

Fast-Track judicial forums compromise justice more than they deliver it

I. Introduction:

a Hook

b Background

c Thesis statement: While fast-track judicial forums are conceived as a remedy for the agonizing delays of traditional courts, they ultimately compromise the essence of justice by eroding due process, undermining the independency of the judiciary, and prioritizing administrative efficiency over the protection of fundamental human rights.

II. Why fast-track forums Exist?

a The crisis of judicial pendency.

b Need for specialized expertise in complex areas.

c Public demand for swift retribution in high-profile criminal cases.

III. The Erosion of Due process:

a Abbreviated timelines for defense preparation.

b The admission of extrajudicial confession.

c Relaxation of evidentiary standards.

d Limited avenues for appeal, creating a ~~short~~ one-shot judicial movement.

IV. Structural flaws and Executive influence:

a The appointment of judges by the executive branch rather than judicial council.

b Lack of tenure security for presiding officers, leading to biased ruling.

c Creation of "parallel judicial system" that weakens the superior courts.

V. The Risk of Wrongful convictions and the "Revolving Door":

The reversal rate, 70 to 80%
acquittal rate in High Courts

upon appeal from special courts.

b. Haste of quick trials leads to factual mistakes.

VI. Comparison of Efficiency with Fairness and a better way forward.

a Strengthening the District judiciary.

b Ensure that all specialized forums remain under the strict oversight of the High Courts.

VII. Conclusion

Essay:

Today, we are often told that
"Justice delayed is justice denied."

If a person has to wait twenty years to prove their innocence or to get back stolen property, the law has failed them. To solve this, governments around the world have created fast-track judicial forums. These are special courts with one goal: Speed. The Pakistani legal system is currently facing a massive crisis. For an ordinary citizen, going to court is often described as a lifetime sentence of waiting. Fast-track judicial forums in Pakistan aim to address the crisis of delayed justice, they ultimately compromise the rule of law by eroding constitutional due process, allowing for political interference, and prioritizing the quantity of convictions over the quality of truth.

The reason Pakistan is obsessed

with fast courts is that the regular courts have stopped moving. In some districts, one judge is handling hundreds of cases a day. This "Thana-kutchery" culture means that the Police and lawyers are trapped in a cycle of adjournments, known locally as "tareekh pe tareekh".

Furthermore, in the face of modern threats like global terrorism, cybercrime, or extreme violence, the public demands instant results. When a terrible crime happens, people want to see the criminal punished on the news next week. Governments feel pressured to show that they are being tough on crime. Fast track courts are the government's answer to this pressure. For instance, in Pakistan, after the Army Public School (APS) attack in 2014, the state felt that the regular courts were too scared or too slow to handle terrorists. This led to the "National

Action Plan (NAP), which institutionalized speed as a tool of national security. The logic was simple, if we punish people quickly, it will scare others. But in this rush to satisfy public's anger, the state often forgets that the primary purpose of a court is to find the truth through careful evidence, not justice to provide a quick execution.

Fast-track forums often see "due process" as an obstacle to be removed. One of the biggest problems is the lack of time given to the defense. In a regular court, a lawyer might have months to look for witnesses, study DNA evidence, or find documents that prove their client was somewhere else when the crime happened. In a fast-track forum, the law might say the trial must finish in 14 days. This "time is strained" approach means the defense lawyer is fighting with one hand tied behind their back.

If you don't have time to find the truth, you cannot present the truth to the judge.

Justice in Pakistan is protected by the constitution, which promises every citizen a fair trial. However, fast-track forums often see this right as a nuisance or a delay tactic. But Anti-terrorist-act ideally suggests a trial should finish within a week.

Secondly, these courts often use "relaxed" rules of evidence. In normal trial, the rules about what can be used as proof are very strict to prevent lies from entering the record. In fast-track forums, judges may allow confessions that were given to the police under suspicious circumstances. When the gate for evidence is left wide open just to finish the case quickly, the quality of the "truth" being discovered drops significantly. This creates a "one-sided trial" where the state has all the power and the accused has very little.

A fundamental rule of justice is that the judge must be neutral. They should not care if the government wins or if the accused wins, they should only care about the law.

However, fast-track forums are often "**creatures of the government**." In Pakistan's special forums, the structural setup makes neutrality difficult. Many special court judges are appointed on a contract basis by the executive branch. This means their job security depends on the governments. If a judge gives too many acquittals in cases the government cares about, they risk being sent back to the lower courts or having their contract cancelled.

This system is frequently used for "**political victimization**". In recent years we have seen how the terrorism label is applied to political protests or even social media posts. By moving these cases to ATCs, the government ensures the accused is denied the normal protections of the law. Instead

of fixing the regular district courts that serve everyone, the state has built a "parallel justice assembly line" that it can switch on and off to target specific individuals. This parallel legal system weakens the entire judiciary because it tells the public that the regular law is not good enough. It also allows the government to pick and choose which cases go to the "fast" court and which go to the "slow" court, which can be used to target political enemies.

"Courts must be free from political control" - UN Basic Principles on the Independence of the judiciary.

The most tragic result of fast-track justice is the conviction of innocent people. Law is complicated. It takes time to cross-examine a witness to see if they are

lying. It takes time to compare different pieces of evidence. When a judge is forced to meet a deadline, they start to overlook details. They might ignore a small contradiction in a witness's story just to reach the verdict by Friday. Interestingly, this fast justice often turns out to be very slow in the long run. Statistics from the **High Courts of Pakistan** show a shocking reality, nearly **70% to 80%** of convictions from special forums are later overturned on appeal. This is what we call the "revolving door of justice".

In Pakistan, the media often plays a dangerous role in pushing for fast-track justice. When a crime goes viral on social media, the public demands a "hanging by Friday". This puts unbearable pressure on judges. To satisfy the online mob and the news anchors, a verdict is delivered in record time. However,

"Populist justice is rarely true justice". Media cameras only show one side of the story. They do not show the gaps in police evidence or the potential innocence of the accused. When a judge knows that a Not Guilty verdict will lead to a media storm against them, their independence is compromised. Fast-track forums become a stage for a public performance rather than a temple of law. Instead of addressing structural issues like the judge-to-population ratio or forsenic training, the state relies on these "emergency shortcuts" which act as a bandage on a broken arm without healing the bone underneath.

The solution to judicial delay is not to create more "special" courts, but to reform the "standard" one. Increasing the number of judges and improving the infrastructure of civil courts

would naturally reduce delays without needing to bypass due process. Any specialized forum must remain under the administrative and functional control of the High Courts, ensuring that the same constitutional standards apply to all citizens regardless of the forum. Many cases in Pakistan are small disputes over land or family issues. These should be settled through mediation through "Alternative Dispute Resolution". Finally we must ensure that all special courts are still under the strict control of the High Courts. There should never be a court that is above the law or outside of the law just because it is fast. Speed should be a characteristic of a healthy system, not a shortcut for a broken one. In military courts, the judges are military officers, not retrained legal experts. Trials are often

held in cameras, meaning the public and families cannot see if evidence is being handled correctly. The **Supreme Court** of Pakistan, in the case of District Bar Association Rawalpindi v. Federation of Pakistan, had to grapple with this. While the court allowed them as a temporary measure, many jurists argued that trying civilians in military courts violates the basic structure of the Constitution. When justice is hidden behind closed doors, it loses its legitimacy. If the people cannot see how a decision was reached, they cannot trust that the decision was fair.

Fast-track courts might seem like a good idea on the surface, but they often compromise the very justice they are supposed to deliver. A system that punishes people without giving them a fair chance is a system of revenge, not a system of law. We must remember that the goal

of a court is to find the truth. If we lose the truth in our hurry, then justice has not been delivered. It has been lost.

While Pakistan's fast-track courts were created to fix a massive backlog of 2.1 million cases, they have become a poisoned chalice.

By choosing speed over fairness, the system often trades away the truth for a quick headline. Rushed trials lead to weak evidence,

"trial by evidence-medig" pressure,

and a lack of proper defense. A revolving door of justice where up to 80% of fast-track convictions

are later cancelled by High Courts because of legal mistakes. Instead

of "emergency shortcuts", Pakistan must fix its regular district courts by hiring more judges and using technology.