

The Paralysis of Justice in Pakistan

Outline

1 Introduction

- Attention grabber
- Thesis statement: "Pakistan is among ~~those~~ ^{the} countries with poor justice dispensation due to various social, political and technological issues, leading to erosion of public trust, weakening of judiciary and a deteriorating global image. However, proper measures can address these issues and promote fair justice across the country."

2 Manifestation of Paralysed justice in Pakistan (An Overview)

Pakistan's rank in Rule of Law Index: World justice program

3- Causes of Paralysed justice in Pakistan

3a) Outdated policies and legal framework

Police / Lawyers

(colonial era structure, CJR, 2022)

3b) Corruption in judiciary
(Third most corrupt institute:
NCPs, 2023).

3c) Political interference
(The recent 26th Amendment)

3d) Backlog of cases: Overburdened
courts (2.26 million pending
cases).

3e) Low judicial Budget allocation
(Shortage of judges and staff)

④ Implications of Paralyse~~d~~ justice in Pakistan

4a) Weakening of basic pillar
of state: "Judiciary"
→ ICJ ~~report~~ remarks on 26th

Amend-
ment

4b) Erosion of public trust
(Increased Public obduracy)

4c) Political instability
(The Panama papers case)

4d) Violation of Human rights
(Justice late is justice denied)

4e) Deterioration of International
image of country.

4e) Vigilantism has been increased
in the society
(Machhar colony incident ✓ Oct, 22)

5)

5 How to promote justice, to achieve
Strong Judicial system in Pakistan

5a) judicial reforms: a dire
need of time

5b) Increased Budget allocation

5c) Digitalization of judiciary
(Digital Case Management
System)

5d) Strengthening mechanism of
Accountability

6- Conclusion

Essay

Hazrat Ali (R.A) said, "Justice is foundation of any kingdom." This illustrates that ~~only~~ a just society can progress and achieve success. Justice means equality of individual before law. A state can prosper ~~only~~ if it has a fair ~~sys~~ judicial system. Unfortunately, Pakistan is one of the countries where justice is paralyzed. There are various causes of poor dispensation of justice, including outdated policies and old legal framework, ~~corruption~~, political interferences, ~~overburdened~~ courts, and less allocation of budget to judiciary. These causes contribute to the devastating implications ~~on~~ ~~overall~~ growth of country. For instance weakening of judiciary, erosion of public trust, political instability, violation of human rights, deteriorated image of country ~~and~~ increased vigilantism are few implications

of paralyzed justice in Pakistan. However, through proper measures such as introducing judicial reforms, increasing allocation of budget, introducing digitalization in judicial system and strengthening mechanism of accountability, the paralyzed justice system can be transformed into fair and equitable justice system, that can lead the country to the height of success.

Pakistan is among the countries with poor justice dispensation due to various political, social and technological issues, leading to an erosion of trust, weakening of the judicial system and deteriorating global image. However, proper measures can address these issues and promote fair justice across the country.

Justice means treating everyone equitably by ensuring everyone what they deserve, whether it is fundamental rights, punishment or fair

distribution of resources. Without justice a country can not prosper as absence of justice causes various diseases in social fabric and overall country's growth. The latest report published by world justice program in 2023, ranked Pakistan on 128th among 142 countries in rule of law (Rule of Law index, WJP, 2023). This represents the devastating condition of Pakistan's judicial system.

The vigilantism seen across the societies, law and order situation, increased political instability, erosion of public trusts on courts and violation of human rights, all represents the clear picture of paralyzed justice in the country. It creates sign of question mark on the Pakistan judicial system. Not only it destroys the internal structure but also damages over all global image of country. As a result of which, less investments are made by different countries

and country leads to decline in economy. Thus, various manifestations of paralyzed justice can be seen in Pakistan.

There are various causes of paralyzed justice in Pakistan chief among which is outdated policies and legal frameworks in judicial system. The judicial system of Pakistan is based on colonial era structures of old and biased policies and legal frameworks. These outdated policies and legal frameworks results in poor dispensation of justice. A report published by Research society of international law titled "Criminal justice reforms", 2022 focused on persistance of colonial era structures of Pakistan's justice system. Moreover, due to these outdated policies the dispensation of justice delayed, causing more devastating impact on the

Country. As the outdated laws based on old principles are very complex and contribute to prolong case resolutions, it increases the backlog of cases and hence the judicial system becomes overburdened with million of cases unresolved. Conclusively, the old rules and colonial era based legal frameworks serve as a cause of paralyzed justice system in Pakistan.

Additionally, one of the major causes of paralyzed judicial system in Pakistan, is Corruption. Corruption is root cause of all evil in a state. It not only destroys the institute's reputation but also deteriorate image of the country in the world. A report published by "National Corruption perception survey" published by "Transparency international" in 2023, ranked the judiciary as the third most corrupt institute in Pakistan,

after police. This represents the looming crisis in Pakistan judicial system due to corruption. Due to corruption, the judicial system is unable to rejuvenate as most of funds are theft or even not released. This cause backwardness of judicial system. For instance, backwardness in hearings of cases, backwardness in policies and reforms and destructive infrastructure. So, corruption destroys overall image of judicial system and impact the judiciary in negative manner. Thus, corruption is also one of the major cause and root cause of all evils in judicial system of Pakistan as it restricts the proper dispensation of Justice.

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Brainstorming

Why
How

Topic

The paralysis of justice in Pakistan

1. Intro.

2. Manifestation (an overview) of paralysed justice in Pakistan. The worst situation of justice -
ROI - 129/142 (MSP), (Justice Ref)
Pak's judiciary.

3. Causes of paralysed justice in Pak. 5
GPEST - old policies

- Political interference - selection of COP by PC 20th
- Lawyers low salaries.
- Un-due pressure of burden of cases.
- Corruption

4. Implications of Paralyse⁵d Justice in Pak.

- Weak judiciary.
- Law and order situation
- Loss of trust of public
- Rise in crimes

5. How to promote justice in Pakistan. 6

- new policies (reforms) in justice system.

7. Case study -

8. Conclusion.

Justice

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