

Changing the Chief Justice of a Corrupt Judiciary is not Real Change. Abolish Democracy and Establish Khilafah for Change

News:

Justice Qazi Faez Isa was sworn in as the 29th Chief Justice of Pakistan (CJP) on 17th September.

Comment:

There is much fanfare in the media about the new CJP. He has earned a reputation of being an upright judge, who does not take pressure from the country's powerful military establishment. It is said that he always follows the constitution of Pakistan. He upholds democracy and strongly supports the supremacy of the parliament. After becoming the CJP, he refused to take official protocol.

The media is raising hopes that this one person can change the fate of this nation. It is being claimed that if the Supreme Court of Pakistan starts working constitutionally and independently, all the ills which we are facing now, will vanish.

Firstly, one thing must be made very clear. This judiciary under its new CJP, will not start issue verdicts on the basis of the Noble Quran and the Prophetic Sunnah. Its verdicts are based on the man-made 1973 constitution, which is the main cause of corruption and oppression in Pakistan. Any court which gives verdicts outside of the Shariah, causes corruption and oppression. Allah (swt) said, ﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ﴾ **“Those who do not judge by what Allah has revealed are indeed the oppressors.”** [Al-Mai'da 5:46].

Secondly, the Supreme Court does not make laws. It only decides according to the laws passed by the Parliament. As for the Parliament, it only passes laws to protect the interests of the colonialists and their agents in the rulers. So even if there is an “upright” CJP, he will ensure the implementation of corrupt laws and across the board.

Thirdly, change never comes from the judiciary. If this has been true, then we would have not witnessed political revolutions in the world. Instead, we would have seen judicial revolutions. Not so long ago, we witnessed a lawyer's movement to restore the then CJP, Iftikhar Muhammad Chaudhry, in 2007. He was restored. Nothing changed. The people felt so betrayed that even the leaders of the lawyer's, who led his restoration movement, openly admitted that they were deceived.

The new CJP will be no different than the previous ones. He will not end capacity payments to independent power producers, and the oppressive taxes included in the electricity bill, which is causing huge suffering to the people. He will not end Riba, which is eating more than half of our federal budget, forcing the government to print more and more money to fill the deficit, and causing huge inflation. He will not bring down petroleum prices by ending the petroleum levy, which is a major demand of the

IMF. He will not end regressive taxes, which do not differentiate between the poor and the wealthy. He will not move our armed forces to liberate the Muslims of Occupied Kashmir from the brutal oppression of the Hindu State. He will not bring very cheap petroleum products from Iran by defying the US international embargo, that can boost our economy very significantly. He will not defend the sanctity of the Messenger of Allah (saw) and Noble Quran, which are being disrespected throughout the liberal world. He will not even deliver justice to the people who will come in his court, as he will decide matters upon other than Shariah. So what he will actually do? He will only ensure the continuation of the current corrupt capitalist democratic system, which is the root cause of our ills.

We need a political movement that challenges the current corrupt and rotten capitalist democratic system. We need a political movement that replaces man-made ruling, with the Khilafah (Caliphate) on the Method of the Prophethood. The establishment of the Khilafah alone will bring the real change that the Muslims of Pakistan have been desiring, since the advent of Pakistan. Anything other than Khilafah is deception and an attempt to give life to this ailing, corrupt, capitalist, democratic system.

﴿إِنَّ الدِّينَ عِنْدَ اللَّهِ الْإِسْلَامُ * وَمَا اخْتَلَفَ الَّذِينَ أُوْتُوا الْكِتَابَ إِلَّا مِنْ بَعْدِ مَا جَاءَهُمُ الْعِلْمُ بَعِيًّا ۗ بَيْنَهُمْ وَمَنْ يَكْفُرُ بِآيَاتِ اللَّهِ فَإِنَّ اللَّهَ سَرِيعُ الْحِسَابِ﴾

“The true religion with Allah is Islam. The People of the Book adopted many different ways rather than follow the true way of Islam even after the knowledge of truth had reached them, and this merely to commit excesses against one another. Let him who refuses to follow the ordinances and directives of Allah know that Allah is swift in His reckoning.” [TMQ Surah Aali-Imran 3:19]

**Written for the Central Media Office of Hizb ut Tahrir by
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