

EVALUATING THE PERCEIVED ORGANIZATIONAL IMPACT OF THE 26TH AMENDMENT IN PAKISTAN AT INSTITUTIONAL LEVEL

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Abstract

The study critically examines the impact of the 26th Constitutional Amendment in Pakistan. Despite a divide between supporters and detractors of the amendment on the country's political and organizational structure, supporters tend to defend the amendment as necessary to resolve legal and governance issues, while its implementation has raised significant concerns regarding the separation of powers. The research highlights the critical aspects of institutionalizing such an amendment, which, despite its observed questionable implementation, demonstrates innovative potential with respect to specific sustainability issues. The selection of this case is representative not only for the geographical area under analysis, but for countries whose socio-political history has been unstable and not always hinged on a solid democratic perspective. The authors used an exploratory qualitative approach with purposive sampling of the population involved. Data were collected through semi-structured interviews with a specially selected group of individuals. To analyze perceptions of the constitutional amendment, 225 respondents, including academics, legal professionals, journalists, politicians and members of the civil society, were involved providing responses and perceptive data. Two main themes have been identified: the perceived loss of judicial independence and perceived constitutional uncertainty, despite potential benefits. The widespread perception is that the amendment increases government control over court activities and the selection of judges, compromising their impartiality. Free from any bias, the authors objectively provide a representative scenario based on phenomenological observation, both using an interpretative framework based on the separation of powers, legal realism and approaching the theoretical framework through a lens focused on institutionalism and organizational change.

INTRODUCTION

In contexts of political and governmental instability, the independence of judicial power serves as a crucial pillar of democracy (Ocheme, 2025; Tiwari, 2024; Troper, 2007). Its integrity is essential to ensuring the separation of powers, protecting citizens' fundamental rights and preventing authoritarianism (Danylenko, Nagornyak, Bielousova, Yakovets & Fursai, O, 2024; Henderson, 1990). Analyzing how its autonomy is maintained (or mined) is crucial to understand democratic resilience (Holloway & Manwaring, 2023; Croissant & Lott, 2024; Merkel, 2023). In particular, the institutional determination of key paradigms with respect to democratic principles provides important insights for analyzing organizational and political configurations (Olsen, 1997, 2009). A democracy endures over time thanks to a sense of ethical responsibility, which acts as a subjective internal limit to individual interests (Olsen, 2013). In times of crisis, the lack of this internalization of responsibility generates social conflict, as elites are unable to correct their actions by foreseeing their consequences. Democratic stability therefore depends on a strong collective conscience and respect for the rules, avoiding both individual gain as the sole motivation and the authoritarian suppression of institutions. Therefore, judicial independence represents a founding pillar and the authors' analysis expresses a critical view of the changing organizational structure represented by constitutional amendments aimed at modifying what permanently defines the cornerstones of society. The geographical area of investigation (Pakistan) represents a unique and particularly relevant case study, also for providing insights into subsequent comparative perspectives, in light of the most recent amendment (the 26th). The country's complex and volatile political and constitutional history (Khan, 2001; Kukreja, 2003) can provide key insights into the analysis of organizational, political and institutional changes (Nazir, Jabeen & Khan, 2024; Burns, 1961; Waeger & Weber, 2019), as reflected in the perceptions of those who directly experience and operate these changes. The integrated lens, provided by the authors, related to the tripartite vision of powers (Favoretto, 2017), legal realism (Tumonis, 2012; Jones, 1961; MegiasQuiros, 2016)

and institutionalism (Greenwood & Hinings, 1993; 2003; DiMaggio & Powell, 1983; 1991; Thornton & Ocasio, 2008; Zucker, 1977; Pfeffer & Salancik, 1978; Meyer & Rowan, 1977; Orrù, Biggart & Hamilton, 1991; Scott, 2001), aims to depict a holistic and representative framework of analysis, with respect to the critical perspective emerging from the perception (McDonald, 2011; Smythies, 2013; Dowler, Green, Bauer & Gasperoni, 2006) expressed regarding the 26th amendment in Pakistan. Unlike other countries with a more consolidated democratic tradition, Pakistan has experienced recurrent periods of martial law and military interference in political life (Khan, 200; Kukreja, 2003).

Despite having promulgated three constitutions since independence, all aimed at emphasizing the importance of the judiciary power (Habib & Zahra, 2012), Pakistan appears to have consistently struggled to maintain this ideal. The Pakistani judiciary power has often served as an important counterweight, but has also faced ongoing challenges to its independence, making it a particularly fragile institution and therefore interesting to examine, especially now that local and international critics have raised doubts and uncertainties regarding the most recent amendment (Islam, Muhammad & Ali, 2024; Tariq, Tariq, Saqib & Fatima, 2025; Muhammad, Khan & Shahid, 2024; Waseh & Mubarak, 2025). The Court's historical development reveals significant challenges: political instability, excessive executive power and military interference that have often undermined its independence (Gondal & Khalid, 2024). Unlike India, where the magistracy has mostly maintained institutional independence despite ongoing political pressure, Pakistan's magistracy has often faced foreign interference, undermining both democratic governance and popular trust (Khan et al., 2025). The 26th Constitutional Amendment marks a crucial turning point in Pakistan's constitutional evolution, enacted with the explicit aim of resolving long-standing legal, socio-political and governance issues. It restructured the Judicial Commission of Pakistan (JCP), modified the selection process for the Chief Justice, established constitutional panels and expanded the executive's involvement in judicial affairs (Kaiser and Jamil, 2025). Supporters argue

that the amendment strengthens the democratic structure of Pakistan by enhancing parliamentary representation, particularly by incorporating the Federally Administered Tribal Areas (FATA) into mainstream politics (Ahmed & Asma, 2024; Faisal & Gul, 2025). Critics, however, argue that these reforms undermine the principle of separation of powers and, consequently, the independence of the magistracy (Saifulislam, 2025; Muhammad & Ali, 2025).

Scholars have emphasized that constitutional amendments have historically influenced, and often limited, the autonomy of magistracy, from the enactment of the 1973 Constitution to subsequent legislative revisions (Jatoi & Shah, 2023). The judicial persistent inability to prevent extraconstitutional regime changes has diminished its credibility and heightened concerns about its impartiality as the guarantor of the Constitution (Khalid, 2012). Institutional fragility is exacerbated by systemic problems, including case backlogs, delays in the administration of justice and widespread discontent with the judicial process, highlighting the inability of Pakistan's legal framework to meet the needs of its growing population (Mangi et al., 2025). The magistracy role in governance has become more complex due to the emergence of judicial activism in the mid-2000s. The courts, through a series of exceptional verdicts in politically significant cases, aimed to restore their constitutional mission and engage with both military regimes and civilian administrations (Rafiq, 2017). This move, initially praised as a reaffirmation of independence, simultaneously subjected the Court to scrutiny for overstepping constitutional bounds, thus complicating the debate over the appropriate distribution of power (Warraich et al., 2023).

In this context, the 26th Amendment has rekindled concerns that presidential interference in judicial appointments and rulings violates the concept of separation of powers and poses a risk to democratic values (Bilal & Khokhar, 2022). Critics have called the enactment of the 26th Amendment a "black day" for Pakistan, highlighting its potential to undermine fundamental rights, weaken federalism and jeopardize the rule of law (Muhammad et al., 2024). The study, in addition to providing a cross-section of society and providing a basis for comparative

analyses, aims to provide answers regarding: (i) what are the main perceptions that particular categories have with regard to the changes resulting from the 26th Amendment and (ii) what potential reflections the debate that has emerged around the 26th Amendment stimulates with a view to the future.

This introductory view opens the doors to the formal architecture of the study based on: Par. 2 Literature Review, related to the framing perspective of Constitutional Amendments and Judicial Autonomy in Pakistan, also highlighting Institutional integrity and separation of powers, according to the research aims and scope. Par.3. shows the Theoretical Framework and Interpretative View, based on Institutional Separation of Powers Principle, Legal realism theory within critical legal and organizational studies and the institutional paradigm and change. Par.4 develops the methodological steps of research design, sampling approach, data collection, interviews and analysis. Par. 5 reports the overview of emerging evidences related to the emerging perceptive-based themes, highlighting risks and opportunities. Par. 6 critically discussed the results and Par. 7 concludes.

2. Literature Review

2.1 Constitutional Amendments and Judicial Autonomy in Pakistan

The relationship between constitutional amendments and judicial independence in Pakistan has attracted considerable academic interest (Islam, Muhammad & Ali, 2024; Haider, 2025; Tariq, Tariq, Saqib & Fatima, 2025; Muhammad, Khan & Shahid, 2024; Waseh & Mubarak, 2025). Contextualizing the specific case analyzed in this paper, authors such as Khan and Khan (2023) have defined the 18th Amendment as a landmark event, a fundamental piece of legislation passed in 2010, considering it not only as a restoration of the 1973 Constitution, but a true constitutional restructuring of Pakistan. Historically, the executive branch had absolute control over the appointment of judges. This predominance was significantly reduced by the 1996 Al-Jehad Trust case; significant changes came through the 18th and later 19th Constitutional Amendments. Their research (Khan & Khan, 2023) indicates that the revisions made between 2008 and 2013 largely conformed to the constitutional order,

legislative objectives and civil society expectations, thus transforming Pakistan's political and legal framework. Although the underlying paradigm was to strengthen democracy through the restoration of the parliamentary system, the issue that generated the most outcry then, and which today is instrumental in the discourse surrounding the institutionalization of the 26th Amendment, is that of judicial appointments, essential to the debate on judicial independence.

According to Akram and Alvi (2022), the long-lasting conflicts that have affected Pakistan since 1857 have influenced judicial autonomy, but despite the existence of fundamental critical issues with the amendments, evolutionary progress is still visible. Despite the ambivalence of interpretations, the objective distance of scholars leads to analyzing the phenomenon with caution. It is widely recognized that the selection process of judges significantly influences the functioning and independence of the judiciary (Badó, 2013; Qureshi, 2025). With regard to Pakistan, Qureshi (2015) states that although the legislative framework established by the 13th and 19th Amendments formally protected appointees from improper influence, informal practices have often compromised such protections. On 21st October 2024, the 26th Amendment, also known as the "Constitutional Package", was approved. The 26th Amendment, as observed by Qureshi (2025) Hassan and Rahman (2025), has increased doubts about the existence of effective government influence on appointments, undermining the effective separation of judicial power. Prior to the 26th Amendment, the Judiciary Commission of Pakistan was composed of a majority of judges. With the passage of the amendment, this composition was changed to also include two members of the National Assembly, two members of the Senate and one female or non-Muslim member. Critics have argued that these changes in composition could allow for more direct political influence, impacting independence and impartiality.

This perspective is in line with Munir (2018), who in *Constitutionalism and the Dilemma of Judicial Autonomy in Pakistan* argued that the judiciary's excessive reliance on its own powers has undermined the integrity of judicial review and exacerbated public skepticism. Other scholars emphasize the general

constitutional and political conflicts that underpin judicial independence. Nazir et al. (2024) highlight Pakistan's persistent difficulties in creating a stable and functional constitutional system, while Khan and Hassan (2025) examine judicial activities from 2018 to 2022, focusing specifically on judicial activism. Muhammad et al. (2024) note that recent constitutional revisions aimed at improving governance have sparked significant controversy over the 26th Amendment, generating concerns about its effects on the separation of powers and the consolidation of democracy.

2.2. Judicial Reforms and Democracies in Transition

Democracies in transition as those whose ability to establish and consolidate democratic institutions defines their characteristics. This is therefore a process, at times long and tortuous, in which certain pillars such as the independence of the magistracy represent a crucial indicator of the existence of the rule of law. In Europe, especially in post-communist countries, the transitional process has resulted in the creation of fragile and uncertain democracies, where judicial independence has often been subjected to repeated attacks. Consider countries such as Poland and Hungary, where the judiciary has been repeatedly challenged, creating strong institutional tensions. In Latin America, the magistracy, despite many countries having democratic constitutions, is threatened and its independence undermined by third-party pressure, politicization and corruption. Ngilu et al. (2025) focus, for example, on the organizational, political and jurisdictional conditions of Indonesia. In the Middle East, democratic transition and judicial independence are still evolving concepts, where regime control is often channeled through these bodies. This comparative analysis, or rather, contextualization of the changes related to the magistracy around the world, provides key insights for further understanding the subject of study. The need to provide studies on reforms, understood as changes in the socio-political, but above all organizational, structures of a country, needs to be undertaken more systematically (Akpukwe et al., 2024). This is useful in ensuring understanding and responsiveness in responding to needs, identifying any distortions and implementing

corrective measures. The process of continuous and mutual adaptation, requiring institutional protections and community involvement, reflects a strong operational interaction in establishing goals, never fixed in themselves, such as that of democratic transition, and through this vision, in establishing the principles of judicial independence. Too often, interference and corruption of the independence and impartiality of the judiciary have been highlighted, leading to the perception that comprehensive legislative changes are necessary to ensure greater safeguards against influence. This dynamic is observable in the Pakistani context (Jatoi and Shah, 2023), which faces governance challenges under the rule of law. Amendments can be defined as strong remedies, where changes to common rules are sometimes subjected to majority political branches. These remedies are so strong that they are perceived as extreme, yet often they are not, representing further discrepancies and anomalies. The transition towards balanced proportionality, through those “weak-strong” remedies of conciliation and accommodation that do not pose conflicts or affirmative self-determinations of power (Dixon, 2023), leaves room for calibrated approaches to action.

2.3. Institutional Integrity and Separation of Powers: Doubts and Perplexities, Between Criticisms and Perspectives

The debate surrounding Pakistan’s institutional integrity has recently been analyzed from various perspectives, but especially with regard to the separation of powers. The recently approved 26th Amendment has generated mixed reactions, with both opposition and support, leading critics to focus attention on constitutional dynamics and governance issues (Islam, Muhammad & Ali, 2024; Haider, 2025; Tariq, Tariq, Saqib & Fatima, 2025; Muhammad, Khan & Shahid, 2024; Waseh & Mubarak, 2025). With specific reference to the scholarly literature, Faisal and Gul (2025) focus their attention on the 26th Amendment to the Pakistani Constitution, with particular reference to democratic governance and how this amendment can enhance political inclusion.

In detail, Haider (2025) analyzes the 26th Amendment from a specific perspective, considering

the new Article 9A, which explicitly recognizes the right to a clean and healthy environment. In this sense, the new (added) article would assess the importance and implications of considering environmental standards for successful and sustainable development. Despite these generally positively assessed elements, numerous detractors and criticisms have emerged from the relevant scientific literature. Indeed, Islam, Muhammad and Ali (2024) thoroughly examine the text of the document relating to the amendment in close relation to the governmental motivations. These authors, after a systematic evaluation, conclude that the impact on impartiality, autonomy and independence would negatively affect the accountability of the judiciary. The expressed fear is that of an erosion of judicial autonomy. Tariq, Tariq, Saqib and Fatima (2025) explain their analytical interpretations based on the documents relating to the 26th Amendment in Pakistan, and focusing on its implications for the autonomy of the judiciary as well as for the rule of law, they argue that allowing political authority to influence judicial appointments would lead to the transformation of tribunals into instruments in the hands of politics. Similarly, Muhammad, Khan and Shahid (2024), Waseh and Mubarak (2025) focus their interpretative analysis efforts on the reform that pervaded the Pakistani constitutional dimension through its 26th Amendment, placing it within a broader historical contextualization framework in the succession of crises and antinomies, such that although it was presented as an improvement in governance, it has generated controversies and heavy disagreements regarding the evaluation of the independence of the judicial system. The latter is perceived as more subject, in light of the recent reform, to political interference and manipulation. The concerns raised in this regard (Muhammad & Ali, 2025), inserted in a panorama of constant tension between democratic aspiration and authoritarian inheritance, provide the details of a fluctuating and uncertain reform, emancipatory in its traits, but potentially heterogenous in its aims. The perceived deterioration of institutional checks and balances points to democratic instability that has persisted over the years, potentially resulting in an anachronism (Minhas et al., 2025). Military

pervasiveness, corruption and electoral authoritarianism significantly reflect Pakistan's challenges in creating and maintaining lasting democratic institutions, in a context where these interactions reveal the intersection of external pressures and internal vulnerabilities (Azam et al., 2025). Dingwall and Hall (2025) delve into this discourse, while Waseem (2024) illustrates the features of a differentiated sociality, the result of a combination of legal systems influenced, on the one hand, by Great Britain, on the other by demands for religious legitimacy. Sheikh (2023) demonstrates that the 18th Amendment, although reformist in its intent, has failed to remove the structured supremacy of the military architecture in Pakistan. Therefore, the civil-military divide continues to represent a significant obstacle through which the influence of conflicting institutional interests is visible (Adeney & Boni, 2023). Geopolitical influences, entrenched military supremacy, and socio-religious conflicts reflect the prospective difficulty of changes such as constitutional amendments, which potentially address imbalances but are insufficient when faced with the greater responsibility required for a lasting balance of power.

2.4 Research Aims and Scope

Based on these concerns highlighted in the literature, the authors intend to provide a clear representation of the perceptions of specific segments of the population, representative of a phenomenon observed at the institutional and organizational change levels. To this end, specific research questions are posed as follows:

RQ1: what are the main perceptions that particular categories have with regard to the changes resulting from the 26th Amendment?

RQ2: what potential reflections does the debate that has emerged around the 26th Amendment stimulate with a view to the future?

To answer these questions, specific population categories were involved. Opting for a sample of university professors, graduate scholars, administrative staff, legal experts, journalists, local politicians and civil society members for this research on a constitutional amendment is a strategic choice because this group offers a multidisciplinary and a more holistic view on the phenomenon observed.

Amendments, such as constitutional ones in this case, that alter the architecture, the organizational structure, and, above all, the substantive dynamics relating to the composition, selection, or tenure of appointed members, especially with regard to judicial institutions, directly impact the fairness, effectiveness and credibility of the system itself. They expose it to intrusion, manipulation and potentially coercive influencing controls, thus weakening the institution's independence and functionality. The 26th Amendment modifies the appointment process for members of the magistracy, which could, as several authors have pointed out (Waseh & Mubarak, 2025; Tariq, Tariq, Saqib & Fatima, 2025; Muhammad, Khan & Shahid, 2024; Islam, Muhammad & Ali, 2024), also alter the balance of power between the executive, legislative and judicial, while also raising significant concerns about the integrity of constitutional protections.

This research aims to provide an overview of the perceptions of a specific segment of the population in the face of such a far-reaching change (McDonald, 201; Dowler, Green, Bauer & Gasperoni, 2006; Smythies, 2013; Rai & Thapa, 2015; Tongco, 2007). The authors intend this study to enrich current discussions on institutional checks and balances (Vogel, 2014; Dragu, Fan & Kuklinski, 2014; Holcombe, 2018). Therefore, the article aims to stimulate reflections on the assessment of the magistracy's ability to serve as an effective counterweight to presidential and legislative excesses. The findings emerging from the perceptual assessment expressed by the reference sample reveal potential implications for developing an illustrative roadmap for maintaining judicial independence, the stability of democratic institutions and the protection of the constitutional order within changing and distinctive geopolitical contexts. By serving as an example, the proposed case study could be replicated on a cross-national basis among countries that exhibit structural similarities at the socioeconomic, legal and economic levels.

3. Theoretical Framework and Interpretative View

3.1 Institutional Separation of Powers Principle

As well recognized in the literature, the principle of separation of powers serves as an interpretive lens for analyzing the perceived impacts of the 26th

Amendment and judicial independence in Pakistan. This notion appears repeatedly as a premise and introductory preamble, but, as expressed by Hessick (2016), it is fundamental, complex and controversial, as it is intended to prevent institutions and powers from encroaching on each other. The separation of powers has traditionally been viewed as a distribution of authority among the legislative, executive and judicial departments, as well as a safeguard against excessive concentration of power (Magill, 2001). The principle of separation of powers is a fundamental concept of constitutional law and modern democracies (Henderson, 1990; Ochene, 2025; Danylenko, Nagornyak, Bielousova, Yakovets & Fursai, 2024). The main idea is that state power should not be concentrated in the hands of a single person or institution to prevent excessive attribution. The philosophical foundations of this principle originate from Aristotelian concepts of mixed government (Blythe, 1987), whose most complete expression was formalized with the concept of power that stops power, which became a fundamental principle of Montesquieu's political philosophy (Krause, 2000), later modified into the system of checks and balances that influenced for example the United States Constitution (Steven et al., 2012). The concept dictates, first, that the Constitution specifically permit the exercise of governmental authority and, second, that no body unlawfully encroach upon or interfere with the powers vested in another (Burns & Markman, 1986). Early implementations of this philosophy emphasized efficiency, recognizing that legislative branches, due to their size and limited capacity, required support from the executive and judicial departments for effective governance (Verkuil, 1988). Contemporary conceptions of the separation of powers emerged from the historical conflicts between kings and parliaments in England, as well as from the professional specialization of government in the 19th century, which cemented the judiciary's status as an autonomous body (Salzberger, 1993). Its normative value lies in holding politicians accountable for the laws they create, thus discouraging self-interested legislation and promoting impartiality in the application of legal norms (Bellamy, 1996). This paradigm highlights on the controversies associated with changes in general, such as the 26th

Amendment that could affect the balance between the judiciary, executive and legislative branches, potentially compromising the court's ability to serve as an impartial adjudicator.

3.2 Legal Realism Theory within Critical Legal and Organizational Studies

The separation of powers view presents a structural perspective, while legal realism provides a behavioral and interpretative frame (Tumonis, 2012; Jones, 1961; MegiasQuiros, 2016) for understanding (in this specific case) judicial independence. Legal realism has its origins in the United States between the two world wars (Leiter, 2005). It took on its most mature features in response to the extreme formalism of the mid-twentieth century (Faralli, 2005). The Critical Legal Studies movement (Unger, 1983), along with that of Critical Organizational Studies one (Alvesson, 2008; Gabriel, 2008), provide key insights for hermeneutic analysis of evolving phenomena that impact both the legal and organizational spheres, as in the case study presented here. In this regard, this interpretative perspective contributes to the analysis of phenomenological situations that impact social and cultural theory in legal and organizational studies (Davis & Klare, 2019).

Legal realism challenges the idea that judicial outcomes can be predicted solely through legislation and precedent, highlighting the impact of social, political and psychological factors on judicial conduct (Angelosanto, 2023). Schauer (2012) suggests that judges, not merely passive interpreters of the law, actively contribute to its generation and construction. This situation defines niches of uncertainty and concern regarding maintaining the impartiality and predictability of judicial decision-makers. In this regard, legal realism, as a macro-framework within which to place, on the one hand, the tripartite and separation of powers approach, and on the other, the institutional perspective of change (Olsen, 2016; Amis & Aïssaoui, 2013; Drewry, 1996) finds itself emphasizing the more political aspect of the judicial decision-making process. A broad understanding of the behavioral action of the judiciary articulates that judges often base their political or moral beliefs on decisions justified by legal reasoning (Leiter, 1997; Dworkin, 2013). That

said, the consistent nature of arguments following this line of thought would represent the explicit formalization of an application not so much objective as subjective opinions interpreted by those who apply them.

The realist perspective, and its critical dimension with respect to principles, opposes the notion of law, understood as an autonomous and self-sufficient system, considering it instead a manifestation of institutional practices and, above all, social dynamics (Guastini, 2020; D'Amato, 2009). The use of legal realism, within the realm of Critical Legal and Organizational Studies, in the context of analyzing Pakistan's 26th Amendment, highlights the need to transcend legal language, through which legal documents formalize changes to structures and instead highlight manifestations of social perception with respect to the institutional practices embodied in formal documents regulating public action and power. Interpretative and applicative dysfunctions can thus be examined in light of social perceptions of political influence, executive supremacy, institutional practices and judicial conduct. Hermeneutic analysis in this direction fosters understanding of the interaction between formal structural changes and informal political factors that impact a country's socio-political-organizational and legal structure.

3.3 The Institutional Paradigm and Change

Greenwood and Hinings (1993; 2003) confirm that, in general, organizations tend to remain fixed on certain static dimensions, but it has been observed that in some circumstances these dimensions follow isomorphic logics (DiMaggio & Powell, 1983; 1991; Thornton & Ocasio, 2008). The search for organizational, and therefore institutional, legitimacy involves a tendency toward isomorphism, which can be defined with three fundamental meanings: mimetic, coercive and normative. All forces acting toward the isomorphic dimension of change are capable of modifying behavioral aspects, which in this context have been explored through the vision of legal realism within critical legal and organizational studies. Social contexts influence behaviors, so even countries, their norms and practices are susceptible to and influenced by isomorphism.

Within the overall framework of organizations and institutions, but especially of countries in their overall formal order, they confirm the narrative rule according to which, according to Zucker (1977), institutionalization is capable of transforming actions into standard rules (practices) and to achieve the desired legitimacy, organizations and institutions are subject to context, limits and size. In this sense, we can understand how, within the context of constitutional and institutional changes, external and internal expectations, more or less rigid limits and resources, are the result of a balanced compensation (Pfeffer & Salancik, 1978), which does not always reach acceptable levels to be considered sufficient, triggering mechanisms and behaviors of opposition, contestation and perceived variations, fears and insecurities regarding the proposed change. This natural process of deinstitutionalization and institutionalization represents a vital cycle for the advancement of populations in their socially organized form.

It is the need and necessity for legitimacy that drives the adoption of new operational methods; external best practices become models for imitation, but this is not always feasible within different contexts (Meyer and Rowan, 1977; Orrù, Biggart & Hamilton, 1991). In this direction, practices, regulations and political dynamics move expansively toward legitimacy. However, legitimacy cannot exist without its effective absorption. It is social acceptance that determines the durability of an organization, as it is influenced by perception (Scott, 2001); this is why the perspective of perceptual analysis is crucial in a phenomenological interpretative model of this type (Merleau-Ponty, Landes, Carman & Lefort, 2013).

4. Methodology

4.1 Research Design

The research is based on a qualitative, exploratory design, focusing on the analysis of the perceptions of a specific segment of the population involved intentionally in the survey (Dowler, Green, Bauer & Gasperoni, 2006; McDonald, 201; Rai & Thapa, 2015; Smythies, 2013; Tongco, 2007). The primary objective is to explore the interplay between the approval of the 26th Amendment in Pakistan and its impact on the separation of powers and the independence of the magistracy, respectively. The

aim is to address two research lines: (i) the main perceptions that particular categories have toward the changes resulting from the Amendment and (ii) the potential reflections emerging around this change in institutional, political and organizational change. This methodology is particularly geared toward extracting nuances from the analysis context that would otherwise be potentially imperceptible by analyzing only formal documents. This helps clarify the complexities of institutional transformations, in this case involving the fundamental charter of a country's social organization (the Constitution).

The authors' aim is to facilitate understanding the interaction between legislative changes and institutional governance frames, which underpin popular trust. Specifically, in this paper, the authors attempt to highlight the perceived impacts a-posteriori (Merleau-Ponty, Landes, Carman & Lefort, 2013) to the approval of the amendment under study. The use of semi-structured interviews, in addition to mere documentary analysis, fosters an understanding of nuanced dynamics, especially by drawing on the perceptions of others. The main difference compared to quantitative methods is that, while the latter can overlook more generally tenuous institutional dynamics, qualitative approaches tend to investigate subjective experiences (Heater, 1992; Sytsma & Machery, 2010).

The most important aspect, in fact, is to include diverse points of view and, through a careful hermeneutic perspective, define thematic clusters useful for the study, thus producing a thorough and contextualized understanding of the phenomenon under investigation. In this case, we are talking about the impacts of the 26th Amendment. The construction of a conceptual vision based on specific evidence collected from the field based on perceptions, while on the one hand they may seem flimsy, takes on valuable connotations in that, albeit at an embryonic level, they provide indications regarding the possibility of orienting political and governance choices with awareness (within the theoretical framework) of how organizations operate (between processes of deinstitutionalization-institutionalization and isomorphisms) and of what

is critically expressed by those who experience the phenomenon directly. In this direction, a second analysis was also carried out considering a 3-point Likert scale (agree, indifference, disagreement) with respect to the interviewees' perspective of support or opposition towards the amendment, also highlighting the main area of common justification, in order to provide a critical discussion on the risks and opportunities arising from the expressed perception.

4.2 Demographics and Sampling Approach

As previously mentioned, the research focuses on a diverse group of interviewees, including 225 professors, graduate scholars, administrative staff, legal experts, journalists, local politicians and civil society members. This broad range of interviewee stakeholders allows for a more comprehensive and holistic examination of diverse perspectives on an emerging phenomenon with significant implications for change in a country's institutional, political and organizational structure. At the formal level of design, the research integrates literary analysis and empirical fieldwork, designed to include interviewees directly involved in the system (Hiller & DiLuzio, 2004). These individuals were deemed essential for providing unique perspectives on the implementation of the amendment under study; especially with regard to its broader implications for governance. The perceptions analyzed were interpreted in light of a broad contextualization of both the political and institutional aspects referred to at the beginning of this article. The sampling method chosen by the authors, as previously mentioned, is purposive sampling (Rai & Thapa, 2015; Tongco, 2007), designed to identify participants based on their expertise, relevance and involvement with the phenomenon under investigation. This allows the research to utilize high-density instances of information, ensuring that participants provide in-depth and contextually relevant reflections. Table 1 provided the rationale for involvement of the population dividing in categories and target institutional/group belonging. The number of participants is also reported.

Table 1: Population and Sampling Plan

Population Category	Target Institutions / Groups	Planned Participants	Rationale for Inclusion
Professors	Abbottabad University of Science & Technology, Hazara University, University of Haripur, COMSATS (various campuses), University of Wah, Government Postgraduate Colleges	25	Provide theoretical and constitutional analysis of the amendment
Graduate Scholars	Abbottabad University of Science & Technology, Hazara University, University of Haripur, COMSATS (various campuses), University of Wah, Government Postgraduate Colleges	30	Represent emerging academic perspectives
Administrative Staff	Abbottabad University of Science & Technology, Hazara University, University of Haripur, COMSATS (various campuses), University of Wah, Government Postgraduate Colleges	20	Offer insights on governance practices within institutions
Legal Experts	Local practitioners from Abbottabad, Havelian, Haripur, Mansehra, Wah	40	Provide professional perspectives on judicial independence
Journalists	Local media representatives (print, electronic, and digital)	30	Reflect public discourse and framing
Local Politicians	Political actors from the above-listed cities	25	Represent political narratives surrounding the amendment
Civil Society Members	Civil society organizations and activists	55	Capture grassroots concerns on accountability and transparency
Total	~~~~	225	~~~~

Source: Authors' elaboration

The demographic distribution in Table 2 indicates the involvement of 225 respondents across different professional categories and geographic regions.

Professors (n = 25), graduate scholars (n = 30) and administrative staff (n = 20) were primarily affiliated with the universities located in KPK, Punjab and the

Federal universities. Legal experts (n = 40) were primarily from various provinces of Pakistan. Journalists (n = 30) from mainly print, digital and electronic media were primarily from the KPK and Punjab provinces of Pakistan. Local politicians (n =

25) are predominantly male and sourced the data from the Federal and KPK provinces of Pakistan. Civil society members (n = 55) represent the largest group in this survey, with gender data showing a slight majority of females over males.

Table 2: Participant Demographics

Category	Number of Respondents	Gender Distribution (M/F)
Professors	25	15 / 10
Graduate Scholars	30	16 / 14
Administrative Staff	20	14 / 06
Legal Experts	40	24 / 16
Journalists	30	17 / 13
Local Politicians	25	21 / 04
Civil Society Members	55	27 / 28
Total	225	134 / 91

Source: Authors' elaboration

The demographic profile presents a diverse representation of professional backgrounds, gender identities, and geographic contexts, thus increasing the reliability of the study's qualitative findings. This diversity enhances the study's analytical rigor by integrating the perspectives of state and civil society actors in the fields of law, governance, and public opinion.

4.3 Data Collection Method

Data was collected through semi-structured interviews focusing on 10 questions, allowing

participants to broaden their perspectives while adhering to the study's objectives. Open-ended questions facilitated comprehensive responses, allowing participants to reflect on both the intended and unintended implications of the 26th Amendment. Interviews were conducted with the individuals listed above (see Table 3). A hybrid approach was used, involving both online and in-person meetings, to ensure accessibility and diversity. Interviews lasted approximately 30 to 45 minutes (Anthony et al., 2025; Rohrberg et al., 2022).

Table 3: Interview Design

Interview Format	Participants	Questions	Duration	Mode
Semi-structured Interviews	155	10	30-40 minutes	Online (Zoom/Teams)
Semi-structured Interviews	70	10	40-45 minutes	In-person (Universities/Courts)
Total	225	10	35-40 minutes	Mixed

Source: Authors' elaboration

4.4 Interview Questions

The overall protocol, including the research design and interview procedure, was designed to explore perceptions on the organizational change resulting from the 26th Amendment in Pakistan. The primary areas of interest relate to the purpose, threats, benefits and implications of the 26th Amendment for Pakistan's structural setup. The investigations focus the attention on the perceptions expressed about how the amendment transforms judicial

independence, alters institutional dynamics and impacts public trust. The 10 questions posed to respondents are presented below to ensure a clear frame, transparency and reproducibility of the research (see Table 4). Comparative analyses with global contexts and recommendations for preserving autonomy and impartiality were also requested, precisely in response to the need expressed in the literature (Akpuokwe et al., 2024).

Table 4: Interview design

Questions	Open-Ended Questions
Q1	What is your view on the main purpose of the 26 th Amendment?
Q2	How has the amendment affected judicial independence in your opinion?
Q3	What are the key risks or benefits of this amendment for the magistracy?
Q4	How have judges and lawyers responded to the amendment?
Q5	Has public trust in the magistracy changed due to this amendment?
Q6	Can you mention any case influenced by the 26 th Amendment?
Q7	How does Pakistan's judicial autonomy compare with other countries?
Q8	Do you think political motives influenced the amendment?
Q9	What steps can protect judicial independence after the amendment?
Q10	Anything else you'd like to add about the amendment's impact?

Source: Authors' elaboration

4.5 Data Analysis Method

Thanks to a specific interpretative approach, the authors use thematic analysis perception-based (Dabkowski, Porter & Barbagallo, 2021) to identify recurring themes within qualitative data, including interview transcripts and field notes. This interpretative dynamic aims to systematically clarify patterns of perception regarding potential impacts, with a particular emphasis on judicial autonomy, highlighting trends in the concerns of interviewees, who are also stakeholders, regarding organizational changes in Pakistan's structural setup following the passage of the 26th Amendment. This is closely linked to scrutiny of perceived judicial independence, political incentives and influence and institutional balances in the tripartite division of powers. Thematic analysis contextualizes individual perspectives within broader governance frameworks, thus creating meaningful connections between micro-level experiences and potential macro-level constitutional consequences. This contributes to the

formation of a plausibly relevant roadmap for similar contexts and geographical areas. This methodology produces analytically robust and pragmatically relevant results for policy and transformation.

4.6 Ethical Considerations

The research fully complied with institutional ethical standards. All participants provided informed consent, ensuring their anonymity and confidentiality. Participation was voluntary, and respondents had the right to withdraw at any time. All data was securely stored and used exclusively for scientific purposes. The transparency and reproducibility of this research were ensured by explaining each step of the research design.

5. Results

5.1 Overview of Emerging Evidences

With particular reference to the evidence emerging from the perceptions expressed by the interviewees, this section outlines the conclusions drawn from the

qualitative data collected through semi-structured interviews with the aforementioned individuals. Using thematic analysis perception-based (Merleau-Ponty, Landes, Carman & Lefort, 2013, Dabkowski, Porter & Barbagallo, 2021), the interviews conducted by the authors were methodically and systematically coded (Williams & Moser, 2019) to develop a conceptual framework (Jabareen, 2008) for identifying the most recurrent perceptions, patterns of vision and narratives. This served to establish a frame for the field's perception of the institutional, political and organizational change (Waeger & Weber, 2019; DiMaggio & Powell, 1983;1991; Scott, 2001; Meyer & Rowan, 1977; Orrù, Biggart & Hamilton, 1991; Greenwood & Hinings, 1993; 2003; Thornton & Ocasio, 2008; Zucker, 1977; Pfeffer & Salancik, 1978) brought about by the 26th Amendment.

The study identified two main themes: (i) the loss of judicial independence and (ii) constitutional uncertainty, both accompanied by specific subthemes that underscore the complexity of institutional challenges. It appears that at a conceptual level, the most explicit perception is that relating to the 26th Amendment. The first and most significant theme identified in the data was the perceived reduction in trust resulting from the potential decline in judicial independence. Participants consistently expressed concern that the 26th Amendment might tend to strengthen executive authority, resulting in a certain dependence on judicial institutions, especially in newly incorporated tribal jurisdictions. Two subthemes emerged: (a) the lack of robust institutional checks and balances and (b) increased political influence on the judiciary.

Overall, a careful and critical look at the findings revealed that the reported perceptions suggest that the amendment's changes would be perceived as a sort of erosion of the concept of separation of powers. This perspective provides the basis for identifying other cross-cutting controversial issues, potentially reducing the impartial and independent functioning of the magistracy. Furthermore, participants reportedly expressed reticence regarding the potential ambiguity of the constitutional amendment, highlighting possible unequal treatment. The most direct eventual consequence of

this amendment was widely identified as the potential for creating niches of arbitrariness within the system. The coding carried out in Table 5 expresses in a more synthetic and conceptual way the frequencies of expression attributable to the thematic conceptualization necessary to frame the perceptual boundaries of the phenomenon.

5.2 Emergent Themes from Thematic Analysis

Table 5 outlines the main themes and transversal sub-themes that emerged from the examination of participants' perceptions about the amendment object of this study. The independence of the magistracy was frequently addressed as one of the main concerns toward the organizational change operated at constitutional level. With 22 references indicating the belief that government interference is compromising the magistracy's autonomy, the transversal question of uncertain public trust emerged with predominance, expressed 58 times. This kind of data is not surprising in the context to which the research refers, but indicates a significant decline of public supportive efforts and trust toward the amendment. This impoverishment, emerging from perceptual dynamics, fosters doubts and dilemmas regarding the actual sustainability and durability of a change of this kind, without strong social legitimacy. Such that the institutionalization of new practices and the deinstitutionalization of certain others is necessarily a matter of debate.

The call for judicial modifications was significant, referenced 20 time. It highlights the urgent need for greater constitutional clarity to prevent uncertainties in legal interpretation. Political influence is represented 16 times. While this data is not widely cited, it is nevertheless a clear indicator of how political influence can pose a risk to the system as a whole, considering the amendment as primarily aimed at political rather than judicial purposes. Similarly, 14 references compared the Pakistani judicial system to that of other democracies, noting that the amendment plausibly indicates a decline in alignment with global democratic ideals. Thus, if on the one hand the vision is to increasingly establish and maintain a democratic perspective, on the other hand the responsibility towards the environment, which also emerged with Article 9A, seems to be perceived as frills rather than a supporting

exoskeleton. The increasing power of the executive was highlighted 15 times. 31 times the judicial autonomy was highlighted, mentioning particularly the prejudicial allocation of cases.

Tribal and rural areas emerged as potentially vulnerable, with 13 citations reflecting delays in the implementation of important legislative reforms and 9 cases indicating persistent local conflicts. One of the most evident data is that of political maneuvering. It was highlighted 29 times, while 31 responses indicated perceptions toward an uncertain legal frame. Access to justice continue to be a significant issue, with 27 references to the concentration of legal services limiting disadvantaged populations. It was mentioned 35 times, reflecting emphasis on the disenfranchisement of

disadvantaged groups. 15 comments highlighted inadequate oversight systems, while 10 references indicated a general organizational instability, leading to public skepticism about the judicial ability to impartially and effectively operate. With a more general view these evidences, although perceptive, show a potential widespread conception about structural inadequacy that undermines the independence of the magistracy, continue exacerbating the endemic issues and inherent concerns, affected the country with consistency and continuity. The problem of trust therefore indisputably reflects on that of legitimacy, an inevitable prerequisite for any organizational change.

Table 5: Emergent Themes and Sub-Themes

Theme	Sub-theme	Frequency of Mentions
Judicial Independence	Perceived Interference by Executive	22
Public Trust	Reduced Trust Post-Amendment	58
Judicial Reforms	Need for Constitutional Clarity	20
Political Influence	Amendment as a Political Tool	16
Comparative Analysis	Weakening vs Other Democracies	14
Executive Affection	Legal Arrangement Control	15
Judiciary Autonomy	Case Assignment Inclination	31
Judicial Deficiency Primary Issue	Tribal Local Clashes	9
Division of Responsibilities	Deferred Lawful Changes	13
Accomplished Politics Law Objectives	Unequal Law Authorization	29
Official Order Abuse	Equivocal Legitimate System	31
Entry to Law	Centralized Specialist Development	27
Geographic Inequality	Marginalized Communities Disempowerment	35
Management willfulness	Frail Oversight Components	15
Organizational Fragility	Open Doubt in Legal	10

Source: Authors' elaboration

By detecting from the perceptual evidence expressed, those which are the most conceptual dimensions

with respect to the endemic concerns of the sample analyzed, it is possible to find emerging concerns

about the institutional fragility, with participants noting that the judicial system is increasingly perceived as less effective than that of other democratic countries. Specifically, there was a belief that the distribution of cases within the court is biased and that executive interference has infiltrated judicial decision-making procedures. In tribal and rural regions, participants stated that courts often fail to resolve conflicts effectively and that delays in implementing legislative changes exacerbate popular discontent.

A key emerging issue is the perception of unfair and uneven application of laws, which several interviewees linked to the protection of political interests. These perceptive conditions of institutional difficulty show, from the point of view of critical legal and organizational studies, a potential erosion in trust toward the magistracy neutrality and the possible raise of other significant concerns about the potential for abuse of power and interferences. Participants noted limited access to justice, especially in rural and remote areas, due to the concentration of judicial and legal services. This spatial disparity exacerbates the sense of isolation among disadvantaged populations, also eroding their legitimacy. In this sense, the primary vision toward the inclusion could represent a heterogenesis to the purposes. These communities largely feel neglected by formal justice systems. Interviewees also highlighted the urgent need for comprehensive judicial changes with the aim to enhance institutional independence, ensure equal access to justice and rebuild public confidence in the rule of law.

5.3 Emerging Perceptive evidences on Perspectives related to Judicial Independence

Lawyers have expressed differing opinions on whether the 26th Amendment strengthens or undermines judicial independence. The amendment, initially presented as a reform, has been criticized for transferring institutional power to the executive branch. One noted that the amendment could be insufficient to prevent abuse, especially in politically sensitive contexts. A human rights lawyer noted that the imposition of executive control could effectively prevent judges from expressing dissent against the government. Others have emphasized the

symbolic and structural aspects of independence, such that the magistracy must be solid both structurally and in the public perception, and this amendment seems capable of obscuring this distinction. Scholars have emphasized the broader constitutional and democratic implications. Numerous individuals have argued that the amendment undermines the separation of powers, thus eroding the institutional boundaries vital to democracy.

A constitutional law expert has argued that this amendment could cancel the essential boundaries between institutions necessary for the effective functioning of democracy. A legal theorist has argued that rather than strengthening the magistracy, the amendment strengthens the executive branch. A political scientist has observed that the situation is alarmingly similar to the evolution of other nations under semi-authoritarian governments. Graduate academics and early-career researchers emphasized the amendment's impact on judicial trust and impartiality. A master's student observed that judges now could appear to be displaying less decisiveness, potentially a consequence of the amendment. A law student emphasized the potential difficulty of upholding the rule of law when legal institutions appear to be subject to political influence. These speakers collectively emphasized generational concerns about the future of judicial independence and the need for rigorous scrutiny of constitutional revisions. Journalists have highlighted the magistracy growing caution in politically sensitive cases, clearly linking it to the 26th Amendment. One senior journalist stated that judges tend to be increasingly reluctant to make decisions that might provoke the executive branch. Concerns about press freedom have also been expressed. Civil society activists have expressed concern that the amendment could undermine human rights guarantees and shrink civic space.

An activist stated that society functions optimally when judicial systems are fair and impartial. Efforts to involve the court in political matters hinder our ability to provide effective advocacy and accountability. Civil society responses have highlighted that disadvantaged groups are more vulnerable when judicial independence would be compromised. Local politicians, especially from

opposition parties, have expressed strong criticism of the amendment's effect on democratic checks and balances. Some have argued that the 26th Amendment would grant excessive authority to the executive branch, potentially exposing the judiciary to a tangle of interests. Others have seen the issue as a matter of public trust, such that judicial neutrality is essential to public confidence. The perception that judges are reluctant to engage with the administration could actually undermine democratic principles. In response, delays and biases in judicial disputes, which were less common in the past, are being observed.

5.4 Risks and Opportunities Highlighted

Table 6 illustrates the distribution of perspectives on the effects of the constitutional amendment among the various groups of respondents. Professors overwhelmingly opposed the proposal, with 60% expressing disagreement, 28% in favor and 12% remaining neutral. Their motivations highlighted the fear that the amendment would reduce institutional guarantees and weaken the balance of power. Graduated scholars exhibited more or less the same trend, with 51% opposed, 35% in favor, and 14% neutral. While many recognized the potential for reducing government interference, some individuals expressed concern about the lasting ramifications. When measuring their support or opposition to the proposed change on a 3-point Likert scale (agree, neutral, and disagree), the legal specialists cluster recorded the highest level of support for the

amendment. With 63% in favor, 26% against and 11% indifferent, the arguments put forward focus on the belief that the amendment could improve transparency, although many expressed concerns about the possibility of political interference. Journalists, on the other hand, represent divergent perspectives. 41% percent oppose the amendment, although 33% are in favor; 26% are indifferent.

The justifications given for the legal amendment indicate a desire for greater representation, coupled with concerns that a potentially reduced independence of the judiciary could somehow limit media freedom. Politicians, almost equally divided, show figures of 34% in favor, 33% opposed, and 33% indifferent. This nearly even split reveals a pattern that apparently reflects existing political divisions. Some members of the politicians' cluster see the change as an opportunity to improve efficiency and strengthen political engagement in the judicial process. Conversely, others suggest an awareness of the potential risks of politicization of the judiciary. The evidence emerging from this analysis indicates that the amendment's detractors are more widespread among the groups involved in the study, and that its supporters are more readily identifiable among legal specialists. On the one hand, this dimension of inquiry could inspire optimism, given its anchoring within the field of categories in favor of the amendment, rather than a more generalized view, which reflects caution and fears regarding the proposed change.

Table 6: Opinions on Amendment Impact by Category

Category	Supports Amendment (%)	Opposes Amendment (%)	Neutral (%)	Common Justification
Faculty	28%	60%	12%	Reduces institutional checks
Graduate Scholars	35%	51%	14%	Reduces political intervention
Legal Experts	63%	26%	11%	Transparency
Journalists	33%	41%	26%	Broader representation
Politicians	34%	33%	33%	Politicization of selection process

Source: Authors' elaboration

6. Critical Discussion

Critical analysis of changes in institutional, political and organizational structures, such as that of the case study relating to the 26th Amendment to the Constitution in Pakistan, provides a two-way view of the correspondence between detractors and supporters. Therefore, the restructuring under analysis, which affected the function of the legislative branch and its institution itself, has established among supporters a prerogative with respect to the provision of greater transparency in the selection processes of judges, for example. This is what emerges from both discussions in the literature and is confirmed by the perception data reported in this study. Conversely, critics argue that greater political involvement within the magistracy could at least partially compromise the independence of the judicial institution. In this way, the magistracy could be subjected to an erosion of its intrinsic impartiality, offering too many openings to the executive and legislative branches. The criticism in this regard is directed at the potential compromise of the institutional balance, with repercussions on the rule of law and judicial impartiality. Concerns in this regard consistently emerged during the interviews. Closely related to the theoretical framework cited, within institutional theory, the 26th Amendment to the Constitution of Pakistan represents a paradigmatic case study, useful for representing the mechanisms of organizational (institutional) change (Waeger & Weber, 2019; Greenwood & Hinings, 1993; 2003; Pfeffer & Salancik, 1978; DiMaggio & Powell, 1983; 1991; Scott, 2001; Meyer & Rowan, 1977; Orrù, Biggart & Hamilton, 1991; Zucker, 1977; Thornton & Ocasio, 2008).

This case, as proposed by the authors and as emerged from field evidence, offers a contextualized view to understand how institutions adapt to or resist external pressures. According to the view proposed by DiMaggio and Powell (1983; 1991), institutional change is not solely and exclusively driven by the formal pursuit of efficiency (Kingston & Caballero, 2009), but also and above all characterized by isomorphic processes (DiMaggio & Powell, 1983; 1991). In this sense, isomorphism would converge on the tendency for organizations to seek to resemble one another. This particular (organizational) behavior assumes its most extensive

representations almost always for reasons of legitimacy, sometimes even to the detriment of functionality. The interpretation of the adoption of the 26th Amendment focuses on three main forms of isomorphism: coercive, mimetic and normative. In this specific case, these can be observed as follows, as the most evident element in this context is precisely coercive isomorphism. The latter arises from the more or less formal pressure exerted by other organizations/institutions on another dependent on them. Considering the application of the amendment, the existence of this mechanism can be observed. By modifying the process, one institution creates and imposes new practices on another institution (in this case, the magistracy), which sees its structure transformed. The exercise of this action can be conceived in terms of explicit and legal pressure, forcing the magistracy, as an institution, into coercive isomorphic conformity (Islam et al., 2024). Shades of mimetic isomorphism are also present in this dynamic process of transformation. Isomorphic mimicry is represented in this case by the way organizations/institutions manifest themselves in the face of uncertainty and ambiguity.

Therefore, they imitate the practices of perceived and legitimate entities as more successful. The attempts to align themselves with transparency, highlighted by supporters, or the inclusion of Article 9A, aimed at recognizing the need to address the socio-political and environmental challenges of the millennium (Haider, 2025, Pawlowski, 2011), could somehow conceal an attempt at isomorphic mimicry toward more advanced and modern models of the country's orientations and organizational structures. This vision could be validated by the intention to create international legitimacy. Another isomorphic trait is made explicit by the counteraction formalized with the declaration of a "black day" (Muhammad et al., 2024). This cohesive resistance is precisely attributable to the reaction of a professional category converging toward common values and ideas.

The complex interplay of internal and external forces forms the connective tissue of the process of change (Case, Vandenberg & Meredith, 1990), which is neither entirely linear nor entirely rational. Questioning the resilience and adaptability of institutions represents a complex compromise between modernization, international alignment

and consolidated structures and visions, ensuring effective change only through genuine and solid legitimacy from those involved (Acemoglu, Egorov & Sonin, 2021). Change itself is not without contradictions and tensions (Imerman, 2018); this case is no exception. Indeed, on the one hand, evolutionary prospects are visible, while on the other, evolutionary dynamics are perceived as risky. Jatoi and Shah (2023) and Baig et al. (2024) provide a rather comprehensive analysis of the impact of constitutional revisions on judicial independence in Pakistan, highlighting both institutional progress and regression.

In light of the evidence, both literary and from the field, resulting from the analysis conducted, it would be possible to consider the duplicity existing in the current transformation of Pakistan's institutional, political and organizational structure. On the one hand, this duplicity increases fears of reversing the progress achieved over the years; on the other, it would indicate an opening toward more advanced constitutional alignments. Without seeking to provide specific details on the amendment, the authors intend only to provide insights and reflections on a representative (but not exhaustive) picture in a moment of profound change through the study of perceptions related to an observed phenomenon.

7. Conclusions

Organizational change and political turbulence are expressed through regulatory and practical changes to institutional structures (Ansell, 2017). This phenomenon is observable in its various facets, especially in contexts with specific characteristics that can easily be considered as a basis for interpretative and conceptual analysis. Many countries are still evolving today, both as peoples and in their organizational structures, rules, and socio-political and economic dynamics. Many aspects remain unexplored and are therefore crucial for identifying contradictions, controversies and perspectives. Pakistan has undergone a turbulent history, alternating between weak governments and periods of military rule (Khan, 2001; Kukreja, 2003). This duality has profoundly affected its institutional structure, making it an emblematic case study at the international level, representative for the possibility

of comparative studies and the construction of roadmaps for avoiding issues characteristic of similar contexts.

The identification of a guiding archetype outlines the traits of an exemplary change at the institutional, political and organizational level. For these reasons, the authors, through the proposed investigation, attempt to provide a clear overview related to a phenomenon of change in endemic and specific physiological situations. The representativeness of this case emerges from the needs outlined over the decades, starting with the 1973 Constitution, which, despite defining a federal parliamentary republic, has encountered setbacks and revitalizations, as it has been repeatedly suspended or amended with the intent of accommodating the influence of the army and the political elite (Aziz, 2018; Abbas, 2023). This emblematic evolutionary context has created a situation in which civilian supremacy has historically been subordinated to military power, eroding the foundations of a fully functioning democratic state (Khan, 2001; Kukreja, 2003).

The fusion of a system inherited from British rule and Islamic law manifests duplicity and conflicts that drive active reactions and resistance to change from tradition, even as a need for alignment with more modern democracies persists (Jalal, 2009). In this direction, the institution of magistracy, although theoretically independent, has often had to submit to pressure from the executive and military branches in its past (Khan, 2001; Kukreja, 2003). Fears about the limitation of its independence of action and its role as a true counterweight form the core of the critical analysis of the recently approved 26th Amendment (Islam, Muhammad & Ali, 2024; Tariq, Tariq, Saqib & Fatima, 2025; Muhammad, Khan & Shahid, 2024; Waseh & Mubarak, 2025). Fear of political interference and depleted trust represent factors of alleged instability, which this study conceptually and critically addresses primarily through the lens of the principle of the tripartite division of powers (Favoretto, 2017), legal realism (Tumonis, 2012; Jones, 1961; MegiasQuiros, 2016) and institutional theory (Greenwood & Hinings, 1993; 2003; Thornton & Ocasio, 2008; Zucker, 1977; Pfeffer & Salancik, 1978; Meyer & Rowan, 1977; Orrù, Biggart & Hamilton, 1991; Scott, 2001) rooted in isomorphism (DiMaggio & Powell,

1983;1991). Within the field of critical legal and organizational studies, this research analyzes the implications of the organizational change formalized by the passage of the 26th Amendment by analyzing the perceptions of a specifically identified group of professors, graduate scholars, administrative staff, legal experts, journalists, local politicians and civil society members. While legal experts, in particular, confirm that the reform aims to improve transparency and thus political stability and while the introduction of Article 9A on the environment would generally align the Constitution with the most recent sustainability challenges (Gellers, 2012), the change also raises significant concerns regarding partisanship and a decline in judicial independence. Although the findings are preliminary and exploratory, they nevertheless aim to provide a useful scenario for policymakers and a basis for comparative further studies.

The limitations of this research work relate primarily to the analysis of a single case and the potential generalizability of the findings based on the perceptions of individuals specifically selected from certain categories. In this direction, future developments can move towards broadening the reference sample, increasing the generalizability of the evidence and opening new research avenues towards the comparative approach.

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