

**RESEARCH PAPER****Critical Analysis of Partiality of Judges and its Impact on Legal Landscape of Pakistan****<sup>1</sup>Noman Ali Shah and <sup>2</sup>Faisal Awais**

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**\*Corresponding Author** [noman.ali@superior.edu.pk](mailto:noman.ali@superior.edu.pk)**ABSTRACT**

Partiality of judges in Pakistan is a complex and persistent issue. Judiciary has been facing numerous challenges since the creation of Pakistan. Independence of judiciary is fully secured under the Constitution of 1973 by which, the Judges should fix and decide the matters in front of them without any pressure and influence. Judges are considered to be custodian of constitutional as well as fundamental rights. In last few decades, judiciary has been highly influenced by politicians and other institutions to get favor and to achieve political interests and personal benefits. Furthermore, there are various key factors which contribute to partiality of judges such as favoritism in the appointment, political influence, personal interests and corruption. The biasness and partiality of judges has raised tensions among branches of government particularly judiciary and the executive. By qualitative research, the objective of this paper is to examine the partiality of judges and their impact on legal cases which has compromised on judiciary's independence, adherence to the law and protection of constitutional as well as fundamental rights. The outcomes of this research propose that impartiality of judiciary is crucial for the administration of justice and protection of constitutional as well as fundamental rights..

**Keywords:** Administration of Justice, Constitutional Rights, Custodian, Executive, Fundamental Rights, Independence of Judiciary, Political Influence, Rule of Law

**Introduction**

Pakistani Constitution establishes the essential foundation and the courts' jurisdiction. Judiciary is one of the main organs of the government which plays a vital role in any democratic society for the administration of justice and the supremacy of law. Unfortunately, in Pakistan, the judiciary has been struggling hard for the last few decades, to get its repute and public estimation. In recent time, it has been observed a great tussle between the organs of government i.e. the judiciary, the executive and the legislature. According to the Constitution, all the organs have their separate powers and domains to exercise and perform their functions accordingly. Political and non-political factors influence the judicial system since the independence of Pakistan, due to which judicial system has been crumbling and posing a serious threat to the supremacy of law and integrity of legal system. It has experienced a long period of military intervention, political instability, and weak democratic institutions. These factors have mainly effects on the judiciary and the independence of judiciary. The partiality of judges poses an unavoidable risk to the Pakistan's Judicial System, loosing public confidence and damaging the rule of law. The purpose of this paper is to present a thorough critical analysis of the partiality of judges in Pakistan, focusing its causes, manifestations, and impacts on the legal landscape.

**Literature Review**

It is for this reason that judicial independence is most of the time considered an essential characteristic of democratic institutions (Hirschl, 2008). The Constitution of Pakistan, which was adopted in 1973, avows that the judiciary of the country is

safeguarded by the Constitution and the judges are going to decide cases without any bias or intervention of extraneous forces (Constitution of Pakistan, 1973; Article 175). Several legal authors, including Mehdi (2012), have posited that the ability to have an independent judiciary is what enables the rule of law as well as serves to defend constitutionalism. Mehdi, (2012) further opines that when it comes to bias, customs shall be dismissed but impartiality is not only a constitutional requirement but also helpful for legal institutions' integrity.

But, in reality, this section though grants many guarantees, shows from empirical literature that political interference continues to be a problem in the Pakistani judiciary (Khan, 2014). In his article, Khan (2014) observed that judges have been easily influenced by other branches of power in many cases, especially the most sensitive ones. This erodes the public's confidence in the justice system while at the same time distorting the credibility of judicial process decisions.

These following factors cause partiality of judges in Pakistan in some ways; This includes politicization of the judiciary where the president has the power to appoint judges. Siddiq, (2019) points out that undue influence and favoritism have contributed to the dilution of the quality and independence of judges, political affiliation dominating a particular region has often decided the appointment of a judge than merit. Pp. 23–24 note that the appointment process has usually been affected by political leaders in their attempt to place favorable judges on the bench. This trend has on many occasions been observed in landmark cases as if the Judgments made are the workings of the ruling political parties (Malik, 2016).

One of the other factors is a corrupt practice that has been prevalent within the judiciary for a long time in Pakistan. Naseer (2013) has noted that corruption in the judiciary plays a major role in biases in judgments passed by the judges." Judges may be prone to influence, especially through bribery or any kind of financial pressure since the lower courts pay relatively little salaries to their officials, and the opportunities to gain extra illegal profits are great. The corruption issue is also linked with other system vices in governance that continue to undermine the independence of the judiciary still further (Naseer, 2013). Political interference is another considerable cause of Judicial bias. According to Aziz (2018), both military and civilian governments in Pakistan have interfered with the judiciary intending to garnish political support or stifle dissent. Aziz (2018) has stated that the judiciary remained sandwiched in this power tussle between the executive branch and the legislative branch and remained compromised in this process. In political trials, judges are at times forced to make decisions that favor the government to protect themselves from being dismissed or fired. Such bias has devastating effects on the legal framework of Pakistan by the lower Judiciary. Hamid (2020) observes that where judgments require the application of legal rationality, bias can result in unequal application of the law and variable interpretation of legal provisions. When the judgments given are of political bias or self-interest, the confidence of the public in the judiciary is lost (Hamid, 2020).

Moreover, Malik (2019) has also argued that due to bias in Pakistani judges, it brought question marks on the protection of rights of individuals. For example, in cases touching on political dissenters or human rights activists, prejudicial decisions lead to restrictions on freedom of speech and other liberties. It stipulates that without independent judiciaries, constitution-based protection of those rights is selective with different results depending on whether the defendant is powerful, moneyed, influential, or part of a dominant group. Another case in which the Pakistani judiciary has been criticized is a lack of fairness, by the representatives of the international community. Through a survey that was conducted by the International Commission of Jurists, ICJ report of 2020 indicated that perceived biases of the judiciary system of Pakistan affect the country's reputation internationally, especially in matters of human rights. The ICJ (2020) thus

advocates for a change bid to enhance the independence of the Judiciaries and reduce the level of politicization; failure to which Pakistan's legal reputation in the international community will continue to decline.

This paper's analysis of the literature shows that this partiality of the Judges of the lower court in Pakistan is associated with politics, the influence of political authorities, favoritism in the appointments, and corruption. These realities erode judicial independence and weaken possibilities for constitutional rights' enforcement and the rule of law. The problem, according to scholars, cannot be solved without these structural changes such as – The elimination of the politics of judicial appointments and the – improvement of accountability frameworks. Unless such reforms are made, the neutrality of the judiciary of Pakistan will remain in been of to a great extent affecting the legal system of the country.

### **Research Methodolgy**

This research adopts a qualitative approach in order to explore the issue of partiality among Pakistani judges and its impact over judicial independence, court proceedings and protection of basic and constitutional rights. The qualitative method allows for an in-depth analysis of the major contributors to judicial partiality including corruption, politics, vested interests, and placement inequities. As this research seeks to employ a qualitative approach, the focus is on the qualitative methods has made it possible to understand the context within which partiality is embedded and its nuances.

### **Historical Context**

Judicial system of Pakistan derives its origin from British India. It is important to understand the historical context of Judicial System before the independence by which we found the partiality in the judicial system from the beginning. This system was established to secure the colonial interests and benefits instead of serving justice within the sub-continent. Before the partition of Pakistan, as per the Government of India Act, 1935, Federal Court was established which was responsible and custodian of the Constitution. It was vested with further powers to settle the differences between constituent units of the federation (Khan 2001). Other than Federal Court there were several High Courts in the sub-continent and most of the judges were non-Muslims in the high courts. After the establishment of Pakistan, the judicial system was designed on the parameters of British Colonial System.

Unfortunately, Military intervention is another hurdle in the impartiality of judiciary in Pakistan, particularly during the governments of Ayub Khan, Zia-ul-Haq, and Pervez Musharraf. In these army dictators' era, the judiciary was under the control of military who forced the judiciary to act accordingly to their desires and compromised on the independence of judiciary. The judiciary was forced by coercion and delude by the military elite to get favorable decisions by the superior courts. Ayub Khan imposed the first martial law in 1958, when the Supreme Court heard the case and approved the declaration, ruling that Martial Law superseded both the Constitution and current Legal Framework Order (LFO) (Shakir, N. n.d.). A new military ruler came to power in 1977, and the Supreme Court once more affirmed its authority. In 1981, Gen. Muhammad Zia ul Haq suspended the constitution. In 1984, he announced his candidacy for president through a referendum. In 1985, he instituted a parliament chosen by hand.

In 1999, the judiciary was again hijacked by the military dictator when Gen. Pervez Musharraf declared a state of emergency and the PCO. These unconstitutional steps were approved by the Supreme Court by stating that these actions were taken for the wellbeing of the state as well as for the people (Zafar Ali Shah v. Pervez Musharraf 2000). Nearly all

senior judges were sworn in under the PCO and that was the grind down of the independence of the judiciary. The pertinent provision of the PCO 1 of 1999 is as follow:

“No Court, tribunal or other authority shall call in question the Proclamation of Emergency of 14th day of September 1999 or any other Order made in pursuance thereof. No judgement, decree, writ, order or process whatsoever shall be made or issued by any court or tribunal against the Chief Executive or any other authority designated by the Chief Executive.

All persons who, immediately before the commencement of this Order, were in service of Pakistan as defined in Article 260 of the Constitution and those who immediately before such commencement were in office as Judge of the Supreme Court, the Federal Shariat Court or a High Court or Auditor General or Ombudsman and Chief Ehtesab Commissioner, shall continue in the said service on the same terms and conditions and shall enjoy the same privileges, if any.”

In September, 1985 United Nations Congress issued a Universal Instrument on “Basic Principles on the Independence of the Judiciary” in relation to Independent Judiciary, according to this Instrument “The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason.” (United Nations Human Rights Commission 1985). As per the directions of United Nations, the Judiciary’s Independence shall be secured by the State and all the departments of the State. Political interference has been a constant issue in Pakistan’s judiciary since the Independence of Pakistan. Politicians have frequently attempted to influence judicial appointments and decisions to secure favorable verdicts.

In Pakistan, independence of judiciary had obstructed by Civilian Governments by using different means such as by harassment, offering bribing and incentives to judges. In destabilizing the independent judiciary, a large number of judges played their part. Some landmark cases are: “General Iskandar Mirza (The State v. Dosso)” in 1958 and “General Ziaul Haq (Nusrat Bhutto v. COAS)” in 1977 and “General Pervaiz Musharraf (Z. A. Shah v. P. Musharraf)” in 1999. In constitutional history, this is known as black era (Fatima, Bilal, & Khokhar 2022). Such Political interference deteriorates the independence of judiciary and encourages partiality of judges in the Legal System of Pakistan.

### **Factors Contributing to Judicial Partiality**

There are several factors within Pakistan’s judicial system that contribute to the judicial partiality.

### **Judicial Appointments**

A Judicial Commission (JC) appoints Supreme Court judges in accordance with the 18<sup>th</sup> and 19<sup>th</sup> amendments. The Attorney General of Pakistan, the Federal Minister for Law and Justice, the Chief Justice of Pakistan, four senior Supreme Court judges, a former Chief Justice or judge (selected by the Chief Justice after consulting the four judges), and a senior Supreme Court attorney chosen by the Pakistan Bar Council comprise this commission (Hussain 2006). From the start, the JC of Pakistan, which is responsible for appointing judges, has been criticized for being influenced by political parties. The procedure of appointments of judges in the judicial system of Pakistan lacks transparency and is inclined to political influence in most of the cases. For instance, in 2022 the Honorable Judge of Lahore High Court, Lahore, Justice Ayesha A Malik was elevated to Supreme Court of Pakistan by ignoring the senior judges of the High Court. At that time, her nomination was highly criticized by the legal fraternity.

### **Lack of Accountability**

**“The real threats to independence of judiciary are from within — stemming from the personality of the judge himself”. — Justice Asif Saeed Khosa.**

Judicial system of Pakistan lacks uniformity and effective accountability mechanism which is a serious threat to our judicial system. Considering the history of military and political elite interference in the Pakistani judiciary, it makes sense to establish a system of self-accountability in order to safeguard the independence of the courts. However, in practice, this system hasn't worked as well as it should. For instance, since Article 209 was introduced in 1973, Not a single justice from the Supreme Court or High Court has been ousted from their position (Siddique 2016) Judges are rarely held accountable for their decisions or misconduct, leading to a culture of impunity. The judicial system of Pakistan lacks accountability in the High Courts and Supreme Court of Pakistan. For instance, in 2009 The National Judicial Policy was introduced by the SC of Pakistan, in this policy it was recommended that strict action be taken against District and Session Judges who carry a “persistent reputation of being corrupt”. Although judges of the higher courts were urged to resolve cases quickly, the policy did not address corruption or other abuses of power by judges in the Supreme Court and High Courts. This system of lack of accountability encourages the partiality and corruption in the judiciary.

### **Financial Issues**

Judicial system of Pakistan has been facing many financial problems by financial dependence on the executive branch. The judiciary often complains lack of resources, instable infrastructure, insufficient court funds and supporting staff. Another factor which is considered as the leading factor in the partiality of judges, inadequate allocation of budget by the executive. It is a universal maxim that Justice delayed is justice denied. Low remuneration of newly appointed judicial officers, low budget allocations to judiciary and financial dependence restrains the judiciary to perform its function effectively and independently.

### **Socio-Political Factors**

The socio-political factors in Pakistan further aggravate the issue of judicial partiality. Many social factors are directly involved in the partiality of judges, e.g. undue influence by family, influence and pressure by the Bar Associations. It has become a common practice in the courts that the Bar can get any favorable decision from the judges by putting pressure and giving strike call otherwise. Pakistan's Judicial System has been highly under threat by the politicians. Politicization has also been part and parcel in Pakistan's judicial System. In the history of judiciary of Pakistan we can find many examples whereby judges were fully biased due to their political affiliations and they compromised on the independence of judiciary. Some of these cases are discussed in the paper.

### **Corruption**

A study by Cheema and Raza (2012) underlined that corruption in Pakistan's legal and law enforcement sectors has detrimental effects on the rule of law and the administration of justice. The report emphasized a number of corruption practices in the aforementioned fields, such as bribery to sway court rulings, bureaucrats abusing their positions of authority, and political influence on judge nominations (Cheema, F. A., & Raza, M. A. 2012). It was also discovered that the detrimental effects of corruption in the legal and law enforcement systems promote social and economic inequality by giving wealthy and powerful officials the upper hand over the weak and impoverished. Resultantly, people do not trust in the justice system and that breaks the social coherence and

endangers the rule of law (Ali, A. 2016). Corruption is in Pakistan and has infiltrated the judiciary. Bribery and undue influence often affect judicial decisions, undermining impartiality and fairness.

### **Nepotism**

Nepotism and patronage are the key factors in the partiality of judges in the judicial system of Pakistan. Judicial appointments in the higher courts are decided behind the closed doors and promotions are made by ignoring merit base policy rather than on the basis of private or pecuniary connections. This procedure of appointment and promotion is truly against the spirit of independence and the integrity of the judiciary.

### **Media Reporting and Campaign**

High profile cases' coverage on media puts pressure on the judges. It develops biasness among the judges on the basis of public opinion which broadcasts on different social media pages. Media coverage creates hype about such high profile cases and the judges usually go with the public sentiments rather than the actual findings of the case and legal principles.

### **Case Studies**

In this paper we will examine several high-profile cases in Pakistan that illustrate the impact of judicial partiality on legal landscape of Pakistan,

#### **Zulfiqar Ali Bhutto Case (1979)**

The trials of former PM Zulfikar Ali Bhutto in the late 1970s were commenced on the basis of judicial partiality. It was alleged that Maulvi Mushtaq Hussain, former CJ of High Court, deliberately had not given an opportunity of free and fair trial to Zulfiqar Ali Bhutto. It has been argued that Bhutto was controversially sentenced to death by judiciary under the influence of the military reign of General Zia-ul-Haq. On 6<sup>th</sup> March, 2024, the Pakistani Supreme Court by using its Advisory Jurisdiction as granted by Article 186 of the 1973 Constitution, gives opinion that the major constitutional and legal lapse had occurred with respect to fair trial and due process (Reference No. 1 of 2011, n.d.)

#### **The Panama Papers Case (2017)**

The Panama Papers Case (Imran Ahmad Khan Niazi v. Mian Muhammad Nawaz Sharif, 2017), which led to Nawaz Sharif's dismissal as prime minister in 2017, highlighted the judiciary's role in political power struggles. In the history of Pakistan's Judiciary, it is another controversial case which highlights the partiality of judges where the court kept bending forward and backward. The actual judgement of 20<sup>th</sup> April, 2017 was given by 5 member judges was not a true verdict in its sense. Judges were divided on the given verdict, the majority judgement was done by three judges in the name of implementation of the verdict given on 20<sup>th</sup> April, 2017. Later on, all three judges gave the final verdict on 28<sup>th</sup> July, 2017 and strangely on the same day a five members bench was reconstituted and the three members bench deciding the case on 28<sup>th</sup> July, 2017 had completely a different opinion and Nawaz Sharif was disqualified. These events of verdict draws a clear picture of confusion in the court and resultantly the judges lose their credibility being impartial.

#### **Lawyers' Reform Movement 2007- 2009**

The Lawyers' Movement of 2007-2009 was the outcome of the Proclamation of Emergency and PCO of 2007. Numerous judges of the Supreme Court of Pakistan took an oath under the PCO in accordance with the Oath of Office (Judges) Order, 2007. Senior

Supreme Court judges were placed under house arrest after they displayed bravery and upheld the Constitution. A movement to restore the Constitution and judges was started in response to this unlawful and unconstitutional act, and it was dynamically led by the Pakistan Bar Council. The Lawyers Reform Movement was supported by legal fraternity at large scale, by the former judges of the Supreme Court of Pakistan and the civil society as well. Resultantly, the CJP Iftikhar Muhammad Chaudhry was restored and judicial reforms were made for the accountability, transparency and impartiality of the judges. This movement was celebrated by the lawyers for protecting judicial independence and by discouraging the partiality of the judges from the political influence (Mufti, n.d.).

### **Impact on the Legal Landscape**

Following are the impacts of the partiality of judges on the legal landscape of Pakistan's judiciary:

#### **Lack of Public Trust**

Judicial partiality is gradually destroying the public trust in the legal system. When people believe that judges are partial, biased or influenced by external factors, there is a decline in faith in the judiciary's capacity to deliver unbiased and equitable justice. This lack of trust further leads to find other extrajudicial means of resolving issues and disputes, that is a serious threat to free and fair justice system.

#### **A Serious Threat to Rule of Law**

The idea that all people are equal before the law is compromised by judicial partiality, which undermines the rule of law. Judicial rulings that are influenced by personal, financial, or political interests undermine the rule of law and destroy the legal system.

#### **Violation of Human Rights**

Partial judicial decisions have significant implications for human rights in Pakistan. Judicial partiality can result in the violation of fundamental rights, particularly for susceptible and targeted groups. Partiality of judiciary can lead to wrongful convictions, delaying of justice, and maintaining the discrimination in the judicial system.

#### **Economic Implications**

A fair and unbiased legal system is essential to the nation's economic growth and stability. Judicial partiality can restrain foreign investment and disrupt economic growth by creating an unreliable and absurd legal environment. Investors do not like to invest their assets to a country where the judiciary is not trusted to enforce contractual and property obligations without any discrimination.

#### **Comparative Analysis**

A comparative evaluation of judicial systems in other countries can provide valuable foresights into highlighting the judicial partiality in Pakistan:

##### **India**

India has a similar legal system with Pakistan but has made significant developments in judicial independence. The Indian judiciary, specifically the Supreme Court, has established a unique mechanism for judicial appointments and has been perceptive in safeguarding its independence through landmark judgments:

In the case of State of “West Bengal Vs Shivananda Pathak” the independence of judiciary and impartiality was secured and set a precedent that the judge must be impartial and unbiased for the justice. To protect the judicial integrity, Judges shouldn't participate in cases in which they have a personal stake or where they can be accused of prejudice (A.K. Kraipak v. Union of India).

### **United States**

The founding principle of the United States is the independence of the judiciary, therefore, United States judiciary is known for its strong adherence to the principle of judicial independence. In the American Legal System, judicial impartiality has significant role and this principle has been addressed by the Supreme Court of USA in various landmark cases. A judge must not have any direct, personal or pecuniary relation to the party who appears in his court for seeking justice if it happens it is against the due process of law and it violates the US Constitution's Fourteenth Amendment's Due Process Clause (Tumey v. Ohio). Transparent process of appointment of judges and their accountability, involving rigorous vetting and Senate confirmation, contribute to the impartiality of the judges in the USA.

### **United Kingdom**

The legal system in the United Kingdom is well-established, with a high degree of independence of judiciary. After creation of the UK's Supreme Court and the Judicial Appointments Commission, independence of judiciary has been strengthened. Now, the UK has a transparent and merit-based appointment process for the judges. The core principle of the British legal system is judicial impartiality, which the UK's supreme court has discussed in a number of decisions.

**"R v. Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet Ugarte (No. 2) [1999] UKHL 1."** This landmark case concerned to the appearance of bias. Lord Hoffmann, a Law Lord, was found to have a conflict of interest due to his association with Amnesty International, which was involved in this case. House of Lords (now the Supreme Court) defined that the decision in which Lord Hoffmann participated should be set aside due to apparent partiality and highlighted that in order for justice to be done in its purest form, it must also be perceived to be done.

### **Conclusion**

Judicial partiality is a great challenge for judicial system of Pakistan facing now a days. Historical, structural, and socio-political factors contribute to the perception and reality of biased judicial decisions. Addressing these issues requires comprehensive reforms aimed at enhancing judicial independence, accountability, rule of law and transparency. By learning from comparative insights and implementing targeted reforms, Pakistan can strengthen its judiciary and restore public confidence in its legal system. Ensuring an impartial judiciary is not only crucial for upholding the adherence to the law but also for safeguarding human rights and promoting economic development.

### **Recommendations for Reforms**

A number of reforms are essential to safeguarding the judiciary's independence, advancing the adherence to law, and addressing the problem of judge favoritism:

#### **Fair and Transparent Judicial Appointments**

The process of judicial appointments must be transparent and merit policy must be strictly followed. This can only be possible if an independent body be authorized and



taking part in the process of selection. All the precautionary measures should be taken to avoid political influence.

### **Accountability Mechanism**

An effective mechanism for judicial accountability in the judicial system is essential. This mechanism should include the creation of an independent oversight body to investigate and address judicial misconduct and corruption and the guilty officers should be penalized to set an example for others.

### **Financial Autonomy**

Granting financial independence to the judiciary is essential to enhance its independence. The judiciary should not rely on the executive branch for managing its affairs. Adequate budget should be allocated to the judiciary annually so, its functioning can carry smoothly.

### **Training and Capacity Building**

Judges should provide ongoing training and capacity-building programs which can enhance their competency and impartiality. Such programs should focus on legal and moral ethics, defending human rights, and the importance of independence of the judiciary.

### **Public Awareness and Engagement**

Public awareness campaigns aimed at highlighting the importance of judicial independence and the consequences of judicial partiality should begin. Civil society, the media, and legal professionals should engage in advocating for judicial reforms which can create a broader support for change.

**References**

- A.K. Kraipak v. Union of India, AIR 1970 SC 150.
- Ali, A. (2016). Corruption in Pakistan: Causes, consequences and institutional response. *Journal of Pakistan Vision*, 17(1), 54-70.
- Aziz, F. (2018). Judicial Independence in Pakistan: Challenges and Prospects. *Journal of South Asian Legal Studies*, 12(3), 75-89.
- Cheema, F. A., & Raza, M. A. (2012). An analysis of corruption in Pakistan: Causes, consequences and reform strategies. *International Journal of Business and Social Science*, 3(7), 267-276.
- Fatima, S., Bilal, M., & Khokhar, F. (2022). *Executive intervention in judicial independence in Pakistan: An overview of the past*. The Dialogue. SSRN.
- Hamid, Z. (2020). Political Influence and Judicial Decisions in Pakistan: A Case Study. *Pakistan Journal of Legal Studies*, 18(1), 33-47.
- Hirschl, R. (2008). *Judicial Independence and Judicial Review in Comparative Perspective*. Cambridge University Press.
- Hussain, F. (2006). The judicial system of Pakistan. Federal Judicial Academy Islamabad.
- Imran Ahmad Khan Niazi v. Mian Muhammad Nawaz Sharif, PLD 2017 SC 265.
- International Commission of Jurists (ICJ). (2020). *Pakistan's Judiciary: Ensuring Independence and Impartiality*. International Commission of Jurists
- Khan, A. (2014). Judicial Bias and Its Impact on Legal Integrity in Pakistan. *Lahore Law Review*, 5(2), 120-134.
- Khan, H. (2001). Constitutional and political history of Pakistan. Oxford University Press.
- Malik, M. (2016). The Politics of Judicial Appointments in Pakistan: A Critical Analysis. *Journal of Pakistani Affairs*, 10(4), 112-128.
- Malik, S. (2019). Judicial Corruption in Pakistan: Causes and Consequences. *Global Jurist Review*, 15(2), 50-69.
- Mehdi, T. (2012). Constitutional Safeguards and Judicial Independence in Pakistan. *Pakistan Law Journal*, 34(2), 45-60.
- Mufti, I. (n.d.). Independent judiciary in Pakistan: A hard-won victory. Global Call to Action Against Poverty (GCAP).
- Naseer, A. (2013). Corruption in Pakistan's Judiciary: A Barrier to Justice. *Asian Legal Studies Review*, 14(3), 78-95.
- R v. Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet Ugarte (No. 2) [1999] UKHL 1.
- Rahman, I. (2021). Reforming Pakistan's Judiciary: A Path to Impartiality and Independence. *Pakistan Journal of Constitutional Law*, 19(2), 15-28.

Reference No. 1 of 2011. (n.d.). Reference by the President of the Islamic Republic of Pakistan under Article 186 of the Constitution.

Shakir, N. (n.d.). *Effects of Pakistan's Legal Framework Order on the judiciary*. Asian Human Rights Commission.

Shaukat, F. (2017). Judicial Appointments and Political Influence in Pakistan. *Islamabad Journal of Law and Policy*, 9(1), 88-104.

Siddiq, A. (2019). Judicial Appointments and the Role of Nepotism in Pakistan. *The Lahore Journal of Legal Studies*, 7(3), 133-152.

Siddique, F. (2016, August 1). Judicial accountability. *Dawn*.

Tumey v. Ohio, 273 U.S. 510 (1927).

United Nations Human Rights Commission. (1985, September). *Basic principles on the independence of the judiciary*. United Nations Human Rights Commission

Zafar Ali Shah v. Pervez Musharraf, PLD 2000 SC 869.