

Press Release

Following the Same Line of the Former Regime of Regional Quotas in the Sovereign Council

(Translated)

On Tuesday night, the chairman of the Transitional Military Council, Abdal Fattah Al-Burhan, issued a constitutional decree of forming the Sovereign Council, with both civilian and military sides. The council includes Al-Burhan as president, Mohammad Hamdan Daglo "Himedti", Shams Al-Din Al-Kabbashi, Yasser Al-Atta, Ibrahim Jabir Karim, as representatives of the military side; with Hassan Mohammad Idris Qadhi, Siddiq Tower Kafi, Mohammad Al Faki Suleiman, Mohammad Hassan Osman Al Ta'aishi, Aisha Mousa Saeed, and Raja Nicola Abdul Messih for the civilian side of the council. The President of the Sovereign Council, Abdal Fattah Al-Burhan, took the oath before the Chief Justice on Wednesday morning, while the members of the Council will follow suit in the same afternoon before Al-Burhan and the Chief Justice. The Forces of Change chose their representatives in the Sovereign Council in the same way as the old regime of the regional quotas, and agreed with the military in the choice of the eleventh member, a Coptic woman.

Since the intellectual and political reference of the constitutional document was not based on the Islamic creed, it was only natural that everything that was built on it is contrary to the rules of Islam in general and details.

We in Hizb ut Tahrir / Wilayah of Sudan, state the Shariah violations in the formation of this Sovereign Council:

First: The Sovereign Council represents the head of the state and is composed of eleven people. This is contrary to Islam in that the ruler is one; he is the Khalifah (Caliph) of the Muslims, he represents the Ummah in authority and implementation of the Shariah rules and it is not permissible that there is more than one; this is due to the saying of the Prophet (saw) «إِذَا بُويعَ لِخَلِيفَتَيْنِ فَأَقْتُلُوا الْآخَرَ مِنْهُمَا» **“If the Bay’ah is given to two Khalifahs (Caliphs), then kill the latter.”**

Second: The ruler does not become a Khalifah (Caliph) unless he is given Bay’ah (pledge of allegiance) according to Shariah, because the Khalifah (Caliphate) is a consensual contract between the ruler and the Ummah, and members of Sovereign Council did not have any Bay’ah (pledge of allegiance) from the Ummah. Therefore their presence in the authority is batil (invalid) in Shariah.

Third: It is not permissible that the ruler is a non-Muslim, or a woman. It is a condition that the Khalifah (Caliph) and anyone in position of ruling, is a man, Muslim, free, sane, adult, capable, from the people of sufficiency, and the Sovereign Council

includes two women, one of whom is not a Muslim, which violates the Shariah (Islamic) law, for saying of the Prophet (saw): «لَنْ يَفْلِحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ» **“A people who make a woman their ruler will never be successful”**.

Fourth: The powers held by the Sovereign Council are incomplete. They do not have full powers of governance. This is contrary to Islam; the ruler in Islam has full powers of governance that are not shared by anyone, the Khalifah (Caliph) of the Muslims possesses the following powers:

a- He is the one who adopts the Shariah rules necessary to take care of the affairs of the Ummah, which are derived by correct Ijtihad from the Book of Allah and the Sunnah of His Messenger (saw), and they become rules that must be obeyed and are forbidden to disobey.

b- He is responsible for both the internal and external policies of the State. He is responsible for the command of the army and has the authority to declare war, conclude peace and truce and all other treaties.

c- He has the right to accept and reject foreign ambassadors, and to appoint and remove Muslim ambassadors.

d- He appoints and dismisses assistants and governors, who are all accountable to the Ummah Council.

e- He appoints and dismisses the Chief Justice and the judges, with the exception of the Grievances (Madhalim) Judge, while investigating a case against the Khalifah (Caliph) or his assistants or his Chief Justice. The Khalifah is also the one who appoints and dismisses the directors of departments, Army leaders, leaders of the battalions; who must answer to him and not to the Ummah Council.

f- He adopts the Shariah rules that set the state budget and he determines the budget chapters and the amounts required for each entity, whether related to revenues or expenditures.

Therefore, it was incumbent on Muslims in this country, whose people are kind, to work with the workers to resume the Islamic way of life by establishing the Khilafah Rashida (Righteous Caliphate) on the method of Prophethood so that their lives become better in accordance to Allah's command. Allah (swt) says:

﴿إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ أَنْ يَقُولُوا سَمِعْنَا وَأَطَعْنَا وَأُولَئِكَ هُمُ الْمُفْلِحُونَ﴾

“The only statement of the [true] believers when they are called to Allah and His Messenger to judge between them is that they say, "We hear and we obey." And those are the successful” [An-Nur: 51].

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