

Q.1

In your opinion, what are the key challenges and limitations in accessing the legal justice system in Pakistan, and how do governance structures exacerbate these issues? Furthermore, do you agree that the growing youth bulge and limited avenues for youth engagement are contributing to political violence in the country?

The legal justice system in Pakistan has various challenges and limitations such as corruption, majorly in police department; overburdening, million of cases are pending; delayed justice; and expensive hiring of lawyers etc. These challenges and limitations are often exacerbated by the government structures. Politicization of judiciary, absence of complete separation of powers, and low funding are the key issues in this regard.

(i)

Corruption as an major evil: Due to the understanding and lower payments to officers, corruption has become a culture in justice providing institutions, specially, in various reports, police department proved to be

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most corrupt institution is Pakistan
This is the biggest challenge in
accessing justice in the country.

(ii)
Overburdening of legal justice system:
legal justice system is
overburden. Crime rate is
high in the country, while
prosecution and conviction rate
is less. For instance,
approximately 2 billion
cases are in waiting
list of either prosecution
or conviction in the
country.

(iii)
Delayed justice:
Mostly high profile cases
become victim of delayed justice
to divert the attention of public
to another incident and the
criminal gets free. Moreover,
the law is designed in such a
way that it does not provide
instant justice.

(iv)
Expensiveness of justice: Although it
is state's duty to provide justice,
but in case of hiring of
private lawyers, this process is

Highly expensive, hindering access of justice.

The above-mentioned challenges and limitations in accessing legal justice system often exacerbated by government structures in the following manners:

(i)

Lack of complete separation of powers:

There is lack of complete separation of power, which undermines the justice system. Recent 26th amendment in the constitution of Pakistan

also reflects this situation where executive branch got more power over judiciary specially in regard of appointment of Supreme Court judge.

(ii)

Politicization of justice system:

Moreover, justice system also has allegations of politicization where judiciary becomes active against opposition political party and results into selective justice delivery.

(iii)

Bureaucratic hurdles in accessing the legal justice system:

Bureaucratic hurdles

Such as exhausting procedures of First Investigation Report (FIR) registration and then case prosecution and conviction become victim of bureaucratic hurdles.

In conclusion, Access to the legal justice system has many challenges which are exacerbated by government structures.

Q.6

Assess the role of institutional building and effective governance in fostering sustainable development, economic uplift, and business opportunities in Pakistan. How can strengthening institutions contribute to attracting investments and enhancing the country's competitiveness in the global economy? Discuss the challenges and provide recommendations for reform.

Institutional building and effective governance is cornerstone to foster sustainable development, economic uplift, and business opportunities in Pakistan. Here is how strengthening institutions contribute to attracting investments and enhancing the country's competitiveness in the global

Economy:

(i)

Strengthening justice system ensures peaceful environment:

If justice system is strengthened, it ensures rights of individuals are protected and in case of violations, it delivers instant justice, ensuring peaceful environment. Investors invest in a country where the environment is peaceful and where they don't get threats.

(ii)

Strengthening of democratic institutions ensures political stability.

Strengthening of democratic institutions leads to enhanced cooperation between government and the opposition which is crucial for political stability. Political stability ensures continuation of policies, which is crucial for business activities and fosters investor interest in the country.

(iii)

Strengthening of local governments:

Strengthening of local governments by giving them power and resources, would be crucial for development of that region.

For instance, education and other services would be improved there, ensuring human capital development. In this way, business activities would enhance their. Moreover, more and more Foreign Investments will be attracted.

(iv)
Strengthening Civil Services, reducing red tapism.

By taking steps to operationalise "One window" operations for business registration, taxation system, and for interaction with stakeholders can immensely enhance investments. Initiatives such as SIFC are significant for creating an environment which is business friendly.

(v)
 Strengthening oversight bodies:
 Strengthening oversight bodies such as National Accountability Bureau (NAB) can significantly enhance investor interest in the system. As investors are reluctant to invest in a country where corruption prevail, strengthening such bodies will eradicate corruption and ultimately businesses will flourish in the country.

However, there are some challenges that must be tackled to strengthen institutions.

Challenges

(i)
 Lack of political will:
 It is major hurdle in way of strengthening institutions. For instance, despite 18th amendment in the constitution, provinces are reluctant to give empowerment to local governments. Moreover, there is huge gap between ending terms of governments and new elections on local levels.

(ii)
 Biased oversight bodies:
 Oversight bodies that ensure transparency and

Accountability are often accused of biasness. Mostly, they work against the opposition political parties. Moreover, institutions such as Election Commission of Pakistan (ECP) often does not ensure implementation of laws and timely elections, leading to political instability.

(iii)

Underfunded justice system:
Overburdened and underfunded justice system leads to less professional training of personnels. Moreover required resources can be achieved. Therefore, it is creating hindrance in strengthening the justice system.

(iv)

Politicization of civil services:
Bureaucrats are often become victims of transfers from their posting due to some political interests, leading to hindrance of strengthening civil services.

Following measures can be taken to strengthen institutions:

(i)

Citizen participation and engagement:
Citizen participation and active engagement will make politicians to perform better. As they would question related to government policies and political parties would perform better in order to increase their vote turnover.

(ii)

Empowering of local governments:
Empowering of local governments would ensure effective service delivery and increase educational and economic opportunities.

(iii)

Ensuring complete separation of power:
In this way all branches would work independently and enhance check and balance over each other. For instance, executive branch would be answerable to parliament and judiciary would ensure that rights of citizens are protected or not, leading to political stability.

(iv)
Allowing institutions work independently without interference of politics:

Politicization of institutions weaken the institutions. Therefore, they must allow to work independently within their jurisdiction. For instance, this must be fixed terms of bureaucrats on higher positions. So that they can work without any pressure.

In conclusion, institutional building is crucial for enhancing investments and uplifting economy of the country. However, there are some challenges to strengthen institutions. These challenges can be tackled by increasing citizen engagement, empowering local government, ensuring complete separation of powers, and removing political interference. Only then, Pakistan can pave ways to gain economic sustainability.