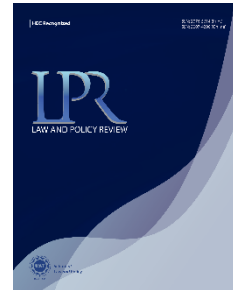


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Academic Legal Research in Pakistan: Challenging the Doctrinal Method through the Trial of Analysis and Rethinking Critical Legal Approach

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Abstract

This research paper provides an informed, evidence-based analysis of the outdated models of legal research employed in Pakistan. It argues that these methods have become obsolete, as they are no longer suited to contemporary research, judicial decision-making and policy-oriented inquiry. The study adopts three basic research methods, which are not to be confused with legal research methods, namely, doctrinal, analytical, and critical. A combination of these methods constitutes a single methodology, referred to as a ‘mixed legal research methodology’. Mixed-methods or methodologies are adopted to provide a clear distinction between methods and how a combination of two or more methods can be applied in a situation where one method becomes outdated. Based on the application of this mixed methodology, the paper recommends the establishment of mechanisms for interdisciplinary, policy-oriented, practical, international, and solution-based research to provide the State of Pakistan with real-time solutions to legal issues. Pakistan requires legal scholars with the ability to provide effective policy advocacy at international forums, while contributing to better local governance, provincial coordination, and national integration. This research paper also suggests that the State must reform its approach towards law schools and legal scholarship in Pakistan.

Keywords: legal research, Pakistan, doctrinal method, analytical approach, critical analysis

Introduction

Given the existing constitutional and administrative crisis in Pakistan, it is not surprising that there has never been a governmental policy to direct funds towards legal research. More concerning, however, is the extent to which constitutional catastrophe of the recent past was underestimated. The constitutional irregularity that has challenged the basic ‘social contract

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theory’ cannot be fixed by the so-called ‘Constitutional Bench(es)’ of the Supreme Court of Pakistan (Constitution [Twenty-Sixth Amendment] Act, [2024](#)). The statement that ‘such an irregularity cannot be fixed’ is on the basis of a legal maxim that *‘nemo iudex in causa sua or no one can be judge of his own cause’* (Jamali et al., [2025](#)).

Against this backdrop, the Supreme Court, in the case of Pakistan Peoples Party Parliamentarians (PPPP) v. Federation of Pakistan ([2022](#)), attempted to rectify the irregularity of the then Speaker of the National Assembly. The next day, this very judgment was criticised by some of the legal scholars on the basis that interference in parliamentary affairs may undermine democratic norms. In the background, a thorough consensus existed among legal scholars that judicial over-activism undermines the political and democratic processes (Center for American Progress, [2025](#)). However, the missing link between legal research and any overlapping rules of procedures is not addressed by any legal scholar. This idiomatic gap provided an opportunity to analyse a pattern of academic legal research in Pakistan through an analysis-based mechanism, which may challenge the doctrinal approach under critical evaluation methodology.

The argument is built upon the ‘social contract theory’ that entails the ‘basic structure doctrine’ in the constitution, resulting in the ‘trichotomy of powers.’ However, the 26th Constitutional Amendment, without any legal research from scratch, through the ground, without a broader consensus and as argued by some, that without a ‘legitimate parliament’ has been observed as a ‘last nail in the coffin of judicial independence’, is that so? Then, what approaches were required prior to such amendments that may establish a normative approach towards legal research in Pakistan? The primary objective of this paper is to provide a conceptual and normative methodological proposal rather than an empirical field research. Empirical field research actually prevents researchers from looking for non-existent field data. Therefore, the paper supports empirical data and research beyond conventional methods, while this paper itself utilised conventional methods to discourage the conventional approach.

Setting the Stage: An Analysis of Trial and Judgemental Approach of the Courts

The three overlapping research agendas form the bulk of the judgments. First, questioning the *vires* of any order passed by the government or bill by

the parliament may be against the basic principles of the Constitution (Ghulam Mohiuddin and 2 others versus Federation of Pakistan through Ministry of Law & Justice and others, [2023](#)). Second, the meaning and validity of the law in terms of interpreting the policy matters while assuming the intent of the legislators. Third, fixing the strict legal actions taken by the lower courts (District and Magistrate Courts), which are usually ordered with a narrow approach to any substantive or procedural law. Typically, this has involved questions such as: ‘What actually is the law?’ or ‘To what extent the legislature’s/govt’s orders can be questioned?’ or ‘How does an order of the lower court be re-examined to fix legal errors?’... In such a scenario, judges are both researchers and opinionators simultaneously within the same court. Irrespective of having expertise on the case, judges find the law, jurisprudence, and order on those bases that are mostly challenged in the superior courts (Cross & Lindquist, [2009](#)).

Although there has been a change in recent times in the practice of high court and supreme court judges hiring researchers, the question remains whether the issues of any specific area of law are addressed. The majority of legal practitioners who appear daily before District and Magistrate Courts, including Special Tribunals, question the expertise of the judges when appealing in superior courts. Definitely, one reason is the overburdened judiciary, and lack of training is another; still, in this situation, ‘legal research’ cannot be ignored. On the other hand, parliament and government legislate without thorough and in-depth legal research, and this creates a confrontational position of the judiciary with the political administration. Moreover, the courts also challenge the efficacy of the civil administration in given circumstances, wherefore unnecessary delay till final judgment causes a potential loss of resources.

The judgment is the law, a complicated nexus of diverse and coherent principles, and sometimes composed of contradictory opinions. For example, in *Mustafa Impex vs. Federation of Pakistan* ([2016](#)), the Supreme Court took the opportunity to redefine the ‘federal government’ in light of two contradictory opinions from one of the High Courts regarding two umbrella administrative laws (the Rules of Business and the Constitution). The Supreme Court, while digging deep, analysed the Government of India Act, the Constitutions of 1956 and 1962, the General Clauses Act, the Constitutional Framework and the Rules of Business under which the governmental acts are performed. The Supreme Court acknowledged the

services rendered by the legal researchers in conducting an analysis on such a complex web of jurisprudence and law, through which it finally laid down a dictum.

Abdul Rauf and others V. Government of Balochistan (2022) is another critical decision of the Supreme Court, which effectively overturned the High Court's decision. On the merits, the issue concerned the appointments made by the caretaker government, and therefore, the principle that caretaker governments cannot make any appointments was already settled in Khawaja Muhammad Asif Vs Federation of Pakistan (2014). One may critique the nepotism in the prevailing civil-administrative setup, as the High Court validated appointments made by the caretaker government. However, from an academic point of view, the lack of legal research is quite evident in this case. Although the honourable judges of the High Court were opinionated and decided based on some merits of the procedure of the appointments, they may not be able to reach the judgment of the Supreme Court, in which it is ruled that the caretaker government cannot make appointments.

The Courts often overlook the analysis as it is on 'trial'. Maybe the courts must follow a strict approach to interpretation and judge the case without 'analysing' the law. However, there is no such 'rule' of interpretation. The rules of interpretation go beyond that; there are three primary rules of interpretation that the majority agrees with. 'Literal rule' is about interpreting the law with its 'literary construction', 'golden rule' is regarding the 'intent of the legislature while legislating such specific law', and 'mischievous rule' is for 'determining the intent of the law itself' or 'determining the aims and objectives of the law' (Bashir et al., 2025). The given rules are essential in the course of conducting legal research and are not limited only to the interpretation of the law by the courts. This will, however, be limited to doctrinal research, as the law is based on doctrine.

The doctrinal research at this stage can be termed limited to 'interpretation of the law by courts'. The question can be raised whether the courts felt that there was a need for any new legislation. Ahead of that, why is a law made? What is the necessity? Moreover, the point to be made here is what ground reality is, what public sentiment is, and beyond that, establishing a basis for the law-making process. At this stage, the trial of analysis challenges the process of the 26th Constitutional Amendment.

The analysis of ‘trial’ cannot be concluded here as such. Any legislation is based on policy, and such a decision-making process must look into whether the rules of procedure have been followed. Another question is, what are the rules of procedure in terms of the constitution? Behind biases of doctrinal approach with specific rules, as already stated, ‘trichotomy of powers’, ‘social contract theory’ and ‘basic structure doctrine’, what are the causes of any such legislation/amendment? Are the courts of opinion required to have a ‘special constitutional bench’? What form of stakeholder consultation was processed before the 26th constitutional amendment? Was the amendment conducted with transparency? In a nutshell, what is the cardinal principle of ‘good governance’ in processing the 26th constitutional amendment?

Jurisprudential Analysis: Putting the Doctrinal Method on Trial

According to the latest research in law, the doctrinal method is still stranded in statutes and precedents (Butt, [2021](#)). Given that, the doctrinal method is a traditional approach, with its primary emphasis on ‘black letter law’, which may be insufficient for understanding the complex problems Pakistan faces due to its ongoing constitutional and administrative crises. This method is severely constrained in the Pakistani legal context due to its complex nature. The historical lack of a clear government policy to support the adequacy of funding comprehensive legal investigations has, over time, left an enormous gap, which has created a crucial missing link between academic legal scholarship and its active application to procedural rules and policymaking (Piattoni, [2015](#)).

This identifiable scholarly deficit is the root cause of much of the criticism that has been levelled at the existing legal research practices, and in particular their reduced ability to constructively criticise and respond in a proactive manner to innumerable constitutional anomalies and the endemic presence of judicial over-activism (Naqvi, [2023](#)). A particularly glaring drawback of the doctrinal research in Pakistan is directly related to the controversial question of judicial over-activism and the dual role that judges have been taking for themselves within the system of laws. When, for example, the Supreme Court interferes with the business of parliament, as it was witnessed in cases such as *Pakistan Peoples Party Parliamentarians (PPPP) v. Federation of Pakistan* ([2022](#)) it is bound to cause a lot of controversy among legal scholars. It has been argued that these interventions, regardless of the declared purpose, are likely to compromise

the fundamental democratic principles and upset a delicate balance of power that the trichotomy of powers requires.

While balancing the powers and judging such cases, judges are provided with limited options to act as neutral adjudicators. The judges in such cases assumed their duties as researchers and lawmakers, frequently within the courtroom's in-house requirements. This combination of duties raises serious questions about the objectivity of the legal interpretation within the doctrinal framework. It is argued that judges of the higher courts are well-versed in the complexities of the law. However, it is not always the case that all judges have knowledge in all areas of law they face in court, and most of the time it is the scenario in lower/district courts. Therefore, the judges' ruling in the first instance may be overturned and reconsidered by higher courts. The upsurge in appeals in question is a symptom of possible gaps in the underlying research challenges used in the early phases of proceedings (Tahir, [2025](#)).

The aforementioned dynamics are among the issues that give the appearance that judgments are more grounded in the judge's personal interpretation than in exhaustive expertise (as required in technical cases). This perhaps reveals a practice-based and vital limitation of doctrinal research. The structural and systematic challenges also became apparent here in terms of dysfunction in doctrinal method. The case filing and appeal system is already exhaustive, especially in the lower/district judiciary and relevant special tribunals, which practically challenge the conduct of real-time and in-depth legal research. Furthermore, the judges are not very well trained in conducting research, especially in other legal research methods, such as analytical and critical methods (Rashid, [2016](#)). This problem is repeatedly highlighted in the lower/district judiciary: judges often express a lack of research skills and expertise when appealing to higher courts.

Given the above argument, a combination of several elements typically leads to a narrow and literal understanding of law. This is subsequently reflected in the judgments that are frequently appealed or significantly revoked by the High Courts and the Supreme Court. This also raises a question of whether the recent trends toward employing legal researchers in the high courts truly address specific and diverse needs across various legal fields, or if they merely uphold prior judicial interpretations. This widespread lack of substantial, institutionally sponsored legal research at all levels of judicial systems is directly associated with inconsistencies in

jurisprudence and lengthy legal disputes, which cause unnecessary time waste and a massive waste of precious national resources (McIntyre, [2020](#)). In addition, the legislative and policy-making process in Pakistan often proceeds without the essential advantage of thorough and in-depth legal research. Unfortunately, the given practice usually triggers an open clash between the legislative, executive, and judicial branches. The formulation of laws and policies without sufficient empirical evidence, thorough consultation with all stakeholders, or a keen insight into their potential impacts on society and the constitution is likely to be at risk (Wijatmoko et al., [2023](#)).

In such a case, the courts are inevitably put to question the effectiveness and constitutionality of such a law, unwillingly undertaking a kind of policy review that more serious pre-legislation research might have averted. Such a situation highlights a key breakdown in the current paradigm of legal research, including a simple lack of actively utilising the capacity to educate the very source of law (Vibhute, [2025](#)). The fact that the administration is often questioned by the judiciary in terms of its effectiveness in certain situations, which usually leads to drawn-out and resource-draining litigation, further underlines the urgency of proactive and research-based policy development to preclude such disagreements and the waste of national resources.

The natural narrowness of doctrinal legal research is another significant limitation, which appears explicitly in its failure to address in a substantial manner general policy questions, realities on the ground, and the general mood of the people. The very nature of doctrinal research is to be preoccupied with establishing what the law is, which in itself is a systematic exegesis of statutory law, constitutional clauses, judicial utterances and academic commentaries. Although such an undertaking is admittedly necessary to maintain legal certainty, it too often fails to address some fundamental questions, like why a law is created, why it is evidently needed, what policy grounds can be found behind it, what its actual implementation can show, and how it is received by the population. This constraining emphasis often overlooks key issues related to the socio-economic system, diverse stakeholder input, and the overall implications for the fundamental principles of law, including the basic structure doctrine and the trichotomy of powers.

While analysing the 26th and 27th Constitutional Amendments under the

above principles, it can be argued that it is inadequate to create another constitutional court (Constitution [Twenty-Sixth Amendment] Act, [2024](#)). These amendments, as others have held, took place without legal research on its part, through the ground, without wider agreement. There is a serious question about the independence of the judiciary and the inherent integrity of the law-making process, which such amendments cannot stand without a serious concern, given that they appear to be based on inadequate research and lack thorough dialogue with the people. It is heavily implied in a critical analysis of this amendment that there was a deep systemic failure to sufficiently address the question of whether there was a real societal need for the new legislation, what ground realities it was attempting to respond to, what was the sentiment of the people and most importantly, how it was able to create a normative foundation of law-making (Jamali et al., [2025](#)).

Moreover, even though the three main rules of interpretation, the Literal, Golden, and Mischief rules, are both essential hermeneutic instruments of decoding law and have been found to establish limits of conventional doctrinal research (Bashir et al., [2025](#)). Although these rules assist the courts in understanding the literary construction, the intent of the legislature, and the goals and objectives of the law, they considerably restrict the scope of legal inquiry to the textual and historical aspects of the very law. The rules are systematic in the context of the search, study, explanation, and justification of the established legal system; this methodical approach to research finds it challenging to integrate essential external aspects that are crucial in creating a truly responsive legal system. Whether courts feel an absolute necessity for new law, or the very reasons for the enactment of a particular law, are frequently beyond the range of a strictly doctrinal analysis. This interpretative limitation has a substantial impact on legal research's ability to generate proactive knowledge that supports policy reforms and legal development.

In cases of administrative action and constitutional developments, the analysis of legality is deeply rooted and cannot simply follow a (single) rule interpretation. The case of *Mustafa Impex vs. Federation of Pakistan* ([2016](#)) is the classic example of this practice that redefined the term 'federal government' after revisiting several judgments of India, the UK and the USA. In the judgment, the Supreme Court recognised the services provided by the researchers and law clerks appointed. The issue of redefining the 'federal government' through a complex nexus of jurisprudence challenges

the research capacity of the court. It can be argued that the synthesis of various legal resources was impossible without the assistance of legal researchers.

The importance and value of legal researchers can be seen in that, prior to their appointment in the high courts, cases of a similar nature lack a sound legal basis due to an insufficient diligence in legal research. For example, the ruling of the High Court referred to as in *Abdul Rauf and others V. Government of Balochistan* (2022) which the Supreme Court later overruled in the context of the appointment of a ‘caretaker government’. Similarly, even in a case that has a precedent, *Khawaja Muhammad Asif v. Federation of Pakistan* (2014), the Supreme Court conducted an exhaustive review of precedents for the decision. The given cases highlight that doctrinal research in Pakistan is apparently conducted in depth and breadth, so that legal rulings can be made based on them and legislative integrity can be maintained.

It can also be observed that doctrinal research is closely connected to the court's decision-making process and has far-reaching implications for good governance. For example, the constitutional amendments processed without substantive deliberation and research override the constitutional principles and are overturned by the High Courts and the Supreme Court. The principle of transparency provides a clear identification of the reasons and goals behind any amendments, and, in cases where ‘transparency’ is compromised, it evidently raises serious doubts about adherence to the principles of good governance. At this stage, the research calls for a task of analysis that requires a careful review of whether legislation, by legislature, is based on policy through appropriate mechanisms, whether the legislature authentically follows procedural guidelines, and whether the legislature is capable of addressing underlying biases in the political system.

Given the non-critical persistence of the (dogmatic) doctrinal approach, it is largely oblivious to empirical analysis and a sophisticated appreciation of the sense that ground realities have been changed. There is an ‘epistemic disconnect’ in legal research, a gap that Pakistan should address to counter the current constitutional crisis. In this scenario, a decisive move towards a more integrated, critically informed and, inherently, multidisciplinary approach to legal research is not only a suggestion that scholars in the academia can make, but a necessity, because it is proposed to produce a legal framework that is not only robust in its interpretation of the law, but

also highly responsive, transparent and equitable in its indispensable role in governing the country.

Constructing a New Path: A Critical and Multidisciplinary Legal Research Methodology for Pakistan

The above analysis highlights the significant weaknesses of doctrinal legal research in Pakistan. The enormous gap challenges legal professionals, the judiciary, and academia in practice and on paper. This distinctive gap, as mentioned in the introduction, is one of the primary disputes between the judicial, political and research capacity systems. Furthermore, the tailored analysis has shown that there is a need to adopt the latest legal research methods. Such methods shall address pervasive constitutional issues and, in a balanced way, impose limitations on judicial activism. This presents an urgent demand to radically change the methodological standpoints.

To surpass an interpretation of the so-called ‘doctrinal research’ (black letter law), legal scholarship shall adopt, in a deliberate and timely manner, methodologies that are extremely sensitive to the political dynamics in Pakistan. The goal shall be to establish a robust and equitable system of law that can effectively bridge the gap and make a positive contribution to effective legal reform. Given that, this part primarily serves as a hypothesis, as introduced in the introduction to the normative method of legal research, which is critical and multidisciplinary, while presuming that it will be instrumental in the future development of law in Pakistan.

Re-considering Foundations: The Imperative of Critical Legal Research

A critical examination or evaluation of law typically follows the doctrinal method. The critical method critiques the law rather than evaluating its content and questions how the law is organised as it is. The critical method also examines the interests that the law primarily benefits, as well as the power relations (with institutions) that the law (whether intentionally or unintentionally) maintains (Chen & Liu, [2023](#)). Basically, the critical method challenges the assumption that law is objective and neutral. The critique aims to provide a thorough account of how the law is formed by complex historical, social, economic, and political forces with specific purposes. In this context, the critical method shall not be limited to academic research in a post-colonial Pakistan, in which the institutions of law frequently reproduce the long-standing traditions of British (colonial)

law (Bracken & Oughton, [2006](#)). The critical method shall involve a thorough examination of how the constitution, statutes and judicial precedents (may) have facilitated the power structures and/or are insufficient to respond to the urgent demands of the marginalised.

A critical method is actually required to evaluate the legality and legitimacy of judicial over-activism and the controversial constitutional amendments. The critical method shall cast doubt on the validity of the constitutional amendments, as these amendments are viewed as having detached themselves or as having been based on inadequate pre-legislative research. The critical view/method shall resonate why it is important to maintain the principle of ‘trichotomy of powers’ (Galbraith, [2013](#)). This will also reflect a distinct ground reality formed out of unique political failure and shall require a critical reconsideration of the methodological approach in legislation/reforms. The critical method shall examine the ideological basis of the law's decision-making and law-making processes in a meticulous detail, maintaining political objectivity. This shall develop a deeper understanding of the actual effects of constitutional amendments on the ‘trichotomy of powers’. Moreover, the critical method offers a solid framework for analysing how the legal doctrine may be actively used to preserve or radically critique the status quo, thus playing an authentically emancipatory role.

Adopting Socio-Legal and Empirical Methodologies

It is the necessary consequence of the limitations of purely doctrinal research, especially the trail of its unremitting neglect of both the ground realities and of public sentiment, that it requires an urgent and wholesale incorporation of the social-legal and empirical mode of research (Hutchinson, [2013](#)) The conceptual basis of socio-legal research places laws not simply as a fixed set of rules, but as a dynamic social phenomenon that is inextricably connected with, and indeed constituted by, societal norms, practices, and complex institutional organisations. It explores the law in action, seeking to understand its practical application rather than merely preoccupying itself with the law as it appears in books (Khaskheli et al., [2025](#)). A subset of the broader category of socio-legal paradigms, empirical legal studies rigorously gather and analyse observable data to systematically comprehend the impacts of law and how it operates in society. This marks a critical turning point from interpreting legal texts to conducting active investigations.

To observe the impact of the research, the questions must be framed as: how do new legislation or dramatic changes in a constitution, e.g., the 26th Constitutional Amendment, affect the day-to-day lives of citizens, institutions, and various social groups? Surveys, in-depth interviews, and direct observations are among the methods used in empirical studies, which can provide data that are considered invaluable by traditional doctrinal analysis alone.

Moreover, empirical research can be conducted instead of analysing written judgments on the complex factors that affect such decisions, such as the individual expertise of the judges, the systemic pressures that may be influencing them, and the practical operational pressure the lower courts face (Degong et al., [2023](#)). Qualitative research through semi-structured interviews with judges and lawyers can provide insights into procedural practices and clearly highlight the differences between theory and practice.

The subtle perception of public opinion on legal changes and the overall effectiveness of the justice system can be well explained through qualitative fieldwork. Such fieldwork to understand how law actually operates in practice formulates a compelling argument in order to criticise practical solutions (Public-Private Infrastructure Advisory Facility, [2003](#)). A good example in this scenario is the burgeoning differentiation between privileged and marginalised classes, and portraying how this so-called justice system is less sympathetic to the incapable of inter-agency coordination (Barnes-Dabban & Karlsson-Vinkhuyzen, [2018](#)).

Adaptation of Multidisciplinary Approaches

The multidisciplinary approach incorporates the perspectives and applications of multiple disciplines. In the legal atmosphere of Pakistan, it became indispensable in creating a complete and advanced understanding of law and practice (Abid et al., [2022](#)). In the developed States, the legal education system takes the form of a specialist orientation among legal academia, and those who lack the interdisciplinary knowledge are required to address the externalities of law (VanderZwaag & Oral, [2008](#)).

To illustrate, understanding constitutional law and politics in South Asia requires developing new research agendas grounded in the very practice of constitutional actors, who are themselves highly influenced by particular cultural, societal, and political milieus (e.g., religion, languages, ethnicity) (Juda, [1999](#)). This requires a prudent balance between the bottom-up and

top-down strategies, involving rigorous analysis of research topics in their natural environment. This type of deep interaction between the disciplines enables the researcher to overcome the limiting frames of strictly legalistic views and to develop more complex, context-directed solutions that are truly local and indigenous, rather than imported or borrowed.

Legislative Impact Assessment and Policy-oriented Legal Research

One of the most significant aspects of a transformed legal research approach in the Pakistani context should be its direct and evident role in evidence-based policymaking and the strict formulation of laws (Nisa et al., [2021](#)). The age-old trend of the parliament and government enacting laws without extensive, elaborate research is bound to cause a clash with the judiciary and result in the ineffective utilisation of limited resources. It is the nature of policy-oriented legal research to seek to inform the origin of law in a proactive manner as opposed to responding to its enactment (Ahmad, [2014](#)).

Before formal laws or amendments are enacted, rigorous research must be conducted to provide a preview of the potential social, economic, and constitutional impacts. Intensive research may involve a system of in-depth consultation with relevant stakeholders and law practitioners (Jain, [1975](#)). Such comprehensive research ensures that the law is truly informed by a wide range of opinions and effectively responds. While the principles of ‘responsiveness’ are adopted, which shall promote transparency and personal ownership of the law, two of the most essential principles of good governance.

Capacity Building and Institutional Reforms

Effective adoption of a genuinely critical research approach is inherently an institutional and strategic capacity-building effort. This shall be a governmental initiative, with the support of law schools across Pakistan, to take a decisive approach by enacting a policy that strategically allocates resources to legal research. A policy is required that shall prioritise multidisciplinary research in law, ensuring that these results directly inform key legislative and judicial reform initiatives (Abid et al., [2022](#)).

Moreover, although the four-year LLB program has been approved, it still requires a thorough curriculum reform. This requires the incorporation of training on critical advanced research methods and interdisciplinary research (Imran, [2025](#)). They may include frequent publication of policy

briefs, institutionalise legislative clinics, and promote long-term and direct interaction between scholars and distinctions in the law. The reluctance of certain legal professionals to openly share their views due to established political processes underscores the urgent need for reliable, neutral platforms to share research and engage in positive dialogue.

Moving across the "Idiomatic Gap" and Developing a Normative Approach

The shift towards a critical and multidisciplinary legal research approach is not only desirable but also, quite simply, essential for successfully bridging the so-called idiomatic gap or methodological chasm that plagues the legal system in Pakistan at present. Legal research can become a driving force for positive change if it moves beyond a textual, narrow interpretation of the law into activities that integrate empirical evidence, other fields of inquiry, and a critical method for reviewing the power structures that inform it.

This perceived normative law research would essentially fulfil the ground reality, as it would implement the inherent responsiveness of legal frameworks to the real needs and complex situations of Pakistani society, instead of acting as an abstract ideal or superficially importing models. This would create significantly more trust and confidence in the legal system by demonstrating that laws and judicial rulings are consistently grounded in extensive knowledge, fundamental fairness, and a commitment to good governance.

It would also provide strong mechanisms for a critical examination of what all arms of government are doing, thereby keeping them highly accountable to the provisions of the constitution as well as the established standards of democracy. It would also drastically instruct the formulation of sound, fair, and progressive reforms in the law, which are target-oriented to structural causes of constitutional and administrative crises, and not mere superficial or short-term remedies.

Through a carefully chosen methodological paradigm involving critical, empirically based, multidisciplinary, policy-driven, and technologically informed approaches, Pakistan will have the most excellent chance of developing a legal scholarship that not only interprets its laws effectively but also actively contributes to creating a better future of improved justice, increased transparency, and enhanced democracy. This break is a form of

unswerving dedication to law as a multifaceted, dynamic social establishment, as well as to the mobilisation of the vast resources of rigorous inquiry in the cause of the ultimate common good.

Conclusion

In this paper, it has been argued that the existing national dilemmas have, unfortunately, been intensified rather than solved by an ingrained reliance on doctrinal legal research. The fundamental problems identified are a significant lack of government policy and funding for conducting an extensive legal investigation, as well as cases of judicial activism that put democracy's principles to the test and undermine citizen trust. The current constitutional and administrative crises in Pakistan are a dramatic testament to a crucial gap in conventional legal research in Pakistan. There is a lack of relation between the formalisation and the actualisation of legal research.

This paper further argues that judicial procedure reveals that judges themselves are the researchers in their court of law, resulting in legal interpretations that are usually overturned by the superior courts. The primary reason is a lack of legal research skills, which leads to disagreement within the government and poor resource allocation. The weaknesses of the conventional research are explained, and there has been strong argumentation supported with enough evidence that conventional methods often are conducted at the expense of essential practices. The recommendations are therefore based on practical approaches to legal research that shall be multidisciplinary and critical. The reform agenda should go beyond the interpretation of the statute, advocating critical questioning to dismantle the power structures inherent in the law itself.

Policy-based research shall be another priority that demands pre-legislative impact research, stakeholder consultations, and the establishment of implementation standards and evaluation. The actions taken in policy-based research are crucial in demonstrating that legal research is closely tied to evidence-based governance. This also bridges the gap between legal research conducted at the court level and transformative policy-driven reforms. It is a radical methodological recalibration that is essential to nurture a legal system that is both strong in its interpretative ability and responsive, transparent, and capable of making long-term contributions to the democratic stability and socio-economic development of Pakistan.

Author Contribution

M Jahanzeb Butt: conceptualization, formal analysis, investigation, methodology, supervision, writing – original draft, writing – review & editing. **Khadija Zulfiqar:** writing – original draft, writing – review & editing

Conflict of Interest

The authors of the manuscript have no financial or non-financial conflict of interest in the subject matter or materials discussed in this manuscript.

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