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THE ROLE OF THE JUDICIARY IN POLITICAL INSTABILITY IN PAKISTAN (2020–2025)

Bushra Ghani[*1], Dr. Aisha Shahzad[2]

[*1]*PhD Scholar, Department of Political Science, Lahore College for Women University (LCWU), Lahore, Punjab, Pakistan*
[2]*Associate Professor, Department of Political Science, Lahore College for Women University (LCWU), Lahore, Punjab, Pakistan*

[*1]bushraghani87@gmail.com, [2]aishashahzad@hotmail.com

Corresponding Author: *
Bushra Ghani
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ABSTRACT

This study critically examines the role of the judiciary in shaping political instability in Pakistan between 2020 and 2025, a period marked by constitutional crises, electoral controversies, institutional confrontations, and heightened political polarization. Drawing upon the theoretical frameworks of Separation of Powers and Judicialization of Politics, the study explores how judicial interventions influenced political processes and democratic governance during a turbulent phase of Pakistan's political development. The research employs a qualitative methodology based on secondary data analysis, utilizing constitutional provisions, judicial decisions, scholarly literature, policy documents, government reports, and media sources to examine major political and judicial developments. The findings reveal that the judiciary performed a dual role: on one hand, it acted as a constitutional guardian by upholding democratic procedures, protecting constitutional norms, and resolving institutional disputes; on the other hand, its extensive involvement in political matters contributed to increased political polarization, institutional tensions, and the growing judicialization of political conflicts. The study argues that while judicial intervention provided constitutional clarity during periods of uncertainty, the frequent reliance on courts to settle political disputes reflected the weaknesses of Pakistan's political institutions. The paper concludes that sustainable democratic stability requires both an independent judiciary and stronger political institutions capable of resolving conflicts through democratic and constitutional mechanisms rather than judicial adjudication. The study contributes to the broader debate on the relationship between judicial power, democratic governance, and political stability in emerging democracies.

Keywords: *Judiciary, Political Instability, Judicial Activism, Judicial Independence, Judicialization of Politics, Constitutional Crisis, Pakistan.*

Introduction

The judiciary constitutes one of the three fundamental organs of the state, alongside the legislature and the executive, and is entrusted with interpreting the constitution, safeguarding fundamental rights, and ensuring the rule of law. In democratic systems, judicial independence is considered essential for maintaining constitutional governance and preventing the concentration of power within any single institution. The principle of separation of powers requires the judiciary to function as an impartial

arbiter while remaining free from political influence and external pressures (Montesquieu, 1989). However, contemporary scholarship suggests that courts increasingly play a broader role in political decision-making, particularly in states experiencing institutional weaknesses and recurring constitutional crises (Hirschl, 2004).

Pakistan presents a significant case for examining the relationship between judicial authority and political governance. Since independence, the judiciary has frequently intervened in matters extending beyond traditional legal adjudication, including constitutional disputes, electoral controversies, and conflicts among state institutions (Newberg, 2002; Kennedy, 2015). Between 2020 and 2025, Pakistan experienced an intense period of political instability characterized by constitutional crises, heightened political polarization, electoral disputes, and tensions among the executive, legislature, and judiciary. During this period, courts played a central role in resolving critical political controversies, most notably issues related to parliamentary procedures, electoral processes, and constitutional interpretation. These developments intensified debates regarding judicial activism, judicial independence, and the expanding influence of courts in political affairs (Bazmi et al., 2023; Munir et al., 2024).

The growing judicialization of politics in Pakistan has generated divergent perspectives among scholars and political observers. Supporters argue that judicial intervention strengthens constitutionalism, accountability, and democratic governance by restraining the misuse of power and protecting constitutional norms (Cheema et al., 2025). Critics, however, contend that excessive judicial involvement in political matters blurs the boundaries between law and politics, weakens democratic institutions, and contributes to political polarization (Naseer, 2024; Pervaiz et al., 2024). Against this backdrop, the present study examines the role of the judiciary in shaping political instability in Pakistan from 2020 to 2025. It explores how judicial interventions influenced constitutional governance, political stability, and inter-institutional relations, while assessing the broader implications of judicial activism for democratic development and the rule of law in Pakistan.

Literature Review

The relationship between judicial power and democratic governance has been a central theme in political and legal scholarship for several decades. Scholars have increasingly examined the phenomenon of the judicialization of politics, whereby courts assume a more prominent role in resolving issues traditionally addressed through political institutions and democratic processes (Hirschl, 2004). This trend reflects the growing influence of judicial bodies in constitutional interpretation, policy disputes, and governance matters. While proponents view judicial intervention as a mechanism for strengthening constitutionalism and safeguarding democratic values, critics argue that excessive judicial involvement may undermine representative institutions and alter the balance of power among state organs (Montesquieu, 1989; Hirschl, 2004).

In Pakistan, the judiciary has historically occupied a significant position in shaping political developments and constitutional governance. Studies have documented how the courts have evolved from traditional adjudicatory institutions into influential political actors involved in constitutional interpretation, electoral disputes, accountability processes, and institutional conflicts (Newberg, 2002; Kennedy, 2015). Recent scholarship highlights that judicial activism has become a defining feature of Pakistan's political system, particularly during periods of political uncertainty and institutional crisis. Researchers argue that an active judiciary has often served as a check on executive authority, promoted accountability, and protected constitutional norms in situations where political institutions have struggled to perform their functions effectively (Bazmi et al., 2023; Munir et al., 2024). Despite these perceived benefits, the expanding role of the judiciary remains highly contested within academic discourse. Several scholars contend that frequent judicial intervention in political affairs encourages political actors to seek judicial remedies instead of resolving disputes through democratic dialogue and institutional

mechanisms (Naseer, 2024; Pervaiz et al., 2024). This reliance on courts may weaken political institutions, increase institutional tensions, and contribute to the growing judicialization of politics. Comparative and contemporary studies further suggest that while judicial activism can enhance accountability and constitutional oversight, it may also blur the distinction between legal adjudication and political decision-making, creating challenges for democratic consolidation and institutional balance (Cheema et al., 2025; Khan & Hassan, 2025). Consequently, the existing literature presents a divided perspective on whether judicial intervention serves as a stabilizing force or a contributor to political instability, a debate that remains particularly relevant in the context of Pakistan between 2020 and 2025.

Research Questions

1. How did judicial interventions influence political stability and democratic governance in Pakistan between 2020 and 2025?
2. To what extent did the judicialization of political disputes contribute to institutional conflicts and political instability in Pakistan during the period under study?

Research Objectives

1. To examine the role of the judiciary in shaping political stability and democratic governance in Pakistan between 2020 and 2025.
2. To analyze the impact of judicial interventions on constitutional crises, electoral disputes, and inter-institutional relations in Pakistan during the study period.

Theoretical Framework

This study is grounded in two complementary theoretical perspectives: the Separation of Powers Theory and the Judicialization of Politics Theory. These frameworks provide a useful lens for analyzing the expanding role of the judiciary in Pakistan's political system between 2020 and 2025. The separation of powers, originally articulated by Montesquieu (1989), is a foundational principle of democratic governance that advocates the distribution of state authority among the executive, legislature, and judiciary. The theory seeks to prevent the concentration of power in a single institution and promotes a system of checks and balances to ensure accountability, constitutionalism, and democratic stability. Within this framework, the judiciary is expected to act as an independent arbiter while respecting the constitutional boundaries of other state institutions.

The second framework, the Judicialization of Politics Theory, explains the increasing involvement of courts in matters traditionally resolved through political processes. According to Hirschl (2004), judicialization occurs when political controversies, policy disputes, and constitutional conflicts are transferred from elected institutions to judicial forums for resolution. This phenomenon has become increasingly visible in many democracies, particularly where political institutions face legitimacy crises or fail to effectively manage conflicts. In the Pakistani context, judicialization is reflected in the judiciary's growing involvement in electoral disputes, constitutional crises, governance issues, and accountability processes, making courts influential actors in shaping political outcomes (Kennedy, 2015; Newberg, 2002).

Together, these theoretical perspectives provide a comprehensive framework for understanding the judiciary's role in Pakistan's political instability during the period under study. The separation of powers theory helps assess whether institutional actors operated within their constitutional limits and maintained an appropriate balance of authority, while the judicialization of politics framework explains why political actors increasingly relied on courts to resolve disputes that were fundamentally political in nature. By integrating these theories, the study examines how judicial interventions affected democratic governance, inter-institutional relations, and political stability, thereby explaining the judiciary's emergence as a central actor in Pakistan's contemporary political landscape (Hirschl, 2004; Montesquieu, 1989).

Research Methodology

This study employs a qualitative research methodology based on the analysis of secondary sources. The research relies on a comprehensive review of academic books, peer-reviewed journal articles, constitutional and legal documents, judicial decisions, government reports, policy papers, newspaper archives, and credible online sources related to the role of the judiciary in Pakistan's political system. Using a descriptive and analytical approach, the study examines major political and judicial developments between 2020 and 2025, including constitutional crises, electoral disputes, judicial activism, and debates surrounding judicial independence. The collected data are analyzed through the theoretical lenses of Separation of Powers and Judicialization of Politics to assess how judicial interventions influenced political stability, democratic governance, and institutional relations in Pakistan.

Political Context of Pakistan (2020–2025)

The period from 2020 to 2025 represents one of the most politically volatile and institutionally challenging phases in Pakistan's contemporary history. During these years, the country experienced a combination of economic crises, political polarization, governance difficulties, and institutional confrontations that collectively undermined political stability. The economy faced significant challenges, including rising inflation, increasing unemployment, a growing external debt burden, and persistent currency depreciation. These economic pressures had profound social and political consequences, as citizens struggled with declining purchasing power and deteriorating living standards. Public dissatisfaction with economic management became increasingly visible through protests, political mobilization, and growing criticism of state institutions. Economic instability often serves as a catalyst for political unrest, and in Pakistan's case, the deteriorating economic environment contributed significantly to weakening public confidence in the government's ability to effectively manage national affairs. Consequently, economic grievances became closely intertwined with political conflicts, creating a broader atmosphere of uncertainty and instability that affected nearly every aspect of governance (Ali et al., 2024).

Political polarization emerged as another defining characteristic of this period. The relationship between the government and opposition parties became increasingly adversarial, with both sides engaging in aggressive political rhetoric and public confrontation. Opposition parties challenged the legitimacy and performance of the ruling government through protests, parliamentary resistance, and public campaigns, while government officials often portrayed opposition movements as threats to political stability. This intense rivalry created an environment in which compromise and political dialogue became increasingly difficult. Instead of addressing disagreements through democratic consensus-building mechanisms, political actors frequently adopted confrontational strategies that deepened divisions within society. The resulting polarization extended beyond political parties and affected public discourse, media narratives, and institutional relationships. Such divisions weakened democratic processes and contributed to a governance environment characterized by uncertainty, mistrust, and recurring political crises (Abro & Sahito, 2024).

In addition to economic and political challenges, institutional tensions among the executive, legislature, and judiciary became increasingly prominent. Disputes over constitutional authority, governance responsibilities, and political decision-making frequently brought state institutions into direct conflict with one another. These conflicts highlighted broader concerns regarding the balance of power and the effectiveness of democratic institutions in Pakistan. As political disputes intensified, political actors increasingly relied on courts to resolve conflicts that traditionally would have been addressed through parliamentary debate, political negotiation, or administrative mechanisms. This growing dependence on judicial intervention reflected the phenomenon of judicialization of politics, whereby courts assume a central role in resolving political controversies. While judicial involvement often provided constitutional

guidance and legal clarity, it also raised concerns about the expanding influence of courts in political affairs and the inability of political institutions to independently manage disputes. Consequently, the political context of 2020–2025 provides an important backdrop for understanding the judiciary's growing role in shaping political outcomes and influencing democratic governance in Pakistan (Bazmi et al., 2023; Naseer, 2024).

The 2022 Constitutional Crisis and Judicial Intervention

The constitutional crisis of 2022 stands as one of the most significant political events in Pakistan's recent history and provides a critical case for examining judicial intervention in democratic governance. The crisis emerged when opposition parties successfully initiated a vote of no-confidence against Prime Minister Imran Khan, threatening the survival of his government. As political tensions intensified, the government adopted extraordinary measures to prevent the vote from taking place, culminating in the dissolution of the National Assembly. This action immediately generated widespread controversy because many constitutional experts, political leaders, and legal scholars questioned its legality and compatibility with democratic principles. The dissolution transformed a political dispute into a constitutional crisis by raising fundamental questions about executive authority, parliamentary sovereignty, and adherence to constitutional procedures. The crisis quickly became the focal point of national political debate and attracted significant attention from legal experts, civil society organizations, and the international community (Jamshaid, 2025).

The Supreme Court of Pakistan played a decisive role in resolving the crisis. Upon receiving constitutional petitions challenging the dissolution of the National Assembly, the Court undertook a comprehensive review of the government's actions. Following extensive hearings, the Court unanimously declared the dissolution unconstitutional and ordered the immediate restoration of the Assembly, thereby enabling the no-confidence vote to proceed in accordance with constitutional requirements. This landmark judgment reinforced the principle of constitutional supremacy and demonstrated the judiciary's willingness to exercise its authority in politically sensitive circumstances. The ruling was widely interpreted as an affirmation of judicial independence and a strong assertion of the Court's role as the guardian of constitutional governance. By intervening at a critical moment, the judiciary significantly influenced the trajectory of political events and ensured that the constitutional process remained intact despite intense political pressure (Pervaiz et al., 2024).

Despite being celebrated by many as a victory for constitutionalism and the rule of law, the Court's intervention also generated substantial criticism and controversy. Supporters argued that the judiciary had fulfilled its constitutional duty by preventing executive overreach and safeguarding democratic institutions. In contrast, critics contended that judicial involvement in highly political disputes risks blurring the distinction between legal adjudication and political decision-making. Some scholars suggest that repeated judicial intervention in political matters may encourage political actors to rely excessively on courts rather than resolving disputes through democratic dialogue and institutional processes. The 2022 constitutional crisis therefore illustrates the dual nature of judicial power in Pakistan. While the judiciary contributed to preserving constitutional order and preventing a potential democratic breakdown, its prominent role in determining political outcomes also reinforced debates regarding judicial activism, institutional balance, and the proper limits of judicial authority within a democratic system (Cheema et al., 2025; Khan & Hassan, 2025).

Election Disputes and Judicial Activism

Election-related disputes constituted one of the most important areas of judicial intervention in Pakistan between 2020 and 2025. During this period, courts were repeatedly called upon to adjudicate controversies involving election schedules, candidate qualifications, electoral procedures, constitutional obligations, and the conduct of electoral institutions. These disputes

acquired extraordinary political significance because they directly affected electoral competition, political representation, and the distribution of political power. As a result, judicial decisions often carried consequences extending far beyond legal interpretation, influencing the broader trajectory of democratic governance. The frequency of election-related litigation highlighted the judiciary's increasingly prominent role in overseeing electoral processes and demonstrated how courts had become essential actors in resolving disputes that were fundamentally political in nature. This development reflected a broader trend toward judicialization, whereby legal institutions assume greater responsibility for addressing conflicts traditionally managed through political channels (Bazmi et al., 2023).

From a constitutional perspective, judicial intervention in electoral matters served several important functions. Courts acted as guardians of constitutional principles by ensuring compliance with electoral laws, protecting citizens' political rights, and reviewing actions undertaken by government authorities and electoral bodies. Through judicial review, courts sought to preserve the integrity of the democratic process and prevent abuses of power that could undermine free and fair elections. Many scholars argue that such interventions are essential in countries where democratic institutions remain vulnerable to political manipulation or executive interference. In Pakistan, judicial oversight often provided a mechanism for enforcing constitutional requirements and maintaining accountability within the electoral system. Consequently, supporters of judicial activism viewed the judiciary as a crucial institution for strengthening democratic governance and protecting the legitimacy of electoral outcomes (Pervaiz et al., 2024; Cheema et al., 2025).

However, the increasing dependence on judicial intervention also exposed significant weaknesses within Pakistan's political and electoral institutions. Ideally, many electoral disputes should be resolved through political negotiation, parliamentary oversight, and independent election management bodies rather than through litigation. The repeated involvement of courts suggested that political actors lacked confidence in existing institutional mechanisms and frequently viewed the judiciary as the most effective avenue for achieving political objectives. This trend created a cycle in which political institutions became increasingly reliant on judicial decisions, thereby reducing their capacity to independently manage disputes and strengthen democratic norms. Scholars have argued that while judicial activism can contribute positively to accountability and constitutional governance, excessive reliance on courts may undermine democratic development by shifting political decision-making away from elected institutions. Therefore, the experience of election-related disputes during 2020–2025 demonstrates both the strengths and limitations of judicial intervention and highlights the continuing challenge of achieving an appropriate balance between judicial oversight and democratic autonomy in Pakistan (Naseer, 2024; Abro & Sahito, 2024; Khan & Hassan, 2025).

Judicial Activism and Its Role in Pakistan's Political System

Conceptualizing Judicial Activism

Judicial activism refers to the proactive role of courts in interpreting constitutional provisions, protecting fundamental rights, and addressing issues that extend beyond conventional legal adjudication. Unlike a strictly restrained judiciary that limits itself to resolving legal disputes, an activist judiciary actively engages in matters of public importance, governance, constitutional interpretation, and institutional accountability. The concept is closely associated with the broader phenomenon of the judicialization of politics, whereby courts increasingly influence political and policy outcomes that were traditionally determined by elected institutions (Hirschl, 2004). In democratic systems, judicial activism is often justified as a mechanism for safeguarding constitutionalism, ensuring accountability, and preventing abuses of power; however, it remains a contested concept due to concerns regarding judicial overreach and institutional balance (Montesquieu, 1989).

Judicial Activism in Pakistan (2020–2025)

Between 2020 and 2025, Pakistan witnessed an unprecedented expansion of judicial involvement in political and governance-related matters. During this period, courts played a central role in addressing constitutional disputes, electoral controversies, governance challenges, accountability proceedings, and conflicts among state institutions. The judiciary frequently interpreted constitutional provisions in politically sensitive cases, thereby shaping the trajectory of major political developments and influencing relations between the executive, legislature, and other constitutional bodies (Bazmi et al., 2023; Munir et al., 2024).

The judiciary's active engagement became particularly evident during constitutional crises and election-related disputes, where judicial rulings significantly affected political outcomes and institutional dynamics. Such interventions reflected the growing judicialization of politics in Pakistan, whereby political actors increasingly relied upon courts to resolve disputes that might otherwise have been addressed through democratic and political mechanisms (Hirschl, 2004; Kennedy, 2015). Consequently, the judiciary emerged as one of the most influential institutions in Pakistan's political system during the period under study.

Arguments in Support of Judicial Activism

Supporters of judicial activism contend that an active judiciary is essential for protecting constitutional governance and strengthening democratic accountability. They argue that judicial intervention becomes necessary when political institutions fail to perform their constitutional responsibilities effectively or when elected officials exceed their legal authority. In the Pakistani context, proponents maintain that judicial activism has served as an important check on executive power, promoted transparency, and reinforced the rule of law by holding powerful political actors accountable for their actions (Cheema et al., 2025; Munir et al., 2024).

Furthermore, advocates argue that judicial activism contributes to the protection of fundamental rights and prevents unconstitutional actions by state institutions. During periods of political instability and institutional confrontation, judicial intervention often provided constitutional clarity and ensured adherence to democratic procedures. From this perspective, judicial activism is viewed as a corrective mechanism that compensates for the weaknesses of political institutions and strengthens constitutional governance in emerging democracies such as Pakistan (Bazmi et al., 2023; Cheema et al., 2025).

Criticism of Judicial Activism

Despite its perceived benefits, judicial activism has generated significant criticism among legal scholars, political analysts, and constitutional experts. Critics argue that excessive judicial intervention risks blurring the distinction between legal adjudication and political decision-making. According to the principle of separation of powers, governance and policymaking should primarily remain within the domain of elected institutions, while courts should focus on interpreting and applying the law (Montesquieu, 1989). When courts become extensively involved in political controversies, they may inadvertently undermine the autonomy and effectiveness of democratic institutions.

Scholars further contend that frequent reliance on judicial mechanisms may discourage political actors from resolving disputes through democratic dialogue, negotiation, and parliamentary processes. Instead of strengthening democratic institutions, excessive judicial intervention can contribute to their dependency on courts, thereby weakening their capacity to function independently. Critics also warn that persistent judicial involvement in politically contentious matters may create perceptions of partiality, potentially affecting public confidence in judicial neutrality and institutional legitimacy (Naseer, 2024; Pervaiz et al., 2024; Khan & Hassan, 2025).

Broader Implications for Democratic Governance

The debate surrounding judicial activism in Pakistan reflects a broader tension between constitutional oversight and democratic

autonomy. On one hand, an independent and assertive judiciary is indispensable for protecting constitutional norms, safeguarding citizens' rights, and ensuring accountability among public officials. On the other hand, democratic consolidation requires political institutions that are capable of managing disputes and governance challenges without excessive judicial intervention (Hirschl, 2004; Montesquieu, 1989).

The experience of Pakistan between 2020 and 2025 demonstrates that judicial activism functioned both as a response to institutional weaknesses and as a contributor to ongoing debates regarding the proper balance of power within the state. While judicial intervention often preserved constitutional order and prevented potential democratic breakdowns, it also intensified concerns regarding judicialization and institutional encroachment into political domains. Ultimately, the persistence of judicial activism during this period highlights the urgent need to strengthen political institutions, enhance democratic accountability, and establish a more sustainable balance between judicial oversight and political governance (Bazmi et al., 2023; Cheema et al., 2025; Naseer, 2024).

Judicial Independence and the Debate Over Reforms in Pakistan

Importance of Judicial Independence

Judicial independence is a cornerstone of democratic governance and constitutionalism, ensuring that judges perform their duties impartially and without external influence. An independent judiciary is essential for safeguarding the rule of law, protecting fundamental rights, and maintaining constitutional order. The principle requires that courts make decisions solely on the basis of legal and constitutional considerations rather than political pressure, governmental interference, or the influence of powerful interest groups (Montesquieu, 1989). In democratic systems, judicial independence functions as a critical safeguard against the concentration of power by enabling courts to act as neutral arbiters in disputes involving citizens, governments, and state institutions.

In the context of Pakistan, judicial independence has acquired particular significance due to the judiciary's expanding role in constitutional interpretation, electoral disputes, and political controversies. An autonomous judiciary enhances public confidence in the legal system and strengthens democratic governance by ensuring that all individuals and institutions, regardless of their political or social status, remain subject to the law. Consequently, the preservation of judicial independence remains fundamental to the effective functioning of Pakistan's constitutional framework and democratic institutions (Kennedy, 2015; Newberg, 2002).

Debates on Judicial Reforms (2024–2025)

Between 2024 and 2025, Pakistan witnessed intensified debates regarding judicial appointments, accountability mechanisms, and broader judicial reforms. These discussions emerged amid growing concerns about the effectiveness, transparency, and credibility of the judicial system. Questions surrounding the appointment of judges to the superior judiciary became particularly prominent, with legal experts, political actors, and civil society organizations calling for greater transparency and procedural clarity in the selection process. Critics argued that perceived deficiencies in appointment mechanisms could undermine public trust and potentially affect the independence and impartiality of the judiciary (Naseer, 2024).

Simultaneously, debates regarding judicial accountability gained significant attention. While judicial independence remains a fundamental democratic principle, many observers emphasized that independence should be accompanied by appropriate accountability mechanisms to maintain public confidence in the judiciary. Advocates of reform argued that effective oversight procedures are necessary to ensure ethical conduct, professional integrity, and institutional transparency without compromising judicial autonomy. These discussions reflected broader concerns about how to strengthen the judiciary's legitimacy while preserving its constitutional independence (Munir et al., 2024).

The broader reform discourse also focused on improving judicial efficiency, reducing case backlogs, enhancing access to justice, and modernizing institutional structures. Supporters of reform maintained that strengthening the judiciary required not only preserving its independence but also improving its overall effectiveness and responsiveness. Consequently, judicial reform became a central issue within broader debates concerning governance, institutional performance, and democratic consolidation in Pakistan (Cheema et al., 2025).

Balancing Judicial Accountability and Independence

At the core of these debates lies the challenge of balancing judicial accountability with judicial independence, a dilemma that has confronted democratic systems across the world. Judicial accountability is essential because judges exercise significant authority in interpreting laws, resolving disputes, and shaping constitutional outcomes. Effective accountability mechanisms help maintain public trust, ensure professional standards, and prevent the misuse of judicial power. Without accountability, judicial institutions may face criticism regarding transparency, legitimacy, and responsiveness to public concerns (Naseer, 2024).

At the same time, excessive external oversight or political influence can undermine judicial independence and compromise the ability of judges to make impartial decisions. If judges fear political retaliation, public pressure, or institutional interference, their capacity to uphold constitutional principles and protect fundamental rights may be significantly weakened. Therefore, democratic governance requires a carefully designed framework that promotes accountability while preserving judicial autonomy and impartiality (Montesquieu, 1989; Kennedy, 2015). The debates that intensified between 2024 and 2025 underscore the continuing challenge of achieving this balance in Pakistan. While there is broad consensus regarding the need for judicial reforms, opinions differ regarding the appropriate mechanisms for ensuring accountability without compromising independence. The future effectiveness and legitimacy of Pakistan's judiciary will largely depend upon the successful implementation of reforms that strengthen institutional transparency, enhance public confidence, and preserve the judiciary's constitutional role as an independent guardian of the rule of law (Munir et al., 2024; Cheema et al., 2025).

Impact on Political Stability in Pakistan

The judiciary exerted a significant influence on Pakistan's political stability between 2020 and 2025, emerging as one of the most consequential institutions in shaping political developments during a period characterized by constitutional crises, electoral disputes, institutional confrontations, and heightened political polarization. Judicial decisions extended beyond the resolution of legal controversies and directly affected political behavior, inter-institutional relations, and public discourse. As courts increasingly adjudicated politically sensitive matters, their rulings influenced the actions of political parties, government officials, and opposition groups, thereby playing a critical role in determining the direction of political processes and governance outcomes (Bazmi et al., 2023; Munir et al., 2024).

One of the most significant impacts of judicial intervention was its effect on the balance of power among state institutions. Through constitutional interpretation and judicial review, courts frequently determined the scope and limits of authority exercised by the executive and legislative branches. Judicial rulings often clarified constitutional ambiguities and established legal boundaries within which political actors were required to operate. Consequently, the judiciary became a central actor in shaping institutional relationships and maintaining constitutional order during periods of political uncertainty. The increasing reliance on courts to resolve conflicts among state institutions further reinforced the judiciary's position as an influential arbiter in Pakistan's political system (Kennedy, 2015; Newberg, 2002).

Judicial decisions also played an important role in influencing public discourse and political

narratives. Major court rulings frequently became subjects of extensive debate within the media, civil society, and political circles. As a result, judicial interventions not only affected legal and constitutional outcomes but also shaped public perceptions regarding governance, accountability, and democratic legitimacy. The judiciary's prominence in political affairs elevated its institutional visibility and transformed it into a key participant in broader debates concerning constitutionalism and democratic governance (Cheema et al., 2025).

In several instances, judicial intervention contributed positively to political stability by providing constitutional clarity during periods of uncertainty. The judiciary's role in resolving constitutional disputes helped prevent the escalation of political crises and ensured adherence to democratic procedures. A notable example was the Supreme Court's intervention during the 2022 constitutional crisis, when it declared the dissolution of the National Assembly unconstitutional and restored parliamentary proceedings. This decision reinforced constitutional supremacy, safeguarded democratic processes, and provided a legal framework for resolving a highly contentious political dispute (Pervaiz et al., 2024; Jamshaid, 2025). Such interventions demonstrated the judiciary's capacity to function as a stabilizing force by preserving constitutional order and preventing institutional deadlock.

However, the judiciary's expanding role in political affairs also generated unintended consequences that contributed to political instability. Judicial decisions in politically contentious cases were frequently interpreted through partisan lenses, with competing political actors selectively accepting or rejecting rulings based on their political interests. Consequently, court judgments often became sources of further political controversy rather than instruments of consensus and conflict resolution. This pattern intensified political polarization and contributed to growing mistrust among political stakeholders regarding the neutrality of judicial institutions (Naseer, 2024; Khan & Hassan, 2025).

Moreover, the increasing judicialization of political disputes highlighted structural weaknesses within Pakistan's democratic institutions. Political actors increasingly relied on courts to settle conflicts that would traditionally be resolved through parliamentary deliberation, political negotiation, or administrative mechanisms. While judicial intervention often provided short-term solutions, excessive dependence on the judiciary reduced incentives for political institutions to strengthen their own conflict-resolution capacities. As a result, political disputes became increasingly litigated rather than addressed through democratic dialogue and compromise, thereby reinforcing institutional dependency on judicial adjudication (Hirschl, 2004; Bazmi et al., 2023).

Discussion

The findings of this study demonstrate that the judiciary played a complex and multifaceted role in Pakistan's political system between 2020 and 2025. The evidence suggests that judicial intervention functioned both as a mechanism for preserving constitutional governance and as a factor contributing to political tensions and institutional conflicts. This dual role reflects the broader tension identified in the literature between the judiciary's responsibility to safeguard constitutional principles and the risks associated with the growing judicialization of politics (Hirschl, 2004; Kennedy, 2015).

From the perspective of the Separation of Powers Theory, the judiciary performed an important constitutional function by ensuring adherence to legal procedures, protecting democratic norms, and preventing the misuse of authority by political actors. Judicial intervention during major constitutional and electoral disputes provided legal clarity at critical moments and helped preserve constitutional continuity. The judiciary's actions during the 2022 constitutional crisis, for example, reinforced the principle of constitutional supremacy and demonstrated the courts' capacity to act as guardians of democratic governance (Pervaiz et al., 2024; Jamshaid, 2025). These findings support the argument that an independent judiciary is essential for maintaining

institutional accountability and preventing unconstitutional actions by state authorities (Montesquieu, 1989).

At the same time, the study reveals that the increasing reliance on judicial mechanisms to resolve political disputes reflected deeper structural weaknesses within Pakistan's democratic system. Political parties, government institutions, and other stakeholders increasingly turned to courts to settle disagreements that would ordinarily be addressed through parliamentary debate, political negotiation, or administrative processes. This trend is consistent with Hirschl's (2004) concept of judicialization of politics, whereby courts become central arenas for resolving political conflicts. While judicial intervention often provided immediate solutions to constitutional disputes, it also highlighted the inability of political institutions to independently manage conflicts and maintain democratic consensus.

Furthermore, excessive dependence on judicial adjudication contributed to institutional tensions and political polarization. Judicial decisions in politically sensitive cases were frequently interpreted through partisan perspectives, with political actors selectively accepting or rejecting court rulings depending on whether the outcomes aligned with their interests. As a result, judicial interventions sometimes intensified political divisions rather than facilitating reconciliation and democratic stability (Naseer, 2024; Khan & Hassan, 2025). The findings therefore indicate that while judicial activism strengthened constitutional oversight and accountability, it also risked expanding the judiciary's role beyond its traditional constitutional boundaries.

The study ultimately suggests that Pakistan's recurring reliance on judicial intervention is symptomatic of broader institutional deficiencies rather than solely a consequence of judicial behavior. The judiciary emerged as a central actor largely because political institutions lacked the capacity, credibility, and public trust necessary to resolve disputes independently. Consequently, the long-term solution to political instability lies not in limiting judicial independence but in strengthening democratic institutions, enhancing political accountability, and fostering a political culture based on dialogue, compromise, and constitutional governance. Sustainable democratic development requires a balanced relationship among the judiciary, legislature, and executive, where each institution performs its constitutional responsibilities effectively while respecting the authority of the others (Cheema et al., 2025; Munir et al., 2024).

Conclusion

This study examined the role of the judiciary in shaping political instability in Pakistan between 2020 and 2025, a period characterized by constitutional crises, electoral controversies, institutional confrontations, and heightened political polarization. The findings indicate that the judiciary emerged as one of the most influential institutions in Pakistan's political system, playing a decisive role in resolving constitutional disputes, interpreting legal provisions, and adjudicating politically significant conflicts.

The analysis demonstrates that the judiciary's role during this period was both constructive and contentious. On the one hand, judicial intervention contributed to the protection of constitutional norms, the preservation of democratic procedures, and the maintenance of institutional accountability. Through judicial review and constitutional interpretation, the courts helped prevent potential constitutional breakdowns and provided legal certainty during periods of political uncertainty. On the other hand, the judiciary's extensive involvement in political affairs contributed to institutional tensions, reinforced political polarization, and accelerated the judicialization of political disputes. The growing tendency of political actors to seek judicial remedies for fundamentally political conflicts underscored the weaknesses of Pakistan's democratic institutions and their limited capacity to resolve disputes through democratic mechanisms.

The study concludes that judicial intervention should not be viewed solely as a cause of political instability nor exclusively as a source of democratic stability. Rather, it represents a response to

broader institutional shortcomings within Pakistan's political system. The judiciary's expanding role reflects the inability of political institutions to effectively manage governance challenges, constitutional disputes, and political conflicts independently. Consequently, while judicial activism has provided important constitutional safeguards, it cannot substitute for strong and effective democratic institutions.

Looking forward, Pakistan's democratic consolidation depends upon strengthening both judicial independence and institutional capacity. An independent judiciary remains essential for protecting constitutionalism, safeguarding fundamental rights, and ensuring accountability. Simultaneously, political institutions—including Parliament, electoral bodies, and executive institutions—must be strengthened to enhance their ability to manage disputes through democratic processes rather than judicial intervention. Only through the development of robust institutions, respect for the rule of law, and adherence to democratic norms can Pakistan achieve long-term political stability and sustainable democratic governance. The future of democratic development in Pakistan therefore rests on establishing an effective balance between judicial oversight and institutional autonomy, ensuring that constitutional governance is upheld without fostering excessive dependence on judicial adjudication (Hirschl, 2004; Montesquieu, 1989; Cheema et al., 2025).

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