

This is contrary to the Imarah of the believers. The Ameer of the believers is responsible before the Ummah and her representatives and is accountable to the Ummah and her representatives. Nonetheless the Ummah and her representatives have no right to remove him. He can only be removed if he violates the Shar'a in a way that his removal becomes obligatory, the Court of Unjust Acts alone is the one that decides this.

In the republican system, whether it is presidential or parliamentary, the term of the presidency is fixed and cannot be exceeded.

Whereas, the Khilafah system does not determine the Khaleefah's term of office. This is rather determined by his implementation of Shar'a. So long as the Khaleefah is implementing the rules of Islam, that are derived from the Book of Allah, and the Sunnah of His Messenger, he remains a Khaleefah, re-

gardless of how long his Khilafah term lasts. If the Khaleefah violated the Shar'a, and deviated from implementing the rules of Islam, his term in office would be terminated even if it were one month or one day; and he must in this instance be removed immediately.

We conclude, therefore, that there is a great difference between the Khilafah system and the republican system and between the Khaleefah and the president of a republic.

It is, therefore, absolutely forbidden to claim that the Islamic system is a republican system, or to use the term 'Islamic Republic', there exists a great contradiction between the foundations upon which the two systems are founded, and the differences in shape and details. □

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THE SHAPE OF THE ISLAMIC RULING SYSTEM IS NOT A REPUBLIC

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THE SHAPE OF THE ISLAMIC RULING SYSTEM IS NOT REPUBLICAN

The shape of the Islamic ruling system is not republican. The republican system is based on democracy, where sovereignty is given to the people. Thus, the people have the right of ruling and legislation, and they reserve the right to appoint the ruler and remove him. They reserve the right to lay down a constitution and enact laws and to abolish, alter or modify both the constitution and the laws.

In contrast, the Islamic ruling system is based on the Islamic 'aqeedah and on the Shari'ah laws. The sovereignty is to the Shar'a of Allah swt and not to the Ummah. So the Ummah has no right to legislate nor does the Khaleefah. The sole legislator is Allah swt, and the Khaleefah has the right only to adopt rulings for the constitution and cannons that

are derived from the Book of Allah swt and the Sunnah of His Messenger (saw). Also the Ummah has no right to remove the Khaleefah; what removes him is the Shar'a. However, the Ummah has the right to appoint him, for Islam gave the authority and power to her, so she has been given the authority and power to select and give the Bay'ah to whomever she wishes.

In the Presidential form of the Republican system, the president of the republic holds the mandatory powers of the head of state. He does not have in his cabinet a prime minister, but secretaries of state, as in the United States. In the parliamentary form, the president has a prime minister, and the mandatory ruling powers are in the hands of the ministerial cabinet not the president of the republic, as in Germany.

In the Khilafah system there are no ministers, nor a council of ministers working with the

Khaleefah, as is the case in the democratic system, where ministers have special portfolios and mandatory powers of their own. Instead the Khaleefah has Mu'awinoon whom he appoints to assist him in assuming the functions of the Khilafah and discharging its duties. They are delegated and executive assistants. The Khaleefah heads them in his capacity as the head of state and not a prime minister, nor as a head of an executive body. The Khaleefah has no council of ministers working with him, since he has all the mandatory powers and the assistants merely help him in executing his mandatory powers.

Besides, in both types of the republican system, the presidential and parliamentary, the president is accountable to his people and their representatives. The people and their representatives have the right to remove him since the sovereignty in the republican system belongs to the people.