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Podcast Insights

Judging Justice

Key Insights from the Podcast with Retired Justice Mahrukh Aziz

“You can decorate the tree however you like, but if the roots are rotten, it won’t bear fruit.” This profound reflection by Justice (Retd.) Mahrukh Aziz captures the essence of what it means to challenge, uphold, and transform a justice system from within. In an exclusive podcast with Accountability Lab, as part of its “Strengthening Women’s Representation in the Pakistani Judiciary” project funded by UN Women, Justice Mahrukh offers not just a chronicle of her own trailblazing journey but also a piercing diagnosis of Pakistan’s judiciary — and a compelling case for reform and inclusion.

Justice Mahrukh Aziz hails from a lineage of lawyers—her father and grandfather practiced law in Mandi Bahauddin. Yet her entry into the legal world wasn’t linear. Initially inclined towards archaeology and the sciences, she ultimately embraced law with the support of her mother and elder sister. “My father initially opposed the idea. He wanted me to pursue physics,” she recalls. Ironically, it was the very family tradition of legal practice that eventually shaped her destiny.

She joined the judiciary in 1991 after clearing the PCS exam, becoming the fourth woman in the Punjab judiciary at the time. Her career unfolded across towns like Sargodha, Mandi Bahauddin, and Lahore, where she held positions from Civil Judge to Additional Sessions Judge and later, Director General of the Punjab Judicial Academy.

Gender, Justice, and the Emotional Architecture of Judging

Mahrukh’s account highlights the emotional and social burden of being one of the first women in the judiciary. The pressure wasn’t just to perform, but to overperform— “to work three times harder than a man,” she says—lest one woman’s perceived shortcomings become a justification for excluding others.

Her reflections are especially poignant in the context of family courts and gender-based violence (GBV) cases. She explains that while the law may be gender-neutral, the lens through which it is applied often isn’t. “A woman judge brings a different perspective—not necessarily more emotional, but more nuanced,” she notes. This supports a key objective of the UN Women project: to increase women’s representation in the judiciary not only for equality’s sake, but to diversify and deepen the quality of justice.

Systemic Rot: When Procedure Undermines Justice

Justice Mahrukh offers a scathing critique of procedural delays and the multi-tiered appellate structure that allows justice to be endlessly deferred. From adjournments and stay orders to frivolous writ petitions, she paints a picture of a judicial system overwhelmed by inefficiencies and exploited by those with means.

A central insight she shares is that the integrity of the lower courts is often compromised not by malice, but by flawed systems and inadequate evidence collection by police. “By the time a case reaches the High Court, the mess created at the lower level is irreversible,” she laments.

She further questions the opacity around judicial appointments to higher courts, advocating for transparency and merit-based elevation. “There’s a constitutional 60/40 formula, but no one knows the criteria. It’s all lobbying,” she asserts—an echo of the systemic barriers the project aims to dismantle.

The Unseen Labor of Women Judges

Justice Mahrukh’s story offers a powerful lens on the unpaid, invisible labor women in the judiciary undertake—from maintaining professional excellence to managing families while facing frequent transfers. “It’s almost like the army,” she says, referring to the two-to-three-year postings that uproot families and disrupt children’s education.

She also highlights the lack of social networking opportunities for women judges—a factor that inadvertently affects career progression and visibility. Historically, judges were expected to be “silent as the grave,” but as societal norms evolve, she urges women in the judiciary to claim their space, speak up, and support one another.

Reimagining Police-Judiciary Coordination and Forensics

Justice Mahrukh critiques the outdated methods used by the police to collect evidence. Confessions, false witnesses, and collective FIRs involving entire families continue to undermine the integrity of trials. She advocates for:

- Scientifically trained investigators, rather than reliance on traditional beat-policing.
- District-level forensic labs, not just the singular one in Lahore.
- Clear separation between investigating and prosecuting roles, supported by robust documentation and digitization.

These reforms align with the project’s broader theory of change—that transforming justice institutions from within requires strategic capacity-building and systems reform, not just recruitment.

Training Judges for the Future

During her tenure as Director General at the Punjab Judicial Academy, Justice Mahrukh led a significant revamp of judicial training. Her initiatives included:

- Annual and thematic trainings on climate change, GBV, and evidence evaluation.
- Simulation exercises and mock judgments to cultivate decision-making skills.
- Trainings on police station protocols, revenue laws, and record-keeping.

She developed a one-year training curriculum to mirror CSS academies—but laments it was never fully implemented. “Our education system is theoretical. We need practical, long-term immersion for judges,” she says. Her reflections inform the UN Women project’s focus on capacity-building for new and aspiring women in the judiciary.

Navigating Influence and Integrity

Throughout her career, Justice Mahrukh maintained an unblemished record of independence. She shares an incident where a session judge subtly asked her to delay a verdict, but she stood firm. “You must build a reputation so strong that no one dares try to influence you,” she advises.

Her belief in judicial autonomy is unwavering. She warns, however, against over-policing judicial discretion—“If you punish every incorrect verdict, you’ll have no judges left.” This statement underscores the need for supportive, not punitive, accountability mechanisms in judicial reform frameworks.

Advice to the Next Generation

Her message to young women is clear and empowering: “Join this profession—it gives you unmatched independence. But come prepared to serve anywhere, to move often, and to protect your integrity at all costs.”

She celebrates the growing number of women judges—over 300 in Punjab alone—and commends their professionalism and diligence. Yet, she insists the journey ahead demands collective advocacy to fix the roots, not just decorate the branches of the judicial tree.

Justice (Retd.) Mahrukh Aziz is not just a retired judge—she is a living institutional memory of the judiciary’s gender evolution in Pakistan. Her insights reaffirm why “Strengthening Women’s Representation in the Pakistani Judiciary” project matters; because it does indeed make a difference who sits on the bench, who hears our stories, and who decides what justice looks like.

Through her voice, we hear the echoes of hundreds of women who have entered courtrooms not as clients, but as changemakers. As Pakistan continues to build a judiciary that is not only competent but compassionate, it must look to the women who have paved the way—and create pathways for many more to follow.