

Introductory Paragraph of Essay on Topic: Judicial Independence Vs Legislative Control : Role of 27th Constitutional Amendment in Pakistan

Essay:-

Montesquieu introduced the idea of separation of powers; he envisioned a system, where judiciary, legislature and executive would function independently but in harmony, ensuring balance of power to prevent any single institution from dominating. If personified, this vision echoes the motto of the Three Musketeers in Alexandre Dumas' novel, whose motto, "All for one, and one for all" symbolizes ideal of institutional solidarity. Unfortunately, this ideal of institutional cooperation has often remained out of reach in Pakistan. Over time, the country's political system has struggled to reconcile the independence of democratic institutions, with frequent tensions between democratic institutions. At the heart of

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This contest lies the issue of judicial independence in Pakistan. The judiciary meant to uphold rule of law and protect citizen's rights has ^{recently} involved itself in political matters, sometimes overshadowing the legislature and executive, blurring the lines between judicial function and political influence. To cater this issue, legislature kept reinvesting in restoring constitutional framework to clip judiciary's power. The passage of 27th Constitutional is the result of these concerns. This essay argues that while judicial independence is essential for democratic order, Pakistan's 27th Amendment reflect the state's attempt to restore the balance between judiciary and legislature by promoting accountability, however, it also raises concerns regarding potential political influence.