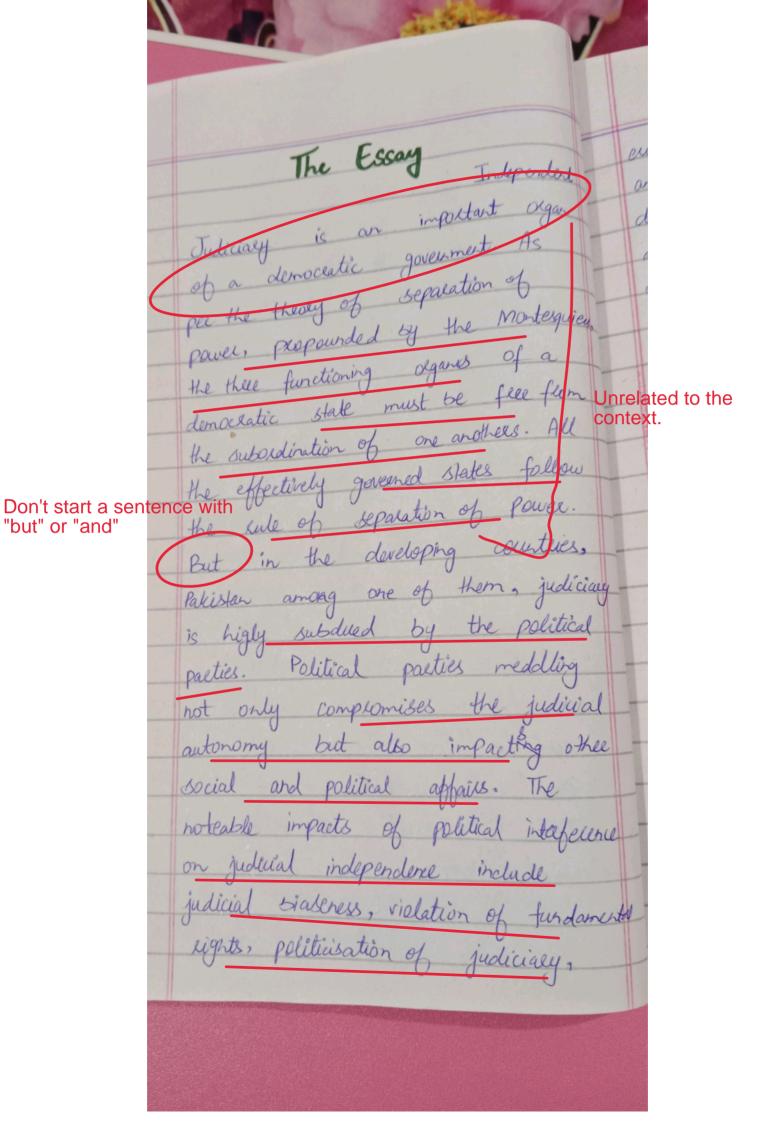
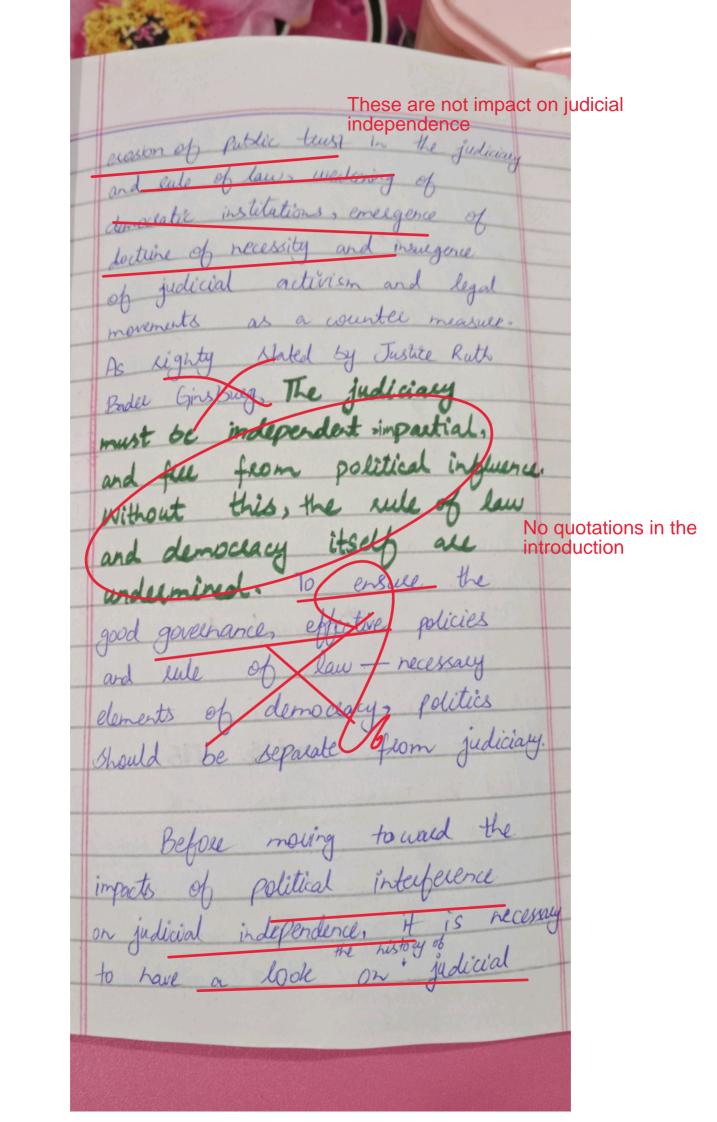


and political pressure comprise the judicial autonomy -> Article 175 A, 183 under 26th amendment in the constitution of Pakista ii) Rise in judicial sources leads to violation of fundamental human eights a) Marginalization of minosity groups -> Dred Scott desision (1857): a landmark case in U.S. Judicial History iii) Politicisation of judiciary/ widers the judicial divide that is a theest to national integration -> Case story of Pakistan Supreme Court On reserved seats case 2024 iv) Judicial corruption and favouritism erode the public that in the judiciary and enter of law -> Reference from "Pakistan A Hard country" by Anatol

Lieven 1) Lack of judicial autonomy the democratic institutions and incleases despotism - case study of North in Emergence of doutline of Necessity to back the unconstitution acts of political elites - Molvi Tamizzudin case, a notable example vii) Insulgence of judicial activism and judicial movements as a courter measure -> Laugels movement in Pakistan (2007-2009) -> Reference of a research acticle "The Impact of political Interference on the Judiciary: India vs. Patiston" Conclusion :-These are either impact on state or judiciary not on judicial independence

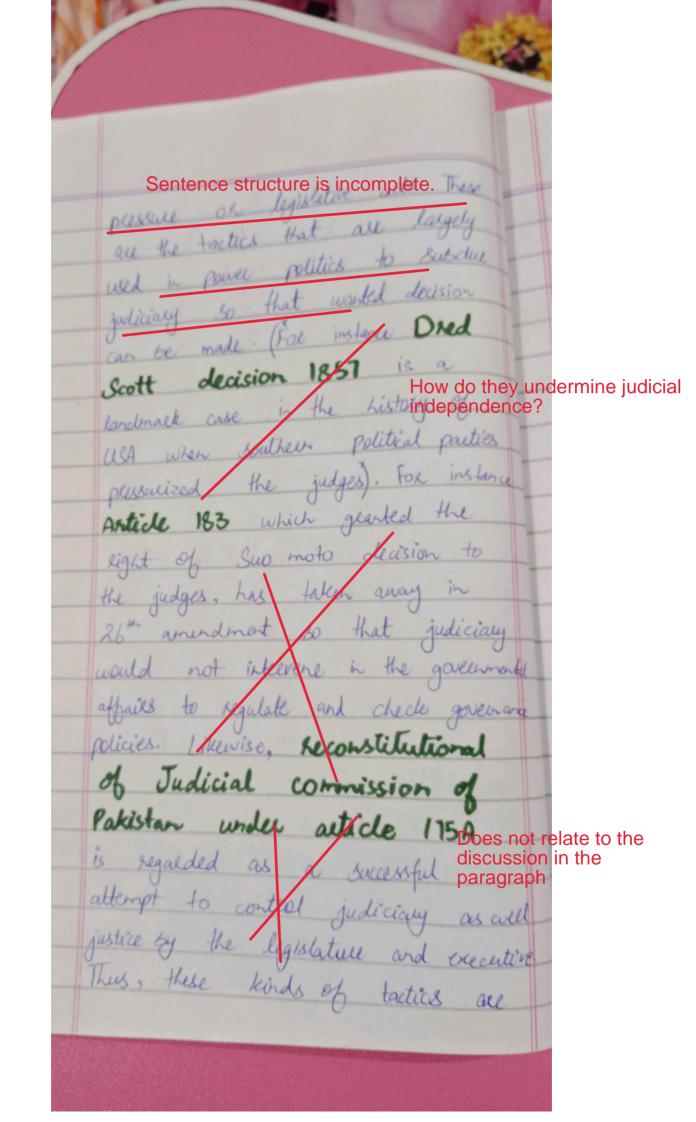




Why only in Pakistan? independence in Pakistan Pakistan judicial system is the legacy of British colonial sule in the subcontinent. Historia pages are filled with the incidents when the judicial reduct favoured the political elites, in the same way, as in the Beetish controlled subcontinent. Either through back door talks of direct legislative acts, political influence multiple times has impacted upon the judicial autonomy and decision making. In the secent phenomenon, Pakistan legislature has passed 26th amend that How is this historical background is seemed to cuebo on independent judicialy. Duling the flaming of 1973 constitution, asticle 175 was added to ensure free and inthe 26th amendment, acticle 175 has been completely amended in such a way that undernives

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judicial separation and independence from other two bearches of governor The pool lule of low, political politication and feagile demandles of lack of independent judiciary in Pakistan. Politica influence at a limited extent solves as a check on judiciple authorities but greater meddling of political parties is not a paragraph in the decision - making process of judicitary negatively impact the judical autoromy and independence. These impacts are given below: On the top of these impacts is the decline in judicial autonomy in the decision-making proces either due to political



used to urdeemine judicial power and autonomy. The other major political implument in judiciary and favouitism, which - pergardizes the fundament huma Not impact on judicial independence Political de ideological Biasness results in genting pateorage to a specific geoup and malgiralizing the minocities. These kirds of activities exodes the supermany of law and thus act as a hudle in the peovision of fee and fail justice. To illustrate, the screeio, Osed Scott decision sewes as a correct example. a landmark Dred Scott decision is case in the history of United states judiciary. This decision highlights the impact of judges

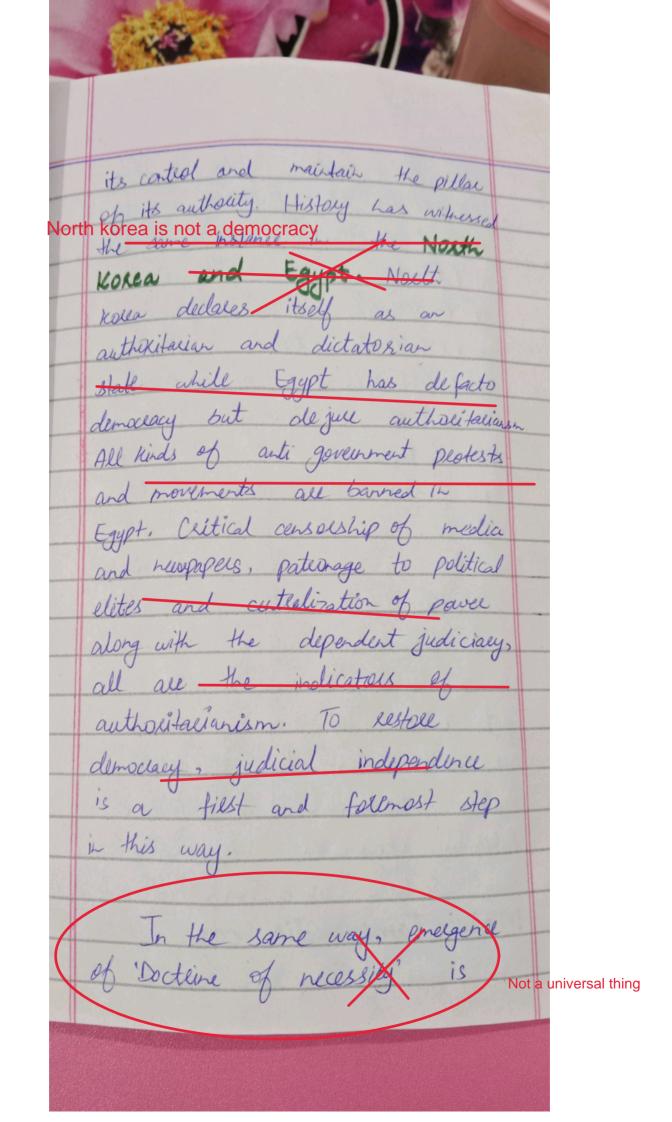
ideological bissers, through which the majority segreted the black free slave as a permanent slave , even not a sitizen Therefore, judiciary decision violated the fundamental eights and marginalized the blacks in the country. They were considered as a property of south for a noteable timeperiod due to judicial ideological Depres detail and political binsness. In the Summary judicial biasress a major threat to fundament eights of humans and this partiality can be only be reduced by declining the political interestion in judicial affails. Furthermore, politicisation on the legal matter that iterating disharmony and Your topic is not politicization of judiciary

disutegration judiciary Politisation political influence his independent judicia fails when judicialy agues matters eather divide issues constitution has been Seedrrelevant duindling. Sam to the where topic of Supreme chief Justice court including of Pakistan divided on, Unrelated to political undependence. the reseaved seats government. This politicisation based divide how evoded judicial and constitutional because public does not judges on the basis of

while on the books of their This is also incleasing political vision. thus endangered plauzation national harmony and integlety. Additionally, judicial conjugation and paternage to exe undermener the public feast in the judiciary and its decision. All over judges are elec the world to higher position as per melit and their balaxies, provided states are much bigher than the basic beds to therast corruption and pischewous attitude The That's not impact on judicial independence the judiciary - the of constitution - conducts brittery coungtion then how it Can Don't start a sentence with "but" or "and" or Because cosseption not only supernacy of constitution by disrespting

the rules but also undernines citizens teust in country's law and justice system, and promotes self-justice by military groups and teibal leaders As stated in a book Pakistan: A Hard Country' by Aratal Leiven; "In pakistan, talisan fair then the courty justice And they provide a free justice within justice is more prudent and there days while courts would empty your pockets without proprieting justice? This proves the starke that justice in Pakislan is only for elites and political personnels due to political pattorage and kinship. The poor does not have access to feel and fast justice and there is a renounce proverts derial. To retieve the thust of public in judicial

system, political interference must need to be limited as much as possible in judicial matters Another impact is weakening Irrelevantoclatic institution de to judiciary dependence on political Not impact padjudicial their decision making independence denoceatic institutions include popular sovereign parliament - a legislative body, and executive office of the state head. These institutions strengthen by public tenst and when poor of law prevails in the courtey then officer's teast in these democratic institutions diminshes. The public start protest to respec democrapy but the political officials instead of meeting their concerns, deal with them heavy hards and tey to establisher an autholitation legime to stablize



also the beholder itself to the subsediration of judiciary to the political powers. Doithe of necessary in Pakistan evalued in the spirit to back the fillegal and unconstitutional actions of political elites. Theorypart the / historical contest of Pakistan Judicialy, this doctrine has been used by the judges to constitutionalized military rule in Pakistan, that is by no mean, can be considerly ant constitutional. In all the developed and denoceatic rations, this doctrine is considered as an illegitemate act while the developing nations all still under the debri of British colonialism! First time in Pakistan, after the independence, this doctrine takes birth in the Molvi Tamizeudin case when the judges of supreme court

legalized the unconstitution Lissolution of 1st Constitution assured of Pakistan, to favour the political elites, under the Gov. of India art 1935. Since then, the doittine of necessity has been utilized by the political parties to fulfill their desire to sule over the judicial decisions. In the last but not the least, judicied activism and legal movement are indebted to the declining judiciple power. Judicial activism and legal movement sise du to political interference in the figal matters as a courtey measure Judicial activism engowers the judges to interph in the governance issues and ensure effectiveness of policies. Judicial activism

first time used in USA Madbuy Vs. Medison case when American judges realized their exponsibility to interiore in executive and legislative afficie while acting as a watchdoop of constitutional supermany. With the Rise in political interference in judical affails with evayon of judicial independence, a surge in judicial activism in the pen of judicial leview has been seen. In India as per citation of the article The Impart of Political Interference on the Judiciary: India Vs. Pakistan, insugence of judicial activism has been Deen as a counter measure to political interference in the judicial decisions. Similarly, in Pallisten Lawyer movements from 2007-2009 were initiated to reinstate

the then chief justice who was
senoved by the President Pewarz No consistency in paragraph length musharf on not following his movements initiated to restore democlacy and judicial independence had achieved their little success by leinstating the chief justice Iftihal chauhday at his position but failed to agrieve its longtime goals. Democracy and judicial independence would only be possible when the political intervention on the judicial matters diminished. In a mutshell, judicial independence is very important to reestablish and the other democracy in Porkistan. Because the political Posties and their political agendes compete with the judicial independence in the field of

power politice. Thus, political impacting the fundamental eights provision, judicial unity, public regativel way. And consequently regativel way And consequently recessity, judicial activism and legal movements in the way to restore judicial independence. As eightly said by the Justice Sonia Sotomayou Don't break paragraph for quotes An Independent judiciary is the council stone of No proper structure And it is not impossible to establish judicial independence in an independent, democratic and sorreign country.