

Press Release

Returning to the 2019 Constitutional Document, Amending It, and Implementing it is a Return to the Old Deviation!

(Translated)

The Ministry of Justice has published in the official gazette the constitutional amendments made to the Constitutional Document, which was originally signed in 2019 between civilians and the military to manage the affairs of the state. Among the provisions in the amended document, which will govern Sudan during a 39-month transitional period, are: (6/A): The principles of Islam, other religious beliefs, popular consensus, values, customs, and traditions of the Sudanese people shall be sources of legislation. (6/B): Arabic and English shall be the official languages for government operations. (3/8): The transitional legislative authority shall have the power to legislate and oversee the performance of the executive body. It shall consist of the Sovereignty Council and the Council of Ministers until the establishment of the Legislative Council.

In Hizb ut Tahrir / Wilayah Sudan, regarding the return to the 2019 Constitutional Document, its amendment, and implementation in the coming period, we state:

First: This document was never based on the Islamic Aqeedah (creed), the belief of the Sudanese people, neither before nor after its amendment. This makes it an invalid document that establishes a life of disobedience to Allah, rather than obedience! The fundamental source of legislation must be solely Islam, without mixing it with false religions or corrupt beliefs, regardless of whether people accept it or reject it. Allah Almighty says: ﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ﴾ **“But no, by your Lord, they will not [truly] believe until they make you, [O Muhammad], judge concerning that over which they dispute among themselves”** [Surat Al-Nisa:65] ﴿وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَىٰ اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ﴾ **“It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair.”** [Surat Al-Ahzab:36].

The first article of the Draft Constitution of the Khilafah (Caliphate) State, proposed by Hizb ut Tahrir to the Ummah, states: “The Islamic belief ('Aqeedah) constitutes the foundation of the state. Hence, nothing is permitted to exist within its entity, its structure or its accountability or any other aspect connected to it, unless the Islamic 'Aqeedah is its basis. At the same time, the Islamic 'Aqeedah acts as the basis of the constitution and Shari'ah laws; thus, nothing related to the constitution or to the laws is permitted to exist unless it emanates from the Islamic 'Aqeedah.”

Second: Arabic is the language of all Sudanese people across different regions because they are Muslims. Arabic is the language of Islam, the language of the Noble Quran and the Purified Sunnah. It is astonishing that English, a language not spoken by the Sudanese people except by some who imitate the colonialist West, is imposed upon us. This imposition was designed to make us subordinate to them, as language is the vessel of culture. The eighth article of the Draft Constitution of the Khilafah states: “The Arabic language is exclusively the language of Islam and it is the only language used by the State.”

Third: In Islam, there is no legislative authority. It is not permissible for anyone, not even the Khalifah (Caliph) of the Muslims, to legislate even a single ruling outside of Islam. Allah Alone is the Legislator, as He says: **﴿إِنَّ الْحُكْمَ إِلَّا لِلَّهِ أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ ذَلِكَ الدِّينُ الْقَوِيمُ﴾** “He has commanded that you worship not except Him. That is the correct religion,” [Surat Yusuf:40]. The Khalifah (Caliph) adopts rulings and establishes them as the constitution and laws, but he does not legislate. The role of the Majlis al-Ummah (Council of the Ummah) is consultation and accountability of rulers, not legislation.

In conclusion: O people of Sudan, Allah Almighty has tested us with this war because we abandoned His law and followed leaders other than Him, accepting the laws of the colonialist West. Will we not repent and return to Allah, implementing His law under the Islamic State, the Khilafah Rashidah (Rightly Guided Khilafah) upon the method of Prophethood, so that Allah may lift this affliction from us and be pleased with us? Indeed, He is the One Who has power over that.

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اسْتَجِيبُوا لِلَّهِ وَلِلرَّسُولِ إِذَا دَعَاكُمْ لِمَا يُحْيِيكُمْ﴾

“O you who have believed, respond to Allah and to the Messenger when he calls you to that which gives you life.” [Surat Al-Anfal:24]

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