

The Constitution of Pakistan as a Living Charter: Navigating Identity, Federalism, and Judicial Empowerment in a Transforming State

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Abstract: *This article explores the Constitution of Pakistan as a dynamic, evolving framework that adapts to the nation's changing political, social, and legal landscape. The study examines three critical themes—identity, federalism, and judicial empowerment—highlighting the Constitution's role in navigating the complexities of Pakistan's diverse society and political system. Through an analysis of constitutional amendments, judicial interventions, and political developments, the research argues that the Constitution functions as a "living charter," continuously responding to the nation's evolving needs. The study reveals how the Constitution's provisions on national identity balance Islamic values with pluralism, how federalism adapts to the diverse demands of provincial autonomy, and how judicial empowerment has shaped the political landscape. The findings suggest that the Constitution's resilience lies in its capacity for reinterpretation, particularly through judicial review and amendments, which ensure its relevance in the face of new challenges. This article underscores the need for ongoing constitutional adaptation to promote justice, equity, and democratic governance in Pakistan. Ultimately, it argues that the Constitution remains central to Pakistan's continued transformation as a democratic state.*

Keywords: Constitutional evolution, Federal governance, Judicial independence, Legal adaptability, Minority rights, Political transformation, Provincial autonomy

Introduction

The Constitution of Pakistan, adopted in 1973, serves as a foundational legal document that reflects the nation's aspirations for a democratic and inclusive state. However, over time, this document has undergone several transformations, adapting to Pakistan's changing political, social, and legal landscapes. This article explores the Constitution as a dynamic and evolving framework—referred to as a "living charter"—that responds to the nation's shifting demands, particularly in the areas of identity, federalism, and judicial power. By examining the Constitution's ability to adjust to contemporary challenges, this study aims to highlight how constitutional principles remain relevant despite evolving socio-political realities (Kanwe et al., 2020).

The primary purpose of this research is to assess the Constitution's adaptability and its continued relevance in navigating Pakistan's complex socio-political fabric. This includes investigating three major themes: national identity, federalism, and judicial empowerment. These themes are central to understanding how the Constitution has functioned as a flexible instrument, guiding Pakistan's

governance despite the many political and legal challenges it has faced. The article draws upon constitutional amendments, judicial rulings, and political developments to argue that the Constitution is not static but evolves in response to the needs of an ever-changing state.

Pakistan's constitutional history has been marked by frequent amendments that reflect the country's responses to political upheavals, military regimes, and growing demands for regional autonomy. These developments have often placed the Constitution at the center of debates about national identity and federalism, especially in a nation with diverse ethnic, linguistic, and religious communities. The role of the judiciary, particularly in judicial review and interpretation, has further complicated the Constitution's application, making it an active participant in shaping political outcomes. Understanding this dynamic is essential for recognizing the Constitution's pivotal role in Pakistan's development.

This article is guided by the central hypothesis that the Constitution of Pakistan, through its capacity for amendments and judicial reinterpretation, remains a crucial tool in the country's democratic evolution. The study seeks to answer three primary research questions: 1) How has the Constitution addressed the complexities of national identity, particularly in relation to religious and minority rights? 2) How has the federal structure evolved to accommodate the diverse political aspirations of Pakistan's provinces? 3) What role has the judiciary played in interpreting the Constitution and influencing Pakistan's political governance?

To address these questions, the research methodology combines qualitative analysis of primary legal documents, including the text of the Constitution and key judicial rulings, with secondary sources such as scholarly articles and legal analyses. This approach will involve case studies of significant constitutional amendments and judicial decisions, offering insight into how the Constitution has adapted over time. Through this examination, the study aims to illustrate the evolving nature of Pakistan's legal framework and its role in navigating national identity, regional autonomy, and judicial empowerment.

The expected outcome of this study is to demonstrate that the Constitution of Pakistan has successfully responded to the political, social, and legal changes of the country. By analyzing constitutional amendments, judicial decisions, and political developments, the research will highlight how the Constitution's adaptability has allowed it to remain relevant. Ultimately, the study will conclude that the Constitution remains central to Pakistan's governance, serving as both a tool of continuity and a vehicle for progressive transformation.

The structure of this article is organized into several key sections. Section 1 will explore the relationship between the Constitution and national identity, focusing on provisions related to religion, minority rights, and the balancing of religious and secular principles. Section 2 will analyze the evolution of Pakistan's federal structure, examining the distribution of powers between the central government and provinces, particularly through amendments such as the 18th Amendment. Section 3 will address the role of the judiciary in shaping the Constitution's application, with a focus on judicial review and activism. Section 4 will summarize the key constitutional amendments that have contributed to the document's adaptability. The conclusion will provide a summary of the findings and discuss the continuing relevance of the Constitution in guiding Pakistan's democratic future.

1. The Constitution as a Reflection of National Identity

At the heart of the Constitution of Pakistan lies the principle of preserving the national identity, which is inextricably linked to the Islamic character of the state. Pakistan, as a separate homeland for Muslims of the Indian subcontinent, was founded with the goal of providing a space where Muslims could freely practice their religion and preserve their cultural heritage. This identity is deeply embedded within the Constitution through various provisions, including the preamble, which invokes the sovereignty of God, and the Objectives Resolution, which explicitly underscores the country's commitment to Islamic principles. The recognition of Islam as the state religion, alongside provisions for the establishment of an Islamic social order, further solidifies this identity (Nazir et al., 2024).

However, the notion of a singular national identity grounded in Islam has been persistently contested, particularly in a country that is home to a diverse population with various ethnic, linguistic, and religious communities. While the Constitution envisions Islam as the central force shaping national identity, it also recognizes the existence of non-Muslim communities and their rights. The Constitution's commitment to fundamental rights, particularly through provisions ensuring freedom of religion, equality before the law, and the protection of religious minorities, represents an effort to balance this Islamic identity with the realities of a pluralistic society (Munir, 2018).

This duality—between Islam as the state religion and the need for a more inclusive, pluralistic national identity—has led to ongoing debates about the role of religious and secular elements in the state. While the Constitution includes safeguards for minority rights, such as the provision for non-Muslim representation in the legislature and protections against discrimination, these provisions have often been subject to criticism for their inadequacy and inconsistency. Critics argue that the Islamic character of the state at times undermines the constitutional commitment to minority rights, creating tension between the need to maintain Islamic values and the imperative of inclusivity (Ali, 2024).

Judicial interpretations have played a crucial role in shaping the constitutional discourse surrounding national identity. The courts have been tasked with reconciling the Islamic framework with the provisions of fundamental rights, often stepping in to clarify ambiguities or offer protections to minority groups. Landmark judgments, such as those related to the rights of religious minorities, have sought to establish a balance between respecting the country's Islamic heritage and ensuring the constitutional guarantee of equal treatment for all citizens. In some cases, judicial activism has expanded the interpretation of minority protections, pushing the state toward a more inclusive vision of identity. At the same time, there have been instances where judicial rulings have reinforced the primacy of Islamic values in the public sphere, highlighting the delicate balancing act that the courts must navigate (Kalhan, 2013).

Thus, the Constitution of Pakistan functions not only as a legal framework but also as a living document, continually shaped by the evolving discourse on national identity. While it envisions an Islamic state, it simultaneously acknowledges the diverse makeup of the population, and its interpretation—by both lawmakers and judges—continues to reflect this ongoing negotiation between religious identity and pluralism. In this way, the Constitution embodies a reflection of Pakistan's national identity, one that is continuously negotiated and redefined in response to the changing realities of the country's social, cultural, and political landscape (Hashimy, 2024).

2. Federalism and the Balancing of Power

Federalism is a foundational element of the Constitution of Pakistan, establishing the division of power between the central government and the provinces. The federal structure was designed to accommodate the country's diverse ethnic, linguistic, and regional communities, providing a framework that could both unite and respect these varying identities. By decentralizing authority, the Constitution aimed to foster a sense of national cohesion while ensuring that the provinces maintained a degree of autonomy over matters that were of particular significance to their respective regions. However, the political reality of federalism in Pakistan has often been marked by tensions between the central government and provincial governments, particularly in areas such as resource distribution, political representation, and the control over key policy areas (Hashimy, 2024).

While the Constitution envisions a strong central government, particularly in matters relating to national security, foreign policy, and economic development, it also mandates the decentralization of powers in several other areas. This balance between central authority and provincial autonomy has remained a delicate and often contentious issue throughout Pakistan's history. The central government's control over financial resources, for instance, has often led to grievances in the provinces, with accusations that the distribution of resources does not adequately reflect the needs or contributions of the provinces.

Political power struggles have further exacerbated these tensions, with provincial leaders frequently calling for greater devolution of power and more equitable representation in the national decision-making process (Abeyratne, 2021).

One of the most significant milestones in the evolution of Pakistan's federal system was the passage of the 18th Amendment in 2010. This amendment marked a critical shift in the balance of power between the center and the provinces, devolving significant authority to the provincial governments. Under this amendment, the provinces gained greater control over key policy areas such as education, health, and the management of natural resources, thereby enhancing their autonomy and reducing the concentration of power in the central government. The 18th Amendment was hailed as a major step towards strengthening federalism in Pakistan and promoting provincial empowerment, particularly for smaller and less developed provinces (Rahim, 2023).

However, despite the legal provisions of the 18th Amendment, the practical implementation of these changes has been uneven. The central government has shown reluctance to fully implement the devolution of powers, particularly in areas related to fiscal autonomy and the distribution of resources. Provinces continue to face challenges in managing their newfound powers, often due to the central government's control over financial resources and administrative structures. Additionally, political instability in some provinces, particularly in Balochistan and Khyber Pakhtunkhwa, has hindered the full realization of the benefits of the 18th Amendment. These challenges have led to ongoing debates about the effectiveness and future of Pakistan's federal framework (Tew, 2020).

Judicial interpretations of the Constitution have played a key role in addressing these tensions and conflicts. The judiciary has often been called upon to interpret the Constitution's provisions on federalism, especially when disputes arise between the central and provincial governments. Courts have sought to resolve conflicts by clarifying the scope of provincial autonomy and the limits of central authority. In some cases, the judiciary has reinforced the provisions of the 18th Amendment, emphasizing the need for the central government to honour the devolution of power. In other instances, judicial rulings have sought to balance the interests of the central government with the autonomy of the provinces, ensuring that the principles of federalism are upheld while recognizing the practical realities of governance (Hirschl, 2008).

Ultimately, the evolution of federalism in Pakistan remains an ongoing process, shaped by both legal reforms and political realities. The Constitution's provisions on federalism reflect an attempt to create a balanced framework for governance, but the practical implementation of these provisions has often been marked by conflict and contestation. The passage of the 18th Amendment was a significant step towards strengthening the federal system, but challenges remain in terms of equitable resource distribution, political stability, and the full realization of provincial autonomy. Judicial interpretations continue to play a critical role in navigating these complexities, ensuring that the federal structure adapts to the changing political and social needs of Pakistan (Dixon & Issacharoff, 2016).

3. Judicial Empowerment and the Role of the Judiciary

The judiciary in Pakistan has experienced a profound transformation since the adoption of the Constitution in 1973. Initially, the role of the judiciary was primarily limited to interpreting laws and ensuring their application within the framework established by the Constitution. However, as political and legal landscapes evolved, particularly with the rise of judicial activism, the judiciary's role expanded dramatically. The judiciary has increasingly assumed a more assertive and interventionist role in political matters, becoming a key factor in shaping the country's governance. This shift became especially prominent during the tenure of Chief Justice Iftikhar Muhammad Chaudhry, when the Supreme Court of Pakistan took bold steps to intervene in political, executive, and military affairs, asserting its authority in ways that had not been seen before (Tew, 2024).

Judicial empowerment in Pakistan has been a double-edged sword. On one hand, it has served as a

crucial check on the excesses of the executive, particularly during periods of military rule and authoritarian regimes. The judiciary's ability to hold the executive accountable, especially when it has overreached or undermined democratic processes, has been instrumental in maintaining a certain level of democratic functioning. The courts have often been the only institution capable of standing up against military coups, unconstitutional actions by the executive, or violations of fundamental rights, thereby ensuring that the rule of law is not completely eroded by undemocratic forces. In this sense, judicial empowerment has contributed significantly to the preservation of constitutional democracy in Pakistan (Woods & Hilbink, 2009).

On the other hand, the increasing assertiveness of the judiciary has raised concerns about judicial overreach, particularly in political matters. The judiciary's activism has at times been accused of overstepping its constitutional mandate, encroaching upon the domain of the executive and legislature. Critics argue that the courts have occasionally ventured into political decision-making, which has the potential to undermine the separation of powers that is central to the Constitution. For instance, during certain political crises, the judiciary has been accused of exercising undue influence over political parties, state institutions, and the executive branch, raising questions about its impartiality and the extent of its involvement in political processes. The tensions between judicial activism and judicial restraint have sparked debates about the proper role of the judiciary in a democratic society (Brinks & Blass, 2017).

The doctrine of "judicial review" has been central to the judiciary's empowerment, and it has played a critical role in ensuring the Constitution remains relevant in the face of political upheavals. Judicial review allows the courts to examine the constitutionality of laws, policies, and executive actions, ensuring that they align with the provisions of the Constitution. Through this power, the judiciary has been able to challenge unconstitutional amendments, military takeovers, and violations of fundamental rights, reinforcing the idea that the Constitution is a living, adaptable document. Notably, judicial review has been instrumental in upholding democratic principles, safeguarding individual liberties, and maintaining a system of checks and balances, which are vital for the health of the polity (Pavone, 2018).

Despite the judiciary's significant contributions to the constitutional framework, it has faced criticism for its perceived political motivations. The perception that the courts have sometimes acted in a politically biased manner—particularly in relation to high-profile political cases—has raised concerns about the independence and neutrality of the judiciary. These criticisms highlight the challenges of judicial activism, as it can sometimes blur the lines between legal interpretation and political agenda. Despite these concerns, the judiciary's interventions in constitutional matters have underscored its central role in maintaining constitutionalism in Pakistan. The judicial empowerment process in Pakistan has been pivotal in shaping the Constitution as a living, evolving document. The judiciary's role in interpreting the Constitution, particularly through judicial review, has allowed it to remain a relevant tool in the face of political upheavals and evolving governance dynamics. While judicial activism has been a force for ensuring accountability and protecting democratic values, it has also raised questions about the limits of judicial intervention in political matters. The role of the judiciary, as both a guardian and interpreter of the Constitution, remains a key element in Pakistan's constitutional framework, ensuring that the document adapts to the changing political and social realities of the country (Li, 2021).

4. Constitutional Amendments and the Evolving Legal Landscape

The Constitution of Pakistan, since its adoption in 1973, has undergone numerous amendments, each of which reflects the changing political, social, and economic dynamics of the country. These amendments not only highlight the Constitution's adaptability but also underscore its role in navigating the evolving demands of governance and political power. The original framework of the Constitution was designed to balance the needs of Pakistan's diverse regions, acknowledging the country's complex ethnic, linguistic, and cultural makeup. Over time, the Constitution has been amended to address new challenges, to safeguard democratic values, and to respond to the shifting power structures within the

state (Dixon, 2011).

One of the most notable and impactful amendments was the 18th Amendment of 2010, which significantly altered the balance of power between the central government and the provinces. This amendment marked a milestone in Pakistan's federal structure by devolving substantial powers to the provinces, allowing them greater control over key sectors such as education, health, and natural resources. It was a response to longstanding demands for provincial autonomy, particularly from smaller provinces like Balochistan, and was viewed as a step toward strengthening the federal system and promoting greater regional equity. The 18th Amendment reflected a recognition of the need for more localized decision-making and governance, which could better serve the unique needs of each province (Hale, 2019).

However, the process of constitutional amendments has not been without controversy or resistance. Throughout Pakistan's history, amendments have often been driven by political expediency and have reflected the prevailing power dynamics. For instance, the 13th Amendment of 1997 was a significant reform aimed at curbing the powers of the president, particularly in relation to the presidential power to dissolve the national assembly. This amendment was intended to limit executive overreach and strengthen parliamentary democracy. However, in 2002, military ruler Pervez Musharraf effectively overturned this amendment by introducing changes to the Constitution during his military regime. This event highlighted the resilience of the Constitution, as despite challenges to its integrity, the document continued to serve as the primary legal framework for the country, even under authoritarian rule (Jost, 1995)

The resilience of the Constitution in surviving such challenges to its integrity speaks to its enduring importance as the foundation of Pakistan's political system. However, these amendments also bring to the forefront the central role of the judiciary in interpreting the legality and constitutionality of such changes. Judicial reviews of constitutional amendments have become a key aspect of the constitutional landscape, with the courts often being called upon to assess whether amendments align with the original spirit of the Constitution. This process has ensured that even as the Constitution evolves in response to political developments, it remains grounded in its foundational principles (Kanwel et al., 2020).

The judiciary's role in reviewing amendments is not just about legal interpretation but also about safeguarding the Constitution against potential misuse or alteration by political actors. The Supreme Court of Pakistan has on several occasions, played a pivotal role in upholding or striking down amendments that it deemed to be in conflict with the Constitution's core values. For example, judicial interventions in the case of military interventions and the reversal of amendments made by authoritarian regimes have reaffirmed the judiciary's role in maintaining constitutional integrity (Halmai, 2015).

Moreover, the process of constitutional amendments reflects the dynamic nature of the legal and political landscape in Pakistan. Amendments have often been reactive, responding to changes in political leadership, shifts in public opinion, or demands for greater democracy and accountability. This adaptability ensures that the Constitution remains relevant and capable of guiding the country through periods of transition and political turmoil. The numerous amendments to the Constitution of Pakistan demonstrate its ability to evolve in response to the country's changing political realities. From the devolution of power to the provinces through the 18th Amendment, to the challenges posed by the 13th Amendment and subsequent reversals, the Constitution has remained a living document. The role of the judiciary in interpreting and safeguarding constitutional amendments underscores the Constitution's adaptability, ensuring that it remains a stable and resilient framework for governance in a transforming state. As Pakistan continues to navigate its complex political terrain, the Constitution will likely undergo further amendments, continuing to reflect the nation's evolving political, social, and cultural realities (Mayeri, 2004).

5. The Future of Pakistan's Constitution: Navigating the Tensions

As Pakistan continues to evolve both politically and socially, its Constitution will need to navigate a complex set of tensions between traditional religious principles and secular ideals, the demands for provincial autonomy, and the need for a more empowered judiciary. The Constitution's inherent adaptability will be crucial in addressing these evolving challenges while maintaining the foundational values upon which it was built. In particular, the Constitution must respond to emerging issues such as climate change, rapid technological advancements, and shifting demographics—issues that were not envisioned at the time of its drafting but are increasingly central to the future of the nation (Nazir et al., 2024).

One of the most pressing challenges for the future of Pakistan's constitutional democracy is the ongoing struggle to balance the Islamic character of the state with the need for secular governance. The Constitution, in its preamble and through its various provisions, underscores the primacy of Islam in the state's identity. However, Pakistan's increasingly diverse population, which includes religious minorities, and the growing call for a more inclusive and pluralistic society, have raised questions about how this Islamic identity should be articulated in a modern democratic framework. The tension between religious conservatism and calls for secularism, particularly in relation to issues such as women's rights, freedom of expression, and minority protections, will continue to shape the constitutional discourse (Khan et al., 2020).

Another significant area of tension lies in the relationship between the central government and the provinces. While the 18th Amendment made significant strides in devolving power to the provinces, the centralization of authority, especially over financial and natural resources, continues to be a point of contention. Provinces, particularly in regions such as Balochistan and Khyber Pakhtunkhwa, are likely to continue pushing for greater autonomy in governance, while the federal government may resist any further concessions that could weaken its power. The future of Pakistan's federalism will depend on how effectively the Constitution can accommodate the demands for greater provincial autonomy without undermining national cohesion. The role of the judiciary is another crucial aspect of Pakistan's constitutional future. The empowerment of the judiciary through judicial activism has played a central role in the protection of democratic principles and the safeguarding of constitutional rights. However, this activism has also raised concerns about judicial overreach and the potential for political interference. The judiciary's future role in Pakistan will depend on finding a balance between upholding the Constitution's values and respecting the separation of powers. Its ability to effectively navigate political crises, particularly in situations where the executive or military oversteps its bounds, will continue to shape the political landscape.

In addition to these traditional tensions, Pakistan's Constitution will need to evolve in response to emerging global and domestic challenges. For example, climate change presents an existential threat that could significantly impact Pakistan's agriculture, water resources, and overall economic stability. As environmental concerns become more pressing, the Constitution may need to incorporate provisions that emphasize environmental sustainability and the protection of natural resources. Similarly, the rapid pace of technological advancements, particularly in areas such as digital trade, data protection, and artificial intelligence, will require legal reforms that ensure Pakistan remains competitive on the global stage while safeguarding citizens' rights and freedoms. Demographic shifts, including a rapidly growing youth population and increasing urbanization, will also influence the future of Pakistan's Constitution. The youth, who represent a significant portion of the population, are increasingly calling for greater political engagement, more inclusive policies, and reforms that address their concerns regarding education, employment, and governance. The Constitution will need to evolve to better reflect the aspirations of this demographic and ensure that their voices are represented in the political process (Javed et al., 2021).

Ultimately, the future of Pakistan's constitutional democracy hinges on the state's ability to reconcile

these competing interests—religious and secular, provincial and central, judicial and political—while ensuring that justice, equity, and representation are upheld. The Constitution's ability to adapt to these shifting realities, while maintaining the core values of justice, equality, and the rule of law, will determine its relevance and effectiveness in the years to come. In this way, the Constitution of Pakistan will continue to function as a living charter, one that evolves with the times while remaining anchored in the fundamental principles enshrined at its inception. Its future will be shaped not only by the political actors and institutions that interpret and implement it but also by the broader societal forces that continue to transform Pakistan into a more diverse, complex, and dynamic nation (Usman et al., 2021).

Conclusion

The Constitution of Pakistan stands as a living document, continuously evolving to reflect the changing political, social, and cultural dynamics of the nation. This research has explored the various tensions that have shaped the Constitution—between religious and secular elements, between the center and provinces, and between judicial empowerment and political authority. As Pakistan faces new challenges in an increasingly complex world, the Constitution's adaptability will be crucial to ensuring that it remains a relevant tool for governance, justice, and representation.

One key takeaway from this research is the Constitution's capacity to balance competing interests while safeguarding fundamental values such as justice, equity, and the rule of law. However, as the nation navigates contemporary issues like climate change, technological advancements, and demographic shifts, it will be necessary to continue evolving the legal framework to address these emerging concerns. The Constitution must not only respond to political crises but also anticipate future challenges that may not have been foreseen when it was first drafted.

In terms of suggestions for future research, it would be valuable to explore in greater depth the evolving relationship between Pakistan's judiciary and the other branches of government. Specifically, there is a need for more focused studies on the boundaries of judicial activism and its impact on the country's democratic processes. Additionally, research into the ongoing struggle for provincial autonomy and the implications of federalism in Pakistan could offer insights into how the country's diverse regional identities can be better accommodated within the constitutional framework.

Furthermore, as Pakistan confronts the global challenges of climate change and technological disruption, future constitutional reforms may need to address these issues explicitly. Research into the potential for constitutional amendments that address environmental protection, digital rights, and the governance of emerging technologies could be crucial to shaping a forward-looking, resilient legal framework.

In conclusion, the Constitution of Pakistan, with its complex history and adaptability, continues to be a vital instrument for the nation's governance. However, as the country progresses into a new era, it is essential that scholars, policymakers, and citizens alike continue to engage with the Constitution, ensuring that it remains a living charter that can guide Pakistan through the challenges of the future. The Constitution's ability to evolve while preserving its core values will determine its ongoing relevance and capacity to uphold democratic principles in an increasingly interconnected and rapidly changing world.

References

- Ali, M. I. (2024). Unpacking Living Originalism and Living Constitutionalism in the Constitutional Contexts of India and Pakistan. *Indonesian Journal of Law and Society*, 5(2), 316-350.
- Brinks, D. M., & Blass, A. (2017). Rethinking judicial empowerment: The new foundations of constitutional justice. *International Journal of Constitutional Law*, 15(2), 296-331.
- Dixon, R. (2011). Constitutional amendment rules: a comparative perspective. In *Comparative*

- constitutional law*. Edward Elgar Publishing.
- Dixon, R., & Issacharoff, S. (2016). Living to fight another day: judicial deferral in defense of democracy. *Wis. L. Rev.*, 683.
- Hale, B. (2019). The Changing Legal Landscape. *Legal Information Management*, 19(4), 217-223.
- Hashimy, S. Q. (2024). Afghanistan's Constitutional Journey: Hazards of Adopting Foreign Models. *The Indian Journal of Politics*, 58(1-2), 95-121.
- Hashimy, S. Q. (2024). Demise of Constitutionalism in Afghanistan: Envisioning Hegemony of a Future Constitutional Making.
- Hirschl, R. (2008). The judicialization of mega-politics and the rise of political courts. *Annu. Rev. Polit. Sci.*, 11(1), 93-118.
- Javed, K., Jianxin, L., & Khan, A. (2021). Constitutional exceptions of right to speech: Evidence from the apex courts of Pakistan. *Journal of Humanities, Social and Management Sciences (JHMS)*, 2(1), 72-84.
- Jost, K. (1995). A changing legal landscape. *ABA Journal*, 14.
- Kalhan, A. (2013). Gray Zone Constitutionalism and the Dilemma of Judicial Independence in Pakistan. *Vand. J. Transnat'l L.*, 46, 1.
- Kanwel, S., KHAN, M. I., Usman, M., & Khan, A. (2020). Navigating Constitutional Challenges: An In-depth Exploration of Pakistan's Constitutional Landscape. *International Review of Social Sciences (IRSS)*, 8(11), 273-279.
- Khan, A., Usman, M., & Amjad, S. (2020). Jurisdictional Challenges in Prosecuting Maritime Crimes: A Comparative Analysis. *International Review of Social Sciences*, 8(11), 376-382.
- Li, Z. (2021). Specialized Judicial Empowerment. *U. Fla. JL & Pub. Pol'y*, 32, 491.
- Mayeri, S. (2004). Constitutional choices: legal feminism and the historical dynamics of change. *Calif. L. Rev.*, 92, 755.
- Munir, B. A. K. H. T. (2018). Constitutionalism And the Dilemma of Judicial Autonomy in Pakistan: A Critical Analysis. *Constitutionalism And the Dilemma of Judicial Autonomy in Pakistan: A Critical Analysis*.
- Nazir, J., Jabeen, Z., & Khan, S. U. (2024). THE FUTURE OF CONSTITUTIONAL GOVERNANCE IN PAKISTAN: PROSPECTS AND CHALLENGES. *Journal of Religion and Society*, 2(4), 126-141.
- Pavone, T. (2018). Revisiting judicial empowerment in the European Union: Limits of empowerment, logics of resistance. *Journal of Law and Courts*, 6(2), 303-331.
- Rahim, T. (2023). *Political parties and democratic development in Pakistan: Military regimes and democratic transformative struggle* (Doctoral dissertation, Middle East Technical University (Turkey)).
- Tew, Y. (2020). *Constitutional statecraft in Asian courts*. Oxford University Press.
- Tew, Y. (2024). Strategic judicial empowerment. *The American Journal of Comparative Law*, 72(1), 170-234.
- Usman, M. U. H. A. M. M. A. D., Khan, A. S. I. F., & Amjad, S. O. H. A. I. L. (2021). State Responsibility and International Law: Bridging the Gap.
- Woods, P. J., & Hilbink, L. (2009). Comparative sources of judicial empowerment: Ideas and interests. *Political Research Quarterly*, 62(4), 745-752.