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1. The HCJ committed that the Judiciary will be an active partner with State institutions, organisations and other stakeholders as per the Constitution of the Islamic Republic of Pakistan 1973 in all efforts to strengthen the rule of law in Pakistan including the implementation of Sustainable Development Goal promoting access to law. The HCJ accordingly directed the Law & Justice Commission of Pakistan to, in consultation with other stakeholders, lead the effort to develop a narrative and an inclusive broad-based consensus to strengthen the rule of law as a national project.
2. In an historical move, the Honourable Chief Justice of Pakistan (HCJ), Mr. Justice Anwar Zaheer Jamali addressed the Senate of Pakistan on 3 November 2015, reciprocating an equally historical moment when the Chairman of the Senate, Mian Raza Rabbani, spoke at the Supreme Court of Pakistan on 5 September 2015 on the importance of institutions, in particular, the rule of law. On that occasion, the Chairman observed that “inter-institutional communication is a missing part of our history, your invitation to me today has opened the door to this dialogue and I reciprocate by inviting the Chief Justice of Pakistan to address the Committee of the Whole of the Senate, which is currently reviewing and contemplating the issue of access to justice for the ordinary citizen”.
3. The HCJ stated that today, his speech is a continuation and elaboration of the initiative taken by the former Chief Justice of Pakistan, Mr. Justice Jawwad S. Khawaja, who spoke on the rule of law both objectively and critically as a citizen of Pakistan.
4. **The Promise of Pakistan:** The HCJ observed that we are fortunate to have a Constitution that is transformative, which sets out a clear vision, an ambition and a path for development variously described in the Objectives Resolution, the Preamble, the Fundamental Rights and the Principles of Policy of the Constitution. The ambition of Pakistan must be central to our policy-making and legislation, which the Constitution promises as a “new order” based on the creation of “an egalitarian society”. The HCJ observed that we must honestly and critically reflect on how far we are on that path to realising the new order and egalitarian society that is our collective and promised aspiration that continues to inspire and bind society.
5. **The Centrality of the Rule of Law:** The HCJ observed that in its simplest formulation, the rule of law means to rule of laws rather than by the arbitrary will of men. It implies a system of governance and law where all are equal before the law as guaranteed by article 25, which reads: “All citizens are equal before the law and are entitled to equal protection of the law”.
6. Observing that an unjust State and society cannot be a stable State and society, and in the long-term undermining Constitutional values threatens the very survival of State and society, the HCJ observed that similarly unjust laws and the ineffective implementation of laws cannot produce a stable society.
7. The HCJ cited the Government of Pakistan’s national development plan, *Vision 2025: One Nation-One Vision*, which duly recognizes and elaborates the centrality of rule of law as a “necessary condition” for sustained development and growth (p. 30) and “to empower people and ensure that they live with dignity, and that human rights are protected, lives are secure ... “ (p. 8).

8. **The HCJ observed that there is a crisis of value and direction.** Firstly, laws and policy-making must proactively take steps to realise the Constitutional goals, the promise of Pakistan as our collective ambition. Secondly, Fundamental Rights are an essential ingredient and criteria for what constitutes the rule of law. We are fortunate to have a bill of rights embodied in our Constitution. Hence, laws and policies that are not informed by Constitutional values, including the directives aspects, and do not comply with Fundamental Rights, they do not meet the essential criteria defining our rule of law. The Constitution thus empowers the Judiciary to declare “void” any law, any custom or usage having the force of law that is inconsistent, “takes away” or “abridges” any such right.

9. **The HCJ also observed a chronic crisis of implementation of laws** that must be addressed as a matter of priority by the Parliament and the Executive, maintaining that “there is little point in having fine laws when organisations responsible for implementation are essentially dysfunctional” suffering from weak technical capacities, lack of functional specialization, mal-administration including corruption and criminality, lack of transparency, standards of good administration and lack of quality assurance that are undermining Constitutional values and the legitimacy of State institutions.

10. The HCJ lamented that due to weak and ineffective implementation of laws, which is primarily an Executive function, the Courts are compelled to take judicial notice when rights are violated and denied, and delve into organizational matters to prompt reform. In this regard, the HCJ hoped that the *Vision 2025* commitment to “focus ... on ensuring equal application of the law and order on all segments of society ... (p. 30) will be met, which will help to improve the quality of implementation.

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