

Only the Khilafah State Can Ensure True Justice and Public Safety

News:

ISLAMABAD: The PTI (Pakistan Tehreek e Insaaf) on Monday expressed concern over deaths resulting from operations conducted by Punjab's Crime Control Department (CCD), calling for a judicial inquiry. (*Dawn*)

Comment:

The Human Rights Commission of Pakistan has already called for an immediate, high-level investigation into the deaths resulting from operations conducted by Punjab's Crime Control Department. The crime control department has killed more than 900 people in the last eight months. Many of these people were picked up from their homes in front of their families and later killed in encounters. Extrajudicial killings stem from a long-standing policing culture shaped during the colonial era, one that practices eliminating supposed trouble makers over presenting them in court. In Punjab the practice began to take hold in the 1960s and has since been used by the provincial governments as a quick fix to fight crime and maintain security, especially when under pressure to show swift results. This also points at the deeply flawed criminal justice system, where the police prefer to get rid of the suspect rather than following a long grueling process. Like every other system in Pakistan, the Police system is also inherited from British India, which was designed to keep control rather than enforcement of law or providence of justice. Today, the definition of crime and the way it is dealt depends on the will of those in authority. Justice, instead of being practiced, has become a dream of the revolutionary and in literature is reduced to a word recited in poetry or repeated in emotional speeches.

Islam defines justice as the absolute application of Sharia law through establishing Khilafah (Caliphate) on the method of the Prophethood and by removing all man-made laws. For 1300 years, the Khilafah provided justice to its citizens by implementing such rules.

The reason for a high crime rate in the society is the design of the society which has become a fertile ground for sins. In Islam, punishment is not about the removal of the sinner but it is to eradicate the sin and to clean the sinner as the punishment, carried out by the State, in this world over a specific sin removes the punishment of the Hereafter as the person on whom punishment is inflicted asks Allah (swt) for forgiveness. Islam not only recognises the instinctive needs of man but it provides detailed ways to fulfill these needs. It also recognises that there are people who will fail to stay within boundaries and commit crimes. Unlike democracy, in Islam, it is Allah (swt) Who has revealed the laws regarding the crime, its testimonial evidence and punishment. It does not operate according to the desire of the ruler.

Allah (swt) said: ﴿أَلَا يَعْلَمُ مَنْ خَلَقَ وَهُوَ اللَّطِيفُ الْخَبِيرُ﴾ “Should not He Who has created know And He is the Most Kind and Courteous, All- Aware.” [Surah Al-Mulk 67:14].

Shariah remained a standard for world civilization for thirteen centuries, inspiring the Western nations to revise their legal and ruling frameworks. Once established, the Khilafah State will ensure that all the systems are applied according to the commands of Allah (swt). Islamic Judicial system will have all the punishments drawn from the text and will only be carried out after the accused is proven guilty. The purpose of ruling through these systems is to obey Allah (swt) and help His servants with the affairs of life. In the absence of punishments, a society cannot be curbed from evils as Allah (swt) said, ﴿وَلَكُمْ فِي الْقِصَاصِ حَيَاةٌ﴾ “And there is (saving of) life for you in retaliation.” [Al-Baqarah 2:179].

Written for the Central Media Office of Hizb ut Tahrir by
Ikhlāq Jehan