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# **Foundations of Sudan's Constitution**



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*Presents*

**Foundations of  
Sudan's Constitution**

To Establish a Federal, Democratic, and Socialist Republic

**Second Edition**

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In the Name of Allah, the Most Gracious, the Most Merciful

"This day I have perfected for you your religion, and completed My favor upon you, and have approved for you Islam as your religion" (5:3).

## **Preface to the Second Edition**

The first edition of *The Foundations of Sudan's Constitution* was presented to the public in December 1955. Today, the need for its reprinting has arisen. Yet, we found nothing to remove from it, nor did we see the necessity of adding anything to it. Accordingly, we present it as it originally appeared. However, this new edition differs from the previous one in the sense that it is divided into two parts: Part One, which contains *The Foundations of Sudan's Constitution*, and Part Two, which includes a brief outline of the objectives of the Republican Party and its constitution.

On the back cover, we described *The Foundations of Sudan's Constitution* as the *Foundations of the Islamic Constitution*, which Islamic advocates in our country and abroad strive to establish, though without achieving much success. This is because they do not understand the core principles of Islam. Consequently, they fail to differentiate between *Sharia* and Religion, and they mistakenly equate the two, believing that *Sharia* is Religion and that Religion is *Sharia*.

The decisive clarification in this matter is that *Sharia* is the gateway to Religion. It is the closer end of Religion that aligns with the realities of human existence. (*In some aspects, it reflects the realities of the 7th-century era.*)

In the 7th century CE, *Sharia* was not prepared for democratic governance as we understand it today. Our *Sharia* was founded on the principle of consultation (*shura*), which, at that time, was the most exemplary form of

governance and the closest to involving the governed in ruling themselves. However, even so, it was not democratic governance. For this reason, a constitution as we know it today was not defined within it.

Anyone who seeks a constitution at the level of Islamic doctrine will find their pursuit unattainable, yielding only incoherence and contradiction. This has been the outcome for Islamic advocates in our country and abroad. However, anyone who seeks a constitution at the level of scientific Islam will attain it, and their endeavor will be sound and aligned with their aspirations. This is what the Republicans have done.

We now present to the public the *Foundations of the Constitution*, and, by Allah's will, we will soon present the *Sudanese Constitution* (read: the Islamic Constitution), articulated, expanded, and systematically organized. May Allah guide us to the right path.

# Part One

## **Foundations of Sudan's Constitution**

For Establishing a Federal, Democratic, Socialist Republic

## **Dedication**

To the honorable Sudanese people,

This is the Constitution of the *Book*. We present it to you so that you may establish upon it a government of law, thereby creating the model through which humanity on this planet can establish a government of law. Without such a government, peace will not prevail on Earth, and peace is indispensable.

In the Name of Allah, the Most Gracious, the Most Merciful

"This day I have perfected for you your religion, and completed My favor upon you, and have approved for you Islam as your religion" (5:3).

## **Introduction**

1. The current problems faced by any country are, in essence, a reflection of the challenges confronting the entire human race. At their core, they are the problem of peace on this planet we inhabit. Therefore, every nation must approach solving its issues in a manner that aligns with the universal pursuit of establishing a global government - one that unifies the administration of our planet and bases the relationships between nations on law instead of diplomacy and treaties, thereby instituting order and peace.
2. The primary issue that any nation's constitution must address is resolving the apparent conflict between the needs of the individual and those of the community. The true need of the individual is absolute personal freedom, while the need of the community is comprehensive social justice. Each individual is an end in themselves and must never be treated as a means to another's ends. At the same time, the community is the most effective means of producing the free individual, one who enjoys absolute personal freedom. Therefore, it is essential to organize society on foundations of freedom and tolerance that make this possible.
3. We consider the constitution, in its entirety, to represent the nation's ultimate ideal expressed in legal form. This ideal serves as a goal for the nation to realize through its government apparatus by consciously developing its current capabilities along practical lines drawn by legislation and education, and implemented through administration, the judiciary, and public opinion.

4. There is no man so perfect as to be entrusted with the freedoms of others. The price of absolute individual freedom is the constant vigilance of each person in safeguarding it and their readiness to bear the consequences of their actions.
5. To achieve all the aforementioned objectives, we derive our constitution solely from the Quran. This is particularly because the Quran, being at once a constitution for the individual and a constitution for the community, possesses a unique and exceptional ability to harmonize the individual's need for absolute personal freedom with the community's need for comprehensive social justice. It achieves this coordination by shaping the means to serve their intended ends with utmost perfection.

# Chapter One

## The Foundation of the Sudanese Republic

Our focus on the individual compels us, from the outset, to involve them in governing themselves through every possible means and to enable them to serve both themselves and their community in all capacities - legislative, executive, and judicial. This is achieved by promoting self-governance and cooperative systems.

Given that Sudan is a vast and underdeveloped country, its administration from a single centralized authority is impractical. Moreover, centralization deprives individuals of opportunities for liberation, advancement, and progress by serving themselves and their communities. Therefore, we propose dividing Sudan into five states:

1. The Central State
2. The Northern State
3. The Eastern State
4. The Western State
5. The Southern State

Each of these five states will then be subdivided into two districts. Each state will be granted self-governance, the extent of which will depend on its level of development and its capacity to practice it. From the very beginning, the central government must assist each state in becoming fully capable of exercising complete self-governance as soon as possible. The central government should also progressively grant each state more authority in line with its readiness.

Self-governance in each state will be based on a fundamental structure of village councils, city councils, district councils, and state councils,

culminating in a central government. The central government will oversee, strengthen, and coordinate the union of the five states under the rule of law to ensure security and prosperity across the entire nation.

Except in cases of necessity, the state government should not interfere in the affairs of the districts, nor should the district government interfere in the affairs of the cities, nor the city government in the affairs of the villages. Similarly, the central government should not interfere in the affairs of the states, which must exercise all the powers granted to them under their level of self-governance, except when guidance or assistance is necessary, so that when issues arise that go beyond the jurisdiction of a single government, a shared system can be established to address them. For example, education falls under the legislation of each state, but the central government should support the states through coordination, guidance, and financial grants. Education is a matter of national interest, as it concerns both the nation as a whole and each state individually. The same principle applies to health, organization, and the enhancement of people's lives in all aspects.

The structure of each government, starting from village councils upward, will follow a democratic system, culminating in a central government at the top. This system will consist of a written constitution, a legislative body, an executive body, and a judicial body. The purpose of this structure is to educate the people democratically, soundly and uniformly across all their educational levels and social environment.

## Chapter Two

### Sovereignty

Sovereignty, by which we mean the commanding authority capable of imposing its will upon individuals, vested in the Sudanese people residing within the borders of Sudan as established up to the year 1934. Our democratic system, with all its pillars, is the means through which this sovereignty will be realized for the people.

It goes without saying that sovereignty is not an end in itself, but rather a means to achieve political freedom and economic and social equality. Without these, the environment necessary for the flourishing of absolute individual freedom cannot be realized.

We must exercise caution, as granting sovereignty to the people is a delicate and sensitive matter. In practice, the populace does not directly exercise power but entrusts authority to a select group of representatives who act on its behalf. Often, these representatives exploit the principle of popular sovereignty to infringe upon freedoms and encroach upon individual rights. This occurs because humanity continues to bear the remnants of its historical legacy, and even the concept of popular sovereignty is merely a development of this legacy, still burdened with its flaws.

In the past, the strong imposed their will upon the weak through various means - physical force, moral or religious authority, intellectual superiority, economic power, or numerical strength. In modern times, this numerical strength has evolved into the organized power of groups, giving rise to the concept of popular sovereignty. This concept, being rooted in power, is prone to exploitation resulting in the abuse of power under its guise.

However, hope rests on the gradual strengthening of the modern concept, where right is power, not the other way around, and where the state is subject to the law. This, in turn, is likely to limit the movement toward either reducing political authority to the rule of the strong over the weak, legitimizing whatever actions the ruler takes, or granting full legitimacy to parliamentary actions regardless of their content. This would enable parliaments to claim absolute power and pave the way for the terrifying notion of parliamentary absolute immunity.

The solution to this predicament is not to withhold sovereignty from the people but, on the contrary, to be granted it to them in its entirety. Only through its exercise can the people learn to respect and uphold it. The law must always remain before their eyes as an object of reverence and respect, so that their motto becomes *“right is might.”*

Both the government and the people must devote their time, resources, and efforts to educating individuals about the law, fostering respect for its authority, and cultivating alignment with its principles. This will produce a public opinion - or a "general will," if you prefer - that is enlightened, lawful, and derived from its alignment with the law, its adherence to it, and its embodiment of it. Such a public opinion, so described, is the true holder of sovereignty. Upon it depends the success of governance and the application of the law.

No one should assume that such a public opinion could emerge spontaneously through the mere passage of time. Its existence requires the awakening of the conscience of every individual within the community. Therefore, a deliberate educational approach is essential to direct and stimulate this development, by addressing each individual directly, making their conscience the primary monitor of their actions and the foremost judge of their mistakes and missteps.

The establishment of a government of law in public life is best achieved when each individual upholds the rule of law in their private life. We have found this educational method only in the *Quran*, for it is simultaneously a constitution for individual conduct and for collective conduct. As such, it equips individuals with the ability to harmonize their personal needs with the needs of the community in which they live.

The *Quran* teaches that the most distant of individual aspirations can only be attained through love for the community, selflessness in seeking their welfare, and sincerity toward them both in private and in public. The *Sunnah* of Prophet Muhammad, in worship and conduct, is the living and manifest embodiment of this educational method.

The people who have been educated in this manner are the ones truly deserving of full sovereignty. In our constitution, we grant this sovereignty to our people from the very outset, for the practice of sovereignty itself makes the type of education we previously mentioned possible.

## Chapter Three

### The Sudanese People

The Sudanese people are men, women, and children residing in Sudan, and sovereignty belongs to them. We have stated that our democratic system will serve as a means to realize this sovereignty for the people. Thus, from the outset, we advocate for *popular democracy*, which we define as governance *by the people, through the people, for the benefit of the people*.

We recognize that achieving this is a difficult task, as it requires two conditions:

1. Decisions regarding the management of state affairs must be made with the consensus of all citizens.
2. All citizens must actively participate in exercising sovereignty within the state, so that the rulers are, in essence, the ruled.

While these conditions are practically impossible to fulfill, we can always strive toward them through representative democracy, semi-direct democracy, and, ultimately, direct democracy. It is true that we Sudanese will begin at the bottom of the ladder, but there is no shame in that, provided that our steps of progress consciously and systematically ascend toward the top. By the bottom of the ladder, we mean *representative democracy*.

It is important to understand that even representative democracy - as a form of governance in which the parliamentary majority represents the majority of the people, and parliament as a whole represents the population as a whole - is not fully realized in practice. This is due to two reasons:

1. Not all members of the population participate in elections, such as children, youth under the age of eighteen, and others.
2. Parliament may consist of a majority that was elected by voters who, in reality, represent a minority of the total electorate.

Additionally, parliamentary sessions are often deemed valid if attended by an absolute majority of members, and decisions are frequently considered legally binding if approved by half of the members present plus one.

Our consolation is that, even when we begin with this basic level of representative democracy - where some parliamentary representatives may be elected indirectly (if necessary) - this starting point is merely a first step toward achieving *direct democracy*. Direct democracy will remain our ultimate collective goal, as it is the only system that fully guarantees respect for individual freedom. Suffice it to say that when the individual submits to the government, they are, in fact, submitting to the laws and decisions that they themselves previously enacted and approved.

Consensus - which is essential for direct democracy - will be achieved as proper education and authentic political awareness are disseminated. This will strengthen and refine the thinking of citizens, bringing their views closer to one another on major issues.

The least we can start with now is that our social system should only be in conflict with the will of the minority. Over time, as we progress, this minority will diminish, and we will eventually reach consensus. However, wherever a minority exists, regardless of its size, it must retain full rights and freedom to oppose through democratic means.

It is crucial to acknowledge that, no matter how underdeveloped some regions of Sudan may be, the only way to nurture our people is by granting them the opportunity to fully experience governance. Only through direct

practice in managing their affairs will they learn. We must therefore recognize their complete right to monitor the actions of both governors and representatives.

The people must have the right to summon their representatives for accountability regarding their delegation of authority, or to terminate their membership in the legislative council and send others to take on the honorable responsibility of representing them. Furthermore, the people must have the right to dissolve parliament before the end of its legislative term, and no entity other than the people may exercise this right.

Initially, this right will be exercised through the legislative councils of the states. If three councils vote to demand the dissolution of the parliament, the president will issue an order to that effect, and a new parliament must be elected within a maximum of three months. As the people advance, they will exercise their right to dissolve the parliament through general referenda. The constitution will specify the procedures to be followed in such cases.

The people have the right to monitor the actions of public officials and to amend the constitution through general referenda or their parliamentary representatives. They also have the right to propose laws, and the constitution will outline the procedures for this. Furthermore, the people may challenge the laws issued by parliament, in terms of their constitutionality, or in terms of whether they fulfill the intended wisdom behind the legislation.

The people's oversight of governance includes two aspects: Oversight of actions by officials that fall under their discretionary authority, which are not governed by specific legal rules. In these cases, officials enjoy broad freedom in selecting the means and timing for implementing their decisions.

Oversight of actions bound by specific legal restrictions established prior to their execution.

There is a sensitive and delicate matter concerning the actions of rulers, and that is the judiciary. While we wish to grant the people the right to monitor the judiciary, we must exercise caution at the outset to ensure that this right is not exercised in a way that interferes with the independence of this vital institution. Therefore, we believe that public discussion of matters before the judiciary should not take place until the judiciary has issued its ruling on them.

Moreover, any objection by the people to a judicial ruling must be limited to submitting their viewpoint to the Chief Justice, who will then issue a statement regarding their objection. The Chief Justice's statement shall be decisive in such matters.

Initially, public oversight of judicial actions should be limited to examining whether the issued rulings align with specific, established legal rules. As the people progress and public opinion becomes more enlightened, they will be able to oversee the judiciary in terms of the wisdom behind judicial procedures—determining whether such procedures serve both the individual and the community simultaneously.

To ensure that judicial oversight contributes to educating public opinion, the judiciary should be entrusted with reviewing the constitutionality of laws. This task should be assigned to both ordinary judges and a special court called the Constitutional Court of Justice.

This judicial oversight is further justified by an important consideration: the respect for and protection of individual rights against legislative abuse.

Additionally, public oversight of governmental actions will only have a meaningful effect in protecting individuals and ensuring their personal freedom if administrative courts are organized in such a way that individuals can file lawsuits against government actions or administrative decisions that harm their rights and freedoms, particularly when such actions violate the law.

To empower public oversight, all actions by officials within government bodies must be transparent. Without transparency, oversight becomes impossible, and democracy ceases to function. Transparency is not only essential for educating public opinion but is also a prerequisite for achieving democratic governance, which can only exist when enlightened public opinion monitors the rulers and compels them to act in accordance with the law.

Indeed, this transparency also compels citizens to become informed and concerned about their affairs, fostering a well-rounded general education that alone prepares them to make good use of the voting ballot, which is the fundamental strength of democratic governance.

Moreover, the principle of transparency cannot be considered effective unless the means of its implementation are organized - such as the press, public meetings, cultural clubs, radio, cinema, theater, and television, etc. Such platforms ensure that citizens are informed about government actions while these actions are still in development, enabling them to participate by offering feedback, support, or opposition that may guide officials and help them assess whether their actions align with or deviate from the will of the public.

These rights may seem excessive for a population as primitive as the Sudanese people, particularly in rural regions. However, there is no other proper way to advance a people except by confronting them with their

challenges and granting them the opportunity to learn from their mistakes. For that to happen, all branches of government must be organized to support this goal. Hence, legislators, judges, administrators, and law enforcement officers must operate transparently, remain accessible, and aim to educate and uplift the people rather than suppress or humiliate them.

Legislation, in particular, must be conscious and wise, and it must be based on balancing the individual's need for absolute personal freedom with the community's need for comprehensive social justice. Neither of these needs should be sacrificed for the other.

There is a claim, often used with ulterior motives, that a primitive people must first be educated before they are entitled to exercise sovereignty. This reasoning serves as an excuse for tyranny. The truth is that people do indeed need education. However, absolute rule does not educate them as free individuals; rather, it raises them as slaves. Such governance does not prepare them for democracy, but instead conditions them for submission and obedience.

We must draw attention to the devastating danger inherent in this approach, and we must also affirm that there is no path to educating any people in the ways of freedom except by confronting them with their own problems and assisting them in understanding and solving those problems themselves. Only through this process can their progress steadily advance toward achieving direct democracy.

## Chapter Four

### The Citizen and the Responsibilities of Citizenship

A citizen is anyone born within Sudan to a Sudanese father. In certain circumstances, this definition also includes individuals born outside Sudan to a Sudanese father, whether by birth or naturalization, as well as those who have been naturalized as Sudanese citizens. The constitution will specify the conditions and procedures for naturalization.

Non-citizens are prohibited from holding certain positions explicitly outlined in the constitution. They are also denied the right to vote and are excluded from the benefits of economic equality. The constitution will define their rights and obligations in detail.

The foremost duty of a citizen is to exercise their right to vote wisely, whether for electing the council of a village, city, district, state, or the central government. Beyond this, citizens are expected to contribute their talents to improving the quality of life within both the smaller and larger communities they belong to. This includes educating fellow citizens, advising them sincerely, and working for their welfare. Citizens should spread general knowledge among the population, encompassing social, political, economic, artistic, and scientific matters. They should also maintain a keen interest in the day-to-day affairs of the country, paying attention to both major and minor matters.

Such engagement enlightens citizens about the virtuous men and women in society and acquaints them with local and global issues that require solutions. Without these efforts, it would not be possible to exercise the right to vote with wisdom and sound judgment.

## **Chapter Five**

### **The Central Government**

The primary duty of the central government toward the states is to serve as the head that guides the body. It bears the responsibility of assisting the states in qualifying for the full practice of self-governance by all possible swift means. It must also be prepared to relinquish to each state the powers of self-governance in proportion to its readiness to assume them.

The central government's constant approach should be to confront people with their own problems, give them the opportunity to experiment and learn from experience, and provide assistance when needed, so that their capacity to exercise their full authority grows stronger.

The central government must unite the states in a strengthening federal union, driven by the voluntary contributions of each state. It should intervene in the internal affairs of states only when absolutely necessary and to the minimum extent required, allowing citizens to accomplish their needs independently. The central government's assistance, when necessary, will focus on technical and administrative expertise as well as financial support. Additionally, it bears the responsibility of aiding states in maintaining security, establishing order, and delivering justice, thereby creating the free environment envisioned by the central constitution.

The central government also has a specific duty to assist the states in maintaining security, ensuring stability, and upholding justice, so that the free environment intended by the central constitution can be achieved for individuals. Furthermore, it is responsible for protecting the states from conflicts among themselves and for national defense through the Sudanese army, which answers solely to it. The army's camps will be

strategically located throughout the country, and its soldiers will be drawn from all citizens. National defense is a shared responsibility of the legislative and executive branches of the central government. Parliament alone declares war and allocates funding for the army, while the President of the Republic serves as the Commander-in-Chief.

The central parliament is responsible for promoting the general welfare of the entire country to ensure that the development of the states is consistent, proportional, and continuous. The central government is tasked with issuing and safeguarding the national currency, establishing foreign relations—whether commercial, political, or financial—and managing all powers granted to it by the central constitution.

The central constitution will specify that the central government holds all powers not explicitly assigned to individual state constitutions. However, these central powers will gradually diminish as the states develop and their governments assume more of the self-governance powers that are temporarily entrusted to the central government. This process will continue until the day the central constitution specifies the extent of the central government's powers in explicit terms, leaving all other powers to the states.

The powers granted to the central government by the constitution are exercised by officials who are elected by the people and entrusted with carrying out their duties on behalf of the public. The people retain the right to remove any official, regardless of their position, through recall or impeachment if it is proven that they are unfit for office, have abused their position, or have committed any offense that impairs their ability to fulfill their role. The constitution will outline the mechanisms through which this right can be exercised.

While the central constitution defines the scope of the central government's powers, it also enshrines guarantees of fundamental personal rights and inalienable human privileges, ensuring that these rights cannot be revoked. Foremost among these is the individual's right to pursue absolute personal freedom, supported by ancillary rights essential to achieving it, including freedom of worship, freedom of thought, freedom of speech, and freedom of work. This individual's right is subject only to the limits set by the constitution, which harmonizes the individual's needs with those of the community, sacrificing neither for the other.

Such rights also include the freedom of assembly, freedom of the press, the right to petition through protests, and the right to criticize all government actions, provided that these activities are conducted in full transparency and public visibility, as previously stipulated. Individuals also have the right to be liberated from fear, poverty, ignorance, and disease. Every person has the right to be regarded as an end in themselves, not as a means to another's end. These rights are subject to no force other than the law.

The central government consists of three fundamental branches, whose relationships with one another, along with their specific duties and responsibilities, are outlined by the constitution. These essential branches are the legislative authority, which enacts and approves laws; the executive authority, which manages the government's affairs according to the laws; and the judicial authority, which applies the laws and resolves disputes. These branches are separate from each other, with each representing the people in a specific domain. In their independence, they safeguard against the tyranny of one branch over the others, yet they cooperate and support one another to fulfill a unified duty: achieving the sovereignty of the people through the sovereignty of the law.

## **Chapter Six**

### **The Legislative Body**

We consider the legislative body to be the backbone of the governmental structure and far more important than the other two branches. This is because we regard the law as superior to all authorities and even to the people themselves. The other two branches are merely executive, tasked with applying the laws enacted by the legislative body.

However, it must be clearly understood that we do not regard every piece of legislation enacted by a legislative body as constituting true law. In our conception, law exists as an autonomous entity, distinct and independent from human intellect. For us, law is an entity in its own right, existing independently of human cognition. Positive laws are merely attempts to approximate this fundamental law. The legislative body we envision is one whose enactments align with and reflect this fundamental law. Our constitution will guide the legislative body in this direction, and we will establish judicial authorities tasked with reviewing the constitutionality of law, ensuring that its enactments adhere to constitutional principles.

We have previously stated, in the discussion on sovereignty, that the people are the ultimate sovereign. However, this sovereignty does not stem merely from their existence but from their understanding, adherence to, and their compliance with the law. The people deserve sovereignty only when their actions align with what pleases God. This alignment is achieved through education, which itself is cultivated by democratic practices that confront people with their problems, give them opportunities to shoulder the responsibilities of self-governance, and provide them with every possible means of collective and individual support. Through such practices, citizens are nurtured by the law, eventually forming a public opinion - or general will - that is so deeply aligned with the law that it

becomes indistinguishable from the law itself. The representative of this public opinion is the true bearer of complete sovereignty.

Given the importance of this matter, we would like to elaborate on what we mean by the constitution that governs our legislative actions and by the law that exists independently of human intellect. By doing so, we aim at highlighting the significance of the legislative body in relation to the other two branches: administration and judiciary.

## **Our Larger Community and Our Smaller Community**

There are three critical points we emphasized in the preamble of this constitution: one is a goal, and two are means. The goal is the creation of the individual who is absolutely free, while the two means are the Sudanese community and the global community. We have said that the current problems of any country are, in essence, a microcosm of the problems facing all of humanity. At their core, these are problems of peace on this planet.

We believe it is shortsighted to attempt solving the problems of the Sudanese community within our geographical borders without considering the global human context. This is because the small planet we inhabit has become a single entity due to advancements in rapid communication and transportation, which have nearly eliminated the constraints of time and space. A simple event in one part of the planet now resonates throughout all its parts within mere hours. Furthermore, this unified planet, geographically speaking, is inhabited by one humanity, equal in its innate nature, even if unequal in acquired knowledge and civilization. It is logically untenable for the pinnacle of humanity to produce a free individual if its foundation remains entrenched in the mire of humiliation and enslavement. Or, at the very least, it is impossible for one part of it to reap the benefits of peace and prosperity while other parts are engulfed in wars

and ravaged by famine. For this reason, we view the global community as a secondary means, while we consider our Sudanese community as the primary means.

We have chosen the *federal central system* to organize our smaller community for two reasons:

First, and most importantly, this system suits us in every respect.

Second, organizing our smaller community in this way aligns with the same direction that, if pursued further, will eventually lead to organizing our greater community - the global community. Undoubtedly, as the planet has been unified geographically through advancements in material science, peace will only prevail when it is unified administratively through a global government. This can only be accomplished through the establishment of a *world government* based on the *federal central system*, which will regulate relations between nations through law - just as every government today regulates relations between individuals within its jurisdiction through law.

This global central government would have a centralized global constitution, under which a central global legislative body would enact laws regulating relations between nations. This would diminish the significance of geographical borders, customs barriers, and centralized authorities within individual states. It would also oversee the constitutionality of local legislative enactments to ensure they do not conflict with the centralized global constitution. The centralized global constitution would also establish a global central executive authority and judiciary, complete with the necessary military and security forces and financial resources.

We shall endeavor to ensure that, as we organize our small community, the vision of structuring our broader community remains firmly in our

sights. From the outset, we will work toward both goals simultaneously. Initially, our primary focus may be on perfecting the smaller model, but we will not hesitate to support oppressed and enslaved people across the globe to the best of our abilities, without considering such efforts as distractions from our central cause.

It is self-evident that there will be no unified global constitution unless it is derived from universal and enduring principles shared by all nations and generations. These principles are rooted in human nature itself and represent the common ground where all humans converge, regardless of their levels of education and civilization. While disagreements over these principles may exist, they are differences of degree rather than kind. The essence of these principles lies in the mind and heart, or, if you prefer, thought and feeling - and we will attempt to highlight this constitution as we address the issue of the individual.

## **The Free Human Being**

We have mentioned that, in the preamble to this constitution, we presented three matters: two means and an ultimate goal.

As for the more important means, which is *the Sudanese community*, this constitution is specifically concerned with it.

The other significant means, *the global community*, has already been briefly addressed.

Now, as for the ultimate goal, which is *the birth of the free individual* - one who enjoys absolute individual freedom - we will dedicate our discussion to highlighting it, along with the constitution we seek to achieve.

## **Is It Possible?**

The first step we must take is to rectify the misconception held by some who believe that absolute individual freedom is unattainable. While these individuals may acknowledge, based on their inner feelings, that absolute individual freedom is indeed a fundamental need for every human being, they doubt its realization. If it is true - and it undoubtedly is - that absolute individual freedom is the ultimate need and goal of every individual, then it is equally the need and goal of humanity as a whole. To assert its impossibility is to preemptively condemn humanity to defeat and disgrace - a position we utterly reject.

We hold no regard for the assertions of those who contend that perfection is reserved for the hereafter and that absolute individual freedom, consequently, cannot be attained in this life but only in the life to come. Such a view neglects the profound reality that all which is realized in the Hereafter finds its model and genesis here.

## **How?**

The absolutely free individual is one who resolves the conflict between their subconscious and conscious minds, achieving unity such that their outward actions align with their inner intentions. Their thoughts align with their words, and their actions align with their words. Through this harmony, they achieve a life of thought and feeling.

This goal is realized through two means. The first is a righteous society, in which the government provides individuals with freedom, knowledge, leisure, and fulfillment of their physical and material needs. In such a society, public opinion is characterized by tolerance, allowing for diverse personalities and encouraging liberated thought. This society is the one we have envisioned in our constitution.

The second means is the individual's diligent effort to liberate their own mind through personal initiative. This begins where society's efforts to liberate the individual conclude. The individual's personal effort becomes an extension and culmination of the contributions they have made - and continue to make - to the collective community.

The conflict between the *subconscious mind* and the *conscious mind* stems from *fear*, and the root cause of fear is *ignorance*.

The human being, with all the frailty of their mechanical bodily structure and with all the desires, ambitions, and doubts harbored in their soul, found themselves confronted by a natural world in which mercy and cruelty, danger and safety, death and life, all seemed interwoven in a manner that, outwardly, appeared to contradict the foundations of human thought.

The reckless harshness with which the blind forces of nature confronted humanity distorted the image they held in their mind about the origin of life, its purpose, and the true nature of the material world that surrounds and influences it.

If we are to grant the individual absolute personal freedom, our education must aim to correct the distorted and erroneous image that has formed in his mind, so that it is replaced by a true and complete image of the origin of life, its law, its purpose, and the material world that surrounds and influences it. This correct image must be deeply embedded in his consciousness, influencing his morals, habits, and thinking, leading him to freedom from fear. In doing so, he will regain the unity of thought, speech, and action in both his existence and his awareness, thus resolving the conflict and repression that cause crime between individuals and wars between nations.

## **Determinism, Free Will, and the Law**

The conflict between the subconscious mind and the conscious mind has another manifestation: the issue of determinism (*jabr*) and free will (*ikhtiyar*).

This is a fundamental issue that has repeatedly appeared and disappeared throughout the history of human thought without ever reaching a definitive resolution. Yet, resolving it is essential for an important educational matter, both at the individual and collective levels.

We are almost certain that this issue must be resolved if we are to develop a new method of education - one that enables each individual to reeducate themselves, forming a correct understanding of existence.

This is a crucial matter, the importance of which we have previously emphasized.

## **Law and the Quran**

The Quran foretells that humanity, on this planet, will return once more to the question of determinism (*jabr*) and free will (*ikhtiyar*).

It not only foretells this return but also offers the final solution to this long-standing historical issue when it declares: "Do they seek other than the religion of Allah, while to Him submits whoever is in the heavens and the earth, willingly or unwillingly, and to Him they will be returned" (3:83).

This verse dispels the illusion that we possess independent will and aligns all of the Quran's commandments to strengthen human intellect, enabling it to confront truth, for existence is a unity, governed by a single will, from its tiniest particles to its suns. This will is the natural law, which has delineated the beginnings and ends of the diverse worlds and the lives

teeming within them. It has also meticulously charted their paths in between, leaving no room for chance; everything within it occurs with precise calculation and predetermined measure. This intricate and exact natural law is the imprint of the eternal Grand intellect, of which our limited, individual minds are but sparks.

The Quran seeks to liberate our minds by connecting them to this Eternal Intellect, binding them to laws as precise and unified as the natural law. This connection harmonizes our divided minds - subconscious and conscious - into a unified whole, capable of reconciling and uniting the diverse manifestations of life. Thus, the correct image of life and the true nature of the environment we live in, will be established in our minds.

## **Law and Codification**

By virtue of the Law of Unity (*tawhid*) in the Quran, the human intellect is strengthened to discern subtle differences between means and ends, even when the means themselves form part of the end. Thus, we come to know that the individual is the ultimate end, while the community is the means to achieve that end.

This gave rise to two outcomes: First, the Quran contains a constitution primarily for the individual and secondarily for the community. Second, the Quran achieves a harmonious balance between the needs of the individual, its ultimate goal, and the needs of the community, its means. Thus, no conflict arises that would necessitate the sacrifice of either.

This precise alignment is evident in the legislation of *hudud* (prescribed penalties), where it reaches its highest manifestation. Allah Almighty says: *“These are the limits set by Allah, and whoever transgresses the limits of Allah has certainly wronged himself”* (2:229). Even if the transgressor mistakenly believes they have wronged others, enforcing the punishment

on them is, first and foremost, justice for themselves against their own wrongdoing, and secondly, justice for others against them.

This harmony is also evident in the laws of retribution (*qisas*). Allah Almighty says: “*And there is for you in retribution [saving of] life, O you of understanding, that you may become righteous*” (2:179). Retribution preserves the life of the individual against delusions, stimulates their intellect, and broadens their imagination. It also ensures the life of the community on whose behalf justice is served, through the preservation of its order and the stability of its security.

Thus, we believe the prescribed penalties for adultery, drinking alcohol, theft, false accusations of adultery, and highway robbery must be enforced. Similarly, our legislation must adopt the principle of retribution, as it achieves two objectives: Firstly, the alignment of individual and community needs, and secondly, the positioning of the individual on the path to achieving absolute personal freedom. By enforcing retribution, we effectively tell individuals: “You are free to think as you wish, to speak as you think, and to act as you speak, with one condition: you must pay the price of this freedom, which is to bear the responsibility for the consequences of your actions.” If you wrong someone, you will face equivalent retribution.

We must not deviate from the law of retribution (*qisas*) except in cases where its application is not possible. In such instances, we must ensure that our punishment is as close as possible to the principle of retribution.

## **The Constitution and the Law**

It follows from this that we adhere to the principle of *tawhid* and derive our subsidiary legislation through analogical reasoning with the laws of *hudud* and *qisas* to maintain a unified direction addressing both individual and

communal needs. Our foundational legislation, the constitution, is derived from the spirit of the Quran, encapsulated in *La ilaha illa Allah* (There is no god but Allah). This ensures a unified direction that balances the needs of the central government and the federal union members within our small society - Sudan - and our larger society - the planet Earth.

Thus, we derive our constitution from the spirit of the Quran, imposing no restriction on the legislation of our legislative body except adherence to the principle of unification (tawhid) that harmonizes the rights that may initially appear conflicting. For without such harmony, it cannot truly be considered law.

We view the texts of the Quranic and Sunnah laws in matters of transactions as means to realize the spirit of the Quran. We insist on adhering to them, unless the public interest dictates their development to further advance our modern society in alignment with that spirit in the domain of daily life. As for the texts of the Quranic and Sunnah laws in matters of worship, they remain as they are, and there is no authority to amend them. Whoever wishes may follow them in their traditional form as conveyed by the Prophet, and whoever wishes may refrain: *“There shall be no compulsion in religion. The right course has become clear from the wrong”* (2:256).

This is because Allah Almighty legislated acts of worship to assist individuals in exercising the broad freedom granted to them without falling into penalties under legal or moral codes. Such acts of worship enable individuals to fully enjoy their right to absolute personal freedom. In other words, Allah places humanity on the path to absolute personal freedom from the very beginning, with the sole condition that they bear responsibility for their actions. He then prescribed the ritual acts of worship, perfected in the manner handed down by the Prophet, so that

individuals may use these practices to navigate the immense responsibility that might otherwise overwhelm them without this wise spiritual discipline.

## **Humanity and the Future of Religion**

We believe that humanity today is experiencing the anxiety and turmoil characteristic of adolescence. It will soon leave behind its era of childhood and immaturity and enter an age of adulthood and maturity. In its future, humanity will no longer need religion in the same way it relied on it in the past - a religion rooted in obscurity and demanding submission. Instead, it will require a religion based on clarity, offering a way of life in harmony with the natural law. For this reason, we believe that the Islamic prescription for worship, which fulfills this purpose, will captivate the hearts of humanity.

Now, after this lengthy preamble outlining our views on law and the constitution, which bind our legislative body, we turn to a direct discussion of this body.

## **Our Legislative Body**

Legislative authority is granted by the constitution to a central parliament comprising a single representative council. This council represents the five states according to their significance and the degree to which they exercise self-governance. For example, the western and southern states may have one representative for every 200,000 citizens, the eastern and northern states one representative for every 150,000 citizens, and the central state one representative for every 50,000 citizens.

This arrangement, however, is temporary. The constitution will be amended to ensure equal representation for citizens across all states as they advance toward full self-governance. Each state's legislative council may be empowered to determine the eligibility of its representatives and

the methods of their nomination, provided that the candidates have resided in the state they represent for no less than seven years, are at least twenty-five years old, and are literate.

Both men and women aged eighteen and above will participate in electing parliament. A special committee will oversee the elections and be tasked with establishing permanent state boundaries. These boundaries must be approved by the first parliament as one of its initial acts. If any changes are made, they will not take effect until after the end of the current parliament's term and the subsequent parliamentary elections.

Parliament's term will last four years. It has the authority to legislate on any matter it deems beneficial to society, provided it adheres to the constraints that ensure its legislation is wise and lawful as previously mentioned. If parliament fails to meet these standards, there are stringent mechanisms for reviewing the constitutionality of laws, including oversight by the people, the president, the judiciary, and especially the Constitutional Court. Any legislation found unconstitutional will be returned to parliament.

Some may argue that such oversight interferes with the legislative process and could delay legislation. While this might be true initially, particularly when representatives lack adequate legal expertise, such delays are inconsequential if they result in the creation of well-thought-out and wise legislation.

One essential principle must never be overlooked, as it was mentioned in our earlier discussion on sovereignty. Our system is built on rejecting the flawed notion that power creates and enforces rights or that the state itself is the law. Instead, we adhere to the correct principle that right is might, even when it appears defenseless and lacks widespread support. In our system, the state is subject to the law, and the people, who are the true sovereigns, are also subject to the law. Their sovereignty is not derived

merely from their existence but from their love for the law, their understanding of it, and their adherence to it.

This is why we place such strong emphasis on the constitutionality of laws and why we regard the legislative body as the backbone of our governmental structure.

## **Constitutionality of Laws**

Indeed, placing strong emphasis on the oversight of the constitutionality of laws is a natural matter for any group in general, and for our underdeveloped society in particular. This is because, as we have demonstrated in our discussion of law and the constitution, sound legislation can only be crafted by those who possess a deep understanding of the characteristics of human nature and the nature of crime, ensuring that the laws serve as just remedies for the ailments of the soul.

By granting the parliament the natural right to legislate, regardless of the educational level of its members, we are adhering to our fundamental principle: that people cannot be properly educated unless they are given ample opportunity to experiment and learn from their mistakes. Constitutional oversight of laws serves as a means to alert the legislative body to errors and assist it in correcting them. The constitution will ensure that a proper procedure is established for this purpose.

The Parliament's commitment to ensuring that its legislation must harmonize the needs of the individual with those of the community, which necessitates that its legislation be socialist in nature. Resources of wealth should belong collectively to the people, not to individuals or the state. Individual ownership should be limited to assets that do not involve exploiting others.

When legislative proposals are presented to Parliament, it is prudent to seek the opinions of the citizens who will be directly impacted by them, as well as the perspectives of the executive branch, which may be affected during the implementation of its functions, before these proposals are enacted into law. Legislative proposals may be submitted by individuals, groups, or state legislative councils to parliament, which may also seek the opinion of these councils on legislation it considers relevant to their constituents. Committees of specialists within parliament will address specific aspects of public services.

Parliament retains the right to object to any legislation or actions taken by the states that are unconstitutional or contrary to the interests of the central government. Once parliament passes a law, it is sent to the president for approval. If the president signs it, the law takes effect. If the president returns it to parliament with reasons for rejecting it, the law does not take effect unless parliament passes it again with a two-thirds majority. If the president neither signs nor returns the law within one month, it automatically becomes law.

While the central parliament operates as the unified legislative authority for the entire country, state legislative councils may legislate for their respective regions based on local conditions, capabilities, and needs. However, they must ensure that their laws always comply with the constitution and aim to develop the state toward legislative unity across the nation, even in personal matters.

In addition to its legislative authority, parliament is responsible for issues affecting the union as a whole. Domestically, it coordinates state activities to foster development, cohesion, and voluntary unity among the states. Internationally, it declares war when necessary for defense, ratifies

treaties, oversees foreign trade, and regulates the importation of foreign capital to states in a manner that benefits the nation.

Parliament also approves the central government's budget and the budgets of individual states. It supervises the national economy, conducting investigations and proposing development strategies to the president. Parliament may object to the appointment of senior officials and has the right to accuse any civil servant of misconduct, referring allegations to the State Council for investigation.

The parliament has the right to elect its own president, appoint its staff, and form specialized committees along with their rapporteurs. It holds investigative powers to study specific situations that necessitate new legislation and to monitor the performance of both the executive and judicial branches, which may lead to the introduction of new benefits for the people. The parliament also has the right to propose reforms it deems necessary and to investigate the conduct of its members, for instance, by requesting information about them from distinguished citizens or by any other appropriate means.

The parliament has the right to oversee the legislation enacted by all legislative bodies in the states, districts, cities, and villages to ensure their compatibility with the constitution and the central government's objectives, particularly in safeguarding the rights of all citizens. This oversight ensures that individuals have the right to move freely between all states without restrictions and to settle in any state of their choice, enjoying the rights to life, liberty, and property within the boundaries of the law. Furthermore, it guarantees their right to seek justice and protection through the courts whenever they feel wronged or their rights have been infringed upon.

## **Chapter Seven**

### **The Executive Body**

The executive authority is granted by the constitution to the President of the Republic, who is directly elected by the people, along with the Vice President, in elections held every four years. In the event that the President vacates his position, the Vice President assumes the presidency. If both the President and the Vice President vacate their positions, the parliament elects someone to serve as acting president for the remainder of the presidential term.

The primary duty of the President is to implement the constitution and the laws enacted by parliament, and to oversee the entire administration in the interest of the nation. To achieve this, the President is assisted by a large executive body comprising several executive departments, each headed by a member of his government. In fulfilling this role, the President is accountable to the people, while the members of his government are accountable to him for carrying out his agenda aimed at improving the overall well-being of the nation.

The president has the authority to veto any legislation, and no law shall become effective without his approval, unless it is ratified by a two-thirds majority of parliament. The President has the right to veto any legislation passed in the country, and no law becomes effective without his approval, unless it is passed by a two-thirds majority. The President is also responsible for issuing regulations and executive orders, ensuring that they are as constitutional as the laws themselves. The President is also responsible for managing foreign relations, executing treaties, and appointing ambassadors and ministers plenipotentiary. He has the authority to receive foreign ambassadors and liaison officers and to

engage with foreign governments either directly or through his Minister of Foreign Affairs.

The President must be at least thirty years old, a Sudanese national, and have resided in Sudan for a continuous period of no less than fifteen years immediately preceding their candidacy. The candidate must also possess the necessary qualifications in terms of education, administrative capability, intellectual aptitude, and moral integrity. Any citizen who believes they meet these qualifications has the right to nominate themselves for the presidency.

The president is elected by the people and appoints their cabinet, which includes ministers for education, health, finance and economy, foreign affairs, interior affairs, agriculture, trade and industry, defense, and labor.

Ministers have the right to oversee public services throughout the country as a unified system. Each minister is assisted by several deputies and advisors, and their ministry is divided into departments, divisions, and offices. There will also be several independent agencies, supervised by committees, to assist the President in carrying out the significant duties of his office. These agencies include the Gezira Committee, a committee overseeing railway operations, and another for postal services.

Additionally, there are the Audit Office and the Department of Justice, both of which operate independently under the supervision of the President. The President also appoints judges for various central courts, the Supreme Court, the Constitutional Court, and the Court of Appeals, as well as the Chief Justice. All of these appointments are subject to parliamentary approval.

State governors are considered deputies to the President, assisting in managing their respective states. They are elected by the residents of their

states and appoint their own deputies in a manner similar to the President's appointments.

The President also has the right to hold a public referendum on any issue he deems necessary or in the event of a significant disagreement with parliament. The constitution specifies the procedures to be followed in such cases.

The President has the authority to annul the actions of state governors if he deems them inconsistent with the law. The President is also responsible for investing the country's resources, producing essential consumer goods, setting limits on imports, ensuring social justice for all citizens, and preparing the central budget as well as the budgets of the states in a manner that ensures balanced and coordinated development across the country.

The President is assisted in his duties by an organized civil service system, where entry and promotion are based on merit and competence, which can be assessed through examinations. Although this system is protected and overseen by a dedicated committee, it remains subject to continuous oversight by parliament, the public, and the government to prevent it from becoming stagnant or disconnected from innovation and progress.

The President's annual salary, initially, does not exceed one thousand pounds, and he resides in the presidential palace, where he also maintains his offices.

## Chapter Eight

### The Judicial Body

The judiciary constitutes the third branch of the central government. It operates as a unified judicial system, with no distinction between religious courts and civil courts. Judges are classified as judges of lower courts, higher courts, or the Supreme Court. The judiciary is overseen by the Chief Justice, who, along with the judges, is appointed by the President of the Republic with the approval of parliament.

Judges hold their positions as long as their performance is satisfactory, and they carry out their duties with complete freedom and independence from any external influence.

Judicial proceedings are conducted publicly, and judges' salaries are determined by parliament. The constitution stipulates that their salaries cannot be reduced while they are in office. Judges may only be removed for clear incompetence, and reassignment are exclusively managed by the Chief Justice. Judges collectively or individually have the right to challenge the constitutionality of laws and to refuse enforcement of any law they deem unconstitutional.

The judiciary includes a High Court of Appeals, established by the constitution, to oversee all courts, resolve disputes between states, and interpret the constitution. The High Court of Appeals consists of five judges presided over by the Chief Justice, issuing rulings by majority vote. Dissenting opinions are recorded, and the Chief Justice has a casting vote when necessary.

There is an administrative court to adjudicate disputes that arise between the government and individuals or entities. Additionally, there is a

Constitutional Court of Justice to hear cases concerning the constitutionality of laws, and its rulings can be appealed to the aforementioned High Court of Appeals.

## **Chapter Nine**

### **State Government**

Each state shall have a written constitution that, in addition to the fundamental provisions outlined in the central constitution, addresses specific local issues in a manner that does not conflict with the central constitution. This state constitution will reflect the state's material, social, and cultural conditions and serve as a preliminary step toward unifying the constitutions of the states with the central government, as well as achieving legislative unity. The state constitution must specify the structure of the state government, as well as the governments of its districts, cities, and villages. It includes provisions to ensure the state's development and is subject to continuous amendment, either through general referenda or the state legislative council. The aim of these amendments is to facilitate the state's progress toward full integration with the federal system and conformity with the central constitution.

The state constitution is the source of authority for its government. Under its provisions, a legislative council is elected by residents of the state - men and women aged eighteen and above. This legislative council holds, in relation to the state, all the powers that the central parliament holds in relation to the central government, as it is, in essence, an extension of the central parliament, just as the state government is an extension of the central government.

The constitution also allows state citizens to elect their governor. The governor may be a resident of the state or, if deemed beneficial by the population, an appointee from outside the state. The elected governor appoints deputies responsible for assisting in the state's development and coordinating the efforts of its districts. The governor is accountable to the state's citizens, while the deputies serve as executive officers for the

central government's primary branches, such as education, health, finance, agriculture, trade and industry, defense, and labor.

The state also has committees that are considered extensions of the independent committees in the central government. The state has a civil service system that operates along the same lines as that of the central government.

Each state has its own judiciary. Judges are nominated by the governor with the assistance of the legislative council and appointed by the President of the Republic with the approval of the Chief Justice. Judges operate with complete independence and transparency and are subject only to the oversight of the central judiciary, headed by a deputy of the Chief Justice overseeing state-level courts.

Each state has a Supreme Court that oversees its judiciary, and appeals from its courts are directed to the Central Supreme Court. The state also has its own police force sufficient to maintain internal security, and this force is directly under the authority of the state governor.

In addition, each state, like the central government, has an administrative court responsible for resolving disputes between individuals, organizations, and the state government. Furthermore, each state has a Constitutional Court that handles disputes regarding the constitutionality of laws and has the authority to interpret the state constitution. Appeals from the state's Constitutional Court are made to the Central Constitutional Court.

# Chapter Ten

## District Government

Each district shall have a written constitution, encompassing the essential principles of the central constitution, particularly those regarding basic citizen rights, along with provisions specific to the district. This constitution must align with the state constitution and remain consistent with the central constitution. It aims to develop the district toward the level of the central government and serves as an initial step in this progression. The district constitution is subject to ongoing amendment through general referenda among district residents or the district legislative council.

The district constitution is the source of authority for its government. It establishes a legislative council responsible for enacting laws to facilitate the district's steady progress. This council holds powers comparable to the state legislative council and functions as its extension. All residents of the district aged eighteen and above, men and women alike, participate in its elections.

Under this constitution, the district's citizens elect a governor, who may be a local resident or, if deemed advantageous, an appointee from outside the district. The district governor serves as an assistant to the state governor, reporting to both the state governor and the people. The governor appoints deputies to assist in implementing their agenda, ensuring efficient management of key services such as education, health, agriculture, internal affairs, and finance. These deputies act as executive officers of the central government's primary branches, supplemented by local services tailored to district needs.

The district governor's primary focus is on directly improving the lives of residents, including facilitating settlement for nomads by providing water

for them and their livestock, maintaining pastures, scientifically managing fodder for summer use, encouraging modern livestock farming, and improving livestock breeds. Without achieving such settlement, education and modernization, typically exclusive to city and village residents, cannot be realized. It goes without saying that education is the only means that eliminates differences, bridges customs, and works towards the unity of the people through a unified language. This is because education revives the Arabic language among citizens and diminishes or weakens local dialects.

Additionally, the district governor is tasked with developing natural resources, improving public health, and advancing political, social, artistic, and scientific awareness among residents.

Each district has its own judiciary modeled after the state judiciary. Appeals from district courts are heard by the state Supreme Court. The district judiciary operates independently under the supervision of a representative of the Chief Justice. Judges are nominated by the governor with the legislative council's approval and appointed by the President of the Republic in consultation with the Chief Justice.

The district has an administrative court of justice and a constitutional court of justice. The rulings of each of these courts can be appealed to the corresponding courts at the state level, whose rulings, in turn, can be appealed to the corresponding courts at the central government level.

Each district has a civil service system that operates similarly to that of the state and central governments, and it is subject to the same considerations as those in the central government. Each district also has its own police force under the governor's command, sufficient to maintain law and order.

## Chapter Eleven

### City Governments

Each city also has a written constitution that guarantees fundamental rights and addresses the specific local issues of that city. However, it does not deviate from the central government's constitution. To call it a "constitution" is somewhat of an overstatement, driven by our desire to harmonize the administrative structure from the base of the pyramid to its peak and to preserve uniformity in naming conventions and political education. In reality, it is more akin to a developmental program than a fully-fledged constitution.

The city constitution serves as the source of authority for its government. Under its provisions, a legislative council is elected to draft laws that ensure the city's comprehensive development, providing its residents with all they need for progress and a fulfilling life. Citizens aged eighteen and above, both men and women, elect the city's governor as well as its legislative council.

The governor appoints principal deputies who are accountable to the governor for implementing their development agenda for the city. The governor, in turn, is accountable to the city's residents, who elected them. The city governor serves as an assistant to the district governor and, along with their deputies, is expected to function as an extension of central government officials responsible for education, health, trade, industry, and other key sectors.

The city government focuses on educating and enlightening its residents, elevating their standards of living, and involving them in governance through publicizing decisions, making judicial and legislative processes transparent, and using all means of education, particularly cinema. The

government will also establish boys' clubs, girl guides, scouting organizations, youth unions, and similar institutions, harnessing these organizations to promote education and a spirit of public service.

The city government must organize cultural, artistic, and commercial ties with nearby villages as well as other cities, both near and distant. Each city has its own courts, with judges nominated by the governor and appointed by the President of the Republic in consultation with the Chief Justice. Major cities may have high courts to oversee their judiciary, with appeals from these courts directed to the district's supreme court.

## **Chapter Twelve**

### **Village Government**

In the same manner as the city, each village will have a written constitution that serves as the source of authority for its government. The village government will consist of an elected legislative council, an elected executive council, and a village court. The village will aim to implement direct democracy, as it is feasible within its small community, where all citizens can participate almost directly in both legislative and executive processes.

The village will also strive for complete equality between men and women in both the right to vote and the right to run for office. The primary goal of the village government will be to advance the well-being of its community by all possible means and at the lowest cost. For this reason, the village mosque will serve multiple purposes: as a place of prayer, a village court, a lecture hall, and a meeting place for the legislative council, which may convene only once a year.

In the village, co-educational schooling will be applied at all levels. The school building will also be used at night for adult education to ensure that education reaches everyone in the community.

Like cities, villages organize youth and scouting organizations, leveraging them to serve the community in every way possible. They also promote competition in sports, academics, and the arts with neighboring villages.

The village head (Sheikh) is responsible for maintaining vital records such as births, deaths, and marriages. The Sheikh is elected by residents aged eighteen and above, both men and women, and appoints deputies who assist in carrying out their responsibilities. These deputies are expected,

when feasible and beneficial, to act as extensions of central government officials in education, health, agriculture, and other sectors.

The village government, or the Sheikh, oversees village planning and construction to transform it into a model village, ensuring that all facilities are designed with proper engineering. The central government is always responsible for providing technical assistance as needed.

Each village has a court to resolve disputes, with appeals directed to the city's supreme court. Some villages, like cities, may have a simple police force under the Sheikh's supervision to maintain security. Villages are administratively affiliated with neighboring cities, and a joint council comprising residents of both the city and its associated villages, is established to coordinate shared activities and initiatives between the city and its rural areas.

The city's constitution outlines the formation and jurisdiction of this council, prioritizing the development of rural areas to make them attractive for habitation and discourage migration to cities, in the manner we see today. Our aim is to establish the democracy of thriving small towns and populated rural areas, not the democracy of large cities and deserted countryside.

## Chapter Thirteen

### The Economy

All branches of government require funding; therefore, discussing the constitution is incomplete without addressing the financial mechanisms that sustain the governmental apparatus. We do not view democracy merely as a political concept. Democracy cannot be realized without the foundation of three pillars: political equality, economic equality, and social equality.

In laying the foundations of the constitution, we have outlined the principles of political equality. For us, economic equality involves establishing both an upper and a lower limit for incomes, ensuring that the disparity between them does not create an upper class that looks down disdainfully upon a lower class. The lower limit must be sufficient to provide every citizen with a standard of living that upholds human dignity, guaranteed even for non-productive individuals such as the disabled and children.

We will work continuously to develop resources so that both the minimum and maximum limits of income rise to ensure a prosperous life for all. To achieve this, ownership of all economic resources will belong to the people - not to individuals or the state. By this, we mean both the sources and means of production, managed by executive bodies at all levels in cooperation with citizens. These bodies will also work to strengthen cooperative systems among the people in agriculture, industry, and trade, starting from the village to the city, district, state, and ultimately the central government.

The central government's primary role will be to formulate general policies for expanding, strengthening, and financing economic resources,

providing technical and administrative guidance, and overseeing equitable distribution. This will ensure that economic equality is realized among all citizens nationwide. We intend to dedicate a separate volume to the economic issue, complementing these constitutional foundations. We hope to publish this volume soon.

## Chapter Fourteen

### Education

We will dedicate a separate book to education, which will also complement the foundational principles of this constitution that we have previously presented. This is because democracy cannot take root in an uneducated population. For now, it suffices to say that we are preparing all government institutions to assist the people in educating themselves, as previously detailed in the relevant section of the constitution.

Schools will serve as the primary venues for formal education, preparing both men and women to serve their communities in ways that match their talents and natural abilities. Education will be free at all levels, and primary education will be made compulsory across all states, beginning at the age of five and continuing until the age of fifteen.

Throughout these stages, education will include vocational training to prepare students to contribute effectively to their communities. In both villages and cities, school buildings will be utilized for sixteen hours daily, alternating between groups of boys and girls, to avoid significant expenses for constructing separate facilities.

Mosques will also be used alongside their primary purpose as places of prayer, serving educational purposes such as lectures and public discussions. This will help disseminate scientific and artistic culture through the most economical means possible, ensuring that education and cultural development become the primary focus of the state, organizations, and individuals.

## Chapter Fifteen

### Social Affairs

We plan to devote a separate volume to societal matters to complement these constitutional foundations. For now, we can state that no social distinctions will be made based on religion, color, gender, language, or type (whether man or woman). For us, all people are equal and are distinguished only by intellect and character, as demonstrated through just conduct toward others, sincerity, and dedication to public service at all times and by all means.

We aim to develop all resources - agricultural, animal, mineral, and industrial - to support the development and improvement of human resources. This includes eliminating social disparities through education and modernization, enabling intermarriage across all societal groups, thereby eradicating social classes.

Our country is vast yet sparsely populated. Therefore, a dedicated department within the Ministry of Labor will be established to organize marriage in collaboration with the Ministry of Health, the Nutrition Department of the Ministry of Agriculture, and the Ministry of Education. This department will oversee proper nutrition for children from conception until they complete compulsory education at the age of fifteen.

Additionally, the Public Housing Department within the Ministry of Labor will work with relevant authorities to improve health standards by enhancing housing and organizing cities and villages.

Finally, we emphasize a critical point reiterated throughout our discussion: every individual, regardless of their physical or mental condition, is an end in themselves, not a means to another's end.

## Conclusion

From all the foregoing, it is clear that the constitution we have outlined establishes a presidential system for our republic and a federal system for our state. This arrangement will facilitate the rapid and focused advancement of our country. In our current stage of development, a presidential system is the most suitable, providing decisive and efficient governance while ensuring safeguards for that governance to be deliberative, prudent, and democratic.

We view the presidential system as a transitional phase that prepares the people to practice a more democratic system: the parliamentary system, where power is more widely distributed than in the presidential system. In our view, the presidential system serves as a form of guardianship, yet it is the closest form of guardianship to democracy. In fact, it is entirely democratic.

The central federation, in addition to being an organization for our small society—Sudan - based on the same principles that could underpin the organization of our larger society - the world, as we advocated in the preamble to this constitution, is particularly suitable for our current needs. This is because it strikes a balance between the advantages of the desired national unity and the benefits of local autonomy. This ensures uniform legislation for critical matters requiring consistency across the entire state while allowing for localized legislation tailored to the distinct needs of different regions.

This approach is more likely to advance our underdeveloped regions - and all of them are underdeveloped - rapidly and effectively. Moreover, the federal union, by necessitating the distribution of powers between the central authority and the governments of the states, districts, cities, and

villages, is more likely to prevent the tyranny of a centralized authority holding absolute power over all parts of the state. This arrangement places sovereignty in the hands of the people, which in itself is capable of uplifting citizens and correcting their perception of their abilities and self-worth. Without such a correction, the nation's character will not emerge, nor will a strong and enlightened public opinion be formed.

This system, by placing local affairs in the hands of state, district, city, and village governments, encourages individuals to seek further education and take an active interest in public matters. It also improves the efficiency of administration and the precision of its operations. By reconciling the dual sentiments of unity and independence within the states, it replaces distrust with confidence, fostering rapid advancement, strengthening ties, and fortifying the union.

Some may argue that this constitution is unsuitable for our country's current state of underdevelopment and that dividing it into self-governing states might weaken it. However, it must be remembered that initially, we advocate for a strong central authority that grants the states only a limited degree of autonomy, sufficient for their capacity, without undermining central governance or threatening internal security. The states will then be guided to a point where they are capable of exercising full self-governance, always with the principle in mind that the fastest way to educate the people is to give them the opportunity to learn from their mistakes in addressing their problems and exercising their freedoms. Freedom can only be learned through practice and direct engagement.

It should also be noted that our country has always experienced decentralization, though it was based on tribal rather than democratic principles as we propose now. The establishment phase must be accompanied by the least possible degree of disorder, which may naturally

occur in such situations. However, no leniency can be tolerated under any circumstances when it comes to public security across all parts of the country. As such, police forces will remain centralized for an extended period, particularly in some states, until they are capable of managing their own affairs without jeopardizing security during their transition.

Finally, these principles form the basis of the legal and technical drafting of the constitution we seek. At first glance, it may appear ambitious and broad, but this is not the case. It is a practical constitution that starts with our current reality, envisions the ultimate goals of the Sudanese people and humanity alike, and charts a deliberate path from beginning to end. It does not intend to let progress unfold haphazardly without deliberate planning and guidance; instead, it directs and accelerates progress. Life is too short to be spent on endeavors that lack precision and foresight in their planning and execution.

We present this constitution to our nation, hoping that Allah will grant us success in its implementation and realization. Indeed, to Allah belongs the ultimate path.

## Part Two

### Goals and Constitution of the Republican Party

#### Introduction

Under the title "*Foundations of Sudan's Constitution*," which is the title of this volume, we include three appendices in this section. The first appendix presents the constitution of the Republican Party at its inception in October 1945. The second appendix features the constitution of the Republican Party as of its resurgence in October 1951, after its activities had been suspended during the imprisonment of its leader between 1946 and 1948 and his seclusion in Rufaa between 1948 and 1951, or nearly so.

The third appendix provides the current constitution of the Republican Party. Our purpose in publishing these documents in this manner is to allow readers to observe the development of the Republican idea during this period, to see how its core remained steadfast throughout, and to note the spirit of October reflected in the 1951 constitution.

We have included the constitution of the Republican Party within the "*Foundations of Sudan's Constitution*" because the difference between the two constitutions is one of degree. The party currently implements its constitution within its small community - its members. It will apply the broader constitution, "*Foundations of Sudan's Constitution*," to the larger community - the Sudanese people - when it holds the authority to do so at that level.

## Goals of the Republican Party

- The ultimate goal of the Republican Party is to produce free individuals. A free individual is one who thinks as they wish, speaks as they think, and acts as they speak, with the result of their speech and actions being nothing but goodness and kindness toward living beings and all creation.
- To expand the creation of free individuals, a virtuous society must be established. According to our view, this society is founded on three forms of equality: economic equality, which begins with socialism, where the poor have a right, not charity, and progresses toward communism, where wealth is shared among people without discrimination; political equality, which begins with semi-representative democracy; and social equality, where distinctions based on class, color, ethnicity, and creed are eliminated.
- The constitution of this society is the Islamic constitution - though we stress that the term “Islamic” here reflects the meaning understood by the Republicans, not the traditionalists. This constitution, at its core, reconciles the individual’s need for absolute personal freedom with society’s need for comprehensive social justice. No social or philosophical system has succeeded in achieving this reconciliation. Without it, the three equalities mentioned above cannot coexist, nor can socialism and democracy coexist in a single administrative system.
- However, the Islamic constitution in this sense—the constitution of the Qur’an—can only be realized in society if a virtuous group of individuals comes into existence. Therefore, members of the Republican Party strive to implement the Quranic constitution in their

lives as an act of worship, transforming this worship into interactions - with people and with God - marked by honesty and sincerity. Their aim, alongside self-reformation, is to create an ideal Islamic model that inspires others with its moral integrity and intellectual soundness, encouraging emulation and affiliation. The party emphasizes that actions speak louder than words. The invitation through one's state of being (*lisān al-hāl*) takes precedence over the invitation through speech (*lisān al-maqāl*). In a sacred hadith, Allah said to His spirit: "O Jesus! Admonish yourself. If you take heed, then admonish others; lest, you should be ashamed of Me."

- To create a model that embodies Islamic virtues, which are the noble virtues of humanity, the Republicans emulate Muhammad and strive to follow his path. The Republican Party has published a booklet titled *The Path of Muhammad* and invited people to adopt it. *The path of Muhammad* is different from the law of Muhammad - his path is his *Sunnah* (tradition), and his *Sunnah* is superior to his *Shari'a* (law). The Republicans hold no idealistic notions, as idealism is merely a thought incapable of action. Instead, the Republicans combine knowledge with action. This is the Islamic approach, and its foundation lies in the verse: "To Him ascends the good word, and the righteous deed raises it" (35:10), and the verse: "O you who believe! Why do you say what you do not do? Great is hatred in the sight of Allah that you say what you do not do" (61:2-3). It is also supported by the saying of the Infallible: "Whoever acts upon what they know, Allah grants them knowledge of what they do not know." Islam combines knowledge and action. It begins with the knowledge of *Shari'a*, which is necessary for valid worship, followed by worship itself. Worship then reflects in dealings with others. The outcome is purity of heart from the burdens of hatred and resentment, and clarity of mind from the stains of ignorance and falsehoods. From this point, knowledge progresses

from *Shari'a* to *Haqqiqa* (the truth of human nature), resulting in virtuous dealings with others and the adoption of noble character traits. The Infallible said: *“Emulate the character of Allah. My Lord is on a straight path.”*

- By creating the Republican model - a truly Muslim individual with a pure heart and a clear mind - and spreading this model among the people, the Republicans will gain the ability to implement the Quranic constitution on Sudanese society. The Sudanese Republic will then serve as a virtuous model for other nations, just as the Republican individual seeks to be an ideal model for other individuals. The call to Islam today will differ from past methods. In today's world, there can be no coercion or guardianship. Anyone who seeks to invite others to Islam must begin with themselves, implementing the Quranic constitution in their own life and embodying its ethics until they become a compelling example and a sought-after role model. Similarly, a state that seeks to call others to Islam must first exemplify the Quranic principles. A virtuous individual inspires others to Islam through their actions before their words, and a virtuous state does the same for other states. Allah says: *“There shall be no compulsion in religion. The right course has become clear from the wrong”* (2:256). This implies: Make the right course clear by embodying it in your virtues and ethics before explaining it in your words and deeds.

Humanity as a whole needs Islam, and Muslims themselves are at the forefront of those in need of it. There is no path to this call but the straight path outlined here.

This is a brief summary of the goals of the Republican Party. Further details can be found in the party's various publications, which can be sought where they are available. *To Allah belongs the ultimate path.*

## Appendix 1

### Constitution of the Republican Party, 1945

In the Name of Allah, the Most Gracious, the Most Merciful

**Name:** The Republican Party

**Principle:** Complete Independence

**Purpose:**

- (a) The establishment of a free, democratic, republican Sudanese government while maintaining the country's current geographical boundaries in full.
- (b) National unity.
- (c) The advancement of the individual and the care for the worker and the farmer.
- (d) Combating ignorance.
- (e) Advocating for Sudan.
- (f) Strengthening relations with Arab and neighboring countries.

**Membership:**

1. Open to all Sudanese citizens aged 18 years or older.
2. Open to any individual born in Sudan or who has resided in Sudan continuously for at least ten years without leaving the country.

## **Party Funds:**

Exclusively spent on achieving the purposes for which the party was established.

## **Explanatory Memorandum**

Since the purpose of establishing governments is to provide individuals with the maximum possible level of welfare, this group, organized under the name "*The Republican Party*," has concluded that the most suitable system for the psyche of this nation - one that aligns with its aspirations, serves its interests, and protects its welfare - is the establishment of a free Sudanese republican democratic government.

Our group has sought to clarify the type of governance we strive for, so that there is no ambiguity regarding the matter. The republican system does not confer favor upon any citizen over another except based on their suitability and competence to undertake assigned responsibilities. Furthermore, it does not bind the people to any form of loyalty or reverence that serves no benefit to humanity.

In summary, this party, as is evident, believes that the republican system represents the highest achievement of human intellect in its long quest for the ideal form of governance. It has chosen this system on that basis and for the reasons previously mentioned.

The paths leading to this goal may be subject to differing interpretations. However, this party believes that such a goal can only be achieved by liberating the country from all forms of foreign influence. We believe that we have reached a stage where we are capable of managing our affairs independently. There is no better way to acquire the necessary expertise in governance than to practice it directly, in a manner we find acceptable.

In light of this principle, certain needs become apparent, requiring particular attention:

1. **Fostering National Unity:** Creating a Sudan with a distinct identity and a shared destiny by removing artificial social divisions and linking the regions - north, south, east, and west - so they form a politically united entity with shared goals, benefits, and feelings.
2. **Improving the Individual's Productivity and Livelihood:** Enabling individuals to harness their country's agricultural and industrial resources through the establishment of cooperative associations and unions that guide workers effectively.
3. **Educating Individuals:** Developing them into constructive members of society who understand their rights and responsibilities.
4. **Promoting Sudan:** Using all possible means to ensure its voice is heard beyond its narrow confines.
5. **Acknowledging Regional and Neighborly Ties:** While not seeking immediate commitments, we recognize the bonds that connect us to Arab countries in particular and the mutual interests with neighboring nations. Our relationships with all of these will be shaped accordingly.

**Friday, 20th Dhul-Qi'dah, 1364 AH**  
**26th October 1945 CE**

## Appendix 2

### Constitution of the Republican Party, 1951

In the Name of Allah, the Most Gracious, the Most Merciful

*"Those to whom people said, 'Indeed, the people have gathered against you, so fear them.' But it [only] increased them in faith, and they said, 'Sufficient for us is Allah, and [He is] the best Disposer of affairs'" (3:173).*

**Name:** The Republican Party

**Slogan:** Freedom for us and for others

**Principle:** Achieving comprehensive social justice and absolute individual freedom

**Means:** Establishing a free, democratic, republican Sudanese government within the geographical boundaries of Sudan as they stood in 1934. This will be achieved through persistent effort toward:

- (a) National unity
- (b) Promoting the individual, both men and women
- (c) Combating fear
- (d) Advocating for Sudan through sincere action and measured speech
- (e) Strengthening relations with Islamic countries and neighboring states in particular, and with the wider world in general

**Membership:**

- (a) Open to all Sudanese men and women aged 18 years or older.
- (b) Open to any individual born in Sudan or who has resided continuously in Sudan for at least ten years without leaving the country.

**Party Funds:**

The party's funds will be spent solely on achieving the purposes for which the party was established.

**Explanatory Memorandum**

The Republican Party is a call for a new civilization that succeeds the current materialistic Western civilization, which has declared its bankruptcy with the language of iron and fire in these devastating wars that have obliterated livelihoods and claimed countless lives. These wars ceased only after embedding deep-seated grudges that rendered peace merely a preparation for more ferocious and incendiary conflicts in the future.

The social philosophy underlying this new civilization is a democratic socialism that harmoniously reconciles spiritual values with the realities of material existence. This philosophy avoids both the neglect of Western materialism, which confines human endeavor to the demands of the stomach and the body, and the excess of Eastern spiritualism, which disparages all efforts aimed at improving material existence among living beings.

The vanguard of this new civilization comprises the *People of the Quran*, whom Allah described as: "*And thus We have made you a middle nation*"

(2:143) - a nation that is balanced between the neglect of Western materialism and the excess of Eastern spiritualism.

The constitution of this new civilization is the *Quran*, which offers a solution to the historical dilemma that has perplexed philosophers: the reconciliation of the individual's need for absolute personal freedom with the community's need for comprehensive social justice.

The hallmark of this new civilization is its humanism. It views the human family as a single unit and considers human nature universal, regardless of location. It holds that freedom and prosperity are sacred natural rights for people of all colors - black, white, red, and yellow.

The Republican Party will begin by organizing its own house, with Sudan - within its full geographical boundaries as they stood in 1934 - being its immediate focus. This new civilization must first be implemented within these borders before attracting the attention of a weary humanity lost in aimlessness.

The first step toward its implementation is the complete and decisive removal of colonialism in all its forms. Our weapon in this struggle will initially be non-cooperation, culminating in civil disobedience. Once civil disobedience is achieved, the continued presence of colonialism will become impossible.

Our path to civil disobedience lies in relentless efforts to spread the call until national unity is realized by creating a Sudan with a distinct identity and shared destiny. Its people will come to understand public matters in close alignment, thereby eliminating artificial social and political divisions. This will link the country's regions - north, south, east, and west - into a unified political and social entity with shared interests and aligned sentiments.

## Appendix 3

### Constitution of the Republican Party, 1968

In the Name of Allah, the Most Gracious, the Most Merciful

*"This day I have perfected for you your religion, and completed My favor upon you, and have approved for you Islam as your religion" (5:3).*

**Name:** The Republican Party

**Slogan:** Freedom for us and for others

**Principle:** Achieving comprehensive social justice and absolute individual freedom

**Means:** Establishing a free, democratic, socialist, federal, republican government within the geographical boundaries of Sudan as they stood in 1934. This will be achieved through persistent effort toward:

- (a) National unity
- (b) Promoting the individual, both men and women
- (c) Combating fear
- (d) Advocating for Sudan through sincere action and measured speech
- (e) Strengthening relations with Islamic countries and neighboring states in particular, and with the wider world in general

**Membership:**

- (a) Open to all Sudanese men and women aged 18 years or older.
- (b) Open to any individual born in Sudan or who has resided continuously in Sudan for at least ten years without leaving the country.

**Party Funds:**

- (a) Derived from members' contributions and proceeds from the sale of party literature.
- (b) Spent solely on achieving the purposes for which the party was established.

**Explanatory Memorandum**

The Republican Party is a call for a new civilization that succeeds the current materialistic Western civilization, which has declared its bankruptcy with the language of iron and fire in devastating wars that have destroyed resources and claimed lives. These wars ceased only after embedding deep-seated grudges that render peace merely a preparation for more ferocious and incendiary conflicts in the future.

The social philosophy underlying this new civilization is a democratic socialism that harmoniously reconciles spiritual values with the realities of material existence. This philosophy avoids both the neglect of Western materialism, which confines human endeavor to the demands of the stomach and the body, and the excess of Eastern spiritualism, which disparages all efforts aimed at improving material existence among living beings.

The vanguard of this new civilization comprises the *People of the Quran*, whom Allah described as: "*And thus We have made you a middle nation*" (2:143) - a nation balanced between the neglect of Western materialism and the excess of Eastern spiritualism.

The constitution of this new civilization is the *Quran*, which offers a solution to the historical dilemma that has perplexed philosophers: the reconciliation of the individual's need for absolute personal freedom with the community's need for comprehensive social justice.

The hallmark of this new civilization is its humanism. It views the human family as a single unit and considers human nature universal, regardless of location. It holds that freedom and prosperity are sacred natural rights for people of all colors - black, white, red, and yellow.

The Republican Party will begin by organizing its own house, with Sudan - within its full geographical boundaries as they stood in 1934 - being its immediate focus. This new civilization must first be implemented within Sudan before attracting the attention of a weary humanity lost in aimlessness.

The first step toward its implementation is the revival of "*La ilaha illa Allah*" (There is no god but Allah), making it as creative in the hearts of men and women today as it was in the past. This revival will be achieved by inviting people to emulate Muhammad. Through emulating him, two outcomes are realized:

1. The unification of the nation, after sectarianism has fragmented it.
2. The renewal of religion.

The renewal of religion elevates moral character and purifies thought. This intellectual revolution is the only path to creating a will for change and

properly guiding that will toward righteous governance. Righteous governance stands on three pillars: economic equality, political equality, and social equality. Such governance enables the creation of free individuals - those who think as they wish, speak as they think, and act as they speak, ensuring that their words and deeds yield nothing but goodness and kindness toward people and things.

### **The Republican Party**

Omdurman - Al-Mawrada, P.O. Box 46

November 1968

Ramadan 1388 AH

## **This book:**

This is the book *"The Foundations of Sudan's Constitution"*. It is, at the same time, the *"Foundations of the Islamic Constitution"* that people often speak of and advocate for, yet fail to find its proper path.

It is truly the foundation of the Islamic constitution. However, we do not call it Islamic because we are not striving to establish a religious government in the conventional sense, where religion is confined solely to faith. Religious governments, in this narrow scope, neither unite nor equalize humanity; rather, they divide and discriminate. The basis for this understanding lies in Allah's words: *"Indeed, this nation of yours is one nation, and I am your Lord, so fear Me. But they divided their affair among themselves into sects, each faction rejoicing in what it has."* (23:52–53)

If Islam were limited merely to faith, it would be unfit for the humanity of the twentieth century. However, in Islam, faith is but a phase leading to truth - adherence to the Sharia leads to the truth. Truth, in this context, signifies servitude, while Sharia represents worship. Servitude (*'ubudiyya*) is a way of life through which the human self is disciplined according to the principles of psychology, enabling it to attain freedom from fear and to liberate its natural talents - mind and heart -from the captivity of delusions.

Islam at this level is the religion of the innate nature: *"So direct your face toward the religion, inclining to truth. [Adhere to] the fitrah of Allah upon which He has created [all] people. No change should there be in the creation of Allah. That is the correct religion, but most of the people do not know."* (30:30)

In the early days of this nation, Islam was implemented only at the level of faith, and governance at this level was not democratic; therefore, there was no constitution. When humanity in its future applies Islam at its

scientific level, governance will become democratic, and there will be a constitution. However, it will not be called an Islamic constitution. Rather, it will be a human constitution that resonates with all of humanity, for it is the constitution of *“the fitrah of Allah upon which He has created [all] people”* (30:30).

### **This book:**

Presents the foundations of the Islamic constitution in the advanced sense described. However, we do not label it "Islamic" in the sense popularized by advocates of fanaticism, extremism, and ignorance, who have gravely tarnished the Islamic message through their actions - believing, mistakenly, that they are doing good.