

# The Impact of Political Interference on Judicial Independence

## Outline :

### (1) Introduction

While, political interference in the judiciary, leads to many obstacles and evils which are faced by a country. Such as lack of transparency in the rule of law, threat to separation of powers and check and balance system, empowering political rulers over independent judiciary.

### (2) What are the factors which contributing in the political involvement on the judiciary?

(a) political involvement in the judiciary for their own self-preservation.

Case in point: "Court packing" in USA

(b) Political leaders may influence judicial decision to protect financial or personal interests. In Pakistan, Panama papers

Case study: In Russia, Alexei Navalny,

(c) Government with authoritarian inclinations

Seek to neutralize the judiciary to  
Suppress dissent and maintain their  
rule.

### 3, What are the repercussions of the political involvement in the Judiciary?

(a) Transparency of Judiciary in the  
decisions and verdicts will be Varnish  
due to the involvement of political  
leaders.

(b) Interpretation of law process  
will be disturbed.

(c) public confidence and trust in  
the judiciary will be undermine.

(d) Political interference in the judiciary  
will be impact on country progress.

(e) Threat to the Separation of  
power and check and balance system  
will be distract.

4,

(f) Strengthening political empowerment over judiciary.

(g) Status of rule of law will be terminate due to the influence of political rulers.

(h) Effectiveness and competency will be lost in designing verdict and decisions.

**(4) What are the way forward which involved to counter the political influence over judiciary?**

(a) Ensuring Transparency and merit-based judicial appointments to counter political influence over judiciary.

(b) Strengthening Constitutional safeguards which is limiting executive control over the judiciary.

(c) Fixed tenure for judges to prevent undue pressure or influence during their service.

(d) Judiciary training and Education, independence and resisting external pressures.

(e) Ensuring judiciary financial independence, reducing its reliance on the executive for funding.

(f) Independent oversight bodies to monitor the judiciary's functioning, remains impartial and free from political influence.

(g) Foster respect for the rule of law.

## 5) Conclusion

Rosalyn Higgins, former president of the international court of justice said, "The greatest threat to judicial independence is the intrusion of political power, which transforms courts from impartial arbiters into instruments of state control." While, political interference in the judiciary, leads to many obstacles and evils which are faced by a country. Such as lack of transparency in the rule of law, threat to separation of powers and check and balance system, empowering political rulers over independent judiciary. Therefore, there are some reasons which are involved in the political interference over judiciary also some impacts and remedies. Reasons which are involved, such as, political involvement in the judiciary for their own self-preservation, political leaders may influence judicial decision to protect financial or personal interests, neutralize judiciary to suppress dissent and maintain their rule. Besides, these reasons and impacts there are solutions to counter political influence. Ensuring transparency and merit based

appointments, strengthening constitutional safeguards, fixed tenure for judges to prevent pressure, training, education, respect for the rule of law etc. ensuring all these solutions can prevent political influence over judiciary. In short, political influence over judiciary based due to several reasons, but possible to counter and limiting to their own affairs by taking several steps and pave the way for independence judiciary system in any country.

political involvement in the judiciary, driven by the desire for self-preservation, politicians often seek to influence judicial appointments to secure themselves from accountability. For example the concept of "Court Packing" as seen in the United States during Franklin D. Roosevelt's era. Illustrates how altering judicial structures can be used to push political agendas. Similarly, in Pakistan in 2012 in cases like, dismissal of P.M. Yousaf Raza Gilani. Such involvement erodes public trust in the judiciary. For safeguarding democracy must ensure