

- f) promote the right conduct and ethical values in society;
- g) strictly refrain from the dissemination of indecency, obscenity and immorality;
- h) avoid condoning or glorifying crimes or acts repugnant to Islam;
- i) refrain from suppressing evidence except in so far as it might cause harm to the interests of society;
- j) avoid becoming instruments of corruption of any kind.

### *Article 82*

The executive organs of the State shall have no authority to take any administrative action against or to penalise the media or publications in any way except to prosecute violations in a court of law. Similarly, media and publications' personnel are protected in the performance of their professional duties.

**General and Transitional Provisions**

**Article 83**

*Hijrah* is the official calendar of the State and the official language is .....  
If Arabic is not the official language, it shall be the second official language.

**Article 84**

- a) The Imam or the Majlis al Shura may propose amendments to this constitution. Amendments may only be made if approved by a two-thirds majority of the members of the Majlis al Shura.
- b) Any amendment which might endanger the Islamic character of the State, or which violates the tenets of the Shari'ah, would be void.

**Article 85**

- a) The legislative, executive and judicial authorities and all bodies, institutions and organisations existing at the time of the coming into effect of this constitution shall continue to exercise their functions and activities until the establishment of substitutes in accordance with the provisions of this constitution and the assumption of functions by such substitutes.

- b) All laws, regulations and decrees in operation at the time of the coming into effect of this constitution shall continue to be in operation until annulled or amended in accordance with the provisions set out in this constitution.
- c) After the adoption of this constitution, and in keeping with the provisions of this constitution, the existing legislative authority shall, through an appropriate law, take necessary steps to establish the first Majlis al Shura, the first Election Commission and the first Supreme Constitutional Council.

### *Article 86*

There is an imperative obligation on everyone concerned to ensure that the provisions of this constitution are implemented effectively and without delay so that the constitution becomes effective in its entirety as soon as possible after its adoption.

### *Article 87*

This constitution is applicable from ....., the date on which the results of the referendum were published (if adopted by means of a referendum) or the date it was adopted by the country's constitutional body.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ  
بَيْنَهُمْ أَنْ يُقُولُوا سَمِعْنَا وَأَطَعْنَا وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

(سورة النور : الآية ٥١)

*The only response of the believers when they are summoned to Allah and His messenger to judge between them is to say: We hear and we obey. Such (men) shall surely prosper.*

(Qur'an, An-Nur 24:51)

## **Glossary**

<b>Amanah</b>	A trust from God.
<b>Bay'ah</b>	The pledge of allegiance to the ruler of a Muslim community within the frame work of the Shari'ah.
<b>Da'wah Islamia</b>	The call to Islam.
<b>Diyah</b>	Compensation paid according to law or mutual agreement in cases of murder or physical injury.
<b>Hijrah</b>	The migration of the Prophet and his companions from Makkah to Madina in 622. The Muslim lunar calendar is dated from this event.
<b>Hisbah</b>	The institution for supervising and safeguarding the fulfilment of right norms of public behaviour. Its purpose is to enforce what is right ( <i>Ma'ruf</i> ) and forbid what is wrong ( <i>Munkar</i> ).
<b>Hudud</b>	(Plural of <i>Hadd</i> ). The specific penalties prescribed by the Qur'an and Sunnah for certain specified crimes.
<b>Ijtihad</b>	The exercise of independent judgement to ascertain the appropriate Shari'ah ruling.
<b>Imam</b>	Leader of the Muslim community or head of a Muslim state.
<b>Jihad</b>	Literally striving and struggle: mental, moral or physical. It has come to mean engaging in a just war for the defence of the faith, of the Islamic state, or of the rights of oppressed people.

<b>Khalifa</b>	Representative. In the Qur'an (2:30) the title <i>Khalifa</i> has been given to Adam and by extension to all mankind, and signifies that God has made mankind His representative or vicegerent on earth with limited authority to fulfil His will.
<b>Majlis al Bay'ah</b>	The body which, representing a Muslim community, formally offers the oath of allegiance to the ruler.
<b>Majlis al Shura</b>	Consultative Assembly.
<b>Majlis al Ulema</b>	Council of religious experts.
<b>Muhtasib</b>	In charge of Hisbah.
<b>Muhtasib Aam</b>	Chief Muhtasib.
<b>Mustakhlaf</b>	Khalifa.
<b>Qisas</b>	Just retribution in cases of crime against person.
<b>Riba</b>	Usury. Fixed interest.
<b>Shari'ah</b>	Islamic law governing all aspects of human life.
<b>Shura</b>	Decision making through consultations.
<b>Sunnah</b>	The traditions of the Prophet, comprising what he said, did and approved.
<b>Ulema</b>	Religious experts.
<b>Ummah</b>	The Muslim community.

## References

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Qur'an Al-Jathiyah 45:18  
Qur'an An-Nisa 4:58  
Hadith narrated by Bukhari, Muslim,  
Abu Daud, Tirmidhi, Nasai
- 2 Qur'an Al-Muninun 23:52  
Qur'an Al-Hujurat 49:10  
Qur'an Al-Anfal 8:72
- 3 Qur'an An-Nisa 4:105  
Qur'an Al-Jathiyah 45:18  
Qur'an Al-Maidah 5:44, 45, 47  
Qur'an Ash-Shura 42:38  
Qur'an Al-Maidah 5:120  
Qur'an At-Tawbah 9:105  
Qur'an Al-Hadid 57:7  
Qur'an An-Nisa 4:75  
Qur'an At-Tawbah 9:122  
Qur'an At-Tawbah 9:105  
Qur'an Al-Imran 3:103

Hadith narrated by Bukhari, Muslim  
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Qur'an Al-Maidah 5:67  
Qur'an Yusuf 12:108  
Qur'an An-Nahl 16:125  
Hadith narrated by Bukhari

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- 4 Qur'an Al-Isra 17:33  
Qur'an Al-Maidah 5:32  
Hadith narrated by Muslim  
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Abu Daud, Tirmidhi, Nasai  
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- 5 Qur'an Al-Ahzab 33:58  
Hadith narrated by Ibn Majah  
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- 6 Qur'an An-Nur 24:27, 28  
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- 7 Qur'an Hud 11:6  
 Qur'an Ta Ha 20:118, 119
- 8 Qur'an Saba 34:46  
 Qur'an Al-Baqarah 2:256  
 Qur'an Al-Kafirun 109:6
- 9 Qur'an An-Nisa 4:105  
 Qur'an Al-Ahqaf 46:19  
 Qur'an Al-Hujurat 49:13
- 10 Qur'an An-Nisa 4:60, 135  
 Qur'an Al-Maidah 5:95
- 11 Qur'an Al-Isra 17:15  
 Qur'an At-Tur 52:21  
 Qur'an Fatir 35:18  
 Qur'an Yusuf 12:79  
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- 12 Qur'an Al-Ahzab 33:58  
 Qur'an Al-Baqarah 2:282, 283
- 13 Qur'an An-Nur 24:32, 33  
 Qur'an Al-Muminun 23:5, 7  
 Qur'an An-Nisa 4:34  
 Qur'an Luqman 31:14, 15  
 Qur'an Al-Isra 17:24  
 Hadith narrated by Muslim
- 14 Qur'an Al-Hashr 59:8-10
- 15 Qur'an Al-Mulk 67:15  
 Qur'an Al-Baqarah 2:217
- 16 Qur'an Al-Baqarah 2:256  
 Qur'an Al-Kafirun 109:6  
 Qur'an Al-Maidah 5:42, 43, 47, 48
- 17 Qur'an Ash-Shura 42:38  
 Qur'an Al-Maidah 5:2
- 18 Qur'an Al-Maidah 5:2
- 19 Qur'an At-Tawbah 9:6  
 Hadith narrated by Bukhari, Abu Daud
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- 23 Qur'an An-Nisa 4:59  
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 Abu Daud, Tirmidhi, Nasai  
 Caliph Abu Bakr's address
- 24 Qur'an An-Nisa 4:141  
 Qur'an Al-Qasas 28:26
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 Qur'an Al-Anfal 8:58, 61  
 Hadith narrated by Bukhari
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- 33 Hadith narrated by Bukhari, Muslim, Nasai  
 Caliph Abu Bakr's address
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### Chapter V

- 35 Qur'an An-Nisa 4:105  
Qur'an Saad 38:26  
36 Qur'an Al-Maidah 5:49  
37 Qur'an An-Nisa 4:58  
Hadith narrated by Tirmidhi, Abu Daud  
38 Qur'an Al-Maidah 5:106  
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40 Qur'an An-Nisa 4:58, 59  
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- 42 Qur'an Al-Imran 3:104  
Hadith narrated by Muslim, Abu Daud,  
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- 47 Hadith narrated by Muslim  
48 Qur'an Al-Jathiyah 45:12, 13  
Qur'an Al-Baqarah 2:267  
Qur'an At-Tawbah 9:34, 35  
Qur'an Al-Isra 17:26, 27  
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Hadith narrated by Abu Daud, Tirmidhi  
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52 Qur'an An-Nur 24:33  
53 Qur'an Al-Baqarah 2:275-280

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- 54 Qur'an Al-Imran 3:118, 119  
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Qur'an Muhammad 47:20  
Qur'an Al-Baqarah 2:216  
Qur'an An-Nisa 4:84  
Hadith narrated by Abu Daud  
58 Qur'an Al-Anfal 8:60, 65  
Hadith narrated by Ibn Majah, Abu Daud,  
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59 Qur'an Al-Imran 3:121  
Qur'an Al-Anfal 8:58, 61, 65  
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### Chapter X<sup>2</sup>

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### Chapter XII

- 72 Qur'an Al-Imran 3:103  
73 Qur'an Al-Baqarah 2:208  
Qur'an Al-Mumtahanah 60:8, 9

- 74 Qur'an Al-Hujurat 49:13  
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- 79 Qur'an Al-Maidah 5:1  
Qur'an Al-Anfal 8:58

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- 80 Qur'an Ibrahim 14:24, 26
- 81 Qur'an Al-Asr 103:3  
Qur'an Al-Hujurat 49:11, 12  
Qur'an Al-Imran 3:78  
Qur'an Al-Maidah 5:41  
Qur'an An-Nur 24:19, 23  
Qur'an Al-Ahzab 33:18, 19, 60, 61  
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Hadith narrated by Tirmidhi  
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### Chapter XIV

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\* Articles for which no references were quoted do not include provisions specified by the Qur'an and the Sunnah. Being in the nature of procedures and means of realisation, they are left to the judgement of the people of each country, and come under the saying of the Prophet: "You know better about matters of your world" as well as the juristic rule mentioned below.

1. To this chapter we apply the Qur'anic injunction: "If you have a dispute about anything, refer it to Allah and the Messenger." (4:59) The Chapter also comes under the juristic rule: That which is necessary for the realisation of something obligatory is itself obligatory.

2. This chapter constitutes an application of the Qur'anic injunction: "Ask those who possess the knowledge, if you do not know." (21:7).

3. This chapter includes one of the means of the realisation of Shura and is an application of the juristic rule mentioned above.