

The Civil Constitution is deliberately deceptive!!

After the general elections held on July 22nd there has been heated pressure for debates on the Civic Constitution following statements made by Zafar Osköl, the vice president of the Justice and Development Party (AKP) and constitution expert. His opinion can be summed up in one simple phrase: "Kemalists, at last you have no say in matters of constitution". The focus has now shifted to debates on the civic constitution, which the AKP government has initiated and entrusted its preparation to a specialized academicians' team. The Justice and Development Party continues to shroud its plans in secrecy like it did during the presidential elections, when it kept the name of its nominee under wraps until the last moment. Now it is the text of the constitution which it is trying to keep confidential but leaking certain clauses selectively in order to ascertain the response of various sections. For instance, there has been some details on clauses such as: "Definition of the President of the Republic's powers", "the abolition of the Higher Education Council (YOK)", "Selection of Universities' Rectors through nominations and elections," and "Abolishing the legal immunity of the Supreme Military Council (YAS), the Supreme Council of Judges and Public Prosecutors (HSYK)". While this will help the AKP gauge reactions, it will at the same time draw public opinion to the insipid and artificial discussions on the subject. It may be pointed out that the objections raised by the Kemalists nationalists secular sections against the AKP plan are markedly weak, such as observing that the "Constitution is an matter of social consensus and as such various sections of the society should be involved in its preparations, and there is no doubt that such a document should not be prepared by a single-party government".

In fact, the Justice and Development Party, ever since it first came to power riding on the wave towards the European Union, it has been subservient to the interests of the United States which wants to extend its influence all over Turkey. But the AKP government was unable to accomplish this because of the impediments thrown in by the bureaucrats, which Erdogan famously refers to as the 'bureaucratic elite class' and describes his coming to power by saying, "Though we have come to power, but we wield no authority". The reforms and amendments carried out by the AKP government to meet compliance requirements demanded by the European Union for Turkey's membership were short of EU's expectations. Also, the continuous confrontation with the presidential palace (Cankaya) adversely affected government functioning. This prompted the AKP government to undertake a complete overhaul of the constitution to make it comply with the wishes and policies of the United States. Therefore, if AKP is able to curtail the powers of the President, it will ensure its march forward on reforms through the Parliament without resulting in confrontation with the presidential palace. As far as the US is concerned, it is of little interest to it whether Turkey has a military constitution or a civil one, in fact if the interests of the United States were better served by a military constitution, it would certainly have worked more diligently than the Kemali nationalists themselves to protect such a military constitution. This is why Erdogan, while presenting his government's policies in this direction, used the expression that 'A country should be entitled to have a civil constitution'.

That is unfortunate; They propped up their self-claimed thinkers who are actually nothing more than infatuated with the western culture and succeeded in misleading the Muslim people who harbour the Islamic sentiments to actually believe that the constitution will bear well for them and usher in their welfare. They also exploited the media and other gimmicks to this end. While the new civil constitution will be a secular one, but it will be in line with American desires, and will be comparatively more flexible this will lead to a secular society rather than a secular government as is the case currently. This will also reduce our Muslim people discontent and anger against the system, as also it will open up opportunities for the 'visibly Muslims' to reach the nations presidency. This will also help to resolve the 'Khimar' issue which has provided a unifying platform for the Muslims. Most importantly, the government will then be able to say (with religious overtones) to the people: "you are obliged to follow your rulers who are from among you". So Muslims will be forced to obey such rulers who may appear to be Muslims but who actually do not rule by what Allah (swt) has revealed. This would enable the democratic system of kuffar to instill among the Muslims what they call as the 'Moderate Islam'. This will also ensure that the Muslims are 'tamed' just as the colonialist west wishes them to, because it fears about the return of the *Khilafah Rashidah* in Turkey which will usher in a return to the Islamic way of life. Such pseudo-Islamic measures are designed to counter the Muslims interest in the Islamic state.

It is important for the Muslims to examine the constitution not by the benefit that it will entail or hardship that it will remove, but they must first examine its reality and then scrutinise the document: If it takes the Islamic 'Aqeedah as its basis, then the Muslims should accept the constitution, but if it does not have the Islamic 'Aqeedah as its basis, then it must be rejected. The new Civil Constitution according to the observations of Erdogan himself is a secular constitution "fully commensurate with the foundations and requirements contained in the Universal Declaration of Human Rights and the European Convention on Human Rights, with the Copenhagen Policy Specifications."

Muslims are bound by commands and prohibitions of Allah (swt) alone, their laws and statues that govern their affairs must only be derived from the Holy Quran and the Prophet's Sunnah. They are not allowed to adopt any law or constitution from other than these sources, therefore, it is incumbent upon every Muslim to reject any constitution that is man-made, be it military or civil.

It is the duty of every Muslim to undertake the work of restoring and reviving their own constitution, that is founded upon the basis of the Islamic 'Aqeedah and will be implemented, this is not a hard task for Allah (swt).

((أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْتَغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ))

"Do they then seek the judgement of (the days of) Ignorance? And who is better in judgement than Allâh for a people who have firm Faith." [TMQ al-Maidah: 50]

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28th Sha'ban 1428 A.H
10th September, 2007 C.E.

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