

FRAMING JUDICIAL ACTIVISM IN PAKISTAN'S ENGLISH-LANGUAGE PRESS: A QUANTITATIVE CONTENT ANALYSIS OF EDITORIAL DISCOURSE DURING THE CHAUDHRY COURT ERA, 2009–2013

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ABSTRACT

The restoration of Chief Justice Iftikhar Muhammad Chaudhry in March 2009 marked the most aggressive period of judicial activism in Pakistan's constitutional history. While the jurisprudence of the so-called Chaudhry Court has drawn sustained scholarly attention, the discursive construction of that assertiveness by the national press has remained comparatively unexamined. This study fills this lacuna through a quantitative framing analysis of editorial and opinion commentary in three leading English-language dailies, Dawn, The News International and The Nation. We coded a corpus of 150 opinion items (50 per title) from the Chaudhry restoration period using eight binary framing indicators derived from the judicial activism literature. Findings indicate that the English-language elite press in Pakistan was generally very supportive of judicial assertiveness: the clash-of-powers frame was used in 82.0 per cent of items, the suo motu jurisdiction was positively-framed in 78.0 per cent, and judicial activism was framed as serving the public interest in 58.0 per cent. However, contrary to the assumption of a homogeneous pro-judiciary press, statistically significant inter-title variation emerged on exactly the most evaluative dimensions. Activism was framed as serving the public interest in 76.0% of items in the News as compared to 36.0% in Dawn, $\chi^2(2, N = 150) = 16.91, p < .001$, Cramér's $V = .34$. This difference survives Holm-Bonferroni correction for multiple comparisons. The News had the highest composite favourability index (70.0), followed by The Nation (61.2) and Dawn (49.6). The findings indicate that consensus in Pakistan's elite press was present at the level of issue salience, rather than evaluative framing, and that Dawn maintained a noticeably more restrained editorial stance. The implications for frame-building theory in transitional democracies are discussed.

Keywords: Judicial activism, framing theory, quantitative content analysis, Pakistani press, suo moto jurisdiction, judicialization of politics, Chaudhry Court, media-judiciary relations

1. Introduction

In Pakistan's post-authoritarian politics few institutional changes have been as consequential, or as contested, as the reassertion of the superior judiciary after 2009. After the Lawyers' Movement of 2007–2009, the Prime Minister announced the restoration of the deposed judges on 16 March 2009. Chief Justice Iftikhar Muhammad Chaudhry resumed his office on 22 March 2009. In the four and a half years that followed, until his retirement on 11 December 2013, the Supreme Court of Pakistan invoked its original jurisdiction under Article 184(3) of the 1973 Constitution with an unprecedented level of intensity in Pakistan's judicial history, intervening in commodity pricing and public-sector appointments, enforced disappearances, the validity of the National Reconciliation Ordinance, and ultimately the disqualification of a sitting Prime Minister.

This period has been the subject of extensive analysis by constitutional lawyers and political scientists. Cheema (2016, 2018) has argued that the charge of "judicial activism" leveled at the Chaudhry Court is analytically unsound because it assumes a clean separation between law, politics and policy which no apex court with constitutional jurisdiction has ever occupied. Waseem (2012) situates the same period in a broader confrontation between executive and judiciary while Kalhan (2013) sees it as an example of 'gray zone' constitutionalism where formal judicial independence coexists with deeply politicized institutional practice. Khan (2014) quantifies the underlying expansion of public interest litigations. What this substantial body of work does not examine, however, is the parallel question of how the transformation

was made intelligible to Pakistan's political and professional class that is, how it was framed by the press.

There are three reasons this omission matters. First, judicial legitimacy in Pakistan during this period was particularly contingent on public opinion. What gave the Court power was not institutional entrenchment but mass mobilization, and it was largely through media channels that that mobilization had been sustained and that the Court had been restored. Second, the status of English-language newspapers is unique in Pakistan: they have a small circulation in comparison to the Urdu press but their readership is concentrated in the bureaucracy, the bar, the officer corps, the diplomatic community, and the political leadership. In effect, they serve as an elite deliberative forum. Third, the editorial and opinion pages of these newspapers provide the clearest record available of how the political class made sense of a constitutional realignment as it was happening.

The study therefore asks how the judicial activism was framed by three leading English language dailies during the Chaudhry restoration period and whether the framing was uniform. The second question has more theoretical weight. A widely held assumption – repeated in contemporary commentary and in some scholarship was that the Pakistani press was generally and uniformly aligned with the judiciary during this period. If that is the case, it suggests a press working in a mode of consensus mobilization rather than critical scrutiny. If not, then the more interesting question is where the divergence lies: in what the newspapers chose to talk about, or in their judgment of it.

The article provides three contributions. Empirically, it offers what seems to be the first systematic quantitative framing analysis of Pakistani press coverage of judicial activism during the Chaudhry period. In theory it differentiates consensus at the level of issue salience from divergence at the level of evaluative framing, and demonstrates that the two can co-exist - a distinction with implications for how frame-building is theorized in transitional democracies. Methodologically it demonstrates the analytical expense of the still common descriptive column-percentage reporting in South Asian media scholarship, and the interpretive benefits available from traditional inferential treatment of the same coded data.

2. Judicial Activism: Conceptual Foundations

2.1 Origins and Contested Meanings

Arthur Schlesinger Jr. introduced the phrase “judicial activism” in his January 1947 Fortune article, dividing the Roosevelt era Supreme Court into “Judicial Activists” and “Champions of Self Restraint” (Schlesinger, 1947; see Kmiec, 2004). Crucially, Schlesinger did not define the term when he introduced it, and Kmiec's (2004) archival reconstruction demonstrates that this founding ambiguity was never resolved in the years that followed. Kmiec lists no fewer than five different meanings in play: striking down arguably constitutional acts of other branches, departure from precedent, judicial legislation, departure from accepted interpretive methodology, and result-oriented judging.

This semantic instability is not an accident. Green (2009) charts the concept's intellectual history, arguing that “judicial activism” has mainly functioned as a term of rhetorical condemnation, whose content varies with the political position of the speaker. Roosevelt (2006) makes the case more forcefully that the concept is mostly a myth, since decisions labeled as activist are usually decisions with which the labeler disagrees on the merits. As Young (2002) observes, the charge has been as readily employed by conservatives as by progressives in the United States and its analytical value is correspondingly low.

In terms of content analysis this instability is a methodological advantage rather than a disadvantage. It is precisely because “judicial activism” has no stable referent that the meanings attributed to it in public discourse are constructed rather than given and thus appropriate objects of framing analysis. So, the present study does not determine what is judicial activism, but it explores how Pakistani editorialists constructed it.

2.2 Activism and Restraint as an Analytic Continuum

The counter majoritarian critique of judicial assertiveness has a long pedigree. Its classic formulation is that unelected judges do not possess the democratic legitimacy to overturn the policy decisions of elected representatives (Ely, 1980). Ely’s own resolution that judicial review is legitimate when it supports representative processes, not supplants them remains influential. Cox (1987) and Wright (1968) argue in opposition: that constitutional guarantees are worthless without an institution able to enforce them against majoritarian pressure, and that restraint in the face of constitutional violation is itself a substantive political choice.

The doctrinal roots go back further still. Dr. Bonham’s Case (1610) 8 Co. Rep. 113b . In this case the Court of Common Sir Edward Coke held The claims that the common law could regulate Acts of Parliament that were repugnant to common right and reason are traditionally seen as the first statement of the principle later enshrined in *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803). Cassels (1989) narrates the South Asian version where the Indian Supreme Court relaxed standing requirements in the late 1970s to develop public interest litigation, a jurisprudential approach later adopted by Pakistan’s superior judiciary (Khan, 2014).

These developments are presented in the broader comparative literature of a global judicialization of politics (Tate & Vallinder, 1995; Hirschl, 2004, 2008). Hirschl (2008) makes a distinction between the ordinary judicialization of public policy and the judicialization of “mega-politics,” which is about fundamental questions of regime legitimacy, electoral outcomes, and executive tenure. The case of Pakistan during the period of 2009 to 2013 is an example of the later and this is exactly why the framing of the press during this period is of analytical interest beyond the national context.

3. The Chaudhry Court and the Judicialization of Politics in Pakistan

The Supreme Court has original jurisdiction under Article 184(3) of the Constitution of 1973, in any matter involving a question of public importance with reference to the enforcement of the fundamental rights conferred by Articles 8 to 28. This provision, contrasted to the writ jurisdiction available to the High Courts under Article 199, has been interpreted to permit the Supreme Court to initiate proceedings on its own motion and it was this *suo motu* practice that became the defining instrument of the Chaudhry Court.

The story behind this is not a straight line going up. Cheema (2018) explicitly contests the impression of a historically passive judiciary that suddenly became activist, instead showing a non-linear expansion of judicial power in which, the administrative-law jurisdiction of the courts developed incrementally even as the apex court accommodated successive extra-constitutional interventions at moments of regime change. Siddique (2013) pinpoints the deeper problem in the colonial inheritance of Pakistan’s formal legal order, which he describes as institutionally alienated from the people it governs. It is worth dispelling a common misconception here: The 1973 Constitution of Pakistan is a codified document, structurally based on the Government of India Act, 1935 and Westminster parliamentary convention. Nor is it a copy of the uncoded British constitution.

The post-2009 period was, however, a qualitative change. Significant interventions include the National Reconciliation Ordinance being struck down in *Dr. Mobashir Hassan v. Federation of Pakistan* (PLD 2010 SC 265) on 16 December 2009; the ongoing proceedings on enforced disappearances in Balochistan; intervention in rental power projects and appointments in the public sector; and the conviction of Prime Minister Yousaf Raza Gilani for contempt of court on 26 April 2012, and his subsequent disqualification on 19 June 2012. It is better to see the Eighteenth Amendment, passed in April 2010, as a parliamentary reassertion – restoring parliamentary supremacy and amending Article 6 to make abrogation or suspension of the Constitution high treason than a judicial initiative.

Research of this period is split along lines that closely follow the activism–restraint debate. Ghias (2010) reads the Lawyers' Movement as the mobilization of a legal complex against authoritarian rule. Gazdar (2009) juxtaposes judicial activism with democratic consolidation, arguing that judicial intervention in a fragile democratic transition risks weakening the very representative institutions that need strengthening. Waseem (2012) documents the resulting executive–judiciary confrontation and the recurrent speculation about democratic collapse it generated. Kalhan (2013) develops the most sustained institutional account, arguing that formal independence was achieved without the accountability structures that would render it constitutionally stable.

Systematic attention to media discourse is largely neglected in this literature. The framing choices of the press are not peripheral to the institutional story of the Court's post-2009 authority, but constitutive of it, as the latter was based on a reservoir of public support created by media mobilization.

4. Theoretical Framework: Framing and Frame-Building

The analytical framework used in this study is the framing theory. Framing is the selection of some aspects of a perceived reality and the enhancement of them in a communicating text in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, or treatment recommendation [Entman, 1993: 52]. Framing is therefore differentiated from agenda setting (McCombs & Shaw, 1972) in that it deals with the organization of meaning rather than the allocation of attention, although the two work in tandem (Scheufele & Tewksbury, 2007).

Scheufele (1999) distinguishes in his process model between frame-building, the forces shaping which frames emerge in media content, and frame-setting, the effect of those frames on audience cognition. The present study is firmly situated in the domain of frame building. It considers editorial framing as a dependent variable to be explained by the institutional, ownership and ideological characteristics of the newspapers in question, rather than as an independent variable to explain audience effects. The constructionist basis for the idea of frames as interpretive packages with a central organizing idea is provided by Gamson and Modigliani (1989) and the typological distinction between issue-specific and generic frames is that used here (de Vreese, 2005). The deductive approach of Semetko and Valkenburg (2000) gives the operational model Frames are specified a priori from theory and their presence is measured through structured coding

This study uses issue-specific frames based on the judicial activism literature discussed above, rather than generic news frames. This choice is consonant with the analytical purpose: the question is not how conflict or human interest is generally deployed in Pakistani journalism, but how a particular constitutional controversy was built. Throughout, two conceptual layers are distinguished. Thematic salience measures whether the item engaged a given topic at all;

evaluative valence measures whether the item's treatment of that topic was favorable to the judiciary. The core theoretical claim of this study is that these two layers can diverge, that newspapers can converge on what to talk about while diverging sharply on how to evaluate it.

5. Research Questions and Hypotheses

The literature reviewed above generates the following research questions:

RQ1. Which frames concerning judicial activism were most prevalent in the editorial and opinion content of Pakistan's leading English-language dailies during the Chaudhry restoration period?

RQ2. How much editorial attention, measured by volume, did each newspaper devote to the Supreme Court's suo motu jurisdiction?

RQ3. Did the three newspapers differ significantly in their framing of judicial activism, and if so, on which dimensions?

Four hypotheses follow. Given that suo motu proceedings were the most visible and most contested instrument of the Chaudhry Court, and given the prominence of the executive–judiciary confrontation documented by Waseem (2012):

H1. Suo motu jurisdiction and the clash of powers between state institutions will be the two most prevalent themes in the corpus.

H2. The clash-of-powers frame will appear in a majority of coded items.

H3. A majority of items will frame judicial activism as serving the public interest.

H4. The three newspapers will differ significantly in their evaluative framing of judicial activism, notwithstanding convergence on thematic salience.

H4 is the substantive hypothesis of interest and is formulated against the prevailing assumption of press homogeneity during this period.

6. Method

6.1 Research Design

The research is based on quantitative content analysis, which Riffe et al. (2019) define as a systematic and replicable assignment of communication content to categories based on explicit rules, followed by a statistical analysis of the resulting distributions. The research design is comparative and cross-sectional with the independent variable being the newspaper title and the framing indicators as the dependent variables. The approach is based on the deductive framing-analysis model of Semetko and Valkenburg (2000), where categories are specified a priori from theory and not induced from the material.

6.2 Population and Sampling

The population consisted of the editorial and opinion-page material on judicial activism in the leading English-language daily newspapers of Pakistan during the tenure of Chief Justice Iftikhar Muhammad Chaudhry after his restoration (March 2009–December 2013). Dawn (Dawn Media Group), The News International (Jang Group) and The Nation (Nawa-i-Waqt Group) were deliberately chosen and named three. The criteria for selection were national circulation, continuous publication throughout the entire study period, availability of complete

archives, and crucially, affiliation to three different and editorially independent media groups, maximizing variance on the independent variable of interest. A census of relevant opinion items for the study period across the three titles yielded 798 qualifying items. We randomly selected 50 items from this frame for each title, producing a corpus of $N = 150$. To allow for direct and proportional comparisons across titles, the equal- n design was implemented. This design decision has an important interpretive consequence, discussed in Section 7.1, namely, that equal distribution of items across newspapers is an artifact of the sampling procedure, and cannot be read as a finding about differential coverage volume.

6.3 Unit of Analysis and Recording Units

The unit of analysis was the individual opinion item editorial, signed column, opinion article or letter to the editor published on the editorial or op-ed page and having substantive content on judicial activism, superior judiciary or the exercise of suo motu jurisdiction. The evaluative position is generally located in the headline, lead paragraph and concluding paragraph for the editorial content. These three places were the recording units for the identification of frames. The unit of context was the complete item.

6.4 Variables and Operational Definitions

Eight binary framing indicators were coded and it was noted whether it was present (1) or absent (0) for each item in the corpus. Each indicator was coded independently against the entire corpus base. The indicators are not nested, so an item could, for example, be coded as framing political dispensation favorably without the political dispensation theme being coded as structurally present. This non-nested design is a feature of the original coding instrument and is considered as a limitation in Section 9. Appendix A includes full operational definitions. The indicators were:

- V1 — Favorably drafted suo motu: the article portrays the Supreme Court's use of original jurisdiction under Article 184(3) in a positive light.
- V2 – Political dispensation frame present: the item has a substantive theme on the distribution of power between elected and unelected institutions.
- V3 — Favorable Political Dispensation: the item positively rates the present arrangement of institutional power.
- V4 – Clash-of-powers frame present: the item involves conflict between the judiciary and the executive or legislature as a substantive theme.
- V5 - Chief Justice portrayed positively: The item depicts Chief Justice Chaudhry in personal commendatory terms.
- V6 — Political bias of the judiciary raised: The item advances or reports the proposition that the higher judiciary acted with political bias.
- V7 – Judiciary seen as politically impartial: the item states positively that the judiciary is non-partisan.
- V8 — Activism in the public interest: the item represents judicial activism as a promoter of citizens' well-being.

In addition, editorial space devoted to suo motu coverage was measured as a continuous variable (total words per title), providing a salience measure independent of item counts.

6.5 Coding Procedure and Intercoder Reliability

Coding was done manually using the written codebook, reproduced in Appendix A, which was developed from the theoretical framework and pilot tested on items outside of the analytic sample before the main coding pass. The primary coder coded the entire corpus of 150 items.

6.6 Analytic Method

Frequencies and percentages were calculated for each indicator within each title. Each indicator was binary and each title had a fixed base of 50 items. Differences between titles were tested with Pearson's chi-square test of independence on 2×3 contingency tables (frame present/absent $\times$ newspaper). All tests had expected cell frequencies greater than five, satisfying the assumption of the asymptotic test. Effect sizes are reported as Cramér's V with a conventional interpretation for $df = 2$ of .07 (small), .21 (medium) and .35 (large). Since eight tests were performed on the same corpus, the Holm–Bonferroni sequential procedure was applied to control the family-wise error rate; both uncorrected and adjusted p values are presented. Statistical analyzes were performed using the SciPy library in Python 3. Significance threshold was set at $\alpha = 0.05$ (two-tailed).

7. Results

7.1 Corpus Composition

Table 1 reports the composition of the analyzed corpus. The equal allocation across titles reflects the stratified sampling design and should not be interpreted substantively.

Table 1
Composition of the analysed corpus

Newspaper	Publishing group	Items coded (n)	% of corpus
Dawn	Dawn Media Group	50	33.3
The News International	Jang Group	50	33.3
The Nation	Nawa-i-Waqt Group	50	33.3
Total	—	150	100.0

Note. Allocation is equal by design. The identical item counts are an artefact of the stratified sampling procedure and carry no substantive interpretation regarding relative coverage volume.

7.2 Editorial Attention to Suo Motu Jurisdiction (RQ2)

Because item counts were fixed by design, editorial attention was measured by volume of text. Table 2 reports total and mean word counts devoted to suo motu jurisdiction by title.

Table 2
Editorial space devoted to suo motu jurisdiction, by newspaper

Newspaper	Total words	% of aggregate	Mean words per item
Dawn	4,000	23.5	80

Newspaper	Total words	% of aggregate	Mean words per item
The News International	6,000	35.3	120
The Nation	7,000	41.2	140
Total	17,000	100.0	113

Note. Mean words per item computed against a fixed base of 50 items per title.

The Nation devoted the greatest volume of editorial space to suo motu jurisdiction (7,000 words; 41.2% of aggregate), followed by The News International (6,000; 35.3%) and Dawn (4,000; 23.5%). Expressed as mean text per item, The Nation allocated 140 words per item against Dawn's 80 a ratio of 1.75:1. Since the item base is identical across titles, this represents a genuine difference in depth of engagement rather than a difference in the number of occasions on which the topic arose. Dawn engaged suo motu jurisdiction as frequently as its competitors but treated it more briefly.

7.3 Prevalence of Frames Across the Corpus (RQ1)

Table 3 reports the aggregate prevalence of each framing indicator across the full corpus.

Table 3

Aggregate prevalence of framing indicators across the corpus (N = 150)

Framing indicator	n	%
V4 Clash-of-powers frame present	123	82.0
V1 Suo motu framed favourably	117	78.0
V3 Political dispensation framed favourably	114	76.0
V2 Political dispensation frame present	99	66.0
V8 Activism framed as serving the public interest	87	58.0
V5 Chief Justice portrayed favourably	86	57.3
V6 Political bias of the judiciary raised	67	44.7
V7 Judiciary framed as politically impartial	48	32.0

Note. Indicators were coded independently; percentages do not sum to 100.

The clash-of-powers frame was the most prominent, present in 82.0% of items, confirming the institutional confrontation documented by Waseem (2012) dominated the editorial elite discourse. Suo moto jurisdiction was framed favorably at 78.0%. All in all these two indicators support H1. Suo motu jurisdiction and inter-institutional conflict were the two dominant thematic preoccupations. H2 is also supported with the clash-of-powers frame present in a large majority of items. The aggregate distribution reveals a press that was generally but not unequivocally supportive of the judiciary. The favorable indicators cluster on the upper end: suo motu jurisdiction was approved in 78.0% of items and the dominant institutional dispensation in 76.0%. But the most

demanding measure that the judiciary is politically impartial (V7) occurred least often (32.0%), while the claim that the judiciary acted with partisan bias (V6) was present in 44.7% of the items. The choice for judicial activism over judicial impartiality was more marked among elite editorial opinion than in the general public. There was support for what the Court was doing, but not the same confidence that it was doing it impartially.

7.4 Inter-Newspaper Differences (RQ3)

Table 4 presents the central analysis: framing indicator prevalence by newspaper, with chi-square tests of independence, effect sizes, and Holm–Bonferroni-adjusted significance.

Table 4

Framing indicators by newspaper, with tests of independence (N = 150; n = 50 per title)

Indicator			Dawn (%)	n (%)	News (%)	n (%)	Nation (%)	$\chi^2(2)$	p	V	p (Holm)
V1	Suo	motu	34 (68.0)	44 (88.0)	39 (78.0)	5.83	.054	.20	.326		
favourable											
V2	Dispensation		28 (56.0)	34 (68.0)	37 (74.0)	3.74	.154	.16	.475		
present											
V3	Dispensation		42 (84.0)	38 (76.0)	34 (68.0)	3.51	.173	.15	.475		
favourable											
V4	Clash of powers		44 (88.0)	41 (82.0)	38 (76.0)	2.44	.295	.13	.475		
present											
V5	CJ	portrayed	22 (44.0)	33 (66.0)	31 (62.0)	5.61	.060	.19	.326		
favourably											
V6	Political bias raised		28 (56.0)	21 (42.0)	18 (36.0)	4.26	.119	.17	.475		
V7	Judiciary impartial		8 (16.0)	22 (44.0)	18 (36.0)	9.56	.008	.25	.059		
V8	Serves public interest		18 (36.0)	38 (76.0)	31 (62.0)	16.91	<.001	.34	.002		

Note. Percentages are within-title, computed against a base of 50 items per newspaper. χ^2 tests were conducted on 2×3 contingency tables (frame present/absent $\times$ newspaper) without continuity correction; minimum expected cell frequency across all tests was 9.00. V = Cramér's V. p (Holm) = Holm–Bonferroni sequentially adjusted p value across the family of eight tests. “News” = The News International.

The pattern is theoretically relevant. There were no statistically significant differences between the four indicators of thematic salience or structural framing, i.e., whether an item was related to political dispensation (V2), the clash of powers (V4), the question of judicial bias (V6) or whether the item was related to the institutional dispensation (V3). The three papers agreed closely in their discussion. The picture is different in terms of the indicators of evaluative judgment. The claim that judicial activism served the public interest (V8) was sharply divided among the titles: The News framed activism that way in 76.0% of items, The Nation in 62.0% and Dawn in only 36.0%, $\chi^2(2, N =$

150) = 16.91, $p < .001$, Cramér's $V = .34$. This is near the conventional threshold for a large effect and crucially remains significant after Holm–Bonferroni adjustment ($p = .002$), confirming it as a robust finding, not an artifact of multiple testing.

Following a similar pattern was the affirmative characterization of the judiciary as politically impartial (V7): 44.0% in The News and 36.0% in The Nation against 16.0% in Dawn, $\chi^2(2, N = 150) = 9.56$, $p = .008$, $V = .25$. This difference does not hold up to family-wise correction (adjusted $p = .059$) and is therefore reported as suggestive rather than confirmed. Two other indicators - positive framing of suo motu jurisdiction (V1, $p = .054$) and positive portrayal of the Chief Justice personally (V5, $p = .060$) - were close to conventional significance even before adjustment. Both point in the same direction. That all five evaluative indicators point in the same direction is instructive in itself. In all cases The News is most favorable, Dawn least favorable and The Nation intermediate. There is no systematic difference, the probability of the same ordering of five independent indicators because of chance is $1/36$ or about .028. The individual tests may be weak; but the ordinal consistency is not plausibly random.

7.5 Composite Favorability

To summarize the evaluative dimension, a composite favorability index was constructed as the unweighted mean of the five pro-judiciary indicators (V1, V3, V5, V7, V8) expressed as within-title percentages.

Table 5

Composite pro-judiciary framing index, by newspaper

Newspaper	V1	V3	V5	V7	V8	Index
The News International	88.0	76.0	66.0	44.0	76.0	70.0
The Nation	78.0	68.0	62.0	36.0	62.0	61.2
Dawn	68.0	84.0	44.0	16.0	36.0	49.6

Note. Cell entries are within-title percentages of items in which the indicator was coded present. Index is the unweighted arithmetic mean of the five component indicators. No significance test is applied to the index because its components are measured on the same items and are therefore not independent; the index is descriptive only.

The index divides titles by 20.4 percentage points. In one respect, Dawn's position is unique: it was not uniformly less favorable, recording the highest score of any title on favorable framing of the institutional dispensation (V3, 84.0%). Its divergence centers on the two indicators which need an affirmative endorsement of the judiciary's motives — impartiality (16.0%) and public-interest service (36.0%). Dawn accepted the constitutional settlement but would not accept the Court's disinterestedness.

7.6 Summary of Hypothesis Tests

Table 6

Summary of hypothesis tests

Hypothesis	Evidence	Outcome
H1 Suo motu and clash of powers are the two most prevalent themes	V4 = 82.0%; V1 = 78.0%; both exceed all other indicators	Supported
H2 Clash-of-powers frame appears in a majority of items	123/150 = 82.0%	Supported
H3 A majority of items frame activism as serving the public interest	87/150 = 58.0%, but ranges from 36.0% (Dawn) to 76.0% (News)	Supported in aggregate; not in Dawn
H4 Newspapers differ significantly in evaluative framing	V8 significant after Holm adjustment (p = .002); V7 significant uncorrected (p = .008); consistent ordinal ranking across all five evaluative indicators	Supported

H4 is especially interesting as it contradicts the conclusion drawn in previous treatment of this dataset. When the analysis is restricted to column percentages, that is, the proportion of each title in the three-title total for each indicator, it gives an impression of near uniform distribution and supports the conclusion of no meaningful difference between titles. Recalculating the same counts as within-title proportions against the fixed base of 50, and applying tests of independence reveals significant divergence on the evaluative dimensions. The superficial homogeneity was an artifact of the reporting metric, not a property of the data.

8. Discussion

8.1 Consensus in Salience, Divergence in Evaluation

The main result of this study is the dissociation between two layers of framing. The agenda of the leading English dailies of Pakistan was remarkably similar. The executive-judiciary confrontation and suo moto jurisdiction were treated by all three dailies as the defining issues of the period in statistically indistinguishable proportions. They differed strongly over evaluation, particularly over whether judicial assertiveness was in the public interest. This dissociation is theoretically important. Based on Scheufele's (1999) frame-building model, media frames are jointly determined by journalistic routines, organizational factors, ideological orientation and elite discourse. The present findings suggest these determinants operate differentially across framing layers. Convergence in agenda can plausibly be attributed to common professional routines and a shared elite source environment: All three titles drew on the same courts, the same bar associations, and the same political actors. Evaluative divergence, in contrast, examines the editorial and ownership characteristics that differentiate the titles. Here, framing seems to be a two-stage process by which shared institutional inputs determine the agenda, and organizational orientation determines its valence.

The implication for research design is simple. Studies that measure only topical prevalence run the risk of concluding that a press system is homogeneous when it is homogeneous only in what it attends to. You have to measure the layer of evaluation separately, that's where the real editorial variation is.

8.2 The Dawn Divergence

Dawn's positionality warrants more scrutiny because its profile is not exactly that of clear opposition. Dawn scored highest in corpus on favorable framing of the institutional

dispensation (84.0%) and lowest on judicial impartiality (16.0%) and public-interest service (36.0%). It also gave the least editorial space to suo motu jurisdiction – 80 words per item compared to The Nation’s 140. We find a consistent reading. Dawn accepted the post-2009 constitutional settlement as legitimate, but declined to endorse the Court’s characterization of its own motives. Suo motu jurisdiction was treated as a matter warranting acknowledgment rather than celebration. It is the hallmark of an editorial to take a critical look at an institution that has broad public approval. This resonates with the position developed by Gazdar (2009), who cautioned that judicial intervention in a fragile democratic transition might undermine rather than support representative institutions, and foreshadowed the analytical skepticism that Cheema (2016) later applied to the activism label itself.

The News has the most consistently supportive editorial posture, with the highest scores on four of five evaluative indicators, a composite index of 70.0. The Nation ranked mid-pack on all evaluative indicators, but devoted the most text to suo motu coverage, suggesting high engagement with the issue but a more qualified endorsement than The News.

8.3 Media, Judicial Legitimacy, and Transitional Constitutionalism

The findings speak to the institutional literature on the Chaudhry court. Kalhan (2013) characterizes the post-2009 arrangement as one where formal judicial independence was guaranteed in the absence of accountability mechanisms. The present analysis finds a media correlate of that condition: the elite press provided substantial legitimating discourse for judicial assertiveness – 78.0% favorable framing of suo motu jurisdiction – while offering much weaker affirmation of judicial impartiality, at 32.0%. Editorial opinion was more ready to endorse the exercise of judicial power than to endorse the disinterestedness of its exercise. This asymmetry could be understood as an early and partial instantiation of the accountability function that Kalhan sees as structurally absent. The press echoed judicial claims, but on the matter of impartiality, it mostly refused to endorse them, with one title refusing almost entirely. The fact that this skepticism did not lead to a corresponding decline in support for judicial assertiveness itself suggests that the function has its limits: doubts about motive went hand in hand with approval of outcome. The finding also complicates the standard narrative of a uniformly pro-judiciary Pakistani press in this period. That story is true as a description of aggregate direction, but it hides a big and systematic gradient among elite titles. In a transitional democracy, the existence of such a gradient in the elite press is not a minor detail: it shows that the deliberative forum maintained internal pluralism precisely at the moment when institutional consensus was strongest.

8.4 Practical Implications

The results suggest that for media practitioners, editorial differentiation in Pakistan’s English-language press was more about evaluative positioning than agenda setting. For scholars of judicial communication, they suggest that courts interested in understanding press reception will need to think about how their motives are portrayed, not just whether their decisions receive positive press coverage. The Pakistani case teaches comparative constitutional scholarship that press support for judicial power and press confidence in judicial neutrality are empirically separable, and that the former can substantially exceed the latter.

9. Limitations and Directions for Future Research

There are a number of limitations on the conclusions drawn here and these are stated explicitly so that subsequent researchers may take them into account. First and foremost, the coded corpus does not include a publication year variable for individual items. As such, temporal change cannot be tested in the Chaudhry restoration era and the study presents period-level findings for the era as a whole. This is a material constraint: the general consensus in the contemporary commentary was that, between 2009 and 2013, press support for the judiciary had declined, particularly in the wake of the 2013 general elections. The proposition is intuitively attractive, but it cannot be tested with the data at hand and no claim is made for it here. The most valuable extension of the present work would be to examine longitudinally, with year-stamped coding, whether such a shift occurred.

Second, the coding instrument did not require nesting of presence and valence indicators. V3 and V7 were coded separately from V2 and V6 respectively, creating the anomaly that favorable framing of political dispensation (76.0%) exceeds coded presence of the dispensation theme (66.0%). Instruments of the future should code valence conditionally on presence; this would also enable computation of net-tone measures. Third, the analysis is confined to English-language newspapers, which are targeted at a disproportionately elite readership in comparison to the Urdu press. The findings are a characterization of the elite editorial discourse and are not generalizable to the Pakistani print media at large. A comparative analysis of the major Urdu dailies such as Jang, Nawa-i-Waqt and Express would determine if the observed evaluative gradient holds for language markets or for the English language elite forum. Fourth, the study is confined to print. Perhaps the more consequential medium for television news during this period, the relationship between print editorial framing and broadcast framing is unexplored.

Fifth, the design only captures media content. We cannot make any inferences about audience effects; to demonstrate frame-setting effects, one would need a survey or experimental design. Sixth, several tests were only marginally non-significant (V1, $p = .054$; V5, $p = .060$) at $n = 50$ per title. A larger corpus would provide enough power to resolve these dimensions and the consistent ordinal patterning is suggestive of real effects that the current sample is underpowered to confirm individually. In addition to addressing these limitations, three extensions seem promising: comparative analysis of press framing across the Chaudhry Court and successor benches to determine whether the observed gradient is stable or personality-specific; integration of content analytic data with judicial outcome data to determine whether press framing covaries with the Court's case selection; and cross-national comparison with India, Bangladesh, and Sri Lanka where public interest litigation has developed along similar but distinct trajectories.

10. Conclusion

This study examined the framing of judicial activism in Pakistan by three top English-language dailies during the Chaudhry restoration period. The study analyzed 150 editorial and opinion items using eight framing indicators. This gives three conclusions. The elite English-language press was generally supportive of judicial assertiveness. The dominant frame was the clash of powers between state institutions (82.0% of items), followed by a frame favoring suo motu jurisdiction (78.0%) and a frame for judicial activism as serving the public interest (58.0%). This is a major repository of legitimating discourse for an institution whose authority was so heavily dependent on public support. That support, however, was uneven in a specific and theoretically meaningful way. The endorsement of judicial activism was considerably higher than the endorsement of judicial

impartiality, which was confirmed only in 32.0% of the items, while the counter-proposition of partisan bias was present in 44.7%. The press was more willing to support what the Court did than to condone why the Court did it.

Finally, the assumption of a homogeneous pro-judiciary press does not hold up to disaggregation. The three titles were closely aligned in thematic salience but differed substantially in evaluative framing. The public-interest indicator distinguished between them at $p < .001$ and survived correction for multiple comparisons. The News was twice as likely to frame activism as serving the public interest than Dawn. This was not apparent in the column-percentage reporting common in much South Asian media scholarship, and only became apparent when the same coded counts were expressed as within-title proportions and tested for independence a methodological point of general application. In Pakistan, judicial activism has been studied extensively as a constitutional phenomenon and comparatively less so as a discursive one. The evidence presented here suggests that the elite press not only reported the judicialization of politics but also played a role in constituting its meaning, and did so with a pluralism that aggregate characterizations of the period have tended to obscure.

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