

Avoiding Political Unrest by Privatization of Justice, An Aid to Legal Infrastructure in Pakistan

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Abstract

Privatization of justice is the area, which is not being tapped in the legal landscape, if by moving ahead Pakistan adopts this, it will help to increase investments economic growth and most significantly it will cause aid to the legal justice system. That will enhance the working of ordinary courts. It's not only fruitful for the judicial system, but it will open more avenues for lawyers, and it will create jobs. Moreover, it will develop a soft power for Pakistan. Confidence among the investors and people will surely rise, which would be a huge benefit for the country. That certain amendments in the law will make system more inclined towards the mediation as government backing will create an environment by which people move towards the meditation rather than ordinary courts frivolous litigation can be discouraged by the means of privatization of justice. In initial days' government should take Pro-bono steps for building an ecosystem to establish mediation centers as a strong suitable and reliable alternate to the ordinary courts in coming times. A proper system of privatizations will give us astonishing results. It is a performance-to-based market which should be regulated by the regulator, and one must perform to be in the market. Which will eventually increase the competition, and competition increases the meritorious and standards of any respective field.

Keywords

Political Impact, Judicial Infrastructure, Privatization

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1. Introduction

Entire human civilization has evolved through thousands of battles and war to take the resources in the possession of another human. We have made laws with changing society and need of the hour in 21st century with globalization reaching its limits. Circumstances have variation every single minute, in all this haste we need effective measures and speedy solution for the dispute resolution laws came and out dates. The societies which evolve with these changes attain the desired results and fulfill their needs for the development of society. While discussing the concept of mediation and its relation to development with means of increasing transportation and traveling time become less humans can reach far ends of land which are not accessible before whatever it is mining in far location or deep inside the oceans race for resources is faster than ever before. Due to which a different dispute arises which has never been seen before. For resolving those disputes, we need effective method which are cost effective and deliver results which are needed in no time, Time in contemporary condition is key of success timely decisions can make huge profits and untimely decision causes huge losses. Mediation is the most effective method for resolving.¹ That topic is more concerned about the political unrest and its impact later in time, as a good policy decision can make huge turns in the country's economic circumstances. No results can be achieved by any institution without adequate and efficient policies. If all the institutes are not aligned, no result can be achieved, affecting economic activity. The internal fighting of the institute caused loss to the investors and the state's reputation. Policies and laws shape

¹ Kovach, K. K. (2006). Privatization of Dispute Resolution: In the Spirit of Pound, but Mission Incomplete: Lessons Learned and a Possible Blueprint for the Future. *S. Tex. L. Rev.*, 48, 1003.



the ecosystem for any commercial activity, develop trust, and, most importantly, strengthen a framework for institutional building for coming events and functions.²

In third-world countries such as Pakistan, changes in government have resulted in complete policy changes. For example, CPEC is extremely popular. Extreme popularity during the time of the Nawaz government from 2013 to 2018. To use 2018, but when the time came. However, when the Imran government came in 2018, specific events caused a stoppage to the CPEC projects, resulting in huge investment losses and a stalemate situation in the CPEC project. If the political governments have decided at this time of the signing of the contracts, if private parties perform these contracts and when a dispute arises, these contracts are first submitted to ADR under any circumstances.³ Later, the government's sudden change caused losses to private and government institutes.

Political instability (coups, protests, governance crises) strains judicial systems. Case backlogs increase as courts face disruptions (e.g., Pakistan's 2023 judicial delays post-political crises). Commercial sectors suffer due to prolonged litigation, discouraging investment.⁴ Political Unrest Social and political unrest involve social disturbances that cause public disorder. Typically, they are illegal and may be violent or nonviolent, spontaneous or organized. Manifestations include:

- Riots are deliberately violent and result in injury and property damage.
- Labour strikes are grievances against employers and are usually peaceful and legal.
- Acts of civil disobedience that involve a peaceful refusal to obey.

Rebellions are violent and may bring about political change.⁵ That is what it means by the justice system, if it has been privatized or outsourced that certainly those who are familiar with the current corporate or economic world know about this terms and its usage. In many ways but what do they mean for the lawyer or judges and in litigation for instance, if we need to say. That the disputes are now handled outside the court premise, It would amount as the privatization of justice.⁶ It describes the recently discovered yet still not understood realization that there are very few cases in which it should be tried by the judges and vast majority of the cases which we see in the normal routine can be resolve through the process of mediation, arbitration negotiation and conciliation it describe the growing awareness regarding the ADR in civil justice system.⁷ It particularly resolved by the private mediator not really operating in the Shadows of law but it working on the guarding principles of law democracy natural justice and basic principles of administration⁸. That another

² Carmignani, F. (2003). Political instability, uncertainty and economics. *Journal of Economic Surveys*, 17(1), 1-54.

³ Faiz, Z., Fayaz, M., & ur Rahim, F. (2025). Analyzing the Laws and Practices of Disputes Resolutions in Bilateral Investments: A Case Study of China Pakistan Economic Corridor (CPEC). *Journal of Development and Social Sciences*, 6(2), 322-336.

⁴ Mufti, M. (2023). Pakistan in 2022: A year of crisis and instability. *Asian Survey*, 63(2), 213-224. Doi: <https://doi.org/10.1525/as.2023.63.2.213>.

⁵ Jannils, L. (2021). The concept of political instability in economic research. *International Journal of Management and Economics*, 57(3), 268-284.

⁶ Moses, M. L. (2004). Privatized Justice. *Loy. U. Chi. LJ*, 36, 535.

⁷ Murray, P. L. (2007). Privatization of Civil Justice. *Willamette J. Int'l L. & Dis. Res.*, 15, 133.

⁸ McCormack, T. W. (2006). Privatizing the justice system. *Rev. Litig.*, 25, 735.

view which can be seen on the face of the private institutions in private groups is the privatization of the criminal justice system. It is not that it is wholly gone outside the legal system, but matters related to inter-departmental issues such as corruption of fraud being handled at initial forums in any institute rather than filing traditional cases or taking matter towards a formal verdict or a public punishment. That criminal matters been sort by the privatization, which are supposed to be solved in courts or through criminal justice system.⁹ That civil disputes are not like that these, they are matters of give and take and it will lead to monetary solution one has to lose some bit and other has to gain some bit during the process of the mediation. Those courts have already developed precedents for many disputes and prepositions in which no determination of legal questions is required. one just must see the legal principals and decide the matters on factual grounds. That if needed legal side can be examined with reference to the case as it may be.¹⁰

2. Benefits of Mediation

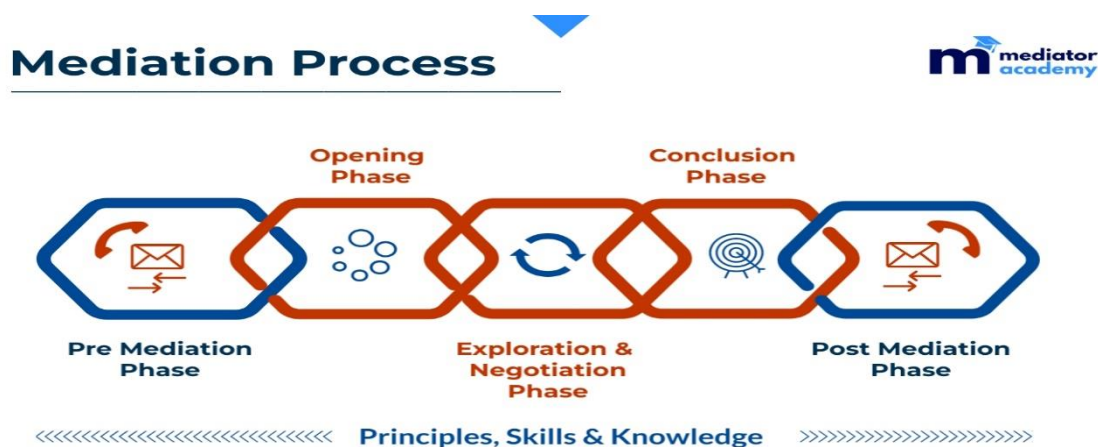


Figure 1: Process of Mediation in a nutshell.¹¹

There are many advantages and benefits of mediation, six of them are discussed under that firstly that the process of mediation is informal and flexible in nature and attorneys are not much needed. There are no specific rules of evidence and witnesses. That mediation has confidentiality in it. That the mediators do not disclose any information Which occurs during the mediation. The sessions and proceedings are not being taped recorded or transcribed. Records are handed over to the parties afterwards ending of mediation. And any information discussed during the time doesn't come on any record or notice of any public functionary or into public knowledge at all.¹² That parties have greater control, the parties who negotiate their own settlements have more control over the outcome of their respective disputes as parties have an equal role in

⁹ Rottleuthner, H. (2020). Mediation, Extrajudicial Conflict Regulation and the Privatization of the Criminal Justice System. On Mediation: Historical, Legal, Anthropological and International Perspectives, 22, 54.

¹⁰ Carr, C. A., & Jencks, M. R. (1999). The privatization of business and commercial dispute resolution: a misguided policy decision. Ky. LJ, 88, 183.

¹¹ Mediator Academy. The Mediation Process. Retrieved from <https://www.mediatoracademy.com/blog/mediation-process>.

¹² Lindabury, McCormick, Estabrook & Cooper, P.C. (n.d.). Confidentiality and Privilege in the Mediation Process. Retrieved from <https://www.lindabury.com/firm/insights/confidentiality-and-privilege-in-the-mediation-process.html>.

the process of mediation. No determination of anyone fault but it's a rather parties reach a mutually an agreeable resolution to their conflict.¹³that it ends Dispute with Taking Care of Relationships many disputed occurs in the context of ongoing working relationships, mediated settlements that address all parties, interests often save the relationship in the working environment. Which is not possible in a win or lose decision of court.¹⁴Another factor which gives mediation extreme importance is that both parties have mutual satisfactory results. Those parties are more involved in the process of decision making and develop trust on the process of decision making and it will help to build a mental satisfaction of both parties and increase the importance of mediation.¹⁵That it found the foundation for problem solving. Afterwards a mediation resolution, if a dispute occurs, parties may choose a cooperative forum of problem solving to resolve their differences than to pursue courts.¹⁶ That mediation reduces court backlogs that will give relief to the judicial system. That they can decide matters much better than now as they must decide and examine less cases human resources can be given to the cases which are pending before the court of law.¹⁷

3. Privatization of Justice

Private mediation is the form of mediation which is held privately without any interference from the court where the parties decide whether to go to the mediation first directly go to the third party or a mediator to resolve certain issue said to be a private mediation. While there can be a scenario that courts my driver parties to a mediation and what is up to choose for private mediation can be said¹⁸. That public functions of importance through the dispute resolution have been privatized, Therefore, we need to address the functioning of privatized mode of dispute resolutions for giving less stress to the judicial system. By making more room for the private justice providers. It can't be cheap without public- private partnership without developing state interest into privatizing the mediation system. The court has to validate the mediation before, that this reasoning is the basic concept of privatization of justice through mediation.¹⁹

¹³ Sutopo, H. (2020). Benefits and Advantages of Mediation. *Journal of Legal Studies*, 1(1), 1-8. Retrieved from <https://media.neliti.com/media/publications/352562-benefits-and-advantages-of-mediation-875421ba.pdf>.

¹⁴ Ibid.

¹⁵ Faster Capital. Mutually Satisfactory Resolution. Retrieved from <https://fastercapital.com/keyword/mutually-satisfactory-resolution.html>.

¹⁶ Kovach, K. (2020). Problem-Solving or Narrative Approach to Mediation. Retrieved from https://www.researchgate.net/publication/337430198_Problem-Solving_or_Narrative_Approach_to_Mediation.

¹⁷ Office of Strategic Claims Advantages of ADR (ADR Advantages). Retrieved from <https://osc.gov/Services/Pages/ADR-Advantages.aspx>. Last visited on 12. Dec,2024.

¹⁸ Goncalves, O. O., & Cruz, E. S. (2016). The Privatization of Administration of Justice: A Paradoxical Phenomenon. *Rev. Faculdade Direito Universidade Federal Minas Gerais*, 69, 477.

¹⁹ Yonghwan Choung 24-August 2024 A Modernized Pathway to Institutionalization and Privatization of Mediation in India retrieved from DOI: 10.52028/rbadr. v4i8.12.

The privatization of civil justice system and the insistence in favor of this few resolution outside the court of law to be seen as a part of the broader movement which has been label the turn against law.²⁰ Afterwards seeing through this lens the alternate disputes resolution (ADR) culture is first and the far most importantly we have to see consequences in the wider view of state sovereignty. That our approach in experiencing worldwide sense regarding court of law. Which is the central pillar of the modern state. That follows the crisis which came into a state, which raises the crisis of jurisdictional functions. Which will become the crisis of rule of law or if we put it to a different angle, it has become the failing faith in the public adjudication of the issues.²¹ That following faith is a symptom for a state that its institution is at large is not functioning at its prime. That it needs new energy, or a new mind set to be governed if a state function being deregulated and decentralized is inevitable. That it will one day be decentralized as all the other subjects have been decentralized in the past. Under these given circumstances it will not be unsurprising. That justice system has already become, and it will be expected to become increasingly a service. That consider to be a service like other services which are given by the private sector. In which it has directly come in competition with the government functionary.²²

Professor John Gardner

“Dad for those who share their idea of privatization replacing the private sector would dispute resolvers is just like removing the old Street monopoly in the telecommunication and power generation sector replay Singh them with lean new sectors arise with competition and their buy it will eventually provide a better facility a competition will provide better services for the little rather we should say it consumer who has to full fill its legal need law itself is the final front year in the wider cost for the de regulation in favor of the discipline of the market so people out the form of their choice and have the leverage to decide their disputes in accordance with the law and at the same time keeping their live in whatever were they will appropriate to resolve the dispute.”²³

3.1 Level of Dispute Resolution

When two parties came across each other in a dispute which is generally consisted of three levels are three stages we can say on which a dispute can possibility and or take shape for the future first is the **Power level** in which the stronger party or the party who has more influence uses all its power and resources to snatch and overcome the situation then his do share from the vehicle party this stage is also known as might is right method that has no acceptance in the modern civilization.

²⁰ The first one who has denounced this trend, linking it also to the rise of ADR, has been Marc Galanter, ‘The Turn against Law: The Recoil against Expanding Accountability’ (2002) 81 Texas L Rev 2825. See also Richard L Abel, *The Politics of Informal Justice*, New York Academic Press, 1982 (2 vols.).

²¹ Judith Resnik, ‘Failing Faith: Adjudicatory Procedure in Decline’ (1986) 53 University of Chicago L Rev 494.

²² Canadian Union of Public Employees. (n.d.). Privatization: A major barrier to racial justice. Retrieved from <https://cupe.ca/privatization-major-barrier-racial-justice-cupe-report>.

²³ The Twilights of Legality (2018) 43 Australasian Journal of Legal Philosophy 1, also available online at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3109517 (Oxford Legal Studies Research Paper No. 4/2018).

The second level for a dispute resolution is **Rights level**. In which the disputing party is approach and authoritative personality to decide the rights between them in the law this is principal based on a principle of Ideal must always be a system that gives every person what is his.²⁴

Heard on the final level in this level which we can say is the **Interest level** where the parties, work not to safeguard the rights, but the interests which came in many different cases it distances from their rights. They are more concerned with their interests in a particular subject or a particular area which has to be done and most of the times in Pakistan these interests are far more valuable than the rights for which the sacrifice of the interest has begun.²⁵ The Only common element between the litigation and ADR is that the both are determining to solve the dispute between the parties and try to dispose of the subject matters that's only commonality between litigation and ADR. However, the level on which both the system works this was the subject matters and on what it is decided these cases are completely different from each other, That it will never be together on the same page or cannot be treated as the same in coming times as Indians whole intent is to watch the transactional interest rather than the technical side of law. It takes first into consideration at the time of the litigation which cause losses in a longer run.²⁶

4. Effects of Privatization on Political and Judicial Systems

That when it comes to the concept of economic growth or development many factors are seen such as market conditions and returns on investment, but a factor that makes a huge difference in the present world one regulations or law can shape a business into a million-dollar success or a million-dollar failure. To protect the rights and avoid the delays of the litigation private dispute settlement is necessary as it resolve issues issue much quicker than the courts.²⁷ When a mediator work in a way that it helps both parties to resolve the dispute it will create an environment of trust with each transaction passed it will be known to all that these mediator or institute works hard for the problem solving. Which will eventually increase the trust and scope of mediation and people will invest with the confidence that we don't have to go to litigation rather our disputes will resolve at a beginning stage of the dispute.²⁸ In countries such as Pakistan the dispute resolution is quite a hectic job one have to engage at different forums and have to see different technicalities which will ultimately slow down the process of dispute resolution. When a mediator is appointed for such case before starting of an issue. That it will be much easier for parties to select a forum for the case and the right way to file their suit before the court of law. Which will save money, time, effort and further develop a trust-upon system. That going to court would be mere expectation in this circumstance.²⁹ That if political willingness is given to a process, it will be stronger, and it can work in accordance with natural justice and upon their will.

²⁴ Ghulam Bibi v. Sarsa Khan, PLD 1985 SC 345.

²⁵ Dr. Madabhushi Sridhar, *Alternative Dispute Resolution: Negotiation and Mediation* (LexisNexis, 2006) 161.

²⁶ By Riswan Hussain Date 22 August 2022 *Autonomous Nature Of Alternate Dispute Resolution (ADR) And Its Role As Court Assistant In Pakistan* Retrieved From <https://ssrn.com/abstract=4219096>.

²⁷ (2021). *An Assessment of (ADR) (Alternative Dispute Resolution) and Litigation as a tool for Promoting Private Sector Development and Limiting Unemployment* (Doctoral dissertation).

²⁸ Poitras, J. (2009). What makes parties trust mediators. *Negotiation Journal*, 25(3), 307-325.

²⁹ Bush, R. A. B., & Folger, J. P. (2012). *Mediation and social justice: Risks and opportunities. Ohio St. J. on Disp. Resol.*, 27, 1.

As the legislative process is key to all policies and legislation privatization can't work on its own. Politics in commercial matters which involve governments and international players must be independent and not relied upon the local system.

5. Risks and Challenges of Privatization

That there are fundamentals issues which arise when we talk about the private justice system. What should be seen and resort to timely as a legal profession, it keeps evolving with the passage of time and what is a private justice is a new concept. So, we should see these problems and then we should move in the manner that will strengthen the system and fulfill the needful purpose of privatization.³⁰ That it is shading the lines between public and private law. Whenever the private actors take on what were previously up to public function / common function it rises question about its legality, rules legal, Framework, institutional limits and legal principals working of doubts and how it will be regulated in the new relationship between public and the institute itself.³¹ That it will cause challenge legal boundaries that when it comes to the legal boundaries it makes often confusion in this scene that whether it is a public issue to be dealt with or no the private player. That authorities should oversee the matter, that's why it raises some issues is concern. It will take time to determine the boundaries which are necessary for small functioning of an institute which might sometime cause administrative issues in the working of a mediation process.³² That the rules are unclear, no such rules and regulations exist regarding mediation centers in ADR acts in place. It keeps developing the law by determining the standard for a mediation center or what are the credentials which are most Significant to become a mediator and while issuing licenses to the institutes. The mediation centers and law ministry should also take necessary measures but when it comes to the actual dispute resolution its mechanism and its procedure, regulations / rules and framework is still not yet complete. It will vary from case to case and from party to party so lacking this function might cause some confusion in the minds of people which will damage the notion of privatization of justice.³³

6. Recommendations

That was just Framework like that in which the privatization is required in the third world country like Pakistan. It's not just supporting the judicial system, but it has a huge impact on foreign direct investment FDI and confidence in the local Investments.³⁴ That system back by government have the professional capabilities of private sector will eventually produce good results. That will enhance the capacity of dispute resolution. For the basic concept we should adopt. That should be focus on litigation free and dependent on ADR which will lead to benefit .As we known that mere adding a clause to a statute is not enough, but a

³⁰ Jurik, N. C. (2004). Imagining justice: Challenging the privatization of public life. *Social Problems*, 51(1),1-15.

³¹ Shamir, H. (2014). The public/private distinction now: The challenges of privatization and of the regulatory state. *Theoretical Inquiries in Law*, 15(1), 1-26.

³² Barak-Erez, D. (2017). Three questions of privatization. In *Comparative administrative law* (pp. 533-551). Edward Elgar Publishing.

³³ Provine, D. M., & Seron, C. (1991). Privatization of Judicial Services. *Journal of Public Administration Research and Theory: J-PART*, 1(3), 319–336. <http://www.jstor.org/stable/1181916>.

³⁴ Pouget, S. (2013). Arbitrating and mediating disputes: Benchmarking arbitration and mediation regimes for commercial disputes related to foreign direct investment. *World Bank Policy Research Working Paper*, (6632).

complete framework is needed for the better working for the process of ADR, special focus should be on mediation as it is most new trend and pushed trend of the ADR in the world.³⁵

The body should be given constitutional protection against its policies and appointments, and no government or executive order can set aside the body fine, whatever decision. A decision needs to be made, and it must be made with the approval of and re-consideration of the body—the body works as an autonomous body and is not under any administration. The body is made for 3 years, and all body members are re-appointed after that. The relevant departments appoint their presentation, which they cannot revoke before the time

The judicial system is integrated with mediation programs that before filing any lawsuit which is related to two parties and in cases of civil nature or a matter related to government official should be filed first before a mediation center and afterwards certification of that mediation center case is permitted to be in court. And if it is not being attached with recommendation by the mediation center the suit can't be entertained in court of law for urgent matters same be directed to mediation afterwards the necessary measures for the protection of rights. This measure will not only discourage frivolous litigation, but also increase the trust of the business community, which will develop an atmosphere of trust for international investors.³⁶

Regulatory framework for the checks and balances of the mediation centers or justice providers. Mediation centers which are being approved by the minister of law and justice.³⁷ That afterwards checking the per-quisites the ministry issues license that afterwards issuance of a mediation center it should be mandatory that ministry of law and justice should make a system for the regulation and a permanent body should be formed to oversee the standards and output of the center that mediation center should be interlinked with their respective judicial forum.³⁸

Empowerment of The Mediation Centers that empowering the mediator.³⁹ or the mediation center would develop trust on them as giving them sanction of law will help them to resolve dispute more effectively as many would do criticism that they will go beyond the powers which are given to them as regulatory framework comes into the play as they will see and monitor their working. Moreover, when trust is increased

³⁵ Olagunju, K. O., Ogunniyi, A. I., Oguntegbe, K. F., Raji, I. O., & Ogundari, K. (2019). Welfare impact of globalization in developing countries: Examining the mediating role of human capital. *Economies*, 7(3), 84.

³⁶ Authored by Catharine titi and Katia fach Gomez (2024). International investors and mediation effectiveness [Book]. Google Books. Retrieved from https://books.google.com.pk/books?hl=en&lr=&id=M9WhDwAAQBAJ&oi=fnd&pg=PP1&dq=international+investors+and+mediation+effectiveness&ots=tRxBvV_Fhv&sig=PKK3mi25IVcu4Hcpo98T4VaMsew#v=onepage&q=international%20investors%20and%20mediation%20effectiveness&f=false. Last visited on 12, Dec.2024.

³⁷ Ministry of Law and Justice, Government of Pakistan. (2023, December). Alternative Dispute Resolution Through Mediation. Retrieved from <https://molaw.gov.pk/Detail/MzUwMzMzMtYmQ2MS00YWM4LWEzYzYtODU0M2I2ZjQwZjMx>.

³⁸ Boon, A., Earle, R., & Whyte, A. (2007). Regulating mediators? Legal Ethics, 10(1), 26-50.

³⁹ Donalo' Reardon 10 January,2011 Retrieved from <https://mediate.com/what-does-empowerment-look-like-and-how-can-mediators-facilitate-it/>.

the load and burden on the judicial system.⁴⁰ will be less, which is a serious concern for the judicial establishment and public at large.⁴¹

That certain amendments be made to the law i.e. Civil Procedure Code 1908⁴² in section 26 That before filing of any suit before the court in which dispute is between two parties as to their right be first filed at mediation center and if a letter of mediation center is not attached with reason and signature of the parties the suit shall not be entertained in any court of law. That in a certain time period if parties don't join in the mediation any of the parties afterwards few chances the mediation center should pass a statement regarding not availability of parties.⁴³

That infrastructural support should be given to the legal framework for better working. Encouraging people and legal fraternities to focus on mediation rather than the ordinary courts, more centers should be open, and support of academic professionals be taken for the better training of the professional. That Pro bono mediation center should be opened in universities and educational institutes so a trend can be set in society and encourage this process of mediation in society.⁴⁴

7. Concluding Remarks

That privatization has always been a controversial question among public administration and legal landscape. It has importance and its significance in many developed countries, as we know that sometimes you must take extraordinary measures for extraordinary circumstances. Which must be out of the box, and you have to think about your own circumstances. Privatization does not mean that the writ of the government is abolished by the course of mediation or any other mode of the ADR. It's just an addition or legal aid to the existing system, to low threshold and create new ways for disputes settlement. Nonetheless, it's always been a question regarding validity, its power, its functions, but all we need to understand is that ADR is a mode of a dispute resolution. That should be adopted in the coming future due to globalization.⁴⁵ That it's not possible for the existing legal system to accompany its hand with the basics of the business which is necessary for the common benefit of commercial transactions. That it is most significant for a common man, that we should drop this method, so less energy be used on these things. That the time which has been wasted on frivolous litigation and unnecessary delays should be resolved before coming to the courts. That it will help the judicial system, economic atmosphere and in result it will create a soft image of the Pakistan in the globe. We have

⁴⁰ Dawn. (2023, December 8). SC forms committees to clear backlog of 60,000 cases. retrieved from <https://www.dawn.com/news/1871373>. last visited on 12-Dec- 2024.

⁴¹ Moore, T. (2017). Mediation Ethics and Regulatory Framework. *Journal of Mediation & Applied Conflict Analysis*, 4(1), 543-551.

⁴² Civil Procedure Code 1908 Retrieved From <https://punjabcode.punjab.gov.pk/uploads/articles/code-of-civil-procedure-1908-pdf.pdf>.

⁴³ Institute of Business Administration. IBA-ADRIC Hosts Seminar: Pakistan's ADR Renaissance. Retrieved from <https://www.iba.edu.pk/iba-adric-hosts-seminar-pakistans-adr-renaissance.php>.

⁴⁴ Josh and Mak International. (2017). Doing Business in Pakistan 2016-2017. Retrieved from <https://joshandmakinternational.com/doing-business-in-pakistan-2016-2017/>.

⁴⁵ Mazzarella, W. (2004). Culture, globalization, mediation. *Annu. Rev. Anthropol.*, 33(1), 345-367.

seen Singapore Mediation⁴⁶ and France Arbitration model.⁴⁷ In the world of arbitration that, world has recognized them as the most trusted institutes for disputed resolution. That trust is the key element for economic growth. As Investments are not just made on materials or land, but it is made on humans and their behavior and protection of interests of a society.⁴⁸

Discourage Litigation, Persuade Your Neighbors to Compromise, Whoever You Can. Point Out; The Normal Winner Is Often a Real Loser in Fees, Expenses and Waste of Time”. Abraham Lincoln⁴⁹

⁴⁶ United Nations Commission on International Trade Law. (2018). Singapore Convention on Mediation. Retrieved from <https://www.singaporeconvention.org/> Note: The Singapore Convention on Mediation was adopted on December 20, 2018.

⁴⁷ Paris Arbitration Centre by Delos. Paris Arbitration Centre. Retrieved from <https://parisarbitrationweek.com/partner/paris-arbitration-centre-by-delos/>.

⁴⁸ Finkelstein, E. (2006). Privatization and Regulation: The Legal Regime Governing Mediation. *Tel Aviv UL Rev.*, 30, 623.

⁴⁹ Lincoln A. in 1850 Lecture on law. Retrieved from <https://www.abrahamlincolnonline.org/lincoln/speeches/lawlect.htm>

Note: believed to have been delivered in 1850, last visited on 10, Dec. 2024