

Press Release

## Battle of Judges and Elected Representatives: The Law of Allah (swt) is Supreme, Above the Law of Man and must be the Sole Basis of our Constitution

The back and forth battle between the judges and the elected representatives continues unabated, with the people losing interest as they see no impact on the growing misery they face in their daily lives. Chief Justice, Mian Saqib Nisar, on 20 February 2018 said, “Yesterday it was again asked how the judiciary could interfere with the legislative process... Parliament is supreme but there is also the Constitution above it.” Whilst the Prime Minister said, “The elected representatives of the 207 million people are being dubbed as thief, robber and mafia. Sometimes threats are being hurled that we [judges] will nullify the legislation that you [parliamentarians] have passed.” Whilst the back and forth battle continues, corruption remains rampant, the affairs of the Muslims are neglected and the rights and duties that Islam has mandated are disregarded. Moreover, it is a battle where victory is not worth fighting for, because both judiciary and the parliament advocate law that is made according to the whims and desires of humans, rather than that which is derived from the Quran and the Sunnah. Thus, even in the event of a victory by either the judiciary or the parliament, there will be no victory for the Muslims and their Deen.

Muslims will always be let down by Democracy because its legislation is made according to the whims and desires of men and women, even though Allah (swt) ordered, ﴿وَأَنِ احْكُم بَيْنَهُم بِمَا أَنزَلَ﴾ **“And judge between them by what Allah has revealed, and do not follow their desires, and beware (O Muhammad) that they might seduce you from some of what Allah has sent down to you.”** [Surah Al-Maidah 5:49] In the Khilafah (Caliphate) on the Method of Prophethood all disputes, whether they concern the judiciary, the rulers or the consultative assembly, will be decided according to the Quran and the Sunnah. Allah (swt) said, ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنكُمْ فَإِن تَنَازَعْتُمْ فِي شَيْءٍ﴾ **“O you who have believed, obey Allah and obey the Messenger and those in authority among you. And if you disagree over anything, refer it to Allah and the Messenger, if you should believe in Allah and the Last Day. That is the best [way] and best in result.”** [Surah an-Nisa'a 4:59] And fundamentally, the law of Allah (swt) itself is the basis of the constitution, such that every single law is derived from the Quran and the Sunnah, with Ayaat and Ahadeeth brought forwards as an evidence for them. Allah (swt) said, ﴿إِن الْحُكْمَ إِلَّا لِلَّهِ ۚ أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ ذَلِكَ الدِّينُ الْقَيِّمُ وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَعْلَمُونَ﴾ **“Legislation is not but for Allah. He has commanded that you worship not except Him. That is the correct religion, but most of the people do not know.”** [Surah Yusuf 12:40]

Media Office of Hizb ut Tahrir  
in Wilayah Pakistan