

The Rule of Law

Thought for the Day

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We might all be forgiven for dismissing yesterday's news that the Chief Justice of Pakistan has been reinstated as just a move in a complex game in a distant land that few of us know much about. But it ought to give us pause to reflect – and, I hope, rejoice.

It's not just that Pakistan matters – which it does, because of its history as a British colony, its simmering territorial dispute with India over Kashmir, its nuclear ambitions, and its struggles with religious extremism and terrorism.

What is really worth celebrating is the triumph of the rule of law. What I mean by that is that the reappointment of Iftikhar Chaudhry shows that the political and military elite cannot choose their own judges; that government is subject to the law; that no-one is above the law.

Equality before the law is a long-standing principle in Judaism: not only are we instructed not to show favour to the rich or powerful, nor to discriminate either for or against the widow and orphan, but indeed a thousand years before the Ten Commandments, tradition has it that after the Flood, Noah was taught the seven basic laws of society. As well as the prohibitions on murder, immorality, theft, and so on, the one *positive* rule, which is regarded as obligatory for everyone and not just for Jews, is to set up courts of law.

It might seem that this news from Pakistan is a victory for democracy, but it is really a triumph for social order. Those are very different – unfortunately our generation knows only too well that democracy can descend into mob rule, and on to the slippery slope to genocide.

Democracy is a very tender plant, and has to be protected against itself – which is where an independent legal system, embodying the concepts of the basic and equal human rights of all, is so crucial.

So I believe we should welcome this news, not just for Mr Chaudhry or for Pakistan, but for the triumph of a well-ordered society over the dangers of dictatorship.

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