

ADVANCE SOCIAL SCIENCE ARCHIVE JOURNAL

Available Online: <https://assajournal.com>

Vol. 04 No. 02. October-December 2025. Page# 4214-4230

Print ISSN: [3006-2497](https://doi.org/10.5281/zenodo.19418516) Online ISSN: [3006-2500](https://doi.org/10.5281/zenodo.19418516)

Platform & Workflow by: [Open Journal Systems](https://doi.org/10.5281/zenodo.19418516)

<https://doi.org/10.5281/zenodo.19418516>



**From the Treaty of Westphalia to Global Governance: A Reassessment of the Sovereignty of Pakistan through the Prism of Public International Law**

**Muhammad Afzal**

Ph.D. Law Scholar, Times University Multan

[ayyanameen@hotmail.com](mailto:ayyanameen@hotmail.com)

ORCID: 0000-0001-7538-0835

**Dr. Rehman Akhtar (Corresponding Author)**

Assistant Professor Law, Hajveri Law College, Department of Law,

Times University Multan

[drrehman@t.edu.pk](mailto:drrehman@t.edu.pk)

**Abstract**

*This paper is a critical analysis of how sovereignty has evolved since its classical Westphalian comprehension to its modern expression in the working arsenal of global governance, with a specific interest in the role of Pakistan in public international law. The Treaty of Westphalia (1648) set the steps to the new international plan of the territorial integrity, political autonomy, and non-intervention, which determined the modern system of the state. Nevertheless, the changes in international law, multilateral institutions, economic interdependence and transnational security regimes have, to a large extent, transformed the operational definition of sovereignty. The study appraises Pakistan's participation in the international legal regimes such as the United Nations system, the international financial institutions, the trade frameworks, the counterterrorism mechanisms, and the human rights treaty bodies through a doctrinal scrutiny of the law and a contextual review of the case. The paper presents the claim that the sovereignty of Pakistan has not, however, been eroded, but incorporated into a model of controlled and mutually dependent sovereignty. Although the global governance frameworks subject the nations to limiting conditions given out by the legal obligation, conditionalities and normative pressures, they also offer the nation's strategic conditions of economic stability, security cooperation, and international legitimacy.*

*The study concludes that sovereignty in the modern world is more adaptive and negotiated as opposed to absolute. The example of Pakistan has shown how this has been happening in the entire world, as people have turned to a pattern of cooperation as opposed to an absolute Westphalian autonomy in international law.*

**Keywords:** *Sovereignty; Treaty of Westphalia; Global Governance; Pakistan; Public International Law; Non-Intervention; International Institutions, Geopolitics.*

## 1. Introduction

Since the Treaty of Westphalia in 1648, sovereignty has continued to be the organising concept of the legal order of the international system. The Westphalian settlement is the creation of the ruin of the Thirty Years war, which recognised the political-legal model, founded on the idea of territorial realism, political autonomy, and non-intervention (Chekh, 2025). It introduced the modern system of states, where states became the highest entities within the territory boundaries and were, based on law, equal in their relations with each other. This classical vision of sovereignty was the foundation of the international law of the people and modified the nature of the diplomatic practice, the relations of the treaties and the behaviour of the states through centuries. The modern international system is, however, a much more complicated affair than one that was envisioned in the seventeenth century. Numerous growths in international organisations, multilateral treaty regimes, the evolution of international economic forms of regulation, the emergence of international law on human rights, and the increase in the importance of transnational regulatory places have all contributed to a redefinition of the actual meaning of sovereignty (Akilli, 2025). The principle of sovereign equality that was institutionalised in the Charter of the United Nations was retained in the legal order of the post-World War II period, at the same time being placed in the network of obligations, institutions, and cooperation structures. Consequently, sovereignty has become less and less an exclusive and absolute authority, more organised and interdependent as a legal position (Hasan, 2026).

The emergence of global governance makes the traditional Westphalian model more burdensome. Global governance can be defined as the order of formal and informal institutions, norms, rules, and practices governing international relations that are not under the monopolistic control of individual states. Other institutions like the United Nations, international monetary fund (IMF), the World Bank, the World Trade Organisation (WTO) and regulatory agencies like the Financial Action Task Force (FATF) have tremendous influence on the local policy decisions and economic policies. There are also international human rights regimes, environmental regimes and counter-terrorism regimes that impose legal and normative restrictions on states voluntarily, but which can profoundly influence domestic decision-making. The developments have led to debates among scholars on whether sovereignty is disappearing, changing or evolving in the contemporary international order of law (Moyo, 2024). In this changing internationalised environment, Pakistan offers a very interesting insight into the analysis of a changing sovereignty. Since gaining its independence in 1947, Pakistan has had to struggle through complicated geopolitical, regional, economic and security pressures. It has been located at the junction of the South Asian, Central Asian and Middle East regions, and this has made it the centre of power games and international security interests. The experience of Pakistan, with its involvement in the activities of international institutions, such as IMF stabilisation programs and FATF compliance regimes, the fight against terrorism, and the involvement in United Nations peacekeeping operations, is an example of the interaction between state sovereignty and the global governance framework (Warikoo, 2016).

The constitutional structure of Pakistan acknowledges the sovereignty because it lies finally in the hands of the Almighty Allah, and is entrusted to the state via its people, which is the manifestation of both legal and ideological aspects of the sovereignty. However, in reality, the economic policies, security policies and regulatory mechanisms of Pakistan are often shaped by global obligations and foreign, external influences. This also poses important legal and theoretical problems: Is the sovereignty of Pakistan infringed by the modern global governance regimes? Is the case of being a member of international institutions a voluntary

exercise of sovereignty or a restraint of sovereignty? How can classical Westphalian sovereignty be compatible with the current international legal requirements?

The study attempts to answer these questions by reevaluating the sovereignty of the state called Pakistan under the lens of the notion of public international law and how sovereignty has developed since the concept of Westphalian sovereignty to the modern forms of sovereignty in international governance. Instead of a simplistic account of the fall of sovereignty, the present study holds the view that sovereignty has been recalibrated in terms of norms. It is not lost even in law, but brought functionally into condition by international commitments and structural interdependence. The idea of sovereignty of the twenty-first century is not absolute, nor is it obsolete: it is a dynamic legal construct within a system located in the multi-layered global system (Amin & Hasan, 2024).

Placing Pakistan in the context of this general theoretical and legal transformation, this paper adds to the current academic dispute about the future of sovereignty in international law. It brings historical theory into the modern practice and offers specific context analysis based on geopolitical and legal situations in Pakistan. In sum, the study proves that the process of Westphalia to global governance does not herald the end of sovereignty, but that it becomes a negotiated and tactical principle that is practised within the sphere of public international law.

### **Research Problem**

Classical Westphalian sovereignty is characterised by absoluteness of territorial power and non-intervention. The growth of international organisations, economic globalisation, security regimes, and the mandate on human rights have, however, transformed the pragmatic exercise of state sovereignty. With this, the active participation of Pakistan in global governance processes poses a highly important question: Has Pakistan's sovereignty been weakened, or does it become a controlled and dependent version under the modern laws of public international responsibility?

### **Material and Methods**

The research relies on a qualitative doctrinal legal approach, supported by analytical and situational case-based scrutiny. This is the correct qualitative methodology in that the study does not deal with empirical measurement but the normative transformation of concepts of sovereignty as a part of the law of the state in general. Its main aim is to read the legal theses and evaluate their application to Pakistan, considering the global governance.

The doctrinal analysis considers historical references to legal which includes the Treaty of Westphalia (1648) as the historical grounds of modern sovereignty, the United Nations Charter, specifically, Articles 2(1), 2(4), and 2(7) as the legal foundation of modern sovereignty, the Vienna Convention on the Law of treaties (1969) and the jurisprudence of the International Court of Justice as well as the international faith in human rights conventions of which Pakistan was a signatory. These sources determine the normative form of sovereignty under international law (Chukwu, 2022).

The study also incorporates Classical Westphalian Sovereignty Theory, Liberal Institutionalism and Interdependence Theory and Global Governance Theory to examine the move towards absolute sovereignty and regulated and interdependent sovereignty. To put the analysis in perspective, specific examples involving Pakistan, including IMF conditionalities, FATF compliance, cooperation against terrorism, human rights monitoring mechanisms, and regional commitments, are looked into.

The research depends on original legal documents, judicial rulings, political research, and reports. There are no empirical surveys or quantitative data utilized as it is mostly a legal-analytical research.

## 2. The Westphalian Concept of Sovereignty

The Treaty of Westphalia, which was signed in 1648, terminated the Thirty Years' War in Europe and is often considered the cornerstone of the modern international order of sovereign states. It symbolised a drastic change in the religious and imperial rule to the dependency on territory-based political entities. The foundation of the principle which each state is intended to have the exclusive discretion over its own matters and territory was made by this settlement. The Westphalian model brought in three fundamental components that remain influential in international relations, such as territoriality, political autonomy and non-intervention. Territorial integrity restated that state boundaries were sacred and that they had to be respected by other states. Political independence acknowledged the freedom of every state to choose its own system of political, social and economic aspects, not to be controlled by some outside force. Foreign powers were forbidden to intervene in the domestic affairs of other states, giving rise to the principle of non-intervention. These aspects in combination formed the basis of the modern state system and were even incorporated in customary international law (Bauder & Mueller, 2023).



**Peace of Westphalia** *The Swearing of the Oath of Ratification of the Treaty of Münster*, oil on copper by Gerard Terborch, 1648, depicting the settlement of the Peace of Westphalia. ([less](#))

**Date:** January 30, 1648 • October 24, 1648

**Participants:** Austria • Brandenburg • Dutch Republic • France • Holy Roman Empire • papacy • Spain • Sweden

**Key People:** Ferdinand III • Frederick William • Maximilian, count von Trauttmansdorff • Johann R... ([Show more](#))

**Fig.1** Data Source: <https://www.britannica.com/event/Peace-of-Westphalia>

Legally, the Westphalian idea of sovereignty stressed the formal equality of a state, whether large, powerful, or wealthy. The states were considered to have the same juridical status in the international community. It furthered the notion of absolute jurisdiction on the territorial basis, i.e. that a state had ultimate power over an individual, property and actions within the state territory. This jurisdiction was regarded as exclusive and gave no room to the outside law. Moreover, the Westphalian sovereignty encouraged non-intervention and states were allowed to pursue their internal and external policies without unnecessary pressure from other states. This form of sovereignty prevailed in international relations up to the twentieth century and had significant influences on the formation of the classical international law, the formation of the idea of statehood and the establishment of the concept of recognition, jurisdiction and diplomatic relations (Núñez, 2024).





internal administrative rules, laws and policy decisions are no longer completely beyond external scrutiny, yet the change from absolute rule to sovereignty as responsible rule.

Economic globalisation has also transformed the form of exercise of sovereignty by adopting domestic policies into the international regulatory frameworks. The institutions like the World Trade Organisation (WTO), the interaction with the International Monetary Fund (IMF), and World Bank exposes states to rules and conditions, which affect fiscal, trade and economic policies. Although these arrangements have advantages, including financial support, market access, and investment opportunities, it restricts autonomy of the policy. The exercise of economic sovereignty is therefore becoming more of a concern of interdependence in which states strike a balance between domestic needs and requirements and international needs and aspirations generated through participation in the global economic system (Simma et al., 2024).



Fig.3: Data Source: <https://www.shutterstock.com/search/wto-trade>

## INTERNATIONAL MONETARY FUND



Fig.4 Data Source: <https://www.imf.org/en/about/organization-chart>

#### **4. Global Governance and Its Impact on Sovereignty**

Global governance can be defined as the structure of collaborative systems whereby states, international bodies, and non-state actors collaborate in achieving and dealing with issues that are beyond national borders. The world is becoming a global village, and there are myriad issues that cannot be dealt with by parties that operate separately. The current problems like climate change, acts of terrorism, international trade and population health necessitate collective efforts to solve in the entire world. To give an example, climate change requires joint environmental policy and commitment to reduce emission whereas terrorism requires international sharing of intelligence and law enforcement cooperation. On the same note, international trade is governed by uniform principles in order to be fair and stable, and the crisis affecting health worldwide, e.g. pandemics, needs collective surveillance and response strategies. The global governance is not based on a world authority and functions centrally, but mainly depends on treaties, international institutions and informal networks. This decentralised system signifies the ever-present role of state sovereignty and, at the same time, encourages cooperation and shared responsibility(Dantata, 2025). Global governance depends on a broad set of legal mechanisms which govern the actions of states and international cooperation. Multilateral treaties are one of the most significant processes as states willingly commit to being subject to shared rules and standards in the spheres of trade, environmental rules, human rights, and security. These treaties establish a legal obligation which the states are supposed to enforce in their home jurisdictions' legal systems. The international courts and tribunals, including the International Criminal Court and the International Court of justice are very instrumental in the interpretation and enforcement of international law, settlement of disputes, and accountability. Moreover, there are also regulatory requirements established by the global institutions, including the aviation safety conditions, monetary policies, and other ecological initiatives that lead national policies and practices. Administrative tools and supervisory procedures also aid in underperformance monitoring and evaluation of state performance through assessing the state performance and reporting recommendations. These mechanisms together give rise to binding or non-binding obligations which impact domestic legislation, policy and international behaviour(Volk, 2022).Due to such events, the classical concept of sovereignty as absolute and unrestricted power was subjected to a dramatic change. Sovereignty in the current international system is becoming even more of a shared, pooled and conditional notion. Shared sovereignty describes a scenario where states interact and share power within certain aspects of policies, including regional union and collective security agreements. The concept of pooled sovereignty concerns the voluntary delegation of some decision-making capacity to international or regional institutions with an aim of coming up with shared goals, as in trade regimes and financial governance arrangements. Conditional sovereignty is a concept that demonstrates that sovereign power should be observed in accordance with international standards and standards, especially when it comes to human rights, democracy, and the rule of law. According to this new paradigm, sovereignty ceases to be conceived as absolute independence in the face of foreign influence, but rather as a legal and political advantage that is exercised in terms of engaging in international regimes. States do not lose their formal independence, but the ability of authority is becoming more dependent on mutual status and institutional collaboration in the global system of governance(Martinez, 2023b).

#### **5. Pakistan and the Westphalian Tradition**

Historical, political, and security experiences have significantly influenced Pakistan, which has since acquired independence in 1947 regarding sovereignty. As a result of British colonialism, Pakistan inherited a strong sense of the value of political independence and self-determination. The tradition of colonialism

strengthened the ambitions to preserve the independence of countries and to avoid foreign control. Also, unsolved territorial issues, especially the Kashmir issue with India, have ensured that the territorial integrity has emerged as a major focus of the foreign and security policy of Pakistan. The consistent problems with borders and the recurring tension of its eastern and western borders have contributed to the increased significance of securing its national borders. In addition, the presence of instability in South Asia, as experienced by conflicts in Afghanistan, as well as the momentum of power in the region, has caused Pakistan to feel vulnerable. All these historical and geopolitical conditions have reinforced Pakistan's attachment to the concepts of the Westphalian principle of territorial integrity, political autonomy, and non-intervention, which remains today influential in its international relations policy (Ruiz, 2025).

The Pakistani constitutional framework is also characterised by a high value on sovereignty and state authority. According to the constitution of Pakistan, sovereignty is a domain of Almighty Allah and is exercised by the people through their representatives and other institutions of the state, to be nominated by the people. This assertion is an amalgamation of religious values and democratic leadership where both the authority of the moral and popular legitimacy are stressed. The Constitution emphasizes on independence of the state, the unity and integrity of territory and the dominance of constitutional law above all governmental power. It provides a certain level of hierarchy whereby the state institutions are governed within stipulated legal boundaries, such that the state is governed along constitutional provisions. Although Pakistan is aware and working with international law, it is limited by the constitution. The international treaties and obligations can only be included in the domestic law to the extent that they do not contradict the provisions of the constitution. By so doing, the constitutional framework aims at harmonising both the involvement of Pakistan in the international law order and the protection of national sovereignty and legal internal autonomy.

#### **6. Pakistan's Engagement with International Law and Institutions**

The engagement of the Pakistani legal and institutional stakeholders in the foreign law and foreign institutions is an indicator that the nation is taking an active part in the international law and international law and politics, and at the same time makes reference to the constraints that internationalisation has on its national policies. Ever since joining the United Nations in 1947, Pakistan has constantly been enrolled in programs to push the agendas of the organisation towards spreading peace and security in the international community. It has been one of the greatest donors to the peacekeeping activities of the UN, and this has depicted its concern in shared security as well as multilateral collaboration. In the meantime, the resolutions of the Security Council of the United Nations have significant influence over the policies of the Pakistani nation, particularly regarding counterterrorism, non-proliferation, and stability within the region. These resolutions set limits that should be employed law and administration of Pakistan that could restrain it in its activity in security and foreign affairs issues. This is the reason why participation in the UN system not only enhances the international positioning of Pakistan but also subjects the country to the law. The case of Pakistan within the economic governance has documented such a huge impact on economic freedom in the hands of the international financial institutions in the form of the International Monetary Fund and the World Bank. The frequent balance-of-payments crisis and budget deficits have continuously pushed Pakistan to use the financial assistance programs with the institutions. These programs are usually backed by the structural adjustment policies and policy requirements in an attempt to inculcate economic stability and economic growth. Such aspects in the majority of cases require fiscal policy adjustments, including reduction of budget deficits, taxation and inhibition of stimulating government spending. They may



also involve removing subsidies, restructuring of state-owned firms and projects to be privatised. It is a fact that, regardless of the fact that the participation in such programs is formally passed at a free decision-making level, Pakistan as an economic system is dependent on the financial aid of the countries, and its ability to renounce in such terms is restricted accordingly. The flexibility of the policy regarding the key areas of the economy, therefore, is constrained, and this is the effect of international financial regulation and domestic decisions.

Another factor in changing the legal and regulatory framework is the taking up of international trade and investment regimes by the Pakistani government. Pakistan, as a member of a worldwide exchange organization is subject to multilateral trade accords that give direction and determine tariffs, subsidies, intellectual property and market entry. Such arrangements will require conformity of the national laws to the international standards in commerce and restrain the use of protectionist laws. Second, Pakistan has also signed several bilateral investment treaties with other nations to be favourable and win foreign investment. The effect of such treaties is normally to afford foreign investors an opportunity of access to international arbitration mechanism to settle any dispute with a host state. Pakistan is receptive to the dispute settlement procedures, in which Pakistan permits the international courts to override or limit the local regulations and judicial procedures. Against this, as much as such regimes encourage foreign investment and incorporation of trade, it is similarly undermining the regulatory leeway of the state in economic and business matters.

The Pakistani participation in the International legal regimes in the human rights sector has made significant influence on its domestic legal and institutional power structure. Some of the key human rights treaties that have been signed by Pakistan include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights and the Convention on the Elimination of all forms of discrimination against women. The ratification of these instruments (constitutions) marks the legal engagements by Pakistan to protect and guarantee the onslaught of the fundamental rights and freedoms. The context of these promises is followed through the assistance of the international reporting mechanisms, treaty bodies and periodical reviews, through which the compliance of Pakistan is assessed, and suggestions on the way up is provided. These surveillance activities agitate modifications in legislation and judicial activism, and administrative modifications in attempting to harmonise local practice and international standards. Such mechanisms put normative and political strains on the state, but it does not mean that it interferes directly with the internal governance; therefore, it influences the policy making and institutional development. The way the international legal responsibilities impact both the local government and redefine the exercise of sovereignty in the international legal system of globalisation is demonstrated by the human rights commitments of Pakistan in this respect (Ghourji, 2025).

### **7. Sovereignty, Counterterrorism and Security.**

Security and counterterrorism have now become the regions of engagement of Pakistan in the rest of the world, which in turn have extremely substantial repercussions in the exercise of its sovereignty. The fight against terrorist activities has been territorialising since the occurrences of September 11, 2001, and this has led to the establishment of international regimes against terrorism. Pakistan, due to its strategic location and security dilemmas have been a great supporter in such undertakings. Money laundering and terrorist financing have been targeted and assessed to ensure that the states put in place productive measures against the vice through organisations such as the Financial Action Task Force (FATF). Such regimes involving grey-listing have given the country of Pakistan more material scrutiny, which has forced it to revise its

financial regulations, the law enforcing institutions, and compliance mechanisms. These policies, which aim to promote international security and financial transparency, put foreign pressure on the national systems of governance in Pakistan. Bank surveillance/regulatory requirements influence the making of policies within the country, thus also influencing the freedom of the state to run its domestic security standards, among other policies about its economy (Roy et al., 2022).

Due to the deployment of foreign drone operations on Pakistani soil, it has become one of the most questionable issues regarding its sovereignty in the context of counterterrorism. The drone attacks, specifically in the early twenty-first century, were attacks that were directed by foreign powers to attack the militant groups that were operating on the borders. The operations raised grave legal and political issues concerning the matter of territorial integrity, the acceptance of states and the application of force as forbidden by international law. In addition to some reports of some other drone attacks conducted with covert or overt support, their publicity in the press came in the form of an invasion into Pakistan's sovereignty in most of the instances. The domestic and international criticism was only increased by the non-transparency and civil killings. These episodes demonstrate the contradiction between the cooperation of the security service and the chief principle of the inviolability of the territories. They demonstrate that counterterrorism operations, implemented without a legal authority or civic accountability, may bring about the obliteration of the historical Westphalian idea of exclusive right to power over territory (Nasir, 2025).

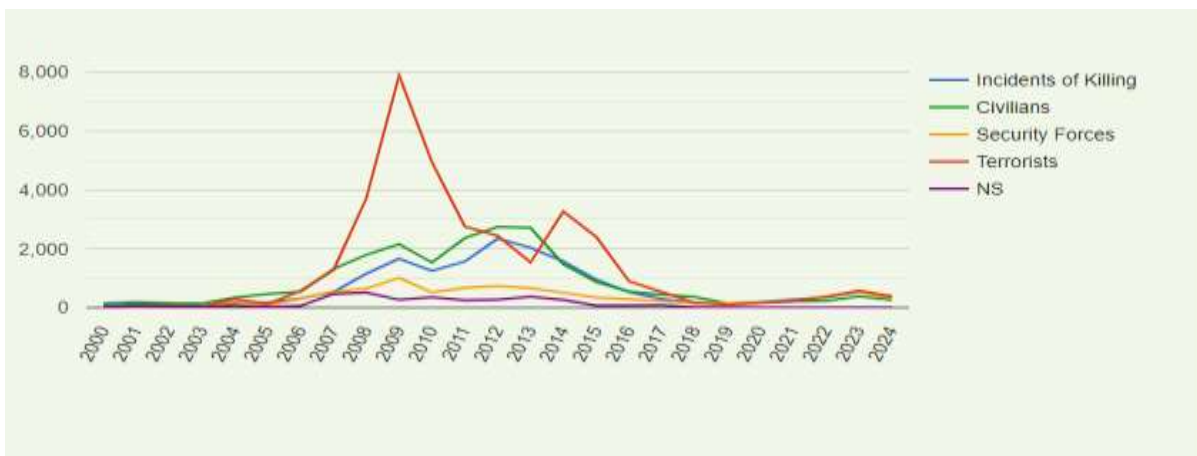
It is also an important area in light of the security policies in Pakistan and the sovereign decision-making. The international politics of relations with neighbouring India are still highly infiltrated with historical struggle, territorial politics, and gambles, more so over Kashmir. The prolonged military preparedness and enormous military expenditure in lieu of flexibility in the foreign and domestic policy judgment have been encouraged by this rivalry. Similarly, Afghanistan has played a central role in the development that has an impact on the internal security of Pakistan, its management of the border and its policies on refugees who, in most of the cases, drag it into complex regional and international bargaining. Pakistan is a strategic companion country of China, especially in both economic and a defence affair, which has improved the position of the country in the region, yet has led to new diplomatic burdens and responsibilities. In the meantime, the association with the United States has been evolving between cooperation and tensions, particularly on the counterterrorism and the stability in the region. Such sectoral politics and developments require a balance of ever-changing balance between national interests and international requirements of Pakistan. This is rendering its exercise of sovereignty to the level of defence and foreign policies to be more affected by locale-linked outlay of power and global tactical interests. (Khan et al., 2023)

**Table 1: Terrorist Attacks and Fatalities**

(Data since March 6, 2000, to Data till, July 15, 2024)

Year	Incidents of Killing	Civilians	Security Forces	Terrorists/Insurgents/Extremists	Not Specified	Total
<u>2000</u> *	65	137	8	20	1	166
<u>2001</u>	110	190	31	26	48	295
<u>2002</u>	103	148	20	65	24	257
<u>2003</u>	55	137	23	29	8	197
<u>2004</u>	168	347	208	302	68	925
<u>2005</u>	166	465	79	124	18	686
<u>2006</u>	317	541	301	568	56	1466
<u>2007</u>	531	1311	548	1271	464	3594
<u>2008</u>	1149	1796	647	3724	516	6683
<u>2009</u>	1665	2154	1012	7884	267	11317
<u>2010</u>	1246	1537	512	4945	348	7342
<u>2011</u>	1573	2371	674	2752	253	6050
<u>2012</u>	2347	2743	734	2444	267	6188
<u>2013</u>	2034	2713	665	1541	375	5294
<u>2014</u>	1569	1471	508	3268	263	5510
<u>2015</u>	950	866	339	2407	73	3685
<u>2016</u>	526	541	291	897	68	1797
<u>2017</u>	294	439	216	533	81	1269
<u>2018</u>	164	363	158	162	10	693
<u>2019</u>	136	142	137	86	0	365
<u>2020</u>	193	169	178	159	0	506
<u>2021</u>	268	215	226	223	0	664
<u>2022</u>	365	229	379	363	0	971
<u>2023</u>	527	386	532	584	0	1502
<u>2024</u>	394	263	307	371	4	945
<b>Total</b>	<b>16915</b>	<b>21674</b>	<b>8733</b>	<b>34748</b>	<b>3212</b>	<b>68367</b>

Data Source: <https://www.satp.org/datasheet-terrorist-attack/fatalities/pakistan>



Data Source: <https://www.satp.org/datasheet-terrorist-attack/fatalities/pakistan>

Fig: 1 Trend in Incidents of Killing and Fatalities by Group (2000-2024)



Data Source: <https://www.satp.org/datasheet-terrorist-attack/fatalities/pakistan>

### 8. Reassessing Pakistan’s Sovereignty in the Era of Global Governance

In the present international system, the sovereignty in Pakistan is no longer comprehensible in absolute or conventional Westphalian terms. Rather, it is becoming more and more about a functional image of sovereignty whereby the state authority is extremely exercised in complicated international legal and institutional structures. The sovereignty under this model is not determined by independence without external influence, but through the ability to address the national interests in collaboration, bargaining and adherence to the international standards. This move toward functional or absolute sovereignty can be seen through Pakistan being a member of the global institutions, the treaty regimes, and the multilateral arrangements. Pakistan makes adjustments to the global governance patterns by voluntarily accepting international commitments in aspects of trade, security, finance and human rights. It is not the process which is bound to lead to the loss of sovereignty, but it is a strategy adaptation to the facts of interdependence, in which successful statehood is the one which is involved in the interaction with the international world (Afzal & Mushtaq, 2024).

The involvement in the world governance structures has given Pakistan a number of valuable gains that have contributed to the political stability and economic growth of the country. Participation in global financial institutions helps access external finance, technological support and building the complex, which is necessary to overcome fiscal difficulties and infrastructural requirements. The collaboration towards security and other counter-terrorism programs improves the ability of the Pakistani government to address

transnational challenges and domestic peace. Their incorporation in the international trade regimes provides the opportunity to engage in market access, export growth and foreign investment, hence promoting economic growth. Moreover, participation in the international legal systems and dispute settlement mechanisms provides some legal security and predictability of interstate and business relations. This has enhanced the strengths of Pakistan in the international system and assists in offsetting constraints of international regulations and commitments. By virtue of its active involvement, Pakistan can also influence the process of making decisions, as well as protecting its interests in multilateral institutions. Despite these advantages, Pakistan is not spared as it encounters a lot of challenges in exercising its sovereignty in the context of global governance. The issue of external conditionalities that are issued in conjunction with financial support, development, and security cooperation is one of the largest ones, since they tend to limit domestic policy options. The strong states and global bodies could exert pressure on Pakistan that shapes its stands on matters of important issues, and this restricts the flexibility of its diplomacy. Unequal power relations in the global institutions also disadvantage the developing states since, in many instances, the decision-making process is usually monopolised by economically and politically superior players. Moreover, the international standards cannot be complied with without significant administrative, financial and institutional resources, which are expensive to implement in states without sufficiently large capacity. These dilemmas pose asymmetrical demands in the eyes of which Pakistan strives to keep the national priorities in step with the international demands. Being a developing country, it constantly has to contend with these forces, but in the process, tries to maintain its independence and enhance sustainable development. In this regard, reevaluating sovereignty entails the realisation of both possibilities and constraints of international transactions and coming up with measures to extricate national interests in a global order configuration (Zaidi et al., 2024).

### **9. Theoretical Perspectives**

Using alternative theoretical approaches in international relations and international law, it is easier to comprehend the notion of sovereignty and its change in the modern international system. The realist school of thought focuses on the persistence of the central role of state power and national interest in international affairs. In a realist view, sovereignty is not lost in the least since states still have the final say in their central political and security matters. The international institutions or international law are seen as something to express the interests of the mighty states and not as autonomous curbing bodies. Under this perspective, international rules are only complied with when it serves the national interests, and states are ready to violate the law in case of national security or strategic interests. Applicable in the case of Pakistan, the realists would say that, however, the state is engaged in global schemes of governance, the state still focuses on the territorial integrity, military power and strategic independence, especially in the regional security and defence strategies (Shah & Khan, 2023).

On the contrary, the liberal institutionalisms approach puts more emphasis on the influence of international institutions and international law that facilitates cooperation and stability. Under this strategy, institutions lessen the uncertainty and enhanced sharing of information, as well as establish predictable models of interaction among states. Instead of undermining sovereignty, the involvement of joining international organisations is perceived as a way of reinforcing the collective and effective sovereignty. Through the decentralisation of some powers, states can accomplish what would otherwise be hard to or impossible to do on their own. In this perspective, international law is a means of dealing with interdependence and the peaceful resolution of conflicts. In the case of Pakistan, liberal institutionalisms would focus on the positive

aspects of interaction with the United Nations, the World Trade Organisation, and international financial institutions as the means of facilitating economic development, security collaboration, and diplomatic influence. Pakistan, through institutional participation, enhances its ability to defend the national interests under the rules-based international order.

Critical and postcolonial approaches provide a more cynical version of sovereignty and global governance, especially through the prism of developing states. The theories on these approaches hold that the existing international legal and institutional orders are based on historical relationships of power that bore their origins in colonialism and imperialism. Owing to this, world government systems might recreate inequality and dependency relations instead of encouraging real equality among nations. The interests and values of the developed countries are often incorporated in the design of international norms, economic policies, and other regulatory standards so that the weaker states are overburdened. In this view, policy autonomy of nations like Pakistan can be curtailed by mechanisms like financial conditionalities, trade policies and security systems and structural disadvantages are aggrandised. This leads to the fact that critical scholars put in doubt whether in modern times sovereignty is really equal statehood or simply a cover-up of existing hierarchies. The case of Pakistan explains that such strategies attract attention to the issues of working through the global systems that can limit the developmental choices and reproduce unbalanced relations of the international order (Ahamed, 2025).

#### **10. Discussion**

A re-thinking of the sovereignty of Pakistan in the context of the subject of public international law will demonstrate that the Westphalian freedom and global rule is not a linear and homogenous change. Instead of marking a mere degradation of the power of the state, the formation of sovereignty indicates a structural rearrangement of exercising power within an international system of networks.

It is doctrinally clear that sovereignty is deeply entrenched in the very provisions of the charter of the United Nations, especially sovereign equality, territorial integrity, and non-intervention. Pakistan remains a full legal personality of equal status to the international community. There is no international legal tool that has reduced its sovereign position. Nevertheless, there is a total change of the conditions under which the exercise of sovereignty takes place within the operational environment. The international institutions have become more and more influential in formulating domestic policies, particularly in the arenas of financial governance, trade regulation, security co-operation and human rights compliance.

The example of IMF conditions can be taken to explain the difference between formative sovereignty and autonomy in action. Although Pakistan voluntarily joins financial assistance programs, it has an economic weakness that restrains its bargaining ability at the bargaining table. This interaction implies that sovereignty in the modern order is not merely shaped by the doctrine of law but also based on structural power relations in world governance structures. The concept of sovereignty, however, cannot be applied solely and simply in legalistic terms, but it ought to be studied in the context of economic dependence and its location in political space.

On the same note, the interaction of Pakistan with the FATF compliance mechanisms shows the impact of the global regulatory bodies on the local legislation and practices of enforcement. The need to harmonise financial regulation with international law is indicative of a greater trend where there is harmonisation of regulation. The fact that such reforms enhance institutional capacity and financial transparency does not imply that these reforms do not reflect how global governance is infiltrating regions that were once considered domestic. Supervised compliance and normative oversight has therefore become the idea of



non-intervention.

The element of security collaboration is even more complex. Counterterrorism institutions and drone strike scandals manifest conflicts between the concerns of territorial integrity and cross-border security requirements. Sovereignty exists in such situations as a shield and as a bargaining tool. Pakistan is a country that appeals to sovereignty to demonstrate its unwillingness to hand over its sovereignty, but at the same time, it collaborates in international security alliances. This duality suggests the adaptability of sovereignty, in which states can be in opposing and cooperative positions based on their strategic interests. These results can also be explained in terms of theoretical perspectives. According to the realists' theory, the decision-making power over the fundamental national interests of Pakistan, especially the decision-making power over defence and strategic partnerships, is in the end retained. On the other hand, liberal institutionalism posits that engagement in the global institutions positively increases effective sovereignty through the mobilisation of solving problems and the provision of resources. Critical and postcolonial approaches, however, reveal structural inequalities of global orders in that developing states tend to have unequal ratios of the cost of compliance and less influence on the rule-making processes. The applicability of this criticism is justified in the case of Pakistan due to the exposure to economic conditionalities and regulatory scrutiny.

The statistics on the acts of terrorism and loss of lives also help in putting the security dilemma in Pakistan in perspective of the debate over sovereignty. The constant internal and cross-border challenges dictate the need to collaborate at the international level, which supports the thesis that absolute sovereignty is unrealistic when it comes to solving the problems of transnational risks. Interdependence in security forces states to engage in common regulatory and intelligence systems, even though such systems bring about confusion with the ordinary concept of sovereignty.

In the end, the discussion proves that the definition of sovereignty in the twenty-first century can be viewed as controlled independence in the context of a multi-layered legal order. It is not extinguished and absolute. Rather, it is engaged in terms of negotiation, institutional involvement, and strategic adjustment. The experience in Pakistan is indicative of the general revolution in the existence of sovereignty in the law of international relations, that is, the elimination of exclusionary sovereignty, to systematised interdependence by legislation, strength and international collaboration.

This has a major implication that sovereignty must not be discussed only based on constraint but also based on capacity. The involvement in global governance can restrain the unilateral action, but it also provides more possibilities to stabilise economic conditions, to achieve influence by diplomacy and to cooperate in security. In the case of Pakistan, the difficulty is to build institutional capacities and legal capabilities to make international agreements to reinforce but not to refute the national interests.

It is in this respect that sovereignty can now serve as a process of flexible balance between independence and dependence, as such a balance that has to be handled strategically and not defensively maintained by clinging to old-fashioned absolutist paradigms.

## **11. Conclusion**

The Treaty of Westphalia brought an organisation of sovereignty to base modern international relations on the basis of the territorial integrity, non-intervention and political autonomy. This traditional notion has, however, changed as the years have gone by with the growth of public international law and world governance. The candidness of sovereignty is now no more and is practised through a network of international duties, institutions and political relations. In the case of Pakistan, this implies that the state

power is determined by the internal considerations as well as the international promises. This revolution is not the end of the sovereign power but instead its reinterpretation. Pakistan is still protecting and advancing its national interests through cooperation, compliance and involvement in international regimes. Despite some challenges posed by this model, it also gives the possibilities of developing economically, cooperating in security and engaging in international relations. Well-balanced involvement that will protect the interests of the nation and, at the same time, healthily interact with the global institutions will be critical to sustenance.

## References

- Afzal, M., & Mushtaq, S. A. (2024). Assessing the Realist Impasse in Pakistan's Foreign Relations and Its Impact on State Sovereignty. *Pakistan JL Analysis & Wisdom*, 3, 138.
- Ahamed, A. M. (2025). Revisiting Legal Sovereignty and Constitutional Supremacy: A Jurisprudential Re-evaluation in Postcolonial South Asia. *Revisiting Legal Sovereignty and Constitutional Supremacy: A Jurisprudential Re-Evaluation in Postcolonial South Asia (August 14, 2025)*. <https://www.academia.edu/download/124264402/569888.pdf>
- Akilli, E. (2025). The Transformation of Sovereignty in the Technopolar World. In E. Akilli, *Cognitive Diplomacy and Digital Autonomy* (pp. 31–51). Springer Nature Switzerland. [https://doi.org/10.1007/978-3-032-04470-9\\_3](https://doi.org/10.1007/978-3-032-04470-9_3)
- Amin, M., & Hasan, K. (2024). Global Constitutionalism, Human Rights, and the Preamble to Pakistan's Constitution. *Legal Transformation Muslim Soc'y*, 1, 107.
- Bauder, H., & Mueller, R. (2023). Westphalian Vs. Indigenous Sovereignty: Challenging Colonial Territorial Governance. *Geopolitics*, 28(1), 156–173. <https://doi.org/10.1080/14650045.2021.1920577>
- Cekh, M. (2025). From Territorial to Information Sovereignty: The Evolution of Statehood in International Law. *Український Політико-Правовий Дискурс*, (14). <https://doi.org/10.5281/zenodo.17130590>
- Chukwu, R. D. (2022). A Review of International Law and Treaty Relationship in International Relations. *International Journal of Comparative Studies in International Relations and Development*, 8(1), 92–104.
- Dantata, B. S. (2025). THE IMPACT OF GLOBALISATION ON NATIONAL SOVEREIGNTY: A COMPARATIVE STUDY OF DEVELOPED AND DEVELOPING COUNTRIES. *ESUI Journal of Politics and Administrative Studies*, 2(2), 1–9.
- Hasan, A. M. (2026). Rethinking Sovereign Equality of States in International Law: Normative Claims and Practical Realities. *Akademik Tarih ve Düşünce Dergisi*, 13(2).
- Martinez, M. M. M. (2023a). *National sovereignty and international organizations* (Vol. 25). Martinus Nijhoff Publishers. [https://books.google.com/books?hl=en&lr=&id=xsf7EAAAQBAJ&oi=fnd&pg=PR3&dq=Evolution+of+Sovereignty+in+Public+International+Law++The+United+Nations+System&ots=e7T3D-S5kw&sig=sotbA6oIl22t\\_SikJew7h2lg-9l](https://books.google.com/books?hl=en&lr=&id=xsf7EAAAQBAJ&oi=fnd&pg=PR3&dq=Evolution+of+Sovereignty+in+Public+International+Law++The+United+Nations+System&ots=e7T3D-S5kw&sig=sotbA6oIl22t_SikJew7h2lg-9l)
- Martinez, M. M. M. (2023b). *National sovereignty and international organizations* (Vol. 25). Martinus Nijhoff Publishers. <https://books.google.com/books?hl=en&lr=&id=xsf7EAAAQBAJ&oi=fnd&pg=PR3&dq=Global+Governance+and+Its+Impact+on+Sovereignty&ots=e7T3D-S7fz&sig=l2uMg4gyyio591oTv0MTtoHDZmaA>
- Moyo, G. (2024). World Bank, IMF, and WTO as Agents of Financial Imperialism. In G. Moyo, *Africa in the Global Economy* (pp. 41–59). Springer Nature Switzerland. [https://doi.org/10.1007/978-3-031-51000-7\\_3](https://doi.org/10.1007/978-3-031-51000-7_3)

- Nasir, M. (2025). Sovereignty and Survival: The Pakistani Context. *Journal of Development and Social Sciences*, 6(2), 337–345.
- Núñez, J. E. (2024). State Sovereignty: Concept and Conceptions. *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique*, 37(7), 2131–2150. <https://doi.org/10.1007/s11196-024-10170-y>
- Roy, M. I., Rehman, A., & Bakar, A. (2022). Pakistan-US Engagement in War on Terror and Its Implications for Pakistan's Sovereignty: An Appraisal of Indian Ocean Geo-Politics during 2001-2020. *South Asian Studies*, 37(02), 267–278.
- Ruiz, R. R. (2025). The borders of Asia: The limitations of the Westphalian model. *Janus*, 16(1). <https://janusnet-ojs.autonoma.pt/index.php/janus/article/view/181>
- Shah, H. J., & Khan, A. (2023). Globalization and nation states—Challenges and opportunities for Pakistan. *Social Sciences & Humanities Open*, 8(1), 100621.
- Simma, B., Khan, D.-E., Nolte, G., & Paulus, A. (2024). *The Charter of the United Nations: A commentary*. Oxford University Press. [https://books.google.com/books?hl=en&lr=&id=VkkSEQAAQBAJ&oi=fnd&pg=PP15&dq=United+Nation+Charter+and+Sovereignty+&ots=gNtEzAXNtw&sig=zym2ZpLW5jpfKZ0p7kJWyjMO\\_ig](https://books.google.com/books?hl=en&lr=&id=VkkSEQAAQBAJ&oi=fnd&pg=PP15&dq=United+Nation+Charter+and+Sovereignty+&ots=gNtEzAXNtw&sig=zym2ZpLW5jpfKZ0p7kJWyjMO_ig)
- Volk, C. (2022). The Problem of Sovereignty in Globalized Times. *Law, Culture and the Humanities*, 18(3), 716–738. <https://doi.org/10.1177/1743872119828010>
- Warikoo, K. (2016). Central Asia and South Asia: Opportunities and Challenges. *India Quarterly: A Journal of International Affairs*, 72(1), 1–15. <https://doi.org/10.1177/0974928415618751>
- Zaidi, A. R., Pathan, M. S. K., Junejo, H. A., Sohu, N., & Zardari, H. A. (2024). Navigating globalization: Pakistan's sovereign state challenges and emerging opportunities. *International Research Journal of Management and Social Sciences*, 5(2), 547–561.