

Unequal Justice Systems: A Comparative Policy Brief on Pakistan and the U.S.

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Civil Rights

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Introduction

The justice system in both Pakistan and the United States, despite their foundational principles, faces significant challenges related to corruption and perceived biases. In Pakistan, the legal system struggles with a lack of transparency, judicial interference, and widespread corruption, according to reports like Transparency International's *Corruption Perception Index (CPI) 2024* and the *World Justice Project's (WJP) Rule of Law Index 2024*. These reports highlight a deteriorating trend that threatens the country's institutional stability, with weak judicial oversight, political interference, and diminishing press freedom contributing to the spread of corrupt practices across public institutions. Imagine the despair of a citizen facing a court system where basic rights are traded for bribes, where the powerful dictate outcomes, and where the promise of justice is a cruel mirage. Many lower court staff and judges in Pakistan are implicated in corruption, inefficiency, and susceptibility to pressure from influential figures. The *WJP Rule of Law Index 2024* places Pakistan at 129 out of 142 nations, indicating poor performance in government accountability, judicial independence, and corruption control.

A significant backlog of 2.4 million pending cases, including 57,000 at the Supreme Court level, further strains the system, exacerbated by a shortage of approximately 15,000 to 20,000 judges and inadequate facilities. This means Pakistan has only one judge for every 62,817 citizens, operating at a minimum of 75% capacity due to a lack of 1,005 judges from its 4,144 sanctioned positions. The judiciary and police are identified as the most corrupt institutions, with officials often securing positions through political favoritism and enforcing selective justice. The desire for greed and immense power leaves a trail of destruction for those who are most vulnerable. How can a nation thrive when its protectors are perceived as part of the problem, selecting justice for some while denying it to others based on influence and wealth?

Across the globe, in the United States, the justice system also reveals deep-rooted inequities—ones that often shield privilege at the expense of victims. The Brock Turner case serves as a searing testament to this painful reality. Picture the anguish of a survivor, bravely recounting the most intimate violation, only to witness her assailant walk free after a mere three months in jail despite being sentenced to six months for an act of profound violence. This wasn't just a legal misstep; it was a devastating betrayal of justice—a stark reminder that some lives, some futures, are deemed less valuable than others. The public outcry that followed wasn't simply anger; it was a collective cry of heartbreak and frustration at a system that seemed to prioritize the perpetrator's potential over the victim's undeniable trauma. It exposed the raw nerve of disparity, where the color of one's skin or the depth of one's privilege can profoundly alter the course of justice, leaving ordinary citizens to question whether the law truly serves all equally.

Before delving into the stark inequalities that plague the justice systems of both Pakistan and the United States, it is crucial to recognize that the pursuit of justice is a fundamental human right—the bedrock upon which any stable and equitable society must be built. A justice system, at its core, is meant to be a sanctuary of fairness: a place where wrongs are righted and where every individual, regardless of their background, standing, or influence, can find recourse and protection under the law. However, when these systems become tainted by corruption, bias, and

a disregard for fundamental principles, they cease to be instruments of justice and instead become tools of oppression, perpetuating cycles of despair and eroding the very fabric of society.

The consequences of creating a tiered system—where some are more equal than others—extend far beyond individual cases, fostering resentment, eroding public faith in institutions, and ultimately destabilizing public cohesion. The following examination will illuminate how, despite their geographical and cultural differences, both nations grapple with profound challenges that undermine the integrity and impartiality of their judicial processes. These issues manifest as deeply concerning disparities that demand immediate attention and urgent reform. We will examine the various facets of these inequalities and how these factors collectively ensure that justice remains an elusive privilege rather than an accessible right for a significant portion of their populations.

Political Agenda

The prosecutors are a contributor to the problem. Although there are racial biases and policing that also contribute to the injustices people experience within the justice system, prosecutors too often engage in misconduct. They frequently withhold exculpatory evidence and rely on false testimony in order to secure convictions, even at the expense of innocence or fairness. This is routinely done, and prosecutors get away with it, but at what expense? The expense of innocent humans who will be put away for crimes they did not commit. They are defamed while the prosecutor is praised for putting away a supposed murderer for a heinous crime. While everyone believes justice has been served, the real criminal remains free on the streets.

Our justice system, meant to be a beacon of fairness, is being choked by the insidious tendrils of a corrupt political agenda, twisting its very purpose into something unrecognizable and cruel. It is a heartbreaking betrayal when the scales of justice are deliberately tipped, not by truth, but by power-hungry motives that dictate who is punished and who is protected. This is not just about abstract laws; it is about the tears shed by families, the lives irrevocably damaged, and the soul-crushing realization that the very institutions meant to safeguard us are instead weaponized against the vulnerable. When politics becomes the architect of our legal fate, the moral fabric of our society unravels, leaving behind a chilling void where trust and equity once stood.

Nowhere is this perversion more painfully evident than in the hands of corrupt prosecutors who, with chilling discretion, wield their power like a bludgeon, crushing lives not based on evidence, but on agenda. Imagine the terror of being a defendant, knowing your fate rests not on your innocence or guilt, but on a prosecutor's political ambitions or ingrained biases.

In Pakistan, the criminal justice system is scarred by corruption, outdated laws, and institutional inefficiencies across policing, prosecution, and the judiciary. This pervasive corruption is vividly illustrated by the observation that the system is “torn apart by institutional competition, bigotry, and lone efforts at the cost of public trust,” as detailed by *SpineTime.pk*. Such a climate allows “influential and wealthy persons to get themselves acquitted from any sort of offences,” while average citizens get the blame for the wealthy’s crimes and struggle against a system where

police are widely perceived as corrupt, as noted by the *National Corruption Perception Survey (NCPS) 2023*.

The impact of corruption is seen in various stages of the judicial process. Investigating officers, often lacking modern technology and proper legal knowledge, are susceptible to tampering with evidence by “political actors, wealthy, and influential accused.” This results in acquittals due to insufficient evidence. Furthermore, the prosecution department, positioned between the police and courts, possesses limited authority and resources, often acting merely as a “rubber stamp.” This systemic weakness, coupled with “delaying tactics, exacerbating caseloads,” and corruption within the judiciary, collectively prevents the effective dispensation of justice, ensuring that financial and political power often dictate legal outcomes.

The “tough on crime” mantra, a rallying cry for political gain, has been a devastating force, erecting cages and shattering futures, especially within Black communities. It is a rhetoric that breeds fear, justifying draconian laws like mandatory minimums that strip away judicial empathy and force judges to impose sentences that defy human reason. Consider the abhorrent historical disparity in sentencing for crack versus powder cocaine, a stark, undeniable testament to how political machinations can craft laws specifically designed to disproportionately imprison Black individuals. This is not just policy; it is a modern-day injustice that perpetuates cycles of poverty, trauma, and a profound sense of hopelessness, fueling the agonizing belief that for far too many, the “justice” system is simply another arm of oppression.

Racial Disparities in the U.S.

The erosion of trust and fairness is profoundly and painfully evident in the persistent racial disparities that permeate the justice system in the United States. Despite claims of impartiality and the blindfolded statue of Lady Justice, data consistently reveals significant inequalities in outcomes across various stages of criminal processing, with demographic factors like race profoundly influencing an individual's journey. These disparities do not merely challenge the ideal of equal justice; they shatter it, demonstrating in vivid, heartbreaking detail how policies and practices can systematically inflict disproportionate harm on marginalized communities, ripping apart families and futures. The emotional toll is immeasurable, as individuals and entire communities grapple with feelings of injustice, fear, and hopelessness in a system meant to protect all.

The article *“Racial Disparities Persist in Many U.S. Jails”* indicates that such disparities are not merely incidental but are deeply embedded in the system, influencing outcomes based on race rather than equitable legal standards. For instance, the report notes that the rate of jail admissions was larger for Black individuals than for White or Hispanic individuals across various charges, with the largest disparity found in misdemeanor admissions between Black and White people in Durham. This differential treatment, where race rather than the nature of the offense dictates the severity of interaction with the justice system, can be seen as a form of systemic corruption where the principle of equal application of the law is compromised. Research findings have shown that admission rates for Black people are four times higher than for White people,

and in 71% of jails, Black people are jailed at twice their population share; in 40%, it is four times. These statistics prove how our so-called “justice” system is truly entrenched in racial disparities.

The chilling reality in Pakistan reveals a profound betrayal of its most vulnerable. Consider the harrowing tales that pierce the heart: Arzoo Raja, a mere 13-year-old Christian girl, allegedly ripped from her childhood and forcibly converted, her innocence shattered by a system that should have protected her. Shireen Masih, a sanitation worker, left to die after being denied medical care, her humanity disregarded in the face of systemic neglect. These are not just names; they are cries for justice, echoing the torment of Hindu teenager Mehak Kumari, driven into hiding, and Ahmadi Professor Tahir Ahmad Naseem, brutally murdered in a courtroom—a place meant for safety and truth. Their stories are a testament to how deeply religious prejudice has infected the justice system, making a mockery of its foundational principles. The anguish is compounded by the stark contrast in how justice is dispensed. While the powerful can navigate the legal labyrinth, often seeing charges mysteriously disappear, those from marginalized religious communities face an unyielding, oppressive force.

Free Speech

In the United States, the exercise of free speech within the justice system has faced notable challenges, particularly concerning access to incarcerated individuals. The ACLU of Louisiana’s lawsuit against the Louisiana Department of Corrections, as outlined in the press release, highlights a critical battle over the rights of prisoners to communicate their stories and for the public to hear them. The department’s previous restrictions on media interviews at Angola were not just an administrative hurdle; they represented a deliberate silencing of voices that are already marginalized.

The agreement to lift restrictions on interviews is a victory for transparency and the fundamental right to expression, even behind bars. It acknowledges that incarcerated individuals retain human rights, including the ability to share their experiences and perspectives with the outside world. The struggle to achieve this basic access underscores how easily the justice system, even with its constitutional guarantees, can implement policies that inadvertently or deliberately limit the free flow of information and the public’s understanding of conditions within correctional facilities.

In Pakistan, the suppression of free speech and the systematic targeting of dissent paint a truly heartbreaking picture of a nation where fundamental rights are under attack. The congressional hearing chaired by Congressman Chris Smith, detailed in the press release, exposes a stark reality: “Pakistan is now a country rapidly descending into political regression, judicial manipulation, and systematic human rights violations.” Imagine speaking out, only to find yourself facing imprisonment, torture, or forced exile. This is the tragic reality for many.

Independent journalists, the very eyes and ears of a free society, have been “harassed, abducted, tortured, or forced either into exile or into silence.” Their brave attempts to inform the public are met with chilling brutality, often leading to resignations or removals under immense pressure. The government’s use of “internet shutdowns and social media bans” has become a routine weapon to silence dissent and crush alternative narratives. This method is also seen in the treatment of protesters advocating for their rights. During Imran Khan’s ouster, “mass arrests” targeted political opposition and supporters, effectively criminalizing dissent. The use of military courts to convict

104 civilians for their involvement in protests further exemplifies how the justice system is weaponized to silence voices and instill fear. This is not just about controlling information; it is about suffocating the very breath of public discourse, leaving citizens feeling isolated, misinformed, and powerless in the face of what Zulfi Bukhari described as a nation “at the precipice of losing its democratic soul.”

Inhumane Treatment

Social and cultural pressures, religious beliefs, and political influences shape Pakistan’s justice system, affecting how justice is delivered. Many people face long delays before their cases are heard, while others struggle to obtain proper legal help. Prisons are often overcrowded, and facilities are insufficient. Due to these challenges, vulnerable communities suffer the most, leaving many people frustrated and powerless. Political and social influences also play a vital role in shaping Pakistan’s legal system. Analyzing Pakistan’s justice system allows us to understand how justice differs across nations and how society and law interact. It highlights that fairness and human dignity are goals that every nation struggles to achieve.

Pakistan’s justice system has long failed to uphold the dignity and rights of those in custody, and the conditions within its prisons highlight a troubling reality. Administrative failures such as overcrowding, lack of medical care, poor sanitation, and corruption are daily threats to human life. The country’s prisons frequently exceed their capacity, forcing inmates to live in cramped and unsanitary conditions that worsen illness and suffering. Human Rights Watch has revealed that this situation has led to numerous deaths, exposing institutional neglect for the health and welfare of prisoners.

In Lahore’s Camp Jail, within just twelve days in December 2021, six inmates died due to a complete lack of healthcare. Prisoners are not only vulnerable to disease but also to neglect and administrative indifference. Moreover, as facilities are often unequipped to provide basic needs, women, juveniles, and inmates with disabilities face particular risks.

One tragic case highlights these failures. In January 2022, Saima Farhan, a 35-year-old religious scholar accused of poisoning a neighbor, suffered abdominal and kidney pain while under trial at Karachi’s Central Jail but could not access medical care. Despite court orders requiring prison officials to provide prompt treatment, she faced repeated delays in obtaining hospital tests and care and ultimately died in custody. This case reflects a system where human life is not prioritized and the suffering of inmates is normalized.

This situation also includes abuse and torture in custody. According to Amnesty International, humiliating methods such as beatings, suspension by the ankles, electric shocks, and deprivation of food, sleep, and medical attention are reported across various prisons. Cases include Atif Iqbal Bokhari and Rahila Tiwana, who suffered both physical and psychological abuse while being held in custody. Two women, Bushra Bibi and Anwari—one deaf and one mute—were raped by prison officers in Sheikhpura District, Punjab. These devastating cases expose a legal system in which custodial violence is common, underreported, and rarely punished.

Medical neglect is another major concern. Many facilities lack doctors, nurses, and necessary medical equipment, leaving inmates with chronic illnesses such as hypertension and diabetes

untreated. Diseases and malnutrition are worsened by poor food, contaminated water, and inadequate sanitation. The health crisis is not only physical; mental health support is also absent, leaving prisoners suffering from psychological distress without treatment.

The consequences of these conditions extend far beyond prison walls. Families of prisoners endure psychological strain, knowing their loved ones are unsafe, suffering, or dying in custody. Children of incarcerated mothers are particularly affected, facing trauma, financial hardship, and societal shame. When the justice system fails to protect the vulnerable, local communities lose trust in the country's legal institutions, weakening both legal authority and social unity.

Ultimately, the cruel treatment of prisoners in Pakistan represents a serious ethical and judicial failure. It highlights not only the violation of justice but also the breach of constitutional and international human rights. Every death, every abuse, and every act of inhumane treatment reflects a system in desperate need of reform to protect human dignity and uphold justice for all.

One of the most glaring failures of the U.S. justice system is its continued inhumane treatment of incarcerated individuals. Although the Eighth Amendment constitutionally prohibits “cruel and unusual punishment,” many individuals behind bars still endure degrading, unsafe, and life-threatening conditions. Despite being portrayed as a guardian of rights and fairness, the reality faced by countless incarcerated people reveals a clear picture of mistreatment, suffering, and neglect.

The United States incarcerates more people than any other country. More than 1.8 million individuals are held in jails and prisons, placing immense strain on facilities. Human dignity is eroded by conditions such as overcrowding, insufficient medical care, and exploitative labor practices.

One disturbing example of this inhumanity was highlighted in a federal district court ruling against the Arizona Department of Corrections, where prison healthcare was described as “plainly grossly inadequate” and unconstitutional. The court reported shocking failures in providing basic medical and mental health services to incarcerated individuals. One case involved Ms. Johnson, a formerly healthy 37-year-old basketball player who developed progressive paralysis symptoms after incarceration. Despite repeated complaints of numbness and frequent falls, she was consistently denied timely diagnostic care and even outdoor access, spending her days “counting ceiling tiles,” according to the ACLU. Her story illustrates the systemic failure to treat serious medical needs, reflecting a pattern of neglect experienced by incarcerated people across the country.

Beyond Arizona, national investigations confirm that prison healthcare often fails to meet even minimal standards of humanity. The ACLU has reported dire conditions on federal death row, where individuals with medical emergencies have waited hours for help. In one case, a prisoner suffering from cardiac arrest pressed the emergency button and waited forty-five minutes before receiving assistance. This neglect is not only evidence of institutional inefficiency but also of a cruel disregard for human life itself.

The depth of this crisis is further revealed by statistics. Incarcerated individuals are far more likely to suffer untreated chronic illnesses such as diabetes, hypertension, and mental health disorders.

A 2016 *JAMA* study found that nearly two-thirds of people in U.S. prisons had a mental health condition, and many received no treatment. In 2018, an estimated 27,826 inmates in adult correctional facilities reported experiencing sexual victimization.

Another form of inhumane treatment lies in the exploitative labor system within prisons. A recent University of Chicago study found that 65% of incarcerated individuals are forced into prison labor, often earning only a few cents per hour. Moreover, 76% of them reported facing harsh consequences—such as solitary confinement or loss of family visitation—if they refused to work. This turns prisons into sites of coercion and abuse rather than rehabilitation, perpetuating cycles of poverty and exploitation even after release.

The consequences of these conditions extend far beyond prison walls. Families are forced to watch their loved ones suffer mentally, physically, and emotionally. Some incarcerated people have even requested execution as an escape from medical neglect, underscoring the ultimate failure of a system that claims to uphold justice.

The moral and legal importance could not be greater. Cruel or inhumane treatment is not only a violation of the Eighth Amendment but also a betrayal of justice itself. The credibility of the justice system is eroded when it becomes a tool for cruelty, abuse, and oppression. Reform is urgent—prisons must improve healthcare, end abusive labor practices, and restore the basic dignity owed to every human being.

Incarceration Rates

The United States is often referred to as the “land of the free,” yet it holds the highest number of incarcerated individuals in the world. This irony lies at the core of its justice system. With millions cycling in and out of prisons each year, the U.S. has not only created a system of large-scale imprisonment but also a human tragedy that destroys families, weakens communities, and undermines the very principles of justice.

In 2009, the U.S. prison population exceeded 1.6 million people in state and federal facilities. Although the numbers have declined over the past decade, the country still imprisons around 1.2 million people in prisons and a further 636,000 in jails. The U.S. accounts for nearly 20% of the world’s prison population, despite representing only about 4% of the global population.

Even with these decreases, the total scale of incarceration remains overwhelming and staggering. Each year, approximately 10 million people pass through local jails, many of whom were never found guilty of a crime but were detained simply because they could not afford bail.

One of the most striking yet often overlooked trends is the rapid rise of women behind bars. Although men still make up the majority of those incarcerated, the rate of women’s imprisonment has grown at twice the pace of men’s over the past 40 years. Today, around 172,000 women are imprisoned in U.S. prisons and jails—representing the highest female incarceration rate in the world.

The impact of this growth cannot be ignored. Most incarcerated women are mothers, and many are the primary caregivers for their children. Their imprisonment destabilizes entire

families—emotionally, financially, and socially. Children face economic hardship, trauma from separation, and stigmatization.

Even more troubling is that most women in prison are serving time for non-violent offenses such as drug or property crimes. Despite the relatively minor nature of these offenses, they face harsh sentences, revealing a justice system that prioritizes punishment over rehabilitation and recovery.

Widespread imprisonment also tears individuals away from their communities at alarming rates, especially in districts already suffering from poverty and limited opportunities. When incarceration becomes common, the social bonds that help prevent crime—such as family stability, steady employment, and trust in the system—are eroded.

The economic costs are equally immense. Maintaining prisons and jails costs U.S. taxpayers roughly 80 billion dollars each year. However, this figure fails to capture the indirect costs: families losing wage earners, children entering foster care, and communities bearing the long-term social consequences of mass incarceration. These cycles of disadvantage are deeply entrenched and difficult to break.

There has been progress. The prison population has declined by about 25% since 2009, due in part to reforms such as changes in drug sentencing laws and bail reform efforts. Some states are experimenting with rehabilitation programs, recovery initiatives, and alternatives to incarceration for minor offenses.

Yet, despite this progress, the U.S. still holds the highest incarceration rate among developed nations—approximately five times higher than many European democracies. This enduring reality serves as a stark reminder that true justice cannot coexist with mass incarceration.

The story of incarceration rates is not just about numbers but about the kind of society the United States chooses to be. A nation that continues to incarcerate more than a million of its own people, including mothers and caregivers, must face the harm and damage this causes not only to those in prisons and jails but also to future generations. Each incarcerated person represents more than a crime; they represent a shattered life, a broken family, and a weakened community. Justice cannot truly be claimed by the United States until it reduces its dependence on imprisonment and pursues solutions that heal instead of harm.

When we talk about justice in Pakistan, one of the clearest pictures of how the system functions comes from what happens inside its prisons. Every year, the number of incarcerated people continues to rise, and overcrowding worsens. These numbers tell a story not only about crime and punishment but also about the deeper problems in how justice is delivered. They reveal long delays, unfair treatment, and the struggles of ordinary people when the nation's legal system fails them.

Only a very small portion of Pakistan's prison population consists of women, but even their numbers are increasing. As reported by the Research Society of International Law, women account for only 1.5 to 1.6 percent of all prisoners in the country. However, over the past ten years, the number of female inmates has risen by 20 percent. This increase shows how women are becoming trapped in the slow and unfair processes of the justice system. Most of the time,

women are imprisoned for minor or petty crimes and must wait months or years for their cases to begin. The justice system is designed mainly for men, and it rarely acknowledges women's distinct conditions or offers alternatives to jail such as bail or community service.

Pakistan's prison population is alarmingly high. Even though prisons were built for far fewer people, the country's 128 jails currently hold more than 102,000 inmates. In Punjab, the situation is even worse. Prisons there are holding 174 percent more inmates than they were built to accommodate. In some facilities, as many as fifteen inmates are squeezed into a single cell. This overcrowding reflects how easily individuals are incarcerated rather than being considered for fairer and more humane alternatives.

A large number of these prisoners have not even been convicted. Many are still awaiting trial yet are already treated as criminals. Lengthy trials, unaffordable bail, and delayed investigations result in many poor individuals remaining in jail for months or even years without a verdict. This excessive reliance on pre-trial detention is one of the main reasons why Pakistan's prisons are so overcrowded. People are punished before being proven guilty, enduring suffering and hardship that ripple out to affect their families and communities alike.

The effects of over-incarceration reach far beyond prison walls. When one person is sent to jail, the impact ripples through entire families, affecting parents, children, and even whole communities. Households lose their breadwinners, children leave school to help their families, and communities lose faith in the justice system. The underprivileged suffer the most, as they cannot afford lawyers or bail, leaving them trapped in cycles of poverty, hardship, and punishment. For many individuals, even a short time in prison results in lifelong shame and isolation. Once released, they struggle to find employment or rebuild their lives, as society continues to view them as criminals.

Overcrowded prisons also make rehabilitation nearly impossible. When too many people are confined in small spaces, opportunities for education, counseling, or skill training are extremely limited. Instead of reforming individuals, prisons often harden them. Many leave more hopeless and disconnected than before, with no support systems or opportunities waiting for them. Some end up committing crimes again, not out of desire, but out of desperation, perpetuating a cycle that harms communities even further.

In the end, rising imprisonment levels in Pakistan are not just about statistics; they are about human lives—lives shattered, families broken, and dreams destroyed. Every overcrowded cell represents a failure to deliver justice. The legal system should not only punish but also protect and rehabilitate. Yet today, it appears more focused on confining individuals than on helping them return as better citizens who can contribute to society. Pakistan must begin rethinking how and why so many people are behind bars if it seeks to achieve true justice. Real justice should heal, uplift, and unite communities, not break, destroy, or silence them.

Influence of Wealth on Justice

Pakistan's justice system functions unequally, with one system for the powerful and another for the marginalized. It is often criticized for its susceptibility to influence from the wealthy and well-connected, which significantly hinders the delivery of impartial justice. This pervasive issue is exacerbated by systemic corruption, institutional competition, and an outdated legal framework. As a result, those with financial resources and influence are frequently able to manipulate the system to their advantage, while ordinary citizens struggle to find fairness or accountability.

One prominent example of how wealth can sway legal outcomes is the Noor Muqaddam case, a high-profile murder investigation. Despite clear evidence, conventional attempts such as offering "blood money" were made to shield the wealthy accused from prosecution. The accused's father, a wealthy businessman, even had his son declared "mentally unstable" and requested a medical board, a tactic often used to delay or derail trials. While the victim's influential father, a former diplomat, was able to push for justice, the case highlights the systemic challenges and extraordinary efforts often required to counter the power of the wealthy.

The ability of the affluent to navigate or evade the criminal justice system is a stark reality in Pakistan, as "influential and wealthy persons get themselves acquitted from any sort of offenses," as noted by *SpineTimes.pk*. This is achieved by exploiting a system where police and investigative agencies are often described as corrupt, inefficient, and vulnerable to bribery and political pressure.

In the United States, wealth and family background also play a significant role in determining an individual's experience within the criminal justice system, often leading to unequal outcomes. Socioeconomic status is a critical factor influencing access to legal representation and affecting the likelihood of pretrial detention. Individuals from lower-income backgrounds frequently cannot afford competent legal counsel, placing them at a severe disadvantage compared to those who can hire experienced private attorneys.

The disparity in legal representation is a major issue. Public defenders, who primarily serve individuals with limited financial means, are often overburdened and underfunded. This imbalance can lead to less favorable outcomes for their clients, as noted in the article "*Inequality in the Criminal Justice System and Accountability*." Furthermore, socioeconomic status can influence plea bargaining, as defendants from poorer backgrounds may feel pressured to accept plea deals due to prolonged pretrial detention or the threat of harsher sentences, even when they are innocent.

The stark reality of wealth influencing justice is powerfully illustrated by the case of Ethan Couch, often referred to as the "affluenza teen." In 2013, Couch, then sixteen, killed four people and injured several others while driving under the influence. During his trial, his defense team argued that his wealthy upbringing had prevented him from understanding the consequences of his actions, a condition they termed "affluenza." The judge accepted this argument and sentenced Couch to ten years of probation instead of jail time—a decision that sparked widespread outrage and disbelief.

This case serves as a chilling example of how immense wealth can seemingly buy a different standard of justice, allowing a privileged individual to evade significant punishment for a catastrophic crime. It underscores how, in many instances, justice in the United States depends more on socioeconomic status than on the severity of the offense.

Limited Legal Aid and Trial Delays

The criminal justice system in Pakistan is plagued by the lack of access to adequate legal aid and pervasive delays in trials. The legal maxim “justice delayed is justice denied” sadly rings true, as the system often fails to deliver timely and equitable justice to its citizens. This issue is particularly severe for individuals from disadvantaged backgrounds who cannot afford competent legal representation.

A critical problem is the overwhelming backlog of cases. According to the *WJP Rule of Law Index 2024*, there are approximately 2.4 million pending cases in Pakistan’s courts. This immense caseload, coupled with frequent adjournments and the nonappearance of witnesses, leads to prolonged trials. As a result, 66% of inmates in Pakistani jails are under-trial prisoners, many of whom are innocent but remain detained for years awaiting resolution.

Similarly, the U.S. criminal justice system struggles with limited access to legal aid, undermining the ideal of “justice for all.” These challenges disproportionately affect individuals from lower socioeconomic backgrounds who cannot afford adequate legal counsel.

Many defendants in the U.S. rely on public defenders. However, according to the *American Bar Association*, chronic underfunding of public defense systems leads to excessive caseloads, restricting the time and resources public defenders can devote to each client. This often results in incomplete investigations, insufficient preparation, and pressure on defendants to accept plea bargains, regardless of their innocence, simply to avoid prolonged pretrial detention. Such disparities in legal support significantly impact a defendant’s ability to present a strong defense or navigate complex legal proceedings effectively.

Proposed Solutions for Pakistan

Judicial and Prosecutorial Reforms

- Standardize professional education and training for legal personnel
- Prioritize prosecution by increasing the number and capacity of prosecutors
- Fill judicial vacancies and expand the judge count to reduce the case backlog
- Ensure judicial independence and free prosecutors from political interference
- Equip investigators and prosecutors with modern tools and legal training

Police Reforms

- Urgently revise procedural laws to address corruption
- Train police in rights-based investigations, human rights, and ethical practices

- Enforce strict disciplinary action against misconduct or abuses of power

Legal and Systemic Reforms

- Implement checks and balances across institutions
- Expedite reforms related to hate speech and blasphemy laws
Address institutional competition that hinders justice
- Strengthen access to justice for all citizens, particularly vulnerable groups

Proposed Solutions for the United States

Front-End Reforms and Diversion

- Implement diversion programs focused on addressing mental health and substance abuse issues.
Establish crisis response teams to handle emergencies in place of traditional police intervention.
Create pre-arrest diversion initiatives for low-level and non-violent offenses.
Utilize prosecutor-led interventions to prevent individuals from acquiring permanent criminal records.

Courts and Sentencing Reforms

- Address racial disparities in court outcomes, particularly in pretrial release decisions.
- Reduce or eliminate excessive fines and fees that disproportionately impact low-income defendants.
- Modify judicial and prosecutorial discretion in cases involving poverty-related crimes.
- Advance coordinated reforms to reduce racial inequality and address structural injustices within the legal system.

Policing Reforms

- Implement anti-violence strategies centered on community-based violence interrupters.
Confront racial profiling and the disproportionate targeting of minority communities by law enforcement.
- Combine police deterrence efforts with community partnerships and supportive social policies that promote safety and trust.

Systemic and Policy Integration

- Establish robust accountability measures across all sectors of the criminal justice system.
- Introduce data-driven oversight mechanisms for prosecutorial and judicial decision-making.
- Expand access to education, job training, and entrepreneurship opportunities for justice-impacted individuals.
Prioritize prevention by strengthening community resources, increasing funding for public

defenders, and developing alternative response systems that promote fairness and rehabilitation.

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