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Role of the Federal Shariat Court in the Islamization of Laws in Pakistan

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ABSTRACT

The Federal Shariat Court holds a special and powerful status in the Pakistani constitutional system, as it is the main institutional tool of reviewing whether laws are in line with the injunctions of the Islamic religion. The Court was established to pursue the constitutional aim of Islamization and has thus been empowered to evaluate the legislations, quash laws that are abhorrent to the Islamic injunctions and also give directions to the legal system to conform to the Islamic norms. The article is a critique of the Federal Shariat Court in the Islamization of Pakistan laws and the context in which it has a constitutional mandate, jurisdiction, interpretation and has led to the influence of the entire legal order. It claims that the Court has been instrumental in influencing the jurisprudence of Islamization, but that its role continues to be characterized by institutional conflicts, methodological issues and still debates regarding the extent of judicial power and constitutional equilibrium.

This paper evaluates the manners in which the Federal Shariat Court has utilized its authority to call into question laws, construing of Islamic injunction, and communication with other institutions of the constitution especially the Supreme Court and Parliament. It also raises the role of the Court in promoting substantive Islamization in fields like criminal law, economic regulation and family law and also discusses the criticism made about the Court on selectivity, delays, and enforcement constraints. The article also discusses how the jurisprudence of the Court indicates larger conflicts in the attempts to unify religious standards with constitutional dominance, legislative democracy and essential rights. It concludes that although the federal Shariah Court has played a great role in the Islamization of the Pakistan legal system, its overall performance relies on the more methodological guidelines, a well-established institutional coordination, and willingness to adhere to the constitutional coherence.

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Introduction

The institution of the Federal Shariat Court is one of the most peculiar aspects of the Pakistani constitution and law as well, which demonstrates the intentions of the state to balance its law with the Islamic regulations. The Federal Shariat Court, the institution of a special judiciary that has the power to review laws against the injunction of Islam, plays a key role in the Islamization process. Its scope is not limited to symbolic affirmation and the authority to scrutinize the law, pass judgment that laws are repugnant to the Islamic injunction and instruct the legislators to amend the law. Such exclusive jurisdiction leaves the Court at the border of religion, law, and constitutional rule with some basic concerns of judicial power, legislative dominance, and legal consistency.[1]

The federal court of Shariat has a constitutional background that is an intended institutional decision to bureaucratize the process of Islamization via a specialized court as opposed to using ordinary courts only. The constitutional design of placing repugnancy review on the Federal Shariat Court attempts to strike a balance between the goal of Islamization and the necessity of legal certainty and institutional order. This structure recognizes the normative significance of Islamic injunctions with the interpretive difficulty involved in work with religious texts like the Quran and Sunnah. This has led to a twofold role of the Federal Shariat Court; to promote Islamization as required by the constitution and to do so in a manner that does not override the larger framework of the law system.[2]

The Federal Shariat Court has used its jurisdiction since its establishment in a broad area of law such as criminal law, economic regulation, family law, and the procedural one. Its rulings have impacted the substantive reforms in the law especially on areas that were considered inconsistent with the Islamic law. The Court has expressed the meanings of the Islamic injunctions through its jurisprudence which has transformed the statutory provisions and the judicial practice. Meanwhile, the role of the Court has been a matter of long-standing controversy, where its critics have challenged the extent of its authority, its level of coherence in its reasoning, and its connection with Parliament and the higher judiciary.[3]

The relationship of the Federal Shariat court with other constitutional institutions has been one of its characteristics in terms of Islamization. Although the Court has the power to pronounce the laws repugnant, such decisions usually need a legislative intervention to be put into practice. This dependency introduces an institutional

[1] Rana, A. A., Tirmazi, S. M. S., Fatima, K., Din, M. A. U., Ahmad, I., & Zulfiqar, F. (2023). The Juridical Contribution of the Federal Sharīʿat Court (Fsc) In the Islamization of Laws in Pakistan: A Study of Leading Cases. *Al-Qanṭara*, *9*(4), 91-104.

[2] Arif, S. M. W. K. (2018). Islamization of Laws in Pakistan, Federal Shariat Court and Contemporary Challenges. *Islamabad Law Review*, *2*(3&4), 45-55.

[3] Hafeez, M. (2018). Impacts of Limited Jurisdiction of Federal Shariat Court on the Islamization of Laws in Pakistan: A Critical Analysis in the Light of Case Laws. *Islamabad Law Review*, *2*(1&2), 45-64.

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relationship whereby there is a mediation of Islamization by cooperation, deferral and occasionally resistance. Also, the connection between the Federal Shariat Court and the Supreme Court, especially in the process of appeals, has informed the limitation of the Shariat jurisdiction and ultimate power in interpretation of the constitution. These institutional relationships bring out the intricate compromises between specialized religious adjudication and constitutional supremacy.[4]

The position of the Federal Shariat Court further makes more general inquiries regarding the characteristics of judicial interpretation when it comes to religion. The interpretations of the Islamic injunctions involve the use of religious texts and jurisprudential traditions that involve diversity and argumentation. The interpretive decisions made by the Court thus have huge consequences on the certainty of the law, protection of rights, and social consequences. The choices that promote Islamization in some areas can also cause the tension with the fundamental rights or the legal practices of the present-day world with the necessity to balance and justify them.[5]

This paper has attempted a critical analysis of the role played by the Federal Shariat Court in Islamization of the laws in Pakistan. It aims to examine the constitutional mandate of the Court, its jurisdiction, interpretive practices as well as its institutional impact and evaluates the issues and controversies that are involved in the exercise of the power. The proposed study will seek to shed some light on how the special religious adjudication has informed the course of Islamization and how it remains an important source of influence on the evolution of the Pakistan legal system by placing the Federal Shariat Court in the context of the wider constitutional system in Pakistan.

Literature Review

The subject of the Federal Shariat Court in the Islamization of the Pakistan laws has been studied extensively in constitutional, legal and socio-legal literature, frequently as part of more general discussions about the connection between religion and the modern state. The creation of the Federal Shariat Court was early on in academic commentary treated as an institutional effort to fulfill constitutional obligations expressed in Islamic terms, especially those that held that the laws must be adjusted to the injunctions of the Islam. Those who originally paid attention to the constitutional legitimacy and jurisdiction of the Court, whether the establishment of a specialized Shariat forum increased the rule of law, because it systematized the Islamization, or whether it weakened the constitutional coherence, by creating parallel judicial authority. The following debates were based on these foundations and the Federal Shariat Court was presented as one of the main points of constitutionalism and religious normativity collision.[6]

The jurisdictional powers and jurisdictional scope of the Federal Shariat Court are explored in a large literature, specifically in the authority of the court to pronounce

[4] Khan, G. G. (2018). An appraisal of methodology for Islamization of laws in Pakistan. *Islamabad Law Review*, *2*(1&2), 1-20.
[5] Collins, D. P. (1987). Islamization of Pakistani law: A historical perspective. *Stan. J. Int'l L.*, *24*, 511.
[6] Munir, M. (2022). The Role of Shari ‘a in the Legal System of Pakistan. *Available at SSRN 4010134*.

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the laws repugnant to the Islamic injunctions. Legal scholars examine how the power distinguishes among the Court, ordinary constitutional courts, in that such power is not restrained to interpretation, but it goes ahead to review legislations substantially on religious grounds. This power has been discussed by commentators on its implication to the sovereignty of legislature whereby though parliament has the authority to make laws, a religious criterion through which democratic legislating is evaluated is introduced by the jurisdiction of Court to repugnancy. The conflict between the legitimacy of democracy and the religious review is frequently mentioned in this literature and this question is whether a legal organ should go to the extent of affecting the content of the legislation in the name of Islamization.[7]

The other important branch of scholarship is the interpretive approach of the Federal Shariat Court. Scholars examine the way in which the Court determines and imposes Islamic injunctions based on the Quran and the Sunnah and how the Court balances various Islamic schools of thought. According to many scholars, the jurisprudence of the Court reflects both textual and purposive methods, in some cases by referring to classical jurisprudence and on other occasions using more general principles of justice, morality and public welfare. Critics claim that the approach taken by the Court is not consistently expressly stated and as a result, the Court seems to be selective or inconsistent in interpretation. The advocates, however, argue that it is unavoidable since the jurisprudence of Islam is diverse and that religious principles should be tailored to suit the modern laws.[8]

The interaction between the Federal Shariat Court and other constitutional organs is a topic that has had a continued scholarly interest. Law critics focus on how the Court cooperates with the Supreme Court especially with the help of appellate review provisions and how such interactions get to define the ultimate authority on Islamization issues. According to some scholars, Supreme Court oversight of its appellate docket results in enhanced constitutional dominance and reduced the chances of doctrinal disunity, and according to others, leads to institutional uncertainty and tension. The dependence of the Court on legislative action to implement court decisions is also considered in the literature and it is observed that when Parliament is deliberate or sluggish in responding to the implementation of court decisions this limits the practical effect of the Sharia judgements and also reveals the institutional constraints of judicial Islamization.[9]

Socio-legal scholarship takes this analysis further to determine the consequences of decisions of the Federal Shariat Court on society and the law in practice. Research evaluates the impact of the jurisprudence of the Court on the criminal law, economic regulation, and family law, usually disproportionately affecting various social groups. According to some researchers, the Court has played a role in increasing conformity of the law to Islamic values, thereby increasing normative legitimacy among religious constituencies. Some others warn that some of the decisions have brought some

[7] Shah, D. N. H. (1996). Islamisation of law in Pakistan. *National Law School Journal*, *8*(1), 2.
[8] Lau, M. (2016). The Re-Islamization of Legal Systems. In *The Ashgate Research Companion to Islamic Law* (pp. 235-246). Routledge.
[9] Khan, A. Z., & Shahzad, S. (2024). A GLANCE ON THE JOURNEY FOR ISLAMIZATION OF LAWS IN PAKISTAN. *International Research Journal of Religious Studies*, *4*(2), 30-38.

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concerns when it comes to gender equality, minority rights and legal certainty. According to this body of literature Islamization via judicial processes is not simply a legal procedure, but a social procedure that has distributive implications.[10]

Constitutional literature Compared to other countries, comparative constitutional literature places the Federal Shariat Court of Pakistan in a world of religious courts and constitutional Islamization. Researchers identify several issues with this interpretive authority, pluralism, and institutional coordination with other jurisdictions that have introduced a religious review into a constitutional structure. These papers have indicated that specialized religious courts tend to work under a high level of scrutiny since they have a responsibility to give a balance between loyalty to religious standards and constitutional rules. Comparative insights are quite often applied to criticize the lack of clear methodological standards within the framework of the Pakistani context and to promote greater transparency and institutional clarity.[11]

On the whole, the literature introduces the Federal Shariat Court as a potent but disputable institution whose purpose of Islamization is rather important and complicated. Scholars do not dispute that the Court has helped Pakistan take one path of Islamization or another, but they do disagree on whether the effects of the Court have reinforced constitutional control or created new complications. This article adds to the existing body of literature by critically assessing the role of the Court in terms of doctrine but also in terms of institutional design, interpretive practice, and constitutional equilibrium, and outlining the continuing problems of incorporating religious adjudication into a modern constitutional system.

Methodology

In this paper, a doctrinal research study approach with a constitutional and institutional analysis of the research topic is used to explore the contribution of the Federal Shariat Court to the Islamization of Pakistani laws. The doctrinal aspect focuses on examining the constitutional clauses that determine and control the Federal Shariat Court, the area of its jurisdiction, and the law according to which the court reviews repugnancy. This method is suitable since the role of the Court is inherently characterised by written constitutions, statutory provisions and judicial principles as opposed to measuring the role empirically. The study is centered on the manner the Court has construed its mandate, its methods of discerning Islamic injunctions of the Quran and Sunnah and the way it has Islamized by its jurisprudence.

The main sources of the present research will be the corresponding provisions of the constitutions, the statutory mechanisms which regulate the procedure and the power of the Court involved, and the rulings by the Federal Shariat Court, which discusses the questions of repugnancy and the guidelines of Islamization. Appellate rulings of the Supreme Court which consider or influence Federal Shariat Court jurisprudence are also studied as it sheds light on the hierarchy of the institution and the principles of Shariat review and constitutional supremacy. As a result of close interpretation of the judicial opinions, the study can find the common patterns of interpretations, the

[10] Lau, M. (2005). *The role of Islam in the legal system of Pakistan* (Vol. 9). Brill.
[11] Munir, M. (2008). Precedent in Islamic Law with Special Reference to the Federal Shariat Court and the Legal System in Pakistan. *Islamic Studies*, 445-482.

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methodologies applied by the Court to Islamic jurisprudence, and the arguments used by the Court about the boundaries of its powers.

Besides the doctrinal analysis, the methodology also has an institutional perspective, which places the Federal Shariat Court in the wider constitutional framework in Pakistan. This incorporates analysis of the legislative conformity or opposition to the decisions made by the Court, and also the institutionally based dynamics between the Court, Parliament and executive agencies and the regulars of judicial conduct. The study gives attention to the influence of the delays in legislative response, administrative capacity limitation and overlapping of jurisdictions on the practical impact of the Court on Islamization. The context of doctrinal findings is provided by secondary sources which are academic literature on constitutional Islamization, and socio-legal research on Shariat jurisprudence, and the evaluation of critique on the matters of legitimacy, consistency and rights implications.

A constitutional rights prism is used to evaluate the consequences of Shariat review on the fundamental rights and constitutional coherence. Although the study does not assume empirical approach to rights impact assessment, it considers the way the Federal Shriat Court jurisprudence has interacted with constitutional values like justice, dignity, equality and legal certainty and how its rulings have led to controversy on matters concerning rights and pluralism. Through the combination of the doctrinal, institutional, and constitutional analysis, the methodology is supposed to give a complete view of the role of the Federal Shariat Court as an Islamization institution and its impact on the development of Pakistan law.

Research Findings

It is evident that the Federal Shariat Court has been a key institutional engine of Islamization in Pakistan that has meshed both the provision of law and the constitutional debate of the discourse about the inclination towards Islam. One of the most important findings is that the repugnancy jurisdiction of the Court has formally made available a method of challenging the laws based on Islamic injunction, thus making the Islamization a political slogan into a constitutional process that could be challenged. The Court has affected the legislative frameworks and forced a re-evaluation of the legal norms in various areas through its power to review laws and issue statements that render them repugnant to the Quran and Sunnah. This role has made the Court a specialized platform which operationalizes constitutional pledges to Islamization in a more organized way than would otherwise be achieved based on ordinary courts alone.[12]

One of the critical discoveries is the matter of substantive spheres where the Federal Shariat Court has been taking shape. The jurisprudence of the Court has been particularly conspicuous in those domains in which the issue of Islamization has traditionally remained politically and socially relevant, such as criminal law, regulation of the economy, legal issues of family. The repugnancy-review of the Court in the criminal law has served to shape the discourse of the Islamic penalties, affirming the value of the rule that there should be a correspondence between the legal

[12] Rizvi, A. (2022). Islamization in Pakistan: A Historical Analysis. *Journal of the Research Society of Pakistan*, *59*(1), 190.

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norms and the religious injunction, and determining the legislative decisions regarding the formation of the offences and the sentence. The Court has been influential in the economic regulation field by influencing the legal discussion of what can be permitted in the financial practices, which serves to cement Islamization as a constitutional prism through which economic law should be measured. These interventions prove that the role of the Court is not just symbolical but has led to tangible effects on the legal content and policy orientation.[13]

The results also show that the influence of the Court is predetermined by the interpretive methodology which is characterized by its strengths and weaknesses. The Federal Shariat Court often bases its arguments on the references in Quran and Sunnah, which are further supported with classical Islamic jurisprudence and other general Islamic values like justice and the common good. The Court in certain instances is quite textual, focusing on literal compliance with perceived injunctions. In other instances, it uses purposive or principle approach which aims at ensuring that the legal norms are included in higher Islamic goals. This flexibility of methodology allows the Court to deal with wide ranging legal issues, but also it has led to the accusation that interpretive rules are not necessarily always clearly stated. As shown in the analysis, the Court never explains the way it chooses between competing interpretations of Islam, which may be a concern in terms of predictability and transparency.[14]

The other significant finding is associated with institutional interaction and limitations. Even though the Federal Shariat Court may pronounce the laws repugnant and direct conformity, its resolution usually needs the legislative or executive action to be practically done. The mediating effect of the Court in Islamizing law is thus through obedience on the part of Parliament and administrative institutions. Its results reveal that the pace and efficiency of Islamization may be severely limited by the reluctance or delay of legislative action, proving the power of the Court that is strong in theory but weak in practice. This reliance on lawmaking action brings about an institutional conflict: the Court can announce repugnancy, but not entirely replace lawmaking institutions, which should convert judgments into enforceable statutory reforms.[15]

The connection between the Supreme Court and the Federal Shariat Court becomes one of the key issues that influence the role of the Court. The processes of review on the appellate level result in greater judicial control that may strengthen or restrain the Federal Shariat Court jurisprudence. The results show that this connection is a stabilizing and conflictual characteristic of the Islamization framework. On the one hand, Supreme Court review strengthens constitutional hierarchy and assists in preserving consistency in interpreting the constitution. Alternatively, when ruling interpretations on the meaning of Islamic injunctions differ or there is complexity in

[13] Cheema, M. H. (2012). Beyond beliefs: Deconstructing the dominant narratives of the Islamization of Pakistan's law. *The American Journal of Comparative Law*, *60*(4), 875-918.
[14] Redding, J. A. (2003). Constitutionalizing Islam: Theory and Pakistan. *Va. J. Int'l L.*, *44*, 759.
[15] Cheema, S. A. (2019). Islamisation of Restitution of Conjugal Rights by the Federal Shariat Court of Pakistan. *Islamic Studies*, *58*(4), 535-550.

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the consideration of constitutional rights in the process of Shariat thinking, the appellate intervention may create institutional tension.[16]

The discussion also indicates that the Islamization role played by the Court has brought controversy over its meaning on the constitutional rights and pluralistic governance. Although the Court frequently constructs its rulings in the language of justice and morality, there have been some perceived interventions between the Court and the principles of rights based constitutionalism, particularly in areas where mainstream interpretations of Islamic norms collide with controversial matters such as gender equality or minority protection. The results indicate that the jurisprudence of the Court tends to presuppose normative coherence between the Islamic injunctions and the constitutional justice, but where there are no explicit rights-balancing models, rights implication may be under-theorized.[17]

On the whole, the results of the research indicate that the Federal Shariat Court has contributed significantly to the process of Islamization in Pakistan by offering institutional tools through which the Islamic conformity can be revised and the generation of jurisprudence, which can affect the legislative process and legal rhetoric. Simultaneously, it is also influenced by methodological issues, institutional reliance on legislative compliance and the continuing discussions of the meaning of constitutional balance and constitutional rights.

Discussion

The results suggest that the Federal Shariat Court can be seen not only as another court of the Pakistani judicial system, but as a constitutional tool that is supposed to put Islamization into practice by adjudication. It is important in the sense that it transforms an ideological and constitutional dream of harmonizing laws to Islamic injunctions into a systematic decision-making process of review. This process of institutionalizing Islamization in itself is a constitutional decision, since it transforms the endeavor to conform law to religion into a field of political power to a judicial rationale, judicial precedent, and judicial contest. Consequently, the Federal Shariat Court has turned out to be a central arena in which the identity of Pakistan as an Islamic republic is given legal expression and a place where the links between divine and state laws are constantly negotiated.[18]

One of the major themes identified through the analysis is the dual role of the Court as a watchdog of the Islamic adherence and a furniture of the constitutional rule. This two-sidedness leads to a dialectic of tension: Islamization is defined as a constitutional necessity, but the state is also managed using the principles of constitutional supremacy, legislative law-making, and the rights of people. When the Court is repugnantly jurisdictional, it has the power to influence the content of the law

[16] Munir, M. (2025). The Role of Shari'ah in Pakistani Legal System: An Introduction. *Available at SSRN 5549505*.

[17] Cheema, S. A. (2013). Federal Shariat Court as a Vehicle of Progressive Trends in Islamic Scholarship in Pakistan.

[18] Mumtaz, A., Soomro, A. S., Laghari, N. A., & Laghari, A. R. (2024). Islamic Law and Constitutionalism in Pakistan: Exploring the Role of Sharia in Constitutional Development. *International Journal of Innovative in Social Science and Humanities*, *1*(1), 24-31.

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by overturning provisions that are repugnant to the Quran and Sunnah, yet there is a greater constitutional order that must be put into balance with the institutional structure and the stability of the law. Practically, the Court has frequently acted as a normative agent which creates pressure on legislative and executive institutions to move in the direction of Islamization, but its capacity to act on that pressure is contingent on the cooperation of the institutions. This shows that the Court based Islamization is not necessarily judicial or necessarily legislative; it is a hybrid process that is the interaction between constitutional power and political will.[19]

The methodological problem of determining the existence of injunctions of Islam is one of the most intellectually and institutionally nuanced problems of the work of the Court. Islamic law The jurisprudence is described by interpretive plurality and development of legal reason, but as a judicial judge there must be determinacy and enforceability. Jurisprudence of the Court can be seen as efforts to fill this gap through reference to religious writings, classical literature and other general values like justice and the common good. Even though this method gives the Court the possibility to respond to contemporary legal challenges in Islamic context, it also creates an interpretive selectivity problem. The decisions made can seem arbitrary, raising the stakes of legitimacy disputes unless there are constantly stated criteria to select among rival interpretations. The power of the Court does not rest solely upon constitutional requirement, but on the cogency and clearness of its arguments. The issue of methodological clarity is thereby at the centre of institutional legitimacy of the Court.[20]

The real boundaries of the influence of the Federal Shariat Court is formed by the institutional dependence on legislative and executive obedience. The Court is empowered to pronounce a provision repugnant, but making the declaration operational may need a legislative change, administrative reinterpretation, and even such a fundamental policy reorganization. The ability of the Court to make law where Parliament is hesitant or recalcitrant is limited. This demonstrates the power of the Court in theory but in practice mediated. It also brings out another significant constitutional equilibrium, as the Court promotes Islamization, the democratic legislature maintains a significant role in the development and enforcement of the legal change. The end result can be beneficial constitutional dialogue and institutional frustration, based on the level of cooperation between the political institutions and the Court.[21]

The connection between the Supreme Court and the Federal Shariat Court also demonstrates the issue with the complexity of constitutional power in Islamization. Creating a hierarchical oversight that may stabilize jurisprudence and ensure constitutional coherence, appellate review may create tension as interpretive approaches vary. This stratified formulation poses a wider question on ultimate

[19] Rabbi, F., & Nawaz, H. (2017). ISLAMIZATION IN THE ISLAMIC REPUBLIC PAKISTAN: A HISTORICAL ANALYSIS. *Al-Azhaar Research Journal*, *3*(2).
[20] Muhammad, T. (2018). Why the Dream of Islamization could not be Realized? An Appraisal of the Role of FSC and CII. *Islamabad Law Review*, *2*(1&2), 107-124.
[21] Yasin, A. F. Role of Parliament in Islamization of Laws in Pakistan. *Islamabad Law Review*, *4*, 91-108.

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jurisdiction in making out Islamic norms of the constitutional order: is it the Federal Shariat Court that is the ultimate interpreter of Islamic injunctions under the law or is it the constitutional role of the Supreme Court that structures and limits Shariat discourse? The relationship between these institutions is an indication of the broader constitutional initiative of incorporating the Islamization into an undivided legal system as opposed to letting it disintegrate into warring judicial systems.[22]

The other important aspect of the debate is the influence of the Court on the rights and pluralism. Jurisprudence of the Court frequently stresses the ideas of justice and morality as Islamic values, which would be compatible with constitutional rights. Nonetheless, the practicality of the Islamization choices can put strain on situations when the law shifts gender equality, the protection of minorities, or individual rights. The validity of the Court in a plural constitutional society lies in its capacity to address such issues in a transparent manner instead of believing that adherence to the Islamic injunctions provides the answers to the rights questions. In cases where rights implications are not theorized or are implicit, judicial decisions may be seen as not paying enough attention to constitutional guarantees. This image has the potential to enhance social debate and to erode trust in the Court as an institution that is able to strike a balance between the mandate of religion and the rule of the constitution.[23]

Another general implication of the role of the Court in the legal system development concerns the development of the legal system in Pakistan. The Federal Shariat Court impacts the legislative drafting, judicial reasoning, and legal education by creating an Islamic conformity, which is judicially enforceable. Participants in the legal arena are increasingly using arguments that have an Islamic flavor, and legislators expect Shariat critique when writing laws. This establishes a jurisprudential context where the reasoning of the Islamic is incorporated into the discussion of law outside of the Court. The long-term outcome is a constitutionalization of the norms of Islam by precedent and institutional practice. However, consistency, transparency, and institutional coherence are the determinants of the quality of this integration. Islamization has the effect of increasing legal insecurity where the rule of law is weak or arbitrary.[24]

Overall, the FSC has been a very powerful and in many cases a decisive part of Islamizing laws in Pakistan through the institutional review of repugnancy and through jurisprudence that influences legal reforms. Meanwhile, its role is still controversial, and limited by the methodological issues and institutional implicacies and the constitutional balance issues. The future success of the Court will be determined by how well it can define standards of consistent interpretation, institutionally coordinate with the legislature and higher courts, and increasingly concern itself with implications of rights in a way that does not compromise constitutional consistency and contributes towards Islamization mandate.

[22] Iqbal, J. (1985). Islamization in Pakistan. *Journal of South Asian and Middle Eastern Studies*, *8*(3), 38.
[23] Iqbal, M., & Iqbal, K. (2020). Shariah and Evolution of fair Trial Rights in Pakistan. *Rahat-ul-Quloob*, 130-141.
[24] Cheema, S. A. (2019). Islamization of Restitution of Conjugal Rights by Federal Shariat Court of Pakistan: A Critique. *Available at SSRN 3329168*.

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Recommendations

To strengthen the competence and constitutional integrity of the Federal Shariat Court in the Islamization of laws, such reforms are needed as to clarify its methodological approach, coordinate the various institutions, and to be sensitive to rights. The development of more transparent and clear interpretive standards of determining Islamic injunctions is the first and the most important recommendation. The Court ought to set out the coherent methodological tenets describing how the Quran books, Sunnah, classical jurisprudence, and modern reasoning weigh and balance in the repugnancy review. Clear recognition of interpretive plurality in the Islamic jurisprudence with justifiable reasoning behind following certain interpretations would enhance the legitimacy of the judiciary and minimize views of arbitrariness or selectivity.

Second, the Federal Shariat Court, Parliament, and the executive ought to improve institutional coordination that will enhance timely and effective enactment of repugnancy decisions. Though the independence of legislature should be maintained, there should be organized systems of follow-up, consultations, and reporting, which would ensure that judgments of Shariat can be converted into legal reform. Demonstrated legislative response timelines, along with institutional discussions instead of conflicts, would further positively affect the practicality of the Court rulings and eliminate the time wastages that would mitigate the intention of Islamization.

Third, the connection between the Federal Shariat Court and the Supreme Court ought to be demystified to enhance consistency in jurisprudence. Although an important aspect of constitutional hierarchy is to ensure that its appellate control, more explicit guidance on the relative role of the two institutions in interpreting Islamic provisions would be beneficial. Concordant thinking and respectful court discourse can make Islamization jurisprudence grow in a concerted constitutional system as opposed to competing interpretive power.

Fourth, the Court ought to incorporate in its arguments a more pronounced constitutional rights approach. Islamic principles are usually put in the context of being aligned with justice and dignity, but a deeper consideration of core rights ramifications, especially where gender equality, protection of minority interests, and personal freedom are at stake should be taken into consideration. Open balancing of Islamic injunctions and constitutional rights would help to increase the legitimacy and show that is Islamization being sought internally and not at the cost of constitutional government.

Fifth, there should be enhanced judicial capacity-building and research. The interdisciplinary research materials such as comparative constitutional models of religious adjudication, modern Islamic scholarship, and social legal analysis should be available to the judges of the Federal Shariat Court. Formal training sessions might increase the level of methodological consistency and help the judges respond to sophisticated legal issues in a principled and knowledgeable way.

Lastly, clarity in communication and reasoning among the population is to be emphasized. Since Islamization has a symbolic and social meaning, the judgment of the Court must be written in a way that is easily understandable in terms of legal logic, constitutional environment, and consequences. Openness in communication

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may make people understand, decrease controversy, and strengthen the belief in the Court as a constitutional institution capable of promoting Islamic values and maintaining law and order.

Conclusion

The Federal Shariat Court has become an important part of the constitutional undertaking of Islamization in Pakistan, altering the mandate of introducing laws to align with the injunction of Islamic law into a legal procedure that is both structured and justifiable. This paper has shown that the role of the Court is not limited to a symbolic recognition of the Islamic identity, which allows it to determine the legal norms, shape the legislative change, and define the boundaries of Islamic compliance with the constitutional order. The Court, in its repugnanity jurisdiction, has offered an institutionalized way to incorporate religious principles in state law, which has institutionalized Islamization in the Pakistani courts system.

Simultaneously, the discussion indicates that the influence of the Court is mediated by the constraints of methodology, institutional, and constitutional. Although the Federal Shariat Court has played a leading role in the Islamization of legal idioms and legal systems, its jurisprudence has been characterized sometimes as being selective in interpretation and methodologically vague. The heterogeneity of Islamic jurisprudence, together with the imperatives of legal determinacy, is a persistent threat to regular adjudication. Additionally, the reliance of the Court on the legislative and executive action to be implemented puts into prominence the shortcomings of judicial Islamization without the institutional cooperation.

The further implication of the relationship between the Federal Shariat Court and other constitutional institutions, especially the Supreme Court and Parliament, is that Islamization in a constitutional system is a complex affair. The stabilizing forces are the appellate control and the legislative authority which maintain the constitutional coherence but bring about forces of tension which define the speed and trend of Islamization. The fact that the Court can promote Islamic values without jeopardizing the constitutional preeminence and necessity rights is at the heart of its legitimacy and efficiency.

Finally, the role of the Federal Shariat Court demonstrates opportunities and obstacles of including religious standards in a new constitutional system. The way it does this going forward will determine its influence on the future, through its ability to express unambiguous interpretive practices, to relate well with other institutions, and the rights inferences that must be constitutional sensitive. In this way, the Court will be able to remain an effective tool of Islamization as well as strengthening rule of law, institutional balance and constitutional governance in Pakistan.

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