

JUDICIAL PROTECTION OF HUMAN RIGHTS IN PAKISTAN: A CRITICAL STUDY OF SUPREME COURT SUO MOTU JURISDICTION

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ABSTRACT

The Constitution 1973, guarantees fundamental human rights (hereinafter HR), and the bench has become a key institution for upholding these rights. Amongst the different jurisdictional mechanisms, the Supreme Court (hereinafter SC) use of suo motu jurisdiction u/a 184(3) has been radical in addressing violations of civil liberties, administrative injustice, exploitation, ecological degradation, compulsory withdrawals, and lawful rights. With an emphasis on constitutional reinforcements, judicial activism, influential cases, and the SC of Pakistan's emerging jurisprudence, this research critically explores the judiciary's role in shielding human rights through suo motu actions. The study practices a qualitative doctrinal approach that magnets from academic literature, precedents, constitutional examination, and current lawful discussions. It contends that in Pakistan, suo motu jurisdiction has enhanced access to fairness and accountability, especially in cases when legislative and executive branches have failed to safeguard vulnerable groups. This article comes to the decision that whenever there is need of changes in institutions and technical limitations are required to assure judicial accountability and legitimate balance, even though suo motu jurisdiction is still a vital constitutional tool for the defense of HR. The study added more towards knowledge on HR, its protection and constitutional supremacy in Pakistan.

Keywords: Judiciary, Human Rights, Suo Motu, Supreme Court of Pakistan, Judicial Activism, Fundamental Rights, Constitutional Law, Article 184(3)

Introduction

In modern times, constitutionalism, self-governing system, and the rule of law are all created on the basis of human rights. A wide range of fundamental rights, such as equality before the law, freedom of speech, the right to life, freedom of religion, a fair trial, and protection against arbitrary detention, are guaranteed by Pakistan's 1973 Constitution. However, because of political unpredictability, authoritarian intrusions, institutional inefficiency, corruption, and poor governance, the actual implementation of these rights has

historically been limited. The judiciary has increasingly taken on the duty of defending the public interest and fundamental rights in these situations. The SC is empowered to have a defense mechanism regarding HR, while having its suo motu jurisdiction u/a 184(3). The number of cases which involved the matters of FHR, the court has exclusive jurisdiction to have proceedings at its own. Now as court has increased its judicial power under constitutional framework and have keen check on governance and policy monitoring (Nadeem et al., 2023).

From 2007-2009 during lawyers' movement, it actually empowered the judges and their role and also won the trust of people through judicial activism. Such actions have often defended as vital responses to executive inaction and constitutional disobediences. How SC should use its power is still questionable despite being so important. If critically evaluate, one school of thought is separation of power is a doctrine which empowers institutions but excessive role of judiciary always tries to violate it in Pakistan. On the other hand due process and judicial accountability may be endangered by Article 184(3) legal proceeding absence of procedural protections and appeals. Recently in legislative and constitutional amendments there are so many changes regarding suo motu powers of SC. The major principles of constitutions 1973, involve democracy, tolerance, social and Islamic justice. The detailed slant regarding human rights are mentioned under chapter 1 of 1973 constitution, part II. Most important of these are, right of dignity, right to life and security, right to have fair trial, speech, freedom of movement and religion, right to have free education, equality of citizens and many more (Raza et al., 2025).

Constitutional Framework

Through judicial review, the Supreme Court and High Courts are empowered by the Constitution to uphold these rights. The Supreme Court may take original jurisdiction over matters of "public importance" relating to the protection of fundamental rights under Article 184(3). In Pakistan, suo motu actions are based on this clause. The judiciary is designated by the constitutional framework as the supreme interpreter and defender of constitutional rights. Courts can invalidate legislative and executive actions that breach constitutional rights through judicial review. The Supreme Court has expanded the definition of fundamental rights over time to encompass human dignity, clean water, healthcare, education, and environmental rights (Hussain et al., 2025).

Perception and Evolution of Suo Motu in Pakistan

The phrase "suo motu" meaning by its own motion. It is defined as the original jurisdiction of court to start proceeding without receiving

any formal petition from aggrieved party. The jurisdiction is basically the interpretation of article 184(3) of constitution 1973. During 1962 constitution and later on SC used its power of suo motu very consciously but later during period of 80s and 20's the court taken it in a broader sense in form of judicial activism and public interest.

Hearing of Bhutto case in 1988 established the concept of locus standi and made public interest litigation (hereinafter PIL). Later court also established that where there is basic fundamental rights are involved, justice should not be denied due to procedural technicalities. The judicial system in Pakistan has been gone through very difficult stages and used suo motu powers very openly to deal the matters of corruption, poor governance and breach of FHR specially during 2009 when Iftikhar Muhammad Chaudry restored his position. Throughout period, Tv shows, newspapers and PI complaints were taken for execution by SC. With the help of judicial activism, the role of judiciary became so extended that it started taken matters regularly regarding public policy and executive governance (Tahira et al., 2026).

Safeguard Towards Human Rights and Judicial Activism

The practical interpretation of judicial activism is where there is will to support fundamental rights and constitutional principles. Judicial activism has taken its place in previous years due to number of reasons like poor governance, political unsteadiness and weaker institutional policies.

The right to life and liberty is protected by Article 9 of the Constitution. The Supreme Court has given this clause a broad interpretation that encompasses human dignity, healthcare, and environmental protection. The Court determined that health risks and environmental pollution breached the constitutional right to life in the Shehla Zia Case (PLD 1994 SC 693). This historic ruling broadened the protection of human rights and created environmental jurisprudence in Pakistan. Similarly, the Court has repeatedly intervened in cases involving contaminated water, inadequate healthcare facilities, and unsafe working conditions. The judiciary has

forced government agencies to confront environmental deterioration and public health emergencies through suo motu actions.

The judiciary's involvement in cases of enforced disappearances has been one of its most important contributions. Allegations of illegal detentions and disappearances connected to security services and counterterrorism operations have long plagued Pakistan. The Supreme Court started a number of suo motu cases involving missing persons, especially in Khyber Pakhtunkhwa and Balochistan. These efforts exposed security forces' breaches of human rights and forced governmental institutions to provide information about detainees. The Court's involvement in missing people cases increased public awareness of civil liberties and strengthened constitutional safeguards against arbitrary detention and torture (Daudpota, 2025).

In Pakistan, the judiciary has been crucial to the advancement of women's rights. Honor killings, harassment at work, domestic abuse, and discriminatory practices have all been handled by suo motu actions. The Supreme Court has instructed law enforcement to safeguard women who are victims of violence and to make sure that current legal provisions are implemented in a number of cases. The public conversation around gender equality and women's constitutional rights was also influenced by judicial interventions. The Court has repeatedly emphasized that discriminatory cultural practices cannot override constitutional guarantees of equality and dignity under Articles 25 and 14 of the Constitution. In Pakistan, religious minorities have frequently experienced social isolation, violence, and prejudice. Suo motu jurisdiction has been invoked by the Supreme Court to protect minority rights and advance religious tolerance.

Chief Justice Tassaduq Hussain Jilani's 2014 ruling on attacks on religious minorities is a seminal example. The Court ordered the government to change curricula that encourage intolerance, form a national council for minority rights, and establish special police forces to defend places of worship. The constitutional guarantees pertaining to equality and religious freedom were interpreted progressively in this ruling. Additionally, the judiciary has used suo motu procedures to step in during constitutional

and electoral crises. The Court has decided cases including executive malfeasance, constitutional violations, and election delays. Such actions are frequently rationalized as being required to uphold constitutional democracy and safeguard the political rights of citizens. Critics counter that the court runs the risk of being politicized and losing its institutional neutrality if it becomes involved in political issues (Mahmood et al., n.d.).

Landmark Suo Motu Cases Related to Human Rights

Sindh High Court Bar Association Case: The Supreme Court overturned General Pervez Musharraf's 2007 declaration of an emergency and reinstated constitutional order in the Sindh High Court Bar Association case. The ruling upheld the primacy of the constitution and judicial independence. This ruling upheld the judiciary's duty to defend constitutional rights and strengthened democratic governance.

Memorize the Case: The growing impact of judicial activism in politics was demonstrated by the Supreme Court's involvement in the Memogate controversy. The case demonstrated judicial willingness to examine executive behavior in issues pertaining to national sovereignty and constitutional accountability, notwithstanding its predominantly political nature.

The Panama Papers Case: One of Pakistan's most politically significant instances of judicial intervention was the Panama Papers case. The Supreme Court emphasized accountability, openness, and constitutional integrity when it dismissed Prime Minister Nawaz Sharif for not disclosing assets. Critics saw the ruling as proof of selective court interference, despite the fact that some hailed it as a triumph for accountability. The Supreme Court frequently took suo motu notice of Karachi's declining state of law and order. Extrajudicial executions, political violence, police reforms, and administrative shortcomings were the main topics of court hearings. The goal of these interventions was to safeguard citizens' rights to lawful governance and security.

Benefits of Suo Motu Jurisdiction

Suo motu jurisdiction's ability to give underprivileged and vulnerable communities access to justice is one of its biggest advantages. Many victims of human rights abuses lack the financial means, legal knowledge, or political clout needed to file court cases. The Supreme Court has tackled structural injustices that afflict common people by starting independent procedures. Suo motu actions have strengthened accountability processes by investigating executive misconduct, corruption, and abuse of authority. Judicial oversight puts pressure on public institutions to better fulfill their constitutional duties. Pakistan's constitutional jurisprudence has greatly increased as a result of judicial activism. In order to adapt constitutional protections to modern socioeconomic conditions, the Supreme Court has construed fundamental rights in a dynamic manner. Constitutionalism and democratic government have been reinforced by this developing body of law. Judicial activism has increased public confidence in the judiciary during times of political unrest and institutional failure. Many people believe that courts are the only institution that can effectively combat power abuse and defend fundamental rights (Rafique et al., 2025).

Criticism of Suo Motu Judicial Activism

Critics contend that by permitting courts to meddle in legislative and executive responsibilities, excessive judicial participation contradicts the theory of separation of powers. Judicial activism has the potential to erode elected institutions and compromise democratic accountability. The Supreme Court has occasionally become involved in issues pertaining to administrative appointments, economic policy, and governance choices that are often left to elected officials. In the past, Article 184(3) proceedings lacked explicit procedural safeguards, such as appeal rights and thorough evidentiary criteria. Due process and the right to a fair trial were called into question by this. In Pakistan, the lack of appellate review in suo motu cases became a significant constitutional issue. Critics contended that the Supreme Court's consolidation of extraordinary powers ran the risk of making arbitrary rulings (Awan, 2025).

According to some observers, the judiciary has become politicized and its neutrality has been undermined by selective judicial participation in political issues. Accusations of institutional partisanship and judicial prejudice have escalated in contentious situations involving elected administrations. Tensions between judicial independence and democratic governance are reflected in the public discourse surrounding politically contentious suo motu cases. Judicial resources may be diverted from regular litigation if suo motu jurisdiction is frequently used. The courts in Pakistan already deal with massive backlogs of cases, delays, and administrative difficulties. Therefore, excessive judicial activism may jeopardize institutional efficacy and judicial efficiency (Khan et al., 2025).

Current Developments and Recent Reforms

Recent changes to Pakistan's constitution and laws have made an effort to control the use of suo motu powers. The Supreme Court (Practice and Procedure) Act, 2023 aimed to provide procedural protections, such as the ability to challenge decisions made under Article 184(3) and the creation of committees to start suo motu procedures. Growing worries about the Chief Justice's office's concentration of power were reflected in these revisions. Reformers contend that in order to maintain judicial accountability and constitutional balance, procedural control is required. Limiting suo motu powers, according to critics, might erode judicial independence and lessen the judiciary's ability to defend basic rights. Pakistani constitutional discourse is still shaped by current discussions on judicial changes. Discussions surrounding the Twenty-Sixth Constitutional Amendment and institutional restructuring further demonstrate tensions between judicial independence, democratic governance, and constitutional accountability (Naqvi & Ali, 2023).

Comparative Analysis

In contrast, nations like South Africa, Bangladesh, and India have also seen the growth of judicial activism and public interest litigation. Pakistan's history is similar to India's constitutional jurisprudence, in which courts greatly involved in areas of government and extended standing principles. However, judicial

activism has been especially contentious due to Pakistan's political unrest and military intervention past. Pakistan's judiciary frequently functions within a precarious constitutional framework, in contrast to developed democracies with more robust institutional checks and balances. Comparative experience indicates that judicial activism might be helpful in areas with weak democratic institutions, but over-intervention runs the risk of upsetting the balance of the constitution.

Pakistan's Human Rights Protection Challenges

Human rights protection in Pakistan still faces significant institutional obstacles in spite of judicial activism. Due to institutional weakness, political opposition, and administrative inefficiencies, judicial decisions are frequently poorly implemented. Without strong enforcement measures, court rulings might not result in significant reforms. Judicial independence and institutional legitimacy are impacted by political polarization and frequent constitutional crises. Competitive political actors exert pressure on courts working in politically sensitive situations. Tensions between security policies and civil freedoms are nevertheless caused by counterterrorism activities, internal conflicts, and national security concerns. Citizens' ability to successfully assert their constitutional rights is hampered by poverty, illiteracy, gender discrimination, and a lack of legal knowledge (Munir, 2024).

Impact of Suo Motu Jurisdiction on Constitutional Governance and Separation of Powers

The exercise of suo motu jurisdiction by the Supreme Court of Pakistan has significantly influenced the country's constitutional governance and the practical operation of the doctrine of separation of powers. Under Article 184(3) of the Constitution, the Supreme Court possesses the authority to assume original jurisdiction in matters involving questions of public importance concerning the enforcement of fundamental rights. Although this constitutional power was intended to provide an effective judicial remedy where ordinary legal procedures were inadequate, its extensive use has transformed the judiciary into an active

participant in governance. Consequently, the exercise of suo motu jurisdiction has generated an enduring constitutional debate regarding the proper limits of judicial authority and the relationship between the judiciary, the executive, and the legislature.

The Constitution of Pakistan establishes a system of constitutional governance based upon the principle that the legislative, executive, and judicial organs should perform distinct but complementary functions. Parliament is entrusted with law-making, the executive is responsible for implementing those laws, and the judiciary is empowered to interpret and enforce the Constitution. This institutional arrangement aims to prevent the concentration of power in a single organ while promoting accountability and constitutional supremacy. However, the exercise of suo motu jurisdiction has occasionally blurred these institutional boundaries, particularly where judicial intervention has extended beyond constitutional interpretation into matters traditionally reserved for executive administration or legislative policy-making (Faisal & Ashrad, 2023).

The emergence of judicial activism through suo motu proceedings reflected a response to persistent governance failures and weak institutional accountability. In many situations, governmental authorities failed to address violations of fundamental rights, environmental degradation, corruption, unlawful detentions, deficiencies in healthcare, unsafe working conditions, and discrimination against vulnerable communities. Faced with executive inaction and ineffective administrative mechanisms, the Supreme Court increasingly relied upon Article 184(3) to intervene directly in matters affecting the public interest. Such interventions enhanced public confidence in the judiciary as an institution capable of protecting constitutional rights when other state organs failed to perform their constitutional responsibilities.

Judicial intervention through suo motu jurisdiction has particularly strengthened constitutional governance by reinforcing the supremacy of the Constitution. Every public authority remains subject to constitutional limitations, and the judiciary functions as the ultimate guardian of constitutional values. By initiating proceedings independently, the

Supreme Court has demonstrated that governmental power cannot be exercised arbitrarily or in violation of fundamental rights. The Court's willingness to scrutinize executive actions has contributed to greater transparency and encouraged public institutions to act within constitutional boundaries. Consequently, suo motu jurisdiction has become an important constitutional mechanism for ensuring governmental accountability and preventing abuse of authority (Khalid, 2024).

Another significant contribution of suo motu jurisdiction lies in expanding access to justice for disadvantaged and marginalized sections of society. Many victims of human rights violations are unable to approach courts because of poverty, illiteracy, geographical isolation, fear of retaliation, or procedural complexities. Through suo motu action, the Supreme Court has removed many of these barriers by initiating proceedings on the basis of newspaper reports, public complaints, electronic media coverage, or information received from civil society organizations. This proactive approach has enabled the judiciary to protect children, women, prisoners, bonded labourers, minorities, and other vulnerable groups whose voices might otherwise remain unheard within the traditional adversarial legal system.

The exercise of suo motu jurisdiction has also enhanced governmental accountability by compelling executive institutions to explain their actions before the highest constitutional court. Ministries, regulatory authorities, law enforcement agencies, and public officials have frequently been required to justify administrative decisions affecting public welfare. Judicial monitoring has encouraged greater compliance with constitutional obligations, improved transparency in decision-making, and discouraged arbitrary exercise of public power. The possibility of judicial scrutiny has motivated governmental institutions to exercise greater care in implementing policies affecting fundamental rights.

Despite these achievements, the extensive use of suo motu jurisdiction has raised important constitutional concerns regarding judicial overreach. Critics argue that courts occasionally entered areas involving policy formulation, economic management, administrative appointments, pricing mechanisms, and

executive discretion. Such matters ordinarily require specialized expertise, democratic accountability, and continuous administrative supervision rather than judicial determination. When courts assume responsibilities that constitutionally belong to elected institutions, questions arise regarding the appropriate balance between judicial independence and democratic governance.

The doctrine of separation of powers does not require complete isolation among state institutions but instead promotes mutual respect and constitutional restraint. Judicial review serves as an essential mechanism for preventing constitutional violations, yet excessive intervention may unintentionally weaken institutional autonomy. Repeated judicial involvement in executive functions may reduce the incentive for administrative authorities to develop effective governance mechanisms, thereby creating long-term institutional dependence upon judicial supervision rather than sustainable administrative reform (Imran & Makhdoom, 2024).

Another constitutional implication concerns democratic legitimacy. Members of Parliament and the executive derive their authority through democratic processes and remain politically accountable to the electorate. Judges, by contrast, derive legitimacy from constitutional appointment and judicial independence rather than electoral representation. Consequently, while the judiciary possesses unquestionable authority to interpret and enforce the Constitution, prolonged judicial involvement in public policy may generate concerns regarding democratic accountability. Constitutional governance requires that courts remain vigilant protectors of rights while respecting the policymaking authority entrusted to elected institutions.

Institutional harmony among the three branches of government is therefore essential for effective constitutional governance. Suo motu jurisdiction should complement rather than replace executive administration and legislative responsibility. Judicial intervention becomes constitutionally justified where governmental inaction results in continuing violations of fundamental rights or where public authorities act unlawfully. Conversely, routine administrative decisions that involve political or

economic choices should generally remain within the competence of the executive and legislature unless they directly infringe constitutional guarantees.

Recent constitutional and legislative developments indicate an increasing recognition of the need to regulate the exercise of suo motu jurisdiction through clearer procedural safeguards. Greater emphasis upon larger benches, transparent criteria for initiating proceedings, reasoned judicial restraint, and procedural fairness reflects an evolving understanding that constitutional legitimacy depends not only upon judicial independence but also upon institutional balance. Such developments seek to preserve the effectiveness of Article 184(3) while minimizing concerns regarding arbitrary or inconsistent judicial intervention.

Ultimately, the impact of suo motu jurisdiction on constitutional governance has been both transformative and complex. It has strengthened the protection of fundamental rights, reinforced constitutional supremacy, expanded access to justice, and promoted governmental accountability. At the same time, it has generated continuing debates regarding judicial activism, institutional competence, democratic legitimacy, and the separation of powers. The long-term effectiveness of suo motu jurisdiction depends upon maintaining an appropriate balance between judicial vigilance and constitutional restraint. A judiciary that intervenes decisively to protect fundamental rights while respecting the constitutional roles of the executive and legislature contributes most effectively to democratic governance, the rule of law, and the enduring protection of human rights in Pakistan (Lughmani et al., 2023).

Future Prospects and Institutional Reforms for Strengthening Suo Motu Jurisdiction in Pakistan

The future of suo motu jurisdiction in Pakistan depends upon the ability of the legal system to maintain an appropriate balance between judicial activism and constitutional restraint. Since its emergence as a powerful constitutional mechanism under Article 184(3) of the Constitution, suo motu jurisdiction has played a significant role in protecting fundamental rights, promoting governmental accountability, and

reinforcing the rule of law. However, its extensive and sometimes inconsistent use has also generated constitutional controversies concerning judicial overreach, procedural fairness, and institutional balance. These developments indicate that while the jurisdiction remains indispensable for safeguarding human rights, its continued effectiveness requires comprehensive institutional reforms that enhance transparency, predictability, and constitutional legitimacy. The future evolution of suo motu jurisdiction should therefore focus on strengthening judicial accountability without diminishing the Supreme Court's constitutional responsibility as the guardian of fundamental rights.

One of the foremost reforms required is the development of clear and objective criteria governing the exercise of suo motu powers. Although Article 184(3) authorizes the Supreme Court to entertain matters involving questions of public importance relating to the enforcement of fundamental rights, the Constitution does not precisely define what constitutes "public importance" or specify the circumstances in which the Court should initiate proceedings on its own motion. This constitutional ambiguity has occasionally resulted in inconsistent judicial practices and differing interpretations among successive benches. Establishing comprehensive procedural guidelines would promote consistency, reduce uncertainty, and strengthen public confidence in the impartial exercise of judicial discretion. Clearly defined standards would also ensure that suo motu jurisdiction remains confined to genuinely exceptional cases involving serious constitutional violations and widespread public interest.

Another significant area for reform involves strengthening procedural fairness within suo motu proceedings. Since the Supreme Court acts both as the initiating authority and the adjudicating forum under Article 184(3), concerns have occasionally been raised regarding compliance with the principles of natural justice and due process. Future reforms should ensure that all affected parties receive adequate notice, sufficient opportunity to present evidence, legal representation, and the right to respond to allegations before judicial determinations are made. Transparent procedural safeguards would

enhance the legitimacy of judicial decisions while protecting the constitutional rights of all stakeholders involved in the proceedings. Procedural fairness not only strengthens public trust in the judiciary but also reinforces the constitutional commitment to equal justice under law.

Institutional reforms should also promote collective judicial decision-making in matters involving constitutional significance. Human rights cases initiated through *suo motu* jurisdiction often involve complex legal, political, social, and economic considerations that affect millions of citizens. Such matters are better resolved by larger constitutional benches rather than by smaller benches or individual judicial discretion. Collective deliberation encourages diverse judicial perspectives, minimizes the possibility of subjective decision-making, and contributes to greater consistency in constitutional interpretation. A structured institutional mechanism for constituting constitutional benches in important *suo motu* matters would therefore enhance judicial credibility while reducing allegations of arbitrariness.

Another important reform concerns improving judicial accountability without compromising judicial independence. Judicial independence remains the cornerstone of constitutional democracy because it enables courts to decide cases impartially and without external influence. However, independence must coexist with transparency and institutional responsibility. Future reforms should encourage reasoned judicial opinions that clearly explain the constitutional basis for invoking *suo motu* jurisdiction, the legal principles governing the proceedings, and the reasons for the final decision. Well-reasoned judgments not only strengthen legal certainty but also facilitate academic analysis, judicial consistency, and public understanding of constitutional jurisprudence. Institutional accountability may further be promoted through improved publication of judicial statistics, greater accessibility of court proceedings, and enhanced public communication regarding the exercise of constitutional powers.

The future effectiveness of *suo motu* jurisdiction also depends upon strengthening coordination among constitutional institutions. The judiciary

cannot single-handedly eliminate all human rights violations or administrative failures. Sustainable protection of fundamental rights requires effective cooperation between the judiciary, executive agencies, Parliament, provincial governments, independent regulatory bodies, and national human rights institutions. Judicial intervention should therefore encourage executive authorities to discharge their constitutional responsibilities rather than permanently substituting judicial supervision for administrative governance. Effective implementation of judicial directions, periodic compliance reports, and institutional dialogue among state organs can significantly improve the practical enforcement of Supreme Court decisions while preserving constitutional balance.

Strengthening lower courts and provincial High Courts represents another essential aspect of institutional reform. Many matters eventually reaching the Supreme Court through *suo motu* proceedings originate from failures within ordinary judicial or administrative mechanisms. Improving the efficiency, accessibility, and independence of subordinate courts would enable many human rights grievances to be resolved at earlier stages, thereby reducing the need for extraordinary constitutional intervention. Similarly, empowering High Courts to provide timely constitutional remedies under Article 199 would enhance decentralized protection of fundamental rights and reduce excessive reliance upon the Supreme Court's original jurisdiction. Investment in judicial infrastructure, digital case management systems, judicial education, and specialized constitutional training can significantly strengthen the overall justice delivery system.

Technological innovation also offers valuable opportunities for improving the effectiveness of human rights protection. The modernization of judicial administration through electronic filing systems, virtual hearings, digital record management, artificial intelligence-assisted legal research, and online public access to judicial decisions can improve transparency, reduce procedural delays, and expand access to constitutional justice. Digital platforms may facilitate the identification of systemic human rights violations while enabling affected individuals, particularly those residing in remote

or underserved regions, to communicate constitutional grievances more effectively. Technological reforms should therefore complement procedural reforms in ensuring that constitutional remedies remain accessible to all citizens irrespective of geographical or economic barriers.

Public legal awareness constitutes another critical element in strengthening the future of suo motu jurisdiction. Many violations of fundamental rights remain unreported because citizens are unaware of their constitutional protections or available legal remedies. Comprehensive public education regarding constitutional rights, judicial remedies, and legal institutions can empower individuals to seek timely protection through appropriate legal channels. Universities, legal aid organizations, bar associations, civil society organizations, and governmental institutions should collaborate to promote constitutional literacy and human rights education throughout Pakistan. Increased public awareness may reduce dependence upon suo motu intervention by encouraging individuals to pursue ordinary constitutional remedies before violations become widespread. Future reforms should additionally emphasize preventive constitutional governance rather than reactive judicial intervention. While suo motu jurisdiction effectively addresses existing human rights violations, long-term constitutional stability requires stronger preventive mechanisms within executive institutions. Effective regulatory oversight, transparent administrative procedures, independent accountability institutions, anti-corruption mechanisms, and efficient public complaint systems can substantially reduce the circumstances that necessitate judicial intervention. Strengthening governance institutions ultimately enables the judiciary to focus upon exceptional constitutional questions rather than routine administrative deficiencies. Recent constitutional and legislative developments demonstrate an evolving commitment to regulating the exercise of suo motu jurisdiction through improved procedural safeguards and institutional accountability. These reforms reflect a broader constitutional understanding that judicial authority derives not only from constitutional text but also from public confidence, institutional integrity, and

respect for democratic governance. Future constitutional development should therefore continue refining the procedural framework governing Article 184(3) while preserving the judiciary's indispensable role in protecting fundamental rights.

In conclusion, the future of suo motu jurisdiction in Pakistan should not involve either unrestricted judicial activism or excessive judicial restraint. Instead, it should seek a balanced constitutional model that combines effective protection of human rights with respect for democratic institutions and the doctrine of separation of powers. Comprehensive institutional reforms, transparent procedural standards, collective judicial decision-making, strengthened lower courts, technological modernization, enhanced legal awareness, and improved inter-institutional cooperation can significantly enhance the legitimacy and effectiveness of suo motu jurisdiction. By adopting these reforms, Pakistan can ensure that Article 184(3) continues to function as a powerful constitutional safeguard for human rights while simultaneously promoting constitutional stability, democratic governance, judicial credibility, and the enduring rule of law.

Recommendations

1. Establishing Explicit Legal Guidelines for Suo Motu Jurisdiction:

Under Article 184(3) of the Constitution, the Supreme Court of Pakistan ought to develop thorough jurisprudential rules governing the use of suo motu jurisdiction. While lowering the possibility of arbitrary intervention, such criteria would encourage uniformity, openness, and predictability in judicial decision-making.

2. Maintaining Judicial Independence:

For fundamental rights and constitutional liberties to be effectively protected, the judiciary's independence must be preserved. To safeguard the court against outside influences, political influence, and executive meddling that could jeopardize unbiased decision-making, institutional safeguards should be reinforced.

3. Encouragement of Judicial Restraint within Constitutional Boundaries:

Although judicial activism has played a significant role in advancing human rights protection in Pakistan, the judiciary should exercise suo motu powers with caution and restraint. The exercise of judicial authority must remain consistent with the doctrine of separation of powers and constitutional supremacy to maintain institutional balance among state organs.

4. Strengthening Access to Justice Mechanisms:

The judicial system should adopt measures aimed at enhancing access to justice, particularly for marginalized and vulnerable segments of society. This may include the expansion of legal aid services, simplification of procedural requirements, and establishment of accessible complaint mechanisms for human rights violations.

5. Monitoring and Enforcing Judicial Decisions Effectively:

The application and oversight of Supreme Court rulings pertaining to human rights ought to get more attention. Establishing institutional follow-up procedures would guarantee that court rulings result in significant and useful constitutional rights protection.

6. Human Rights Adjudication Capacity Building:

Judges, attorneys, and judicial officers should participate in ongoing professional training courses on constitutional interpretation, international human rights legislation, and current human rights issues. Such programs would advance rights-based adjudication and improve judicial competency.

7. HR Bodies and Institutional Coordination:

Enhanced cooperation between the judiciary and national human rights institutions, including the National Commission for Human Rights, may contribute to a more effective framework for the promotion and protection of HR.

8. Making Suo Motu Proceedings Transparent:

Initiating and conducting suo motu procedures should be done with more procedural transparency, according to the Supreme Court. Judicial orders and rulings should explicitly state the constitutional foundation, public significance, and legal justification for such interventions.

9. Raising Public Knowledge of Fundamental Rights:

To inform the public about their constitutional rights and the judiciary's role in upholding them, public awareness campaigns should be launched. A higher level of legal literacy would promote greater reliance on legal remedies for rights breaches and increase democratic participation.

Conclusion

The judiciary of Pakistan kept on defending human rights issues especially when it involves the jurisdiction of supreme court of Pakistan u/a 184(3) of 1973. Accountability has been improved through judicial activism and liberal constitutional doctrines regarding FRs. The environmental protection, rights of minority, rights of women are core focus of SC now a days while deposing off matters and became a biggest devotee of constitutionalism and self-governing norms. Nonetheless, at the same time legal qualms about judicial outfox, lobbying and practical justice have also been elevated by the extensive usage of suo motu influences. Pakistan being judicial supportive country try its level best to have a balance among institutions especially judicial independence and constitutional restraints. The countries which face institutional failures and governing issues suo motu powers are one of major tool to protect HRs. However, judicial responsibility and obligations towards constitutional framework are very important for its being efficient and legal. In the last vigorous independent institutions, competent governance, assurance to constitutionalism and rule of law are all very important for the fortification of HRs in Pakistan.

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