

# THE MYTH OF CONSTITUTIONALISM IN PAKISTAN

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OXFORD

# Myth Of Constitutionalism In Pakistan

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## **Myth Of Constitutionalism In Pakistan:**

Founding Moments in Constitutionalism Richard Albert, Menaka Guruswamy, Nishchal Basnyat, 2019-10-17 Founding moments are landmark events that break ties with the ancien régime and lay the foundation for the establishment of a new constitutional order. They are often radically disruptive episodes in the life of a state. They reshape national law, reset political relationships, establish future power structures and influence happenings in neighbouring countries. This edited collection brings together leading and emerging scholars to theorise the phenomenon of a founding moment. What is a founding moment? When does the founding process begin and when does it end? Is a founding moment possible without yielding a new constitution? Can a founding moment lead to a partial or incomplete transformation? And should the state be guided by the intentions of those who orchestrated these momentous breaks from the past? Drawing from constitutions around the world, the authors ask these and other fundamental questions about making and remaking constitutions. *Constitutionalism in Islamic Countries: Between Upheaval and Continuity* Rainer Grote, Tilmann Röder, 2012-01-11 Constitutionalism in Islamic Countries: Between Upheaval and Continuity examines the question of whether something similar to an Islamic constitutionalism has emerged out of the political and constitutional upheaval witnessed in many parts of North Africa, the Middle East and Central and Southern Asia. In order to identify its defining features and to assess the challenges that Islamic constitutionalism poses to established concepts of constitutionalism, this book offers an integrated analysis of the complex frameworks in Islamic countries, drawing on the methods and insights of comparative constitutional law, Islamic law, international law and legal history. European and North American experiences are used as points of reference against which the peculiar challenges and the specific answers given to those challenges in the countries surveyed can be assessed. The book also examines ways in which the key concepts of constitutionalism, including fundamental rights, separation of powers, democracy and rule of law, may be adapted to an Islamic context, thus providing valuable new insights on the prospects for a genuine renaissance of constitutionalism in the Islamic world in the wake of the Arab spring. **Pakistan's Drift into Extremism** Hassan

Abbas, 2015-03-26 This book examines the rise of religious extremism in Pakistan, particularly since 1947, and analyzes its connections to the Pakistani army's corporate interests and U.S.-Pakistan relations. It includes profiles of leading Pakistani militant groups with details of their origins, development and capabilities. The author begins with a historical overview of the introduction of Islam to the Indian subcontinent in 712 AD and brings the story up to the present by describing President Musharraf's handling of the war on terror. He provides a detailed account of the political developments in Pakistan since 1947, with a focus on the influence of religious and military forces. He also discusses regional politics, Pakistan's attempt to gain nuclear power status and U.S.-Pakistan relations, and offers predictions for Pakistan's domestic and regional prospects.

*Civil Society and Pakistan's Economy* Fayyaz Baqir, 2023-03-17 This book analyses the paradoxes of Pakistan's economy, meritocratic domestic policy and the role of the state and the civil society. It argues that the transition in the country's foreign

policy from geo politics to geo economic depends on a fundamental domestic policy transition from kleptocracy to meritocracy Civil Society and Pakistan s Economy discusses how the prevalence of rent seeking practices has undermined merit based practices by increasing the cost of doing business and converting public loss into private profit by awarding inappropriate subsidies and imposing regressive taxes The analyses are supported by describing the instruments and mechanisms used for rent seeking practices and the creation of public awareness of options available to change these practices through citizen s action and civil society engagement The book also shows the path of transformation and the role of participation and argues that aspiring for and capturing power is not the only way to transform Pakistan A novel analysis depicting macro micro linkages of encroachment of socio economic space by the power elites and effective strategies used for its reappropriation by the people the book will be of interest to academics researching South Asian Studies in particular South Asian economics and politics

Emergency Powers and the Courts in India and Pakistan Imtiaz Omar,2021-10-18 The fundamental premise of this study is that where Constitutions such as that of India and Pakistan articulate legal norms which limit the scope of the executive power to derogate from individual rights during states of emergency there must likewise exist an effective control mechanism to ensure that the Executive acts within the scope of that power Viewed from this perspective the judicial power to interpret the Constitution imposes upon the Court the constitutional duty to provide adequate safeguards against the abuse of state power affecting individual rights This power remains available notwithstanding the presumed or purported ouster of judicial review The concept of judicial review as a source of control is examined in the light of the experience of Pakistan and India during periods of constitutional emergency The divergent approaches of the Courts in these countries in litigation concerning emergency powers and individual rights are explained in terms of divergent views that these Courts have adopted with respect to the nature of judicial review

*Law, State and Inequality in Pakistan* Muhammad Azeem,2017-07-02 Through a detailed historical and empirical account of post independence years this book offers a new assessment of the role of the judiciary in Pakistani politics Instead of seeing the judiciary as helpless or struggling against an authoritarian state it argues that the judiciary has been a crucial link in the creation of state and political inequality in Pakistan This rubs against the central role given to the judiciary in developing countries to fix the corrupt politicians and stubborn bureaucracies in the World Bank s Good Governance paradigm and rule of law initiatives It also challenges the contemporary legal and judicial discourse that extols the virtues of Public Interest Litigation While the book s core analysis is a critique of the contemporary liberal legal project it also adds to the critical tradition of social theory by linking political economy to a social theory of law The theoretical aspect of the study is applicable to any developing society whose judiciary is going through foreign sponsored rule of law judicial reforms

*Human Rights in Pakistan* Sudhir Kumar Singh,2007 Provides an analytical and incisive account of various developments in Pakistani politics right from the declaration of Ahamadiyas as non Muslim and Pakistan as an Islamic state by Bhutto to the lease of life

**South Asia in**

**Transition** B. Chakma, 2014-06-25 Combining theoretical and empirical insights this book provides an in depth analysis of South Asia's transition in the areas of democracy political economy and security since the end of the Cold War It provides a close scrutiny to the state of democracy and political economy in India Pakistan and Bangladesh **The Myth of Constitutionalism in Pakistan** Zulfikar Khalid Maluka, Zulfikar Khalid, 1995 **Federalism in South Asia** Mahendra Prasad Singh, Veena Kukreja, 2014-08-07 This book is one of the first in depth and systematic studies on the functioning and aspiring federations of South Asia It examines how federal dynamics in India Pakistan Nepal and Sri Lanka are impinged on by the nature of their specific constitutions their societal political and cultural fabrics composition of power elites and ruling classes structures of political economy and market electoral and party systems mass media and information technology The authors offer a comparative analytical conceptual and theoretical framework to understand patterns and trends as also experiences of and possibilities for federalism in South Asia They highlight divergences and similarities successes and key challenges while indicating federalism's wider regional relevance in the discourse on democracy and governance The book concludes that the multicultural character of these societies beset with ethnic and regional conflicts separatist and military undercurrents makes federal political solutions the only viable route Providing a wealth of material this will deeply interest scholars students and teachers of comparative politics political science federal studies area studies as well as those interested in political structures and processes in South Asia The Emergence of Ulema in the Politics of India and Pakistan 1918-1949 Syed Zaidi, **Constitutional Law of Pakistan** Syed Shabbar Raza Rizvi, 2002 The Asian Yearbook of Human Rights and Humanitarian Law Javaid Rehman, Ayesha Shahid, Steve Foster, 2021-08-09 The Asian Yearbook of Human Rights and Humanitarian Law aims to publish peer reviewed scholarly articles and reviews as well as significant developments in human rights and humanitarian law It examines international human rights and humanitarian law with a global reach though its particular focus is on the Asian region The focused theme of Volume 5 is Law Culture and Human Rights in Asia and the Middle East Pakistan C. Christine Fair, 2010 Describing Pakistan's likely future course this book seeks to inform U S efforts to achieve an effective foreign policy strategy toward the country The book forms an empirical analysis of developments in Pakistan and an assessment of the effectiveness of U S policy as of August 2009 Drawing on interviews of elites polling data and statistical data on Pakistan's armed forces the book presents a political and political military analysis Primary data and analyses from Pakistanis and international economic organizations are used in the book's demographic and economic analyses The book assesses Pakistan's own policies based on similar sources on government documents and on the authors close reading of the assessments of several outside observers The book also discusses U S policy regarding Pakistan which was based on interviews with U S policymakers and on U S policy documents The policy recommendations are based on an assessment of the findings in all these areas The book concludes with a number of recommendations for the U S government and the U S Air Force concerning how the United States could forge a broad yet

effective relationship with this complicated state Publisher description **The Politics of State Intervention** Shireen Burki,2013-08-22 The Politics of State Intervention Gender Politics in Pakistan Afghanistan and Iran examines how three culturally and religiously interconnected neighboring states have sought to regulate the lives of their female populace in order to gauge how successful or unsuccessful these efforts have been at the grassroots level Utilizing a historical framework it explores the gender specific policies of these states to assess whether or not shared cultural religious and social characteristics translate into similar gender policies and outcomes across borders and if not why Through comparison it conclusively identifies social and political roadblocks that threaten both the long term prospects and security for all females as well as factors that tend to somewhat ameliorate detrimental tendencies [The Asian Yearbook of Human Rights and Humanitarian Law](#) ,2019-07-22 The Asian Yearbook of Human Rights and Humanitarian Law aims to publish peer reviewed scholarly articles and reviews as well as significant developments in human rights and humanitarian law It examines international human rights and humanitarian law with a global reach though its particular focus is on the Asian region The focused theme of Volume 3 is Law Gender and Sexuality **Pakistan on the Brink** Craig Baxter,2004-01-01 To keep pace with its heavier stake in world affairs Pakistan has had to significantly reform its foreign and domestic policy On September 11th 2001 Pakistan s entire world picture changed irrevocably Suddenly a strong ally of the United States Pakistan quickly dismantled the Taliban position within its own borders and aided the United States in attacking the Taliban government in Afghanistan In Pakistan on the Brink historian Craig Baxter and a team of specialists explore this U S Pakistani relationship with great dexterity This collection of essays scrutinizes many aspects of Pakistan s foreign policy including its evolving relations with the United States India and Afghanistan Essential to understanding Pakistan s foreign relations is a focus on Pakistan s domestic policies The contributing scholars deftly analyze the following domestic aspects Pakistan s developing economy controversial election process education system and local government Pakistan on the Brink is an imperative source for scholars of South Asia Pakistan and political science **The Idea of Pakistan** Stephen P. Cohen,2004-09-21 In recent years Pakistan has emerged as a strategic player on the world stage both as a potential rogue state armed with nuclear weapons and as an American ally in the war against terrorism But our understanding of this country is superficial To probe beyond the headlines Stephen Cohen author of the prize winning India Emerging Power offers a panoramic portrait of this complex country from its origins as a homeland for Indian Muslims to a militarydominated state that has experienced uneven economic growth political chaos sectarian violence and several nuclear crises with its much larger neighbor India Pakistan s future is uncertain Can it fulfill its promise of joining the community of nations as a moderate Islamic state at peace with its neighbors or could it dissolve completely into a failed state spewing out terrorists and nuclear weapons in several directions The Idea of Pakistan will be an essential tool for understanding this critically important country *Muslim Becoming* Naveeda Khan,2012-05-22 This thoughtful ethnography of Islam in Pakistan moves from the smallest scale a single worshiper

striving to be a better Muslim who is seeking guidance at a neighborhood mosque to the largest examining the thought of poet and philosopher Muhammad Iqbal considered to be the spiritual visionary of the country Kashmir and Sindh Suranjan Das, 2001 Professor Das provides a fascinating study on the issue of ethnic politics in multi ethnic Third World countries and the non convergence of state and nation in this discussion of the Kashmir and Sindh questions The artificial de colonization process in the South Asian sub continent resulted in the construction of national frontiers for its two successor states that did not rest on a synchronization of ethnic and state boundaries Consequently cross border loyalties amongst significant sections of the population survived the boundaries imposed between the two successor states When in the context of centralizing nation building strategies ethnic political assertions occur in outlying or frontier areas of these nation states the distinction between domestic and external affairs or between home and foreign politics tends to lose its significance in the traditional sense Political actors from across the borders of neighbouring state can then deny the marks of their different objective nationalities and treat themselves as members of a single loyalty group Thus ethnic politics transcends its domestic contours and helps foment regional tensions In such circumstances ethnic assertions tend to constitute vital local or domestic ingredients that define the national security priorities within a particular region The current insurrection in Kashmir and turmoil in Sindh superbly demonstrate this pattern

The Top Books of the Year Myth Of Constitutionalism In Pakistan The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous captivating novels captivating the hearts of readers worldwide. Lets delve into the realm of bestselling books, exploring the fascinating narratives that have charmed audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This touching tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover masterfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can triumph. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Myth Of Constitutionalism In Pakistan : Delia Owens "Where the Crawdads Sing" This captivating coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, entrancing readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Pape, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and gripping novel that will keep you guessing until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

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