

Abstract

In a sovereign state, the Legislature, Executive, and Judiciary are the key organs, each with distinct roles and responsibilities, functioning under the principle of separation of powers to ensure effective governance. In contemporary Pakistan, "Judicial Activism" has become prominent, particularly after the judiciary's restoration. This activism involves the judiciary's proactive review of fundamental rights and constitutional issues, potentially nullifying legislative or executive actions. Recently, Pakistan's apex judiciary has extensively employed suo motu powers to address various social, constitutional, and political issues, from housing disputes and the Annual Hajj program to missing person's cases, kite flying bans, dam fundraising, and sexual abuse cases. Since 2007, under Chief Justices Iftikhar Chaudhary and Mian Saqib Nisar, the judiciary has been notably active, often issuing unprecedented suo motu notices and occasionally exceeding its traditional powers. This period saw significant impacts on democratic institutions and the political landscape, including the disqualification of Prime Ministers Yousaf Raza Gillani and Mian Nawaz Sharif and the use of executive powers, marking an extreme phase of judicial activism. This study explores judicial activism's phenomenon and its implications for democracy, particularly its political dimensions and effects since 2007.

Key Words: Judicial Activism, Political Landscape, judicial Review, Judicial Restraint, Hyper Judicial Activism, Suo Moto, Separation of Power.