Marriage as a sacred institution. A society built upon evil is evil in all spheres of life. The State's core responsibility in Capitalism is not looking after the welfare of the citizens rather to protect so called freedoms and liberty that entails more evil in societal relationships including children born out of wedlock.

Children born out of wedlock in Islam are deprived of lineage and inheritance rights not as a punishment to the child but rather as deterrence from the evil acts and upholding the marriage institution as the only legal relationship to preserve lineage and inheritance rights. The Supreme Court of Kenya's ruling to allow children born out of wedlock to inherit as heirs in a Muslim's property is clear indication of how much the Western secular liberal ideology is in clash with Islamic core values and legislation.

It is high time for Muslims to realize the Ummah's position in this matter as that of political strife and intellectual struggle. It is incumbent upon the Muslim Ummah to confine the political and intellectual actions to revive Islam and uproot secular ideology that promotes and rewards evil. The Ummah must comprehend that the secular environment will never ever be conducive for flourishing of Islam and justice. This matter in particular and many more in general are an eye opener for the Ummah to perceive the sole responsibility to Islam is to work towards re-establishing the Khilafah (Caliphate) State that will implement Shariah and uphold the truth and establish justice.

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