

NAVIGATING MULTIPOLAR FAULT LINES: PAKISTAN'S LEGAL AND TACTICAL DIPLOMACY AMIDST REGIONAL CONFLICTS AND GLOBAL POWER SCUFFLES

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Abstract

The accelerating shift toward a multipolar international order has reshaped the global legal landscape, producing fragmented enforcement, contested norms, and asymmetrical power structures that weaken the authority of traditional institutions. As great powers increasingly invoke or disregard legal principles based on strategic convenience, middle powers such as Pakistan face heightened vulnerability, particularly amid escalating crises in the Middle East and South Asia. This paper analyses Pakistan's foreign policy challenges within this fragmented order. Drawing on doctrinal jurisprudence, treaty law, and contemporary case studies, it argues that Pakistan must adopt a structured model of legal statecraft, one that integrates proactive litigation, treaty-based mechanisms, soft-law instruments, and multilateral coalition-building. By institutionalizing legal diplomacy and strengthening its capacity to engage international courts, advisory processes, and coordinated alliances, Pakistan can enhance its sovereignty, reinforce normative credibility, and assert itself as a principled actor within an increasingly contested multipolar system.

Keywords: Multipolar World Order, Pakistan's Foreign Policy, Legal Diplomacy, Strategic Balancing, Geostrategic Challenges, India-Pakistan Tensions.

Introduction

The contemporary international system is undergoing a profound structural transition marked by the erosion of the comparatively predictable norms that once defined the post-Cold War unipolar order. The era of American preeminence supported by robust multilateral institutions¹, enforceable treaty regimes, and relatively coherent interpretations of international law has gradually weakened.

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In its place, a fragmented multipolar landscape has emerged in which rising powers such as China, Russia, India, and influential Gulf actors assert their own legal and geopolitical preferences. As a result, global governance now suffers from uneven enforcement, doctrinal ambiguity, and increasing susceptibility to power-driven manipulation. While the formal architecture of international law remains intact, its practical application has become selective, contested, and often subordinated to strategic calculation rather than principled adherence.²

This transition has direct implications for middle powers, which rely more heavily on the stability of legal norms than great powers. Pakistan, positioned at the nexus of South Asian rivalry, Middle Eastern volatility, and shifting great-power alignments, is particularly exposed. Its security interests depend disproportionately on the integrity of treaty systems, the coherence of *jus ad bellum* principles³, and the restraint imposed by international institutions. Recent events, including Israel's 2025 strikes on Iranian nuclear facilities, India's attempted suspension of the Indus Waters Treaty and cross-border operations, and the recurring paralysis of the UN Security Council during crises affecting Muslim-majority populations, demonstrate how selective legal interpretation disproportionately disadvantages states without substantial coercive leverage.

Yet these crises also illuminate a strategic opportunity. In a fragmented order, states capable of deploying legal tools with precision, initiating or joining international litigation, mobilising advisory opinions, coordinating multilateral advocacy, and articulating clear doctrinal positions can influence outcomes even without material dominance. Legal authority becomes a currency of its own: one that can shape norms, constrain adversarial narratives, and elevate a state's international profile.

Against this backdrop, this paper advances two central arguments. First, the rise of multipolarity has not merely redistributed power; it has fundamentally altered the character of international legal enforcement, replacing uniformity with selective invocation shaped by geopolitical asymmetry. Second, Pakistan must adapt to this landscape by moving beyond conventional diplomatic signalling and embracing a structured model of legal statecraft.

Through theoretical analysis and detailed case studies, this paper demonstrates how Pakistan can leverage legal mechanisms to safeguard its sovereignty, reinforce treaty stability, and contribute to normative coherence in a deteriorating legal environment.

Multipolarity and the Fragmentation of International Law

Multipolarity, characterized by the distribution of global influence among several major powers, has long been recognized in international relations theory as a structure that both enables pluralism and generates instability.⁴ Classical balance-of-power theorists argued that when multiple states possess relatively comparable capabilities, alliances tend to shift fluidly, as states constantly reassess threats and opportunities.⁵ Contemporary realist scholars such as Kenneth Waltz and John Mearsheimer extend this logic, suggesting that multipolar systems produce uncertainty not only because power is dispersed but because intentions become increasingly challenging to infer.⁶ In such a system, states rely more heavily on self-help strategies and are more likely to hedge against potential adversaries.

From an institutionalist perspective, scholars, including Ikenberry, argue that multipolarity⁷ complicates the maintenance of rule-based orders. Institutions depend on stable leadership and shared strategic visions, both of which weaken when power is fragmented. As multiple centres of influence emerge, they bring differing interpretations of international norms, thereby reducing predictability in global governance. Legal theorists further add that multipolarity decentralises the production and interpretation of norms.⁸ Instead of a single hegemon setting legal expectations, multiple actors assert interpretive authority.⁹ This diffusion leads to divergent legal doctrines, especially on sovereignty, intervention, and self-defence.

This theoretical grounding explains the current erosion of U.S. normative dominance.¹⁰ As American influence wanes, states such as China and Russia articulate alternative models of global order: one emphasizing sovereignty, non-interference, and civilizational pluralism.¹¹ India increasingly asserts its own regional legal interpretations¹², while Gulf States leverage strategic autonomy to mediate conflicts and influence humanitarian norms.¹³ The cumulative effect is a reconfiguration of global legal authority: states no longer accept a single framework for defining legality, and multiple powers actively contest existing interpretations.

The International Law Commission (ILC) identifies fragmentation¹⁴ as a defining challenge of contemporary international law. Fragmentation occurs when specialized legal regimes emerge within distinct functional areas such as trade, security, environmental protection, and human rights, creating overlapping or conflicting obligations. In a multipolar world, this functional division is matched by geopolitical pluralism: different blocs prioritise different legal norms, rely on different precedents, and interpret core principles according to strategic need.¹⁵

Fragmentation manifests sharply in the selective enforcement of norms. Several mechanisms drive this selectivity:

- Veto based paralysis of the UNSC: Great powers frequently block resolutions¹⁶ that conflict with their geopolitical interests, immobilising enforcement mechanisms.
- Strategic invocation of Article 51: States increasingly justify offensive or pre-emptive actions as self-defence¹⁷, expanding the doctrine beyond its traditional legal boundaries.
- Selective recognition of sovereignty: Territorial disputes, secessionist claims, and occupation law are interpreted differently depending on alliance structures.
- Variable interpretations of humanitarian law: Conflicts in Gaza, Yemen, Ukraine, and Nagorno-Karabakh demonstrate inconsistent application of proportionality¹⁸, distinction, and civilian-protection norms.
- Politicised treaty implementation: States selectively comply with or suspend treaty obligations when such actions align with national strategy.

The Gaza conflict illustrates fragmentation vividly. Legal principles concerning occupation, collective punishment, proportionality, and genocide prevention have generated competing interpretations across geopolitical blocs.¹⁹ Western states emphasise Israel's security concerns, whereas Russia, China, and most Global South states frame the conflict through humanitarian law and occupation principles. The Ukraine conflict presents an inverse pattern: Western states foreground territorial integrity, while others highlight historical grievances and security dilemmas.²⁰

These divergent interpretations reveal that legality is no longer grounded primarily in doctrine but is increasingly shaped by political alignment. In a multipolar environment, norms evolve not through consensus but through contestation among competing legal narratives. Middle powers operate within structural constraints imposed by great-power politics. Their legal claims gain international traction only when supported by multilateral coalitions or when aligned with the strategic interests of influential states. Pakistan's experience reflects this reality. Whether addressing the Kashmir dispute, cross-border military escalations, or humanitarian crises in Gaza, Pakistan encounters limitations arising from the UNSC inaction and geopolitical bloc politics.

However, fragmentation also opens new avenues. As great powers contest legal narratives, middle powers can leverage soft-law mechanisms, advisory opinions, and treaty arbitration to amplify their positions.²¹ Increasing reliance on the International Court of Justice (ICJ), the International Criminal Court (ICC), and the UN General Assembly—authorised advisory opinions reflects a broader shift toward dispersed legal pathways.²²

Yet the opportunity lies in Pakistan's ability to reposition itself as a state that strategically uses international law, building coalitions, invoking *erga omnes* obligations, presenting treaty-based claims, and supporting global advocacy on issues such as Gaza, Kashmir, or cross-border strikes. Therefore, Pakistan's foreign policy must evolve from reactive diplomacy to structured legal-statecraft. This requires doctrinal clarity, institutional capacity, and a deliberate effort to embed international law within strategic planning.²³ Only through such an approach can Pakistan navigate the fragmented legal environment of multipolarity and assert itself as a credible actor in shaping global norms.

The Iran–Israel–US Escalation: Normative Challenges and Legal Analysis

The June 2025 Israeli strikes on Iranian nuclear facilities marked a pivotal escalation in Middle Eastern security dynamics, testing the boundaries of contemporary international law, the non-aggression norm, and the credibility of global governance structures.²⁴ Although Israel justified its actions under the doctrine of anticipatory self-defence, its legal reasoning has been widely contested in academic and diplomatic circles.²⁵

This episode serves as a critical case study for assessing the evolution of *jus ad bellum*, the fragility of International Humanitarian Law (IHL) safeguards, and the geopolitical polarisation influencing normative interpretations.

Israel's operations targeted Iranian nuclear facilities that were under International Atomic Energy Agency (IAEA) safeguards. By framing the strikes as anticipatory self-defence, Israel invoked a doctrine historically constrained by strict thresholds.²⁶ The classical Caroline Test,²⁷ an authoritative benchmark, demands a threat that is “*instant, overwhelming, leaving no choice of means and no moment for deliberation.*” Publicly available information, however, did not demonstrate such immediacy. In the absence of verifiable data proving that Iran was on the verge of launching an attack, Israel's claim appears to fall short of the established criteria for anticipatory self-defence.²⁸

Iran condemned the strikes as violations of Article 2(4) of the UN Charter, which prohibits the use of force against the territorial integrity or political independence of any state. Tehran further argued that the attacks breached the IAEA safeguards regime, as the targeted sites were declared and monitored.²⁹ Additionally, the strikes raised concerns under the 1980 Convention on the Physical Protection of Nuclear Material, reflecting the heightened risks associated with attacks on nuclear infrastructure. The potential for radioactive exposure, environmental catastrophe, and long-term humanitarian impact situates the incident within the broader debate on the protection of civilian nuclear facilities during armed conflict.³⁰

The legality of Israel's actions hinges on the interpretation of Article 51 of the UN Charter concerning self-defence. There is a broad academic consensus rejecting unilateral pre-emptive strikes absent demonstrable evidence of imminent attack. Israel's attempt to stretch the definition of imminence aligns with a pattern of states expanding legal categories to justify strategic objectives, a trend observed in the 2003 Iraq War and various counterterrorism campaigns.³¹

Relevant jurisprudence of the ICJ, particularly *Nicaragua v. United States* (1986) and *Armed Activities on the Territory of the Congo* (2005), underscores that self-defence requires an armed attack of sufficient gravity.³² Anticipatory action remains admissible only under narrow circumstances and does not legitimise preventive war.

The ICJ has maintained a consistent posture favouring restraint and strict interpretation, reinforcing the centrality of collective security mechanisms over unilateral force.

Reports emerging after the strikes indicated damage to civilian infrastructure, including residential areas, and fatalities among aid workers. These outcomes foreground the core principles of IHL: distinction, proportionality, and precautions.³³

International responses were sharply divided along geopolitical lines.³⁴ Western states, particularly the United States and several European allies, endorsed Israel's narrative of pre-emptive action against a perceived nuclear threat. Conversely, China, Russia, and several Global South states condemned the strikes as violations of sovereignty and destabilising precedents. This division reflects a broader normative incoherence within the international system, where legal interpretations increasingly align with strategic alliances rather than established doctrine.

Pakistan's response was rooted in historical principles of non-intervention, sovereignty, and regional stability. Islamabad condemned the strikes, emphasising their illegality under international law and affirming Iran's right to self-defence under Article 51.³⁵ In the Security Council, Pakistan supported a resolution calling for immediate de-escalation and adherence to the UN Charter. However, the resolution was vetoed, reflecting once again the structural limitations of the UNSC in moments of significant power polarisation.³⁶

Pakistan's position also aligns with its consistent advocacy for the peaceful resolution of nuclear disputes, non-proliferation norms, and regional de-escalation mechanisms. The episode reinforced Pakistan's longstanding view that unilateral strikes on nuclear infrastructure carry unacceptable humanitarian and environmental risks, particularly within the volatile Middle Eastern region.

For Pakistan, the crisis offers several important lessons. First, it underscores the need to strengthen domestic institutions capable of conducting rigorous legal analysis under IHL and non-proliferation law. Such capacity enhances Pakistan's ability to engage effectively in global forums and contribute substantively to norm-building.

Second, Pakistan may benefit from fostering coalitions with states sharing similar views on sovereignty, non-aggression, and the peaceful uses of nuclear technology. These coalitions can amplify their diplomatic influence, enable coordinated responses to crises, and strengthen normative positions in multilateral negotiations.

Third, the episode highlights the value of supporting ICJ advisory opinions and other judicial mechanisms as impartial forums for interpreting international law. Such processes can serve as counterweights to geopolitical distortions.

Finally, Pakistan should invest in institutionalising mechanisms for the collection of legal evidence, including satellite monitoring, open-source intelligence, and forensic documentation. These tools enhance credibility and strengthen Pakistan's role as a principled actor advocating for a rule-based international order.

Indo-Pakistan Tensions: Treaty Law, Jus Ad Bellum, and Norm Contestation

The 2025 Indo-Pakistan confrontation, triggered by the Phalgam attack and culminating in reciprocal cross-border strikes, provides a significant lens for evaluating the interaction among treaty obligations, the law governing the use of force, and evolving patterns of norm contestation in South Asia.³⁷ Unlike previous crises, the 2025 escalation opened a new front of legal challenges, as India invoked terrorism-related justifications for military action while simultaneously targeting a water-sharing framework³⁸ that has long been viewed as a stabilising instrument. Pakistan, in turn, relied on principles of treaty integrity, proportional self-defence, and the need for multilateral adjudication. This crisis offers insights into the ways regional rivalries increasingly manipulate normative frameworks to gain diplomatic leverage.

A major legal rupture occurred when India announced the suspension of its participation in the Indus Waters Treaty (IWT).³⁹ This decision represented the gravest challenge to the treaty since 1960. The IWT has historically weathered wars, crises, and political breakdowns precisely because of its design as a non-political, technocratic framework insulated from broader disputes.

India's 2025 move disrupted this foundational principle and signalled a broader strategic effort to use legal and technical obligations as instruments of coercive diplomacy.

Under treaty law, India's suspension raises serious legal concerns. The Vienna Convention on the Law of Treaties (VCLT) provides the governing framework for assessing treaty withdrawal or suspension, and its provisions strongly constrain unilateral action in peace-time settings. The IWT specifies dispute-resolution mechanisms, including neutral expert review and arbitration, thereby excluding unilateral suspension even in cases of disagreement.

Most critically, the IWT itself contains no withdrawal clause. The absence of such a provision is intentional, reflecting the parties' desire to shield the treaty from fluctuations in political relations.⁴⁰ International water treaties without exit clauses are generally interpreted as requiring mutual consent for modification or withdrawal. Therefore, unilateral suspension contradicts both treaty text and customary norms reflected in state practice and ICJ jurisprudence.

India's Operation Sindoor involved targeted strikes described as "counter-terror measures" against alleged militant camps near the Line of Control. However, independent satellite imagery later revealed that several of the impacted locations were civilian structures⁴¹, including agricultural sheds and residential compounds. These findings challenge India's claims of lawful military targeting under IHL.

Under IHL, the principle of distinction obligates parties to differentiate between combatants and civilians. Attacks on civilian objects are strictly prohibited unless those objects have acquired military use. Furthermore, the proportionality rule requires that the expected civilian harm must not outweigh the anticipated military advantage. Given the ambiguity of the target value and the confirmed civilian impact, India carries a heavy burden to demonstrate compliance. The opacity of its operational details further complicates legal evaluation.⁴²

Pakistan's response, Operation Bunyan Al-Marsoos,⁴³ was framed as a proportionate act of self-defence. *Jus ad bellum* scholarship emphasises that proportionality in self-defence pertains to the overall scale and effect of the response rather than symmetry in the type of weapon or number of strikes.

Pakistan conducted limited strikes, avoided escalation beyond military targets, and publicly emphasised its intent to de-escalate through diplomatic channels. Within this framework, Pakistan's response appears more aligned with the ICJ's articulation of proportionality.

However, both states operate in a region where the line between counterterrorism discourse and *jus ad bellum* is increasingly blurred. India's use of pre-emptive justification narratives mirrors broader global trends of expanded self-defence claims. At the same time Pakistan's response showcases the persistent difficulty faced by states in the face of unilateral interpretations of International Law.⁴⁴

Pakistan has viable grounds to initiate proceedings before the International Court of Justice, particularly concerning the treaty breach. Precedents such as the *Gabcíkovo–Nagymaros case*⁴⁵ show the Court's willingness to adjudicate complex hydropolitical disputes involving unilateral treaty modifications, environmental concerns, and procedural obligations.

The 2025 episode illustrates how international law becomes a contested space in regional rivalries. India's suspension of the IWT and its expanded self-defence rhetoric reflect a trend in which states instrumentalise legal norms to legitimise unilateral action.⁴⁶ This behaviour shapes global perceptions and shifts normative baselines if left unchallenged.

For Pakistan, the crisis underscores a strategic imperative: strengthening its legal, diplomatic, and evidentiary infrastructure to enable deeper engagement with the international legal order.

Three priorities emerge; first, Pakistan may invest in systematic documentation, satellite imagery archives, witness testimony repositories, and forensic evidence collections to substantiate its position within multilateral forums. Second, Pakistan can express its diplomatic readiness by building coalitions in the Global South, where principles of sovereignty, non-intervention, and treaty stability resonate widely. Third, Pakistan may also articulate a straightforward normative narrative that highlights the dangers of destabilising functional treaties, particularly in climate-vulnerable basins.

Recommendations

Pakistan's foreign policy at this critical juncture demands a comprehensive transformation toward legal-statecraft, a strategic shift grounded in developing professional legal capacity, institutionalising coherent legal communication, and forging durable alliances across the Muslim world and China.

As the global order fractures under multipolar pressures, Pakistan cannot rely on ad-hoc diplomacy or moral appeals; it must cultivate structured legal expertise capable of navigating complex crises such as Gaza, Iran–Israel escalation, India's treaty manipulation, and disputes involving sovereignty, airspace, or nuclear facilities.

A manner in which this may be achieved is with the establishment of national legal-diplomacy training architecture tailored to the needs of modern foreign service: diplomats, military officers, intelligence analysts, and policy researchers who will be formally trained in *jus ad bellum*, *jus in bello*, treaty law, IHL investigative standards, cyber and space law, and multilateral litigation. Beyond technical knowledge, this training must include simulations of ICJ litigation, UNGA advisory opinion drafting, and evidence documentation in accordance with ICRC standards to ensure that Pakistan's claims in regional crises are supported by credible evidence.

However, possessing legal expertise alone is insufficient without an integrated communication ecosystem. Pakistan must establish a National Legal Communications Cell to coordinate messaging across the Ministry of Foreign Affairs, Ministry of Law, ISPR, and the Strategic Plans Division. This cell would craft unified legal briefs, prepare immediate responses to escalatory events, counter adversarial narratives through legal framing, and ensure that Pakistan speaks in a single, coherent voice in crises ranging from cross-border strikes to treaty disputes.

Externally, Pakistan's legal-statecraft can be reinforced through alliance-building with the Muslim world, an arena where Pakistan enjoys both legitimacy and expectations of leadership. The OIC's persistent institutional weaknesses, including its lack of legal drafting bodies, evidence repositories, or UN liaison mechanisms, provide Pakistan with an opportunity to shape the future of legal governance in the Muslim world.

Islamabad can spearhead the establishment of an OIC Legal Advisory Directorate tasked with preparing collective submissions to the ICJ or UNGA, coordinating treaty analyses, and managing a digital evidence repository documenting violations against Muslim populations in Gaza, Kashmir, Syria, Yemen, and elsewhere. In addition, Joint training programmes with Türkiye's diplomatic academies or Qatar's humanitarian-law centres would help standardise IHL literacy across the Muslim world and create a shared legal vocabulary for addressing crises.

Simultaneously, Pakistan should continue to deepen structured legal cooperation with China, its most important strategic partner outside the Muslim bloc. Establishment of a Pakistan–China Legal Dialogue Forum would allow both countries to coordinate on matters relating to sovereignty norms, cyber governance, Belt and Road treaty frameworks, and UN procedural law. China's sophisticated negotiation techniques and procedural strategies at the UN are invaluable resources for Pakistan, especially in countering the narrative and diplomatic dominance of hostile states. Beijing's extensive experience in satellite monitoring, digital forensics, and evidence verification can further support Pakistan's efforts to document violations in conflict zones, including Indian actions across the Line of Control or humanitarian abuses against Muslim populations globally.

Ultimately, through weaving together such internal reforms and external partnerships, Pakistan can shift from reactive diplomacy to proactive norm-shaping. A foreign policy anchored in legal training, professional communication, and alliance-based legal coordination will enable Pakistan to not only safeguard its national interests but also to assert itself as a principled, credible, and influential legal actor across the Muslim world and the emerging multipolar order.

Conclusion

The analysis presented in this paper demonstrates that Pakistan stands at the intersection of profound global and regional transformations, where legal norms are increasingly contested, and geopolitical alignments shape the application of international law.

The shift toward multipolarity has weakened the coherence of global governance and exposed the limitations of traditional institutions such as the UN Security Council, creating an environment in which selective enforcement, treaty manipulation, and competing legal narratives have become defining features of international politics.

Within this fragmented landscape, Pakistan's strategic horizon depends on its ability to integrate legal expertise, institutional reforms, and coalition-building into a coherent framework of legal-statecraft. Strengthening IHL and treaty-law capacity, developing specialised legal-diplomacy training, and improving evidence-collection mechanisms will allow Pakistan to articulate positions grounded in jurisprudence rather than political contingency.

At the same time, deeper partnerships with the Muslim world and China can amplify Pakistan's normative voice in multilateral forums, enabling collective action where unilateral efforts fall short. The convergence of domestic capacity-building and external alliance formation offers Pakistan a viable pathway to enhance its diplomatic influence, defend its sovereignty, and participate in the shaping of global legal norms.

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