

Q. Discuss rule of Law?

Rule of Law

The Rule of law is in principle that state law is supreme over all individuals & institutions. It ensures that no one is above in law, not even the rulers & that justice is administered fairly and equally.

The term rule of law is derived from the French word: "le principe de legalite" which means the principle of legality.

According to Black's law dictionary "The rule of law is the supremacy of law".

It ensures that the law is equally enforced & independently decided for everyone.

According to the Rule of law,

a law should be:

Open & Clear

General in form

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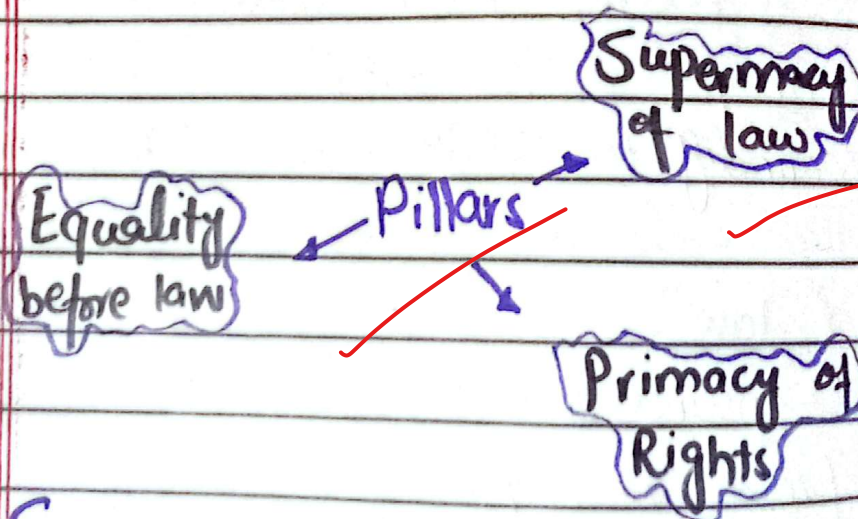
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Universal in application
Knowable to all.

It is one of the key dimensions that determines the quality & good governance of a country.

Dicey's three pillars of Rule of law:

A British jurist ~~Albert Venn~~ Dicey in his work "Introduction to the study of the law of the Constitution" explain three pillars of rule of law



Supremacy of law: No person can be punished or harmed unless they have clearly broken a law, & that too through proper legal procedure.

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This principle protects people from unfair or arbitrary use of power by the government.

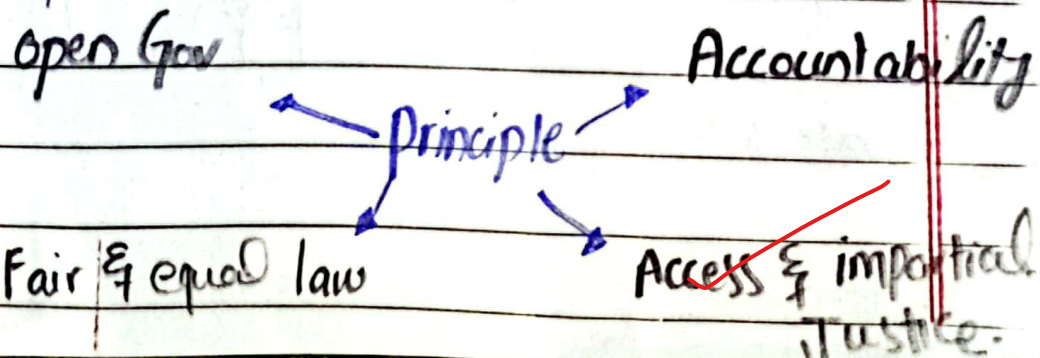
Equality before the law:

No one is above law; all are equal before courts.

Primacy of rights: The rights and freedoms of individuals are not primarily guaranteed by a written constitution, but are secured by a judicial decisions in specific cases that arise between citizens.

Principles of Rule of law:

According to the world justice projects definition, Rule of law is a system in which the following four principles are upheld." These are also known as the universal principles of rule of law.



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Accountability:

Everyone is answerable to the law, whether they are government officials, politicians, institutions or ordinary citizens. No one is above the law & misuse of power must be checked.

Case Study: The Panama papers Case in Pakistan 2017.

Fair & equal law:

Law must be clear, fair & applied equally to all. They should protect people's fundamental rights such as safety, property and freedom. Laws cannot be secret, discriminatory or unstable.

Case Study: The Recognition of transgender rights in Pak 2009 onward.

Open Government:

The law making & enforcement process must be transparent & fair, so that people can understand & participate in it.

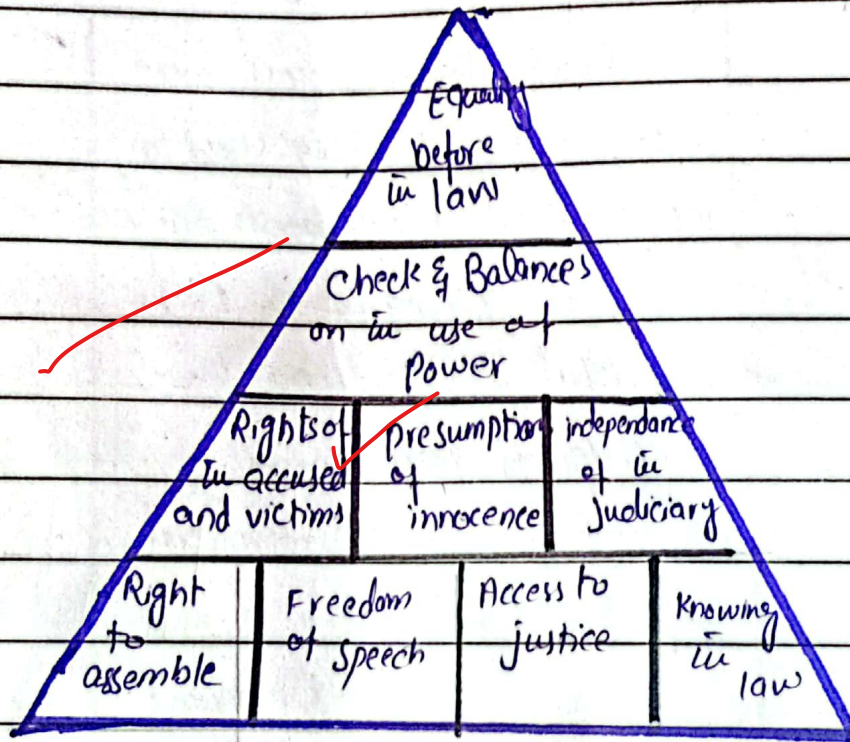
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Access and Impartial justice:

Justice must be delivered quickly, fairly and by independent judges who are free from Corruption or political pressure

Case Study:



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Islamic perspective of Rule of law:

In Quran Allah says:

And Judge between them by what Allah has revealed and do not follow their desires.
(5:49)

The Holy prophet (SAW) said:

The people before you were destroyed because they used to inflict legal punishments on the poor & forgive the rich. By Allah! If Fatima the daughter of Muhammad committed theft, I would cut off her hand.

(Bukhari, Muslim)

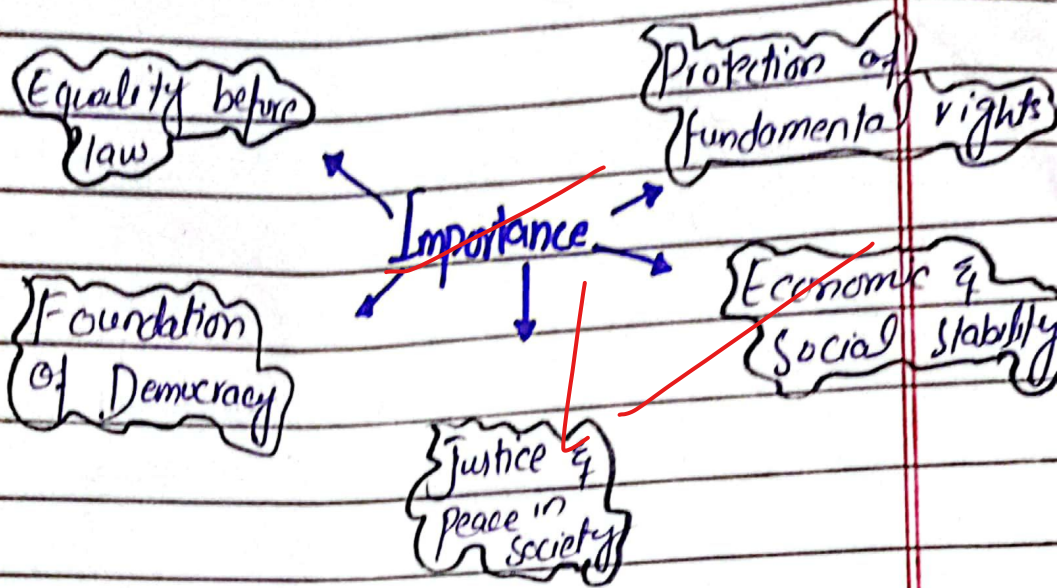
Hazrat Umar (RA) once said:

If a dog dies hungry by the Euphrates, Umar will be responsible for it.

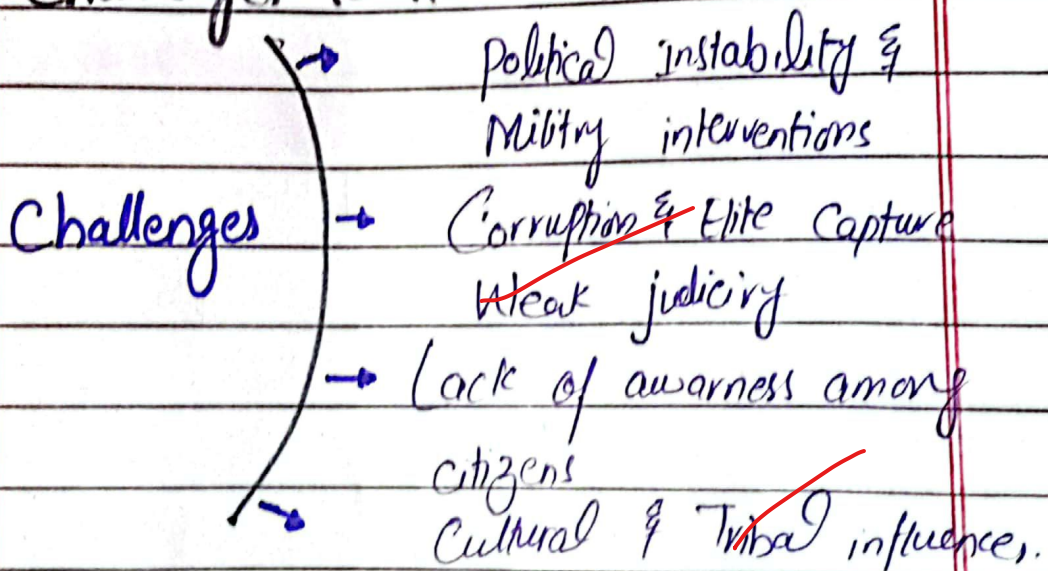
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Importance Of the Rule of Law:



Challenges to Rule of Law:



GIVE A CONCLUSION AT THE END
WRITE ISLAMIC PERSPECTIVE AT POINT NO 3
AND MARK NUMBERS TO HEADING
THERE IS NO COHERENCE IN ANSWER
CONTENT IS FINE AND RELEVANT
8/20