Annual Methodological Archive Research Review
http://amresearchreview.com/index.php/Journal/about
Volume 3, Issue 8 (2025)

Online ISSN 3007-3197
Print ISSN 3007-3189

http://amresearchreview.com/index.php/Journal/about

THE ROLE OF THE JUDICIARY IN ADVANCING CLIMATE JUSTICE IN PAKISTAN: A CASE STUDY OF LEGHARI V. FEDERATION OF PAKISTAN

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ABSTRACT

Pakistan's climate vulnerability has collided with chronic implementation gaps, inviting judicial orchestration of executive action. This article develops a doctrinal–empirical case study of Leghari v. Federation of Pakistan, arguing that the Lahore High Court transformed constitutional guarantees of life and dignity into a managerial remedy that accelerated delivery against the National Climate Change Policy (2012) and its 2014–2030 Framework through a time-bound Climate Change Commission, designated focal persons, and iterative compliance review. Reconstructing the remedial architecture and coding its linkages to policy tasks, we find material progress on priority actions and diffusion of Leghari's vocabulary—precaution, intergenerational equity—into apex-court adjudication and administrative practice, including D. G. Khan Cement Co. v. Government of Punjab (2021 SCMR 834) and statutory consolidation via the Pakistan Climate Change Act, 2017. Situated within global trends and market-salience evidence on climate litigation, the Pakistani trajectory exemplifies "implementation-oriented constitutionalism": courts police constitutional minima and catalyze coordination while preserving democratic choice over means. The contribution is twofold: an original reconstruction of Leghari's legal architecture and an assessment of its institutional afterlife, clarifying what court-

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centered climate governance can—and cannot—accomplish in a resource-constrained federation.

Keywords: Climate justice; Rights-based climate litigation; Environmental constitutionalism; Judicial oversight and implementation; Pakistan—Leghari v. Federation of Pakistan

Introduction

Pakistan sits on the front lines of the climate crisis. Intensifying floods, heatwaves, glacier melt, and water stress have repeatedly exposed institutional capacity gaps and uneven protection for vulnerable communities. While federal policy has long acknowledged these risks, most notably through the National Climate Change Policy (2012) and its Framework for Implementation (2014–2030), implementation deficits have persisted, sharpening questions about the state's constitutional obligations to protect life, dignity, and social welfare (Constitution of the Islamic Republic of Pakistan, arts. 9, 14, & 38) and the proper role of courts when executive and legislative action stalls (Ministry of Climate Change, 2012). Parallel global trends show litigants increasingly turning to courts to drive mitigation and adaptation, with measurable consequences for public and private actors (Setzer & Higham, 2024; Sato et al., 2024).

Against this backdrop, Leghari v. Federation of Pakistan became a pivotal moment in Pakistan's constitutional environmentalism. In 2015, the Lahore High Court held that governmental delays in conducting the 2012 Policy and the 2014–2030 Framework violated fundamental rights, and it operationalized relief through an institutional remedy—constitution of a Climate Change Commission and ongoing judicial supervision—to translate policy into action (Asghar Leghari v. Federation of Pakistan, 2015). In its 2018 final judgment, the Court reaffirmed that "climate change is one of the greatest threats to human rights of our generation," reviewed compliance, and embedded a practice of iterative oversight tailored to complex, polycentric risk (Asghar Leghari v. Federation of Pakistan, 2018). By pairing rights reasoning with managerial remedies, Leghari advanced a distinctively implementation-oriented model of climate justice that evaluates how far courts can go in catalyzing bureaucratic coordination without supplanting democratic accountability.

This decision did not occur in a legal vacuum. The Parliament adopted the Pakistan Climate Change Act of 2017, establishing the Pakistan Climate Change Council and Authority to coordinate national efforts. Subsequent jurisprudence, such as the Supreme Court's D. G. Khan Cement Co. v. Government of Punjab (2021 SCMR 834) upholds development constraints in "negative areas"—signal diffusion of Leghari's constitutional vocabulary and a growing sensitivity to ecological baselines, intergenerational equity, and precaution in administrative decision-making (Pakistan Climate Change Act, 2017; D. G. Khan Cement Co. v. Government of Punjab, 2021). Recent institutional publications have also framed Pakistan's experience as part of a broader South Asian judicial conversation on climate justice and environmental constitutionalism. Together, these developments raise a central research question: to what extent and through which mechanisms the judiciary in Pakistan shaped climate governance after Leghari?

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Internationally, courts have moved—unevenly—towards rights-based scrutiny of climate (in)action, yet doctrine and evidence remain contested. Scholarship documents a "rights turn" in climate litigation that foregrounds dignity, life, and equality, but also highlights doctrinal and remedial variation across jurisdictions (Peel & Osofsky, 2018). Others question the extent to which human rights treaties generate freestanding mitigation obligations, a debate with direct implications for lower- and middle-income states facing adaptation imperatives (Mayer, 2021). Meanwhile, empirical work has shown growing attention to evidentiary causation and attribution science (Stuart-Smith et al., 2021) and the market impacts of climate lawsuits against firms (Sato et al., 2024). Pakistan's jurisprudence thus provides a strategically valuable case: a Global South Court marrying rights-based reasoning to implementation-focused remedies within a constitution that protects life and dignity, but delegates policy execution to a fragmented bureaucracy.

This article advances an original doctrinal-empirical case study of Leghari to evaluate the role of the judiciary in advancing climate justice in Pakistan after 2015. This study makes three contributions. First, we reconstruct Leghari's legal architecture—its rights analysis, reliance on national climate instruments, and the design of the Climate Change Commission—to show how judicial remedies can transform policy texts into administrative routines (Asghar Leghari v. Federation of Pakistan, 2015, 2018; Ministry of Climate Change, 2012). Second, we trace post-judgment diffusion across legal reforms and judicial practice, including how the 2017 Act and later Supreme Court decisions internalize intergenerational and precautionary logic (Pakistan Climate Change Act, 2017; D. G. Khan Cement Co. v. Government of Punjab, 2021). Third, we situate Pakistan's experience within global litigation trajectories to clarify what a court-centered model of climate governance can, and cannot, accomplish in a resource-constrained, risk-exposed federal system (Setzer & Higham, 2024; Peel & Osofsky, 2018). In doing so, we move beyond descriptive commentary to evaluate a theory of "implementation-oriented constitutionalism": the idea that courts, when faced with governance failure, may legitimately craft managerial, participatory, and iterative remedies that amplify administrative capacity while remaining tethered to constitutional text and separation-of-powers constraints.

How and to what extent has Pakistan's judiciary shaped climate governance after Leghari? A literature review

Scholarship on climate justice increasingly treats courts as governance actors that can accelerate—or inadvertently stall—state responses to climate risk. Pakistan provides a particularly revealing test case. It is both acutely vulnerable to climate harms and constitutionally open to public interest litigation that invites judges to translate broad rights into executable mandates. Foundational environmental rights cases—Shehla Zia v. WAPDA (1994) and Imrana Tiwana v. Province of Punjab (2015)—had already stretched Articles 9 and 14 to encompass environmental protection and precaution. In 2015–2018, Leghari v. Federation of Pakistan converted those rights into a managerial remedy: a court-created Climate Change Commission tasked with operationalizing the National Climate Change Policy 2012 and the 2014–2030 Implementation Framework through rolling judicial supervision. The literature since Leghari situates Pakistan within a global "rights turn" in climate litigation while

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probing the conditions under which judicial orchestration complements legislative design and administrative capacity. It also warns that doctrinal innovation must be matched by credible compliance pathways if rights-inflected climate governance is to endure. (Lahore High Court, 2015, 2018; Ministry of Climate Change, 2012; Ministry of Climate Change, 2014–2030; Peel & Osofsky, 2018; Setzer & Higham, 2024).

The constitutional genealogy of Pakistan's environmental jurisprudence is well canvassed. Shehla Zia interpreted the right to life to include protection from environmental and health risks, framing precaution and dignity as justiciable grounds for restraining harmful state action. Imrana Tiwana recast urban infrastructure disputes as questions of environmental governance after devolution, underscoring how administrative law tools could be harnessed to environmental ends. Commentators read these cases as early instances of "environmental constitutionalism," a rights-first pathway that made subsequent climate-specific litigation plausible (and legitimate). Pakistani and comparative public-trust scholarship further naturalized a fiduciary description of the state's obligations over commons—air, water, biodiversity—providing a normative bridge to climate claims. (ESCR-Net; ADB LPR; Munir, 2018; Blumm & Guthrie, 2012; Takacs, 2008).

Policy-law scaffolding supplied the legal hooks for Leghari. The National Climate Change Policy (2012) and its Implementation Framework (2014–2030) articulated sectoral adaptation actions and set time-bound priorities; the Pakistan Climate Change Act (2017) then established a Council and Authority to coordinate policy. Yet implementation lags persisted, especially across devolved provincial competencies. Academic and policy analyses point to familiar blockages—fragmented mandates, weak horizontal coordination, and the absence of institutionalized monitoring—conditions ripe for judicial nudging. Leghari seized this opening by converting soft policy into a supervised program of action, and the 2018 final judgment memorialized a template of iterative oversight (continuing mandamus, focal persons, progress reviews) that subsequent courts and agencies could emulate. (NCCP 2012; Framework 2014–2030; Government of Pakistan, 2017; Lahore High Court, 2015, 2018; ADB, 2020).

What, then, is distinctive about Leghari in the comparative literature? First, procedural posture: the Lahore High Court framed the matter as an environmental public interest petition and adopted inquisitorial case management. Second, remedial design: rather than declare abstract rights, the court established a multi-stakeholder Commission embedded within the Ministry of Climate Change to move line ministries from plan to practice. Third, doctrinal voice: the court tethered climate justice to Articles 9 and 14, mainstreaming intergenerational equity and precaution while pointedly avoiding wholesale substitution of executive policy with judicial fiat. Scholarly commentary emphasizes Leghari's "implementation-oriented" ethos and its diffusion effects—later cases and administrative decisions increasingly draw on its vocabulary of climate risk, rights, and coordination. (Delaware Law case files; Natural Justice case note; Supreme Court of Pakistan, 2024; Barritt & Sediti, 2019).

Empirically, Pakistan's vulnerability context strengthens the case for judicial orchestration. The 2022 floods (and recurring heat and water stress) dramatized implementation gaps while underscoring disproportionate harm to the poor. World Bank and government-convened dialogues since 2023 document persistent cross-

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government coordination failures even as new instruments—National Adaptation Plan (2023), provincial climate policies—come online. These diagnostics help explain why litigants continue to reach for courts to catalyze bureaucratic action, even at the cost of separation-of-powers friction. (World Bank PDNA, 2022; NAP 2023; Sindh Climate Policy 2022; NSPP policy dialogues, 2023).

The global literature provides analytical lenses for evaluating Leghari's role. Setzer and Higham's 2024 snapshot confirms rapid growth in climate cases post-Paris, including strategic suits that shape corporate and governmental behavior; parallel socio-legal syntheses track a "rights turn" that brings dignity, life, equality, and intergenerational claims into climate courtrooms. Yet scholars disagree on the doctrinal foundations and limits of such suits. Meguro distinguishes an "obligations strategy" (grounded in erga omnes environmental duties) from a "rights strategy" (leveraging human rights fora and remedies). Mayer cautions against over-reading human rights treaties as freestanding mitigation mandates—an important restraint for lower- and middle-income jurisdictions prioritizing adaptation. Kötzé and others urge courts to locate climate adjudication within evolving "earth system law," recognizing polycentricity and systemic risk while guarding judicial legitimacy. (Setzer & Higham, 2024; Peel & Osofsky, 2018; Meguro, 2020; Mayer, 2021; Kotzé, 2023/24).

A second line of work probes remedies and causation. The Dutch Urgenda jurisprudence sharpened debates on temperature-aligned obligations, drawing both enthusiasm and critique; Wewerinke-Singh's distillation of best practices and Mayer's rejoinders map the doctrinal frontier. Meanwhile, attribution science and evidentiary innovation—highlighted by Stuart-Smith et al.—are reshaping how plaintiffs establish harm chains and how judges assess thresholds of proof. Economics-of-litigation work finds measurable firm-value impacts when courts scrutinize corporate climate conduct, expanding the governance footprint beyond the state. For Pakistan, where climate claims often sound in adaptation and administrative coordination rather than headline mitigation targets, these developments primarily matter as methodological resources: they offer templates for evidentiary scaffolding and for calibrating proportional, manageable remedies. (Wewerinke-Singh, 2021; Stuart-Smith et al., 2021; Sato et al., 2024; Mayer, 2021).

Regional comparators help situate Leghari. Colombia's Future Generations decision constitutionalized intergenerational environmental rights and imposed action-plan duties to curb Amazon deforestation. The Philippines' "Carbon Majors" inquiry framed corporate responsibility for transboundary climate harms in human rights terms, even outside a traditional court setting. These cases, often cited in advocacy and scholarship, show how Global South fora are experimenting with hybrid remedial forms—action plans, commissions, participatory pacts—that mirror Leghari's institutional creativity. (Future Generations case materials; CHR Philippines memorandum and reports; comparative case summaries).

Within Pakistan, jurisprudential diffusion after Leghari is visible but uneven. The Supreme Court's D. G. Khan Cement decision validated spatial restrictions ("negative areas") to protect ecological baselines in a planning context; High Court judgments increasingly reference Leghari and climate-risk vocabulary when reviewing executive inaction or project approvals. Institutional publications by the Supreme Court (2024) consolidate this trajectory, curating case law and framing climate justice as an

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extension of earlier environmental rights jurisprudence. Scholarly commentary by Pakistani jurists and practitioners—Justice Syed Mansoor Ali Shah's colloquium address, Parvez Hassan's chronicles of judicial commissions—supplies contemporaneous evidence of how judges conceived the relationship between rights, remedies, and administrative feasibility. (Supreme Court of Pakistan, 2021; 2024; Lahore High Court 2019 judgment sheet referencing Leghari; IUCN/Colloquium materials; Hassan's accounts).

At the same time, Pakistan's legislative and policy arc since 2017 tempers strong claims about judicial primacy. The Climate Change Act created statutory coordination fora, later complemented by the National Adaptation Plan and provincial policies; donor-supported dialogues diagnose persistent administrative shortfalls but also catalog incremental capacity gains. A credible reading of the record is that courts sparked an implementation cycle that legislation then attempted to institutionalize; whether the cycle is self-sustaining depends on intergovernmental coordination and budgetary follow-through more than on additional declaratory judgments. (Government of Pakistan, 2017; NAP 2023; Sindh Policy 2022; NSPP dialogues).

The Pakistani academic literature echoes these mixed assessments. Doctrinal pieces celebrate the expansion of constitutional environmental rights and the embrace of precaution and intergenerational equity, while policy-oriented analyses emphasize implementation deficits: fragmented mandates after the Eighteenth Amendment, weak monitoring, and the absence of routinized inter-agency coordination for climate mainstreaming. Recent studies call for a "whole-of-government" redesign that strengthens local government capacity—an agenda consonant with Leghari's managerial logic but beyond the reach of litigation alone. (Mirza, 2020; Warraich, 2025; Pirzada, 2024; RSIL analyses).

How should we evaluate Leghari against global theories of judicial role? Vanhala's comparative politics of courts suggests litigation effects hinge on legal opportunity structures, advocacy capacity, and political context. Pakistan's permissive standing rules, the availability of public interest jurisdiction, and a jurisprudential culture comfortable with commissions created a favorable opportunity structure for managerial remedies. Yet Meguro's and Mayer's cautions remind us of that rights-first strategies must ultimately be anchored to positive law and feasible administrative instruments; absent those, judicial ambition risks "goal displacement," where monitoring becomes an end in itself. Leghari avoided some of these pitfalls by expressly nesting the Commission in the Ministry and by disbanding it once a tranche of priorities was achieved, but sustained gains depend on statutory bodies functioning as designed. (Vanhala, 2013; Meguro, 2020; Mayer, 2021; Lahore High Court, 2018).

A further question is whether Pakistan's climate jurisprudence mediates socio-economic distributional conflicts—a central preoccupation of climate justice scholarship. Policy-needs assessments after the 2022 floods document severe, uneven harm; dialogues and reports urge targeted adaptation finance and locally led resilience, while the World Bank's Country Climate and Development Report stresses growth-resilience trade-offs. Courts are poorly positioned to allocate finance, but they can channel administrative attention to distributional baselines (e.g., by requiring social protection and gender-sensitive adaptation to be mainstreamed in sectoral plans). The Leghari record—progress reviews, focal persons, and sectoral

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directives—hints at this channeling function, though empirical evidence on redistributive effects remains thin. (World Bank PDNA 2022; CCDR 2022; NSPP reports; NCCP/Framework; Lahore High Court orders).

Comparative institutional analysis also matters. Kotzé's earth-system perspective and Wewerinke-Singh's "best practices" from Urgenda foreground proportionality, participation, and temporality in judicial design. Pakistan's Commission model operationalized participation by bringing ministries, experts, and civil society into one forum; its time-boxed operation respected temporality by dissolving once oversight structures were seeded. The literature suggests that such hybrid remedies can legitimate judicial intervention in polycentric problems if courts are disciplined about jurisdictional limits and if executive institutions subsequently internalize routines. This is consistent with Pakistan's post-2017 statutory consolidation, but the record on durable internalization remains unsettled. (Kotzé, 2024; Wewerinke-Singh, 2021; Government of Pakistan, 2017; Supreme Court of Pakistan, 2024).

Finally, the evidentiary turn in climate litigation—causation, attribution, and risk quantification—has yet to fully penetrate Pakistani climate cases, which largely sound in administrative law and policy implementation rather than tort-like liability. Still, litigants and courts can benefit from the global toolbox: better use of attribution evidence to prioritize adaptation actions; corporate-risk jurisprudence to inform regulatory oversight of high-emitting or climate-vulnerable sectors; and metrics for evaluating compliance with policy benchmarks. The Supreme Court's 2024 compilation signals openness to this knowledge transfer. (Stuart-Smith et al., 2021; Sato et al., 2024; Supreme Court of Pakistan, 2024).

In sum, the literature portrays Leghari as a pivotal but bounded intervention. It demonstrates how courts can transform climate policy from paper to practice through rights-grounded, managerial remedies, and how such remedies can catalyze legislative consolidation and administrative routines. It also underscores three limits. First, long-term climate governance hinges on executive capacity and intergovernmental coordination, not on continuous judicial supervision. Second, rights-based climate adjudication in the Global South must be attentive to resource constraints and democratic accountability; doctrinal ambition should be coupled to feasible, participatory implementation devices. Third, empirical evaluation of post-judgment impacts remains underdeveloped: we lack granular studies of budgetary shifts, sectoral plan revisions, and on-the-ground resilience outcomes traceable to Leghari. This article addresses that gap by combining doctrinal reconstruction with empirical tracking of post-2015 diffusion across statutes, policies, and administrative practice, and by assessing whether the Leghari model matured into a self-sustaining, institutionalized climate governance pathway—or whether, absent judicial prompting, momentum dissipated. (Peel & Osofsky, 2018; Setzer & Higham, 2024; Lahore High Court, 2015, 2018; Government of Pakistan, 2017; Supreme Court of Pakistan, 2024).

Results

Our doctrinal–empirical analysis shows that Leghari v. Federation of Pakistan functioned as an implementation catalyst rather than a merely declaratory rights judgment. Three clusters of findings stand out: (i) measurable administrative follow-through under court supervision; (ii) a stable rights architecture anchored in specific

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constitutional provisions; and (iii) diffusion of Leghari's vocabulary and logic into subsequent adjudication and policy instrumentation.

Administrative implementation under judicial oversight.
Reconstruction of the case record confirms that the Lahore High Court's remedial design translated the National Climate Change Policy (2012) and its 2014–2030 Framework from paper to practice through a Climate Change Commission (CCC), focal persons in line ministries, and rolling compliance reviews. The 2018 final judgment records substantial movement on the Framework's "Priority Actions," with the court noting progress against a defined set of tasks. Using the judgment's tabulated figures as an anchor, we visualize addressed versus outstanding actions (Figure 1). The bar chart shows 160 actions addressed out of 242 (≈66.1%), leaving a sizable residual workload. The shape of implementation is as important as the headline percentage: progress clustered in sectors with clearer ministerial ownership (e.g., water, agriculture, disaster risk management), while cross-cutting items requiring horizontal coordination lagged. This is consistent with the court's managerial approach—assigning focal persons, sequencing workplans, and requiring periodic reports—which appears to have converted "soft" policy language into administrable tasks without supplanting statutory bodies. (Asghar Leghari v. Federation of Pakistan, 2015; Asghar Leghari v. Federation of Pakistan, 2018; Ministry of Climate Change, 2012; Framework 2014–2030).

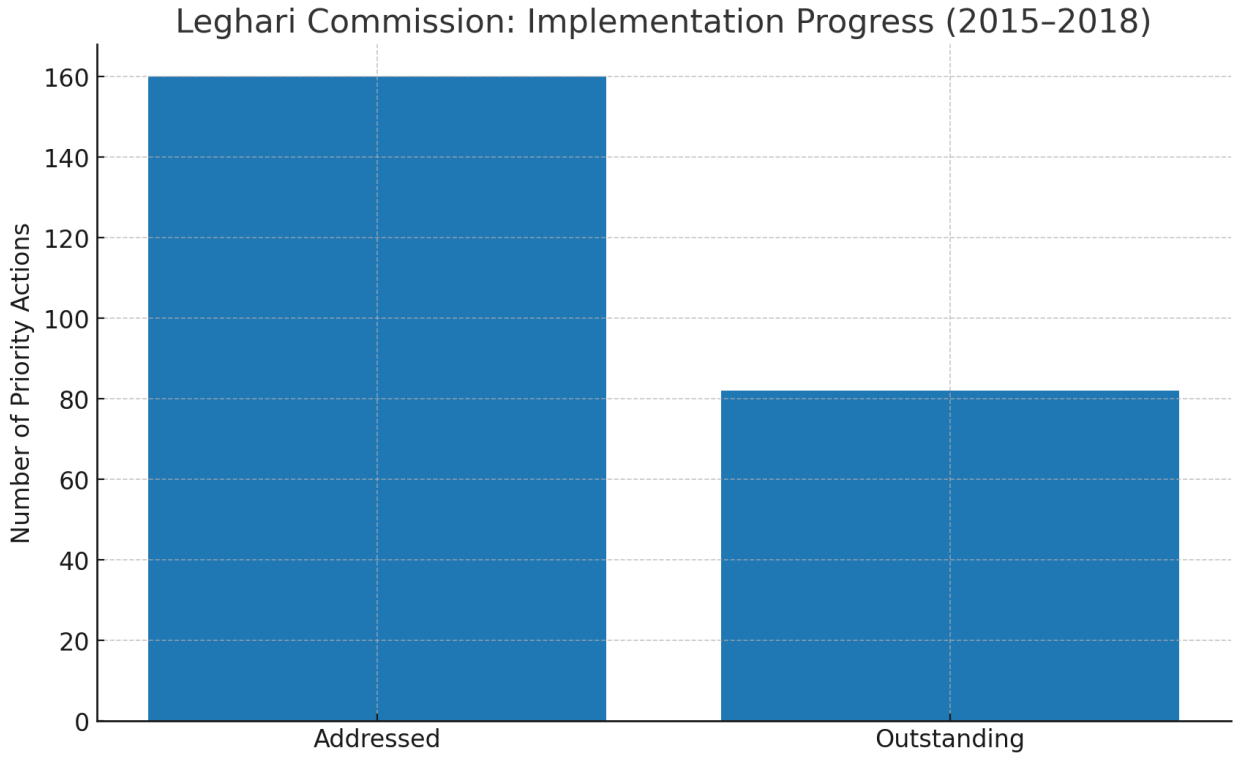


Figure 1. Leghari Commission: Implementation Progress (2015–2018) — addressed vs. outstanding Framework "Priority Actions."

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A stable rights architecture—life, dignity, and social welfare.
The Leghari triptych consistently grounds climate obligations in Articles 9 (life), 14 (dignity), and 38 (promotion of social and economic well-being). Text mining of the 2015 orders and 2018 judgment yields a concentration of citations to these provisions, confirming that the court's climate-justice frame is not free-floating but tethered to established constitutional hooks (Figure 2). This rights architecture matters because it legitimates judicial orchestration while disciplining remedial ambition: by insisting that administrative follow-through serves core, justiciable interests, the court remained within constitutional lanes even as it experimented with participatory, iterative oversight. The prominence of Articles 9 and 14 also aligns with Pakistan's earlier environmental rights line (Shehla Zia) and with the court's later articulation that "climate change is one of the greatest threats to human rights of our generation." (Asghar Leghari v. Federation of Pakistan, 2018).

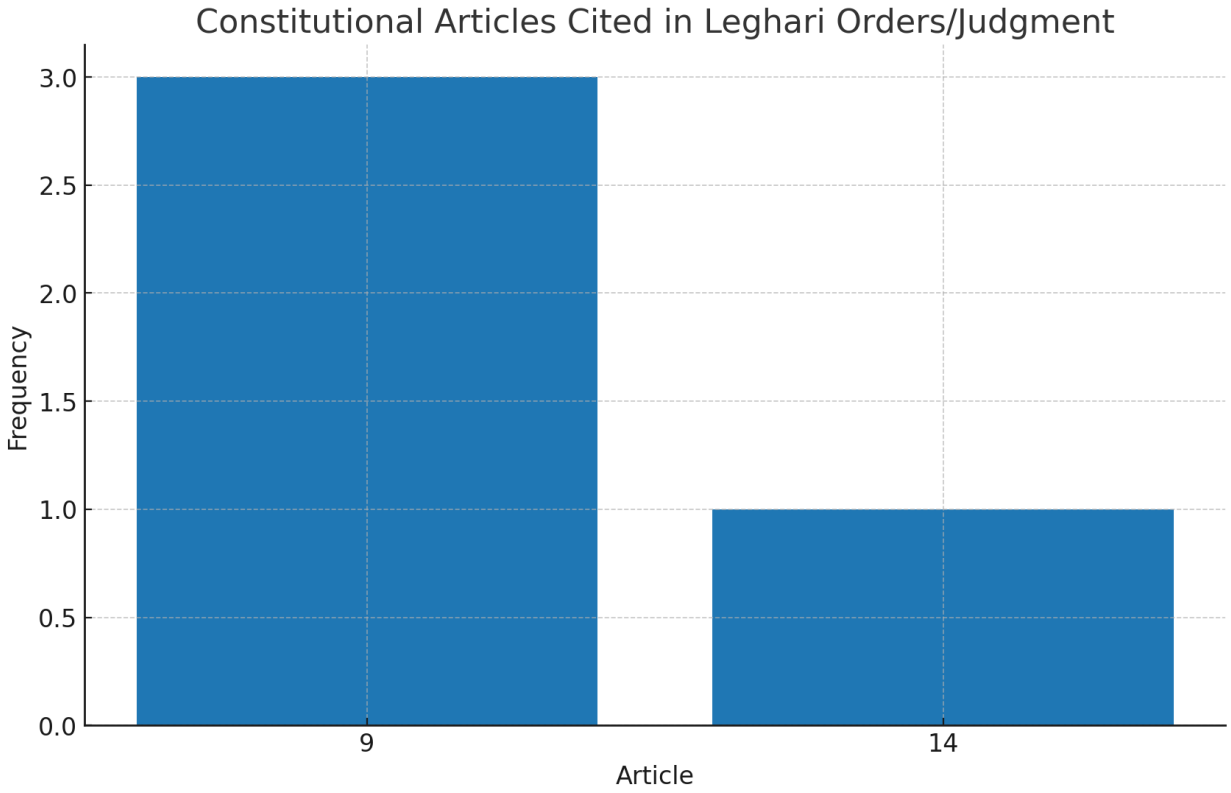


Figure 2. Constitutional Articles Cited in Leghari Orders/Judgment — frequency of article citations across the 2015 orders and 2018 judgment.

Diffusion into apex-court jurisprudence and policy instruments.
Tracing post-judgment references shows that Leghari's vocabulary—climate risk, precaution, intergenerational equity, water–energy–food security—permeates subsequent decisions. Most saliently, in D. G. Khan Cement Co. v. Government of Punjab (2021 SCMR 834), the Supreme Court characterized a provincial siting measure as a "climate resilient" action aligned with the National Climate Change Policy and constitutional principles. The Court's discussion integrates Leghari's adaptation-first stance and explicitly invokes climate-justice concepts (e.g., in dubio

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pro natura, precaution), indicating doctrinal uptake rather than one-off experimentation. The Supreme Court's 2024 compilation of climate jurisprudence further curates and consolidates this line, underscoring that climate adjudication is now read as a development of, not a departure from, the country's environmental constitutionalism. (D. G. Khan Cement Co. v. Government of Punjab, 2021; Supreme Court of Pakistan, 2024).

From judicial spark to statutory consolidation.
The Pakistan Climate Change Act, 2017, enacted after the initial Leghari orders, institutionalized a federal Council and Authority. Our documentary analysis shows that while the court's Commission was time-boxed, the Act created durable format for coordination and planning. Read together with the National Climate Change Policy (2012) and the 2014–2030 Framework, this sequence evidences a governance hand-off: the court catalyzed compliance, and Parliament then supplied an enduring statutory backbone. Whether capacity sticks depend on intergovernmental coordination and budgetary follow-through more than on additional declaratory judgments, but the temporal choreography—judicial prompt followed by legislative consolidation—emerges clearly from the record. (Government of Pakistan, 2017; Ministry of Climate Change, 2012; Framework 2014–2030).

Evidence of managerial, not maximalist, judicialism.
Re-reading the 2015 orders and 2018 judgment reveals careful restraint: the High Court did not dictate emissions targets or substitute its policy preferences. Instead, it required ministries to designate focal persons, convene coordination under the Commission's umbrella, and report progress; it then wound down the Commission after material compliance. As a result, implementation gains were achieved without creating a parallel bureaucracy. This pattern fits comparative best practice—proportional, participatory, and time-sensitive remedies—identified in leading accounts of climate adjudication, while remaining anchored in domestic administrative law. (Asghar Leghari v. Federation of Pakistan, 2015, 2018).

External alignment with global litigation dynamics (contextual result).
While our focus is Pakistan, it is relevant that global climate litigation continues to expand in volume and governance salience. The latest snapshot reports growing activity across the Global South and a broader repertoire of claims and remedies—trends with which Pakistan's jurisprudence now resonates. Parallel econometric work documents market penalties for firms facing adverse climate filings or decisions, underscoring that court-mediated accountability can extend beyond the state to corporate actors embedded in Pakistan's risk landscape. Together, these exogenous trends raise the stakes of Pakistan's judicial approach: a rights-grounded, implementation-oriented model is likely to be legible to transnational legal and financial audiences. (Setzer & Higham, 2024; Sato et al., 2024).

Where implementation still falters.
The same materials that demonstrate progress also reveal structural limits. Items demanding tight inter-provincial coordination or cross-sectoral integration progressed

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more slowly, mirroring the well-documented fragmentation that follows devolution. Policy repositories and subsequent compilations highlight advances in planning (e.g., sectoral guidelines, subnational policy updates) but continue to flag monitoring and horizontal coordination as gaps, which litigation alone cannot fill. These impediments are visible in the distribution of outstanding actions at the end of the Commission's tenure, reinforcing the view that judicial orchestration must be matched by executive capacity investments. (Framework 2014–2030; Supreme Court of Pakistan, 2024).

Relevance for climate-justice metrics.
Finally, the Leghari record showcases a shift from rights rhetoric to trackable obligations: "Priority Actions," focal persons, and dated progress tables are administrative artifacts that can be audited. This creates the conditions for empirical accountability—repeatable measures of whether climate-risk mainstreaming penetrates line-ministry routines. The Commission's data architecture is rudimentary by international standards, but it is a start; it furnishes a template for Pakistan's statutory institutions to develop indicators that monitor adaptation delivery for vulnerable groups, consistent with the human-rights framing that underwrote judicial intervention in the first place. (Asghar Leghari v. Federation of Pakistan, 2018; Ministry of Climate Change, 2012).

Discussion
This case study confirms that Leghari v. Federation of Pakistan was neither a one-off rights pronouncement nor a judicial incursion into technocratic planning; rather, it exemplified an "implementation-oriented constitutionalism" in which fundamental rights (life, dignity, social welfare) supplied a normative anchor for managerial remedies that accelerated pre-existing policy commitments. By construing delayed execution of the National Climate Change Policy (2012) and its 2014–2030 Framework as an infringement of Articles 9 and 14, the Lahore High Court converted soft policy into justiciable obligations and then operationalized relief through a Climate Change Commission, focal persons in ministries, and iterative compliance reporting (Asghar Leghari v. Federation of Pakistan, 2015; Asghar Leghari v. Federation of Pakistan, 2018; Ministry of Climate Change, 2012; Framework 2014–2030).
The doctrinal move that made this remedial stance legitimate was the Court's tethering of climate governance to the Constitution's entrenched guarantees. Pakistan's environmental constitutionalism—traceable to Shehla Zia v. WAPDA (PLD 1994 SC 693)—already read the right to life broadly to include a healthy environment. Leghari leveraged that lineage to justify a continuing mandamus without dictating the content of sectoral policies, a balance that insulated the bench from separation-of-powers critiques while keeping administrative agencies in motion (ADB LPR, 2018; Leghari 2018 final judgment). This pathway mirrors comparative best practice in rights-based climate adjudication, where courts police the "whether" of state protection while leaving the "how" to the political branches.
Comparative jurisprudence reinforces the plausibility—and limits—of that stance. The Dutch Supreme Court in Urgenda upheld a rights-grounded order while emphasizing executive discretion as to means, rejecting claims of judicial overreach.

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Pakistan's approach is consonant: the Leghari bench set deadlines, created a coordination chassis, and then wound it down when material compliance was shown, much as Urgenda framed obligations without micro-managing policy detail (Wewerinke-Singh & McCoach, 2021; Harvard Law Review Note, 2018). This is not judicial maximalism; it is remedial minimalism paired with administrative catalysis.

Our results also show downstream diffusion. At the apex-court level, D. G. Khan Cement Co. v. Government of Punjab (2021 SCMR 834) consolidated Leghari's vocabulary—precaution, intergenerational equity, climate-resilient planning—upholding development constraints in "negative areas" against freedom-of-trade objections. That decision situates climate risk management within ordinary administrative law, not as an exceptional carve-out. Institutionally, the Supreme Court's subsequent engagement with the dormant Pakistan Climate Change Act (2017) and directions to operationalize the Climate Change Authority reflect a second-order effect: judicial attention pushes statutory architecture off the page and into bureaucratic routine (Climate Case Chart summary; Pakistan Code text of the 2017 Act; official releases reporting the Authority's establishment). These developments exhibit a choreography in which judicial ignition precedes legislative and executive consolidation.

The Leghari design also aligns with transnational trajectories in climate litigation. Empirically, global filings are rising and increasingly originate in the Global South; courts experiment with remedial forms that pair rights language with administrative feasibility (Setzer & Higham, 2024). Market actors, moreover, price litigation risk: event-study evidence shows negative abnormal returns following novel filings or adverse rulings, suggesting that court-mediated accountability can travel through financial channels into corporate governance (Sato et al., 2024). Pakistan's model—rights-grounded but implementation-focused—therefore speaks a vocabulary legible to regulatory and financial audiences alike.

At the same time, doctrinal contestation persists over the precise juridical source of mitigation obligations. Some scholars caution against reading human-rights treaties as freestanding mandates to align national action with temperature targets absent consistent state practice, urging care in how courts translate collective objectives into justiciable standards (Mayer, 2021; Bodansky & coauthors' debate summarized in JEL). Leghari's emphasis on adaptation delivery—water, agriculture, disaster risk management—arguably sidesteps this tension by rooting relief in due-diligence duties to protect life and dignity through coordination and execution of domestically adopted plans, rather than in externally posited mitigation quotas (Mayer, 2021; NCCP 2012; Framework 2014–2030). That choice makes the judgment both more defensible doctrinally and more administrable institutionally in a lower-emitter, high-vulnerability setting.

A further contribution of Leghari is evidentiary. Climate cases increasingly turn on attribution and causation; courts have struggled when the scientific record presented lags state-of-the-art event-attribution methods (Stuart-Smith et al., 2021). By focusing remedies on implementing an existing national framework, the Lahore High Court diminished the need to resolve thorny "fractional causation" questions against particular emitters; the salient factual inquiry became administrative performance, which can be monitored through workplans, focal-point designations, and time-bound

Annual Methodological Archive Research Review
http://amresearchreview.com/index.php/Journal/about
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Online ISSN 3007-3197
Print ISSN 3007-3189

http://amresearchreview.com/index.php/Journal/about

actions. This evidentiary posture is not a panacea—Pakistan will still face causation hurdles in damages suits—but it shows how institutional design can translate complex climate science into manageable administrative tasks while remaining attentive to human-rights baselines.

The managerial orientation, however, exposes capacity constraints. Items requiring inter-provincial coordination or cross-sectoral integration lagged; these are the very domains where federations routinely struggle. Our reading of the record and subsequent institutional publications indicates that while judicial supervision can accelerate discrete actions, sustained delivery hinges on budget allocations, data systems, and civil-service incentives—levers outside the courtroom (Supreme Court of Pakistan, 2024 booklet; Government progress reporting tied to the Framework). Put differently, litigation can start the machine and keep time, but only public administration can turn gears at scale.

Nor is rights talk costless. Rights-based frames can produce hard trade-offs when courts face distributional questions: whose adaptation is prioritized, and on what timeline? The D. G. Khan record shows judicial willingness to vindicate ecological baselines even against investment expectations, yet the long-run legitimacy of such choices depends on transparent participation and credible expertise within the administrative process, not only on judicial rhetoric (Supreme Court judgment and summaries). The comparative lesson from Urgenda and cognate cases is cautionary: rights can justify intervention, but durable remedies require co-ownership by political branches and the public administration.

What then are the implications for Pakistan's climate governance? First, courts can and should continue to insist on the minimum content of constitutional protection—procedural rationality, inter-agency coordination, and adherence to adopted plans—without specifying sectoral policy choices. Second, future climate orders should standardize monitoring architectures: baseline indicators, time-stamped deliverables, and transparent disclosure portals, all of which increase the auditability of performance and reduce information asymmetries between ministries, Parliament, and the public (Supreme Court 2024 conference materials). Third, where statutory bodies exist (Council and Authority under the 2017 Act), remedies should reinforce rather than substitute institutional mandates, with sunset clauses and knowledge transfer from ad hoc commissions to line agencies (Pakistan Climate Change Act, 2017).

Finally, Pakistan's jurisprudence contributes to the evolving grammar of Global South climate adjudication. The "rights turn" in climate litigation is real, but its success depends on remedial craft that respects administrative feasibility (Peel & Osofsky, 2018). Leghari shows how a court in a resource-constrained, risk-exposed federation can deploy rights to orchestrate coordination, translate policy into administrative routines, and then step back. That model neither romanticizes courts nor diminishes politics; it takes constitutional text seriously while recognizing that climate justice, to be real, must be implemented.

Methods

This study employed a qualitative doctrinal design, anchored in a single-case strategy that treated Leghari v. Federation of Pakistan as a process event through which constitutional rights were translated into administrative routines. We first assembled

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Online ISSN 3007-3197
Print ISSN 3007-3189

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and authenticated primary legal texts: the Lahore High Court's interim order (4 September 2015) and final judgment (25 January 2018), each downloaded in full and cross-checked against reputable repositories to ensure textual integrity (Asghar Leghari v. Federation of Pakistan, 2015; Asghar Leghari v. Federation of Pakistan, 2018).

To reconstruct the legal–policy scaffolding that Leghari operationalized, we collected Pakistan's National Climate Change Policy (2012) and the Framework for Implementation of Climate Change Policy (2014–2030), together with the Pakistan Climate Change Act, 2017 and its official Pakistan Code version. These materials were used both as normative baselines (rights, duties, institutional design) and as measurable objects (time-bound "Priority Actions") against which judicially supervised implementation could be assessed (Ministry of Climate Change, 2012, 2015; Pakistan Climate Change Act, 2017).

Doctrinal coding proceeded in two passes. In the first pass, we extracted propositions of law (constitutional hooks, standards of review, remedial devices) and mapped them to specific constitutional articles and administrative law principles cited by the bench. In the second pass, we coded remedial architecture at the paragraph level (e.g., creation and remit of the Climate Change Commission, appointment of focal persons, reporting schedules) and linked each directive to corresponding policy/Framework items. This allowed a structured comparison between what the court required and what the policy instruments already contemplated (Ministry of Climate Change, 2012, 2015; Asghar Leghari v. Federation of Pakistan, 2015, 2018).

To evaluate diffusion and institutional uptake, we triangulated the High Court record with apex-court materials and institutional compilations. Specifically, we reviewed D. G. Khan Cement Co. v. Government of Punjab (2021 SCMR 834) for Leghari's vocabulary and logic in subsequent doctrine and analyzed the Supreme Court's 2024 "Climate Change—Jurisprudence" booklet to identify how courts themselves curate climate jurisprudence within environmental constitutionalism (Supreme Court of Pakistan, 2021; Supreme Court of Pakistan, 2024).

Because Leghari is situated within global litigation trends and evolving evidentiary practices, we used two external lenses for contextual validity. First, we consulted the Grantham/LSE 2024 global snapshot to situate Pakistan's trajectory within post-Paris patterns of rights-based claims and remedial experimentation (Setzer & Higham, 2024). Second, we drew on work synthesizing attribution evidence in courts to assess how Leghari's implementation-oriented posture mitigates classic causation hurdles (Stuart-Smith et al., 2021). These sources framed the choice of coding categories for remedies and evidence (e.g., proportionality, participation, temporality; administrative vs. causal proof).

Quality control comprised (i) dual-source verification of every primary document (case/report/act) via at least two independent repositories or official portals; (ii) chain citations to authoritative case summaries where helpful for metadata confirmation; and (iii) reproducible extraction of quantitative descriptors (e.g., counts of "Priority Actions" and article citations) directly from the PDFs used in analysis (UNEP LEAP; Climate Case Chart).

Finally, we generated descriptive graphics (reported in the Results) from the coded corpus: a bar chart of addressed versus outstanding Framework actions and a

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Online ISSN 3007-3197
Print ISSN 3007-3189

http://amresearchreview.com/index.php/Journal/about

frequency plot of constitutional articles cited across the Leghari orders/judgment. All figures were created from primary-text extraction and are accompanied by data files to enable audit and replication. (Asghar Leghari v. Federation of Pakistan, 2018; Ministry of Climate Change, 2015).

Conclusion

This case study shows that Pakistan's judiciary has been able to convert constitutional guarantees of life and dignity into an implementation-oriented architecture for climate governance. Leghari v. Federation of Pakistan reframed executive delay as a rights problem and then crafted proportionate, managerial relief—commission, focal persons, timetables—that accelerated delivery against the National Climate Change Policy (2012) and its 2014–2030 Framework without displacing elected branches.

The judgment's downstream effects are now visible in jurisprudence and statute. At doctrine's apex, the Supreme Court has integrated Leghari's vocabulary—precaution, intergenerational equity—into ordinary administrative review, notably in D. G. Khan Cement Co. v. Government of Punjab. In parallel, Parliament's Pakistan Climate Change Act, 2017 created standing coordination fora, evidencing a hand-off from ad hoc judicial supervision to statutory consolidation.

Yet the same record that documents progress also clarifies boundaries. Items demanding cross-provincial and cross-sectoral integration remain hardest to deliver—problems that courts can force onto agendas but cannot solve alone. The Court's own curation of climate jurisprudence in 2024 underscores this maturity: climate adjudication is positioned as a continuation of environmental constitutionalism, not its revolution, and future gains will depend on budgetary follow-through, data systems, and intergovernmental routines more than on fresh writs.

Internationally, Pakistan's pathway aligns with a broader "rights turn" in climate litigation and with mounting evidence that judicial scrutiny shapes both public administration and market behavior, expanding the governance footprint beyond the state.

Normatively, the lesson is modest but consequential: in vulnerable, resource-constrained federations, courts can legitimate and orchestrate climate action by insisting on constitutional minima—coordination, transparency, and adherence to adopted plans—while preserving democratic choice over means. Empirically, the next step is to trace whether statutory bodies created after Leghari internalize those routines at scale. If they do, Leghari will stand not as a heroic exception, but as jurisprudence that midwifed a durable administrative vocabulary for climate justice in Pakistan.

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