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### Abstract

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**Key Words:** Public Interest Litigation; Pakistan; Judicial Activism; Separation of Powers; Article 184(3); Judicial Review; Governance Reform

### Authors:

**Kamran Abdullah:** (Corresponding Author)

Deputy Registrar, Appellate Tribunal Inland Revenue, Islamabad, Pakistan.

(Email: [kamran@icp.edu.pk](mailto:kamran@icp.edu.pk))

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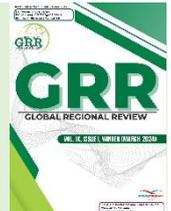
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### Title

## Public Interest Litigation in Pakistan: Instrument of Reform or Tool of Judicial Expansion

### Authors:

**Kamran Abdullah:** (Corresponding Author)

Deputy Registrar, Appellate Tribunal Inland  
Revenue, Islamabad, Pakistan.  
(Email: [kamran@icp.edu.pk](mailto:kamran@icp.edu.pk))

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### Abstract

*This paper seeks to analyze the significance of public interest litigation (PIL) in Pakistan, whether it is a reform or judicial expansive instrument. PIL has gained prominence in challenging governance failures and upholding the rights of citizens, although it has also raised issues of judicial overreach into executive areas. The research involves a mixed approach, both the doctrinal legal study and qualitative content analysis of the PIL cases of the Supreme Court and the High Courts. The results indicate that although PIL may produce meaningful governance results such as policy reforms and regulatory measures, its enforcement in the long run tends to be patchy and needs additional judicial monitoring. The paper has concluded that PIL works best when imposing rights with limited, evidence-based cures but is problematic when it causes too much judicial regulation of governance. The paper recommends measured reforms to make PIL enhance, not weaken, democratic accountability.*

**Keywords:** [Public Interest Litigation](#); [Pakistan](#); [Judicial Activism](#); [Separation of Powers](#); [Article 184\(3\)](#); [Judicial Review](#); [Governance Reform](#)

### Introduction

Public interest litigation (PIL) is litigation initiated, usually by citizens, lawyers or actors in the civil society, with the main aim not to address a personal dispute but to remedy and redress a failure in the governance of a system, constitutional duty, and/or to protect the collective rights. In Pakistan, PIL is identified with constitutional writ and jurisdiction

that is referred to as public importance, particularly the jurisdiction of the original jurisdiction of the Supreme Court under Article 184(3) (and, concurrently, the jurisdiction of the writ jurisdiction of the High Courts under Article 199). In the long term, such avenues have allowed courts to listen to issues presented in the form of a basic-rights issue of public administration, the performance of



regulations, corruption, service provision, or environmental conservation (Cheema, [2018a](#)). Researchers observe that high-quality judiciary has employed rights language not only to correct individual wrongs, but also to check executive action by issuing orders that reorder priorities in the administration and institutional conduct what some refer to as a judicialization of governance (Cheema, [2018a](#)).

It is important in Pakistan since there is often an uneven mission of governance, there is a political dispute on accountability institutions and defeat on rights by the everyday administrative failures by the citizens (e.g., unsafe infrastructure, environmental damages, poor public services). In this situation, PIL may serve as a constitutional shortcut, enabling the courts to act in response to immediate social ills when other state processes are ineffective, captured or inaccessible. Simultaneously, comparative studies of judicial empowerment warn that as the scope of judicial autonomy and authority grows, it might result in courts that become decisive political actors, interventions by which they can restructure decision-making power throughout the constitutional system (Brinks and Blass, [2017](#)). The history of judicial assertiveness in Pakistan is further complicated by its wider constitutional history, in which there is a pattern of civil-military tensions and major democratic lapses, which is explained by either corrective constitutionalism or as an act of strategic institutional positioning, or both (Malagodi, [2020](#); Kureshi, [2021](#)).

The biggest controversy in question is whether PIL in Pakistan functions more as a tool of control and social reform or has grown to be more a tool of judicial expansion into the area traditionally controlled by elected organs and expert agencies. On the one hand, PIL may assist in filling the accountability gaps by enforcing adherence to the constitutional obligations, establishing accountability of the power of the state, and triggering the reforms that focus on the rights of citizens (especially when the vulnerable population is disenfranchised or administrative abuse is a structural issue) (Puvimanasinghe, [2021](#)). In a different perspective, continual use of PIL, particularly in combination with general remedial orders, might obscure borders between separation-of-powers, substitute judicial preferences with policy decisions, and result in implementation

shortages when courts have no administrative instruments to maintain complex reforms (Brinks and Blass, [2017](#)). In Pakistan, this conflict was exacerbated by the fact that the Supreme Court is highly salient in mega-politics and increased its supervisory role in the executive administration (Cheema, [2018a](#); Cheema, [2018b](#)). Cross-regional scholarship also cautions that constitutional courts may become derailed in terms of protecting rights in favor of institutional self-enrichment or power-entrenchment, particularly in situations where legal ambiguities allow wide-range jurisdictional claims (Yap & Abeyratne, [2021](#)). In the meantime, their own questions are the issue-specific streams of PIL (like environmental and climate-related claims), in which the question of when rights based intervention is sustained government by court order is posed (Mir, [2022](#); Puvimanasinghe, [2021](#)).

In this regard, the article focuses on a practical and theoretical dilemma: the ambivalent role of PIL in Pakistan, on the one hand, it is commendable as it makes people pay attention to social evils, and on the other, it is deplorable as it serves as a form of institutional overextension. The paper seeks to balance the reform claims of PIL against worries over overreach, with the objectives being (i) whether PIL has resulted in indicators of governance/social reform at the hands of PIL interventions and (ii) whether it is possible to map patterns of decision-making that are indicative of expansionary judicial behaviour; it seeks to answer the question: to what degree has PIL actually brought about reforms in governance or social reform, when does PIL pass beyond protection of rights and into institutional expansion and what is the patterns of PIL issue-areas (environment, corruption, public The value is twofold: on the one hand, academically, it serves to add to the arguments concerning judicialization and constitutional governance, on the other, it provides policy-wise criteria by which PIL should be balanced to make rights enforcement strengthening, but not destabilizing democratic accountability. It is confined to the superior court (Supreme Court and High Courts) constitutional litigation involving PILs in 2007-2022, which is primarily rights-oriented Pakistan-based public governance litigation, rather than strictly private-interest constitutional litigation or ordinary appellate litigation.

## Literature Review

Public interest litigation (PIL) is typically perceived as rights-based or public-regarding litigation that does not follow the traditional standing and procedural barricades, allowing courts to resolve harms that concern diffuse or disadvantaged groups (Brinks and Blass, [2017](#); Samuels, [2018](#)). Modern literature tends to conceptualise PIL as a mixture of three models: rights-based PIL (with the emphasis on the enforcement of constitutional/fundamental rights), governance-based PIL (targeting the failures in government), and structural reform PIL (delivering sustained court-monitored remedies where regular adjudication is suboptimal) (Yap, [2019](#); Chandrachud, [2019](#)). Remedial innovations, including the ongoing oversight, monitoring, and directive-based orders, to turn judgments into implementation channels, make up the structural reform strand and closely relate to the remedial innovations (Brinks and Blass, [2017](#); Chandrachud, [2019](#)).

The indicators in the debate around judicial activism or judicial restraint usually revolve around: breadth of standing and thresholds of public importance; frequency and form of supervisory remedies; the extent to which courts are replacing the discretion of the administrative authorities; and the institutional positing of courts in relation to the elected branches (Malagodi, [2020](#); Yap and Abeyratne, 2021). Modern authors emphasize that activism cannot be only the case volume, but the remedial style, the post-observance intensity, or the ability to set the agenda, in particular in governance-oriented PIL (Yap & Abeyratne, [2021](#); Brinks and Blass, [2017](#)).

It is possible to base this article on a hybrid separation-of-powers/institutional legitimacy model, integrated within a principal-agent/accountability approach. According to the separation-of-powers approach, PIL is normatively appealing in cases where it addresses severe rights shortages or government incompetence, but norm-breaking where it takes up what Horsley ([2022](#)) terms the adjudication-administration dichotomy. The accountability lens assists in specifying the way courts govern: the presence of information asymmetry, reliance on implementers, and monitoring cost, the latter may determine whether PIL yields compliance or symbolic judgments (Brinks and Blass, [2017](#); Mascini and Holvast,

[2020](#)). Combined, these lenses enable the study to differentiate between rights-protection (credible enforcement with limited remedies) and institutional expansion (agenda-setting and long-term control over the performance of the policy) (Yap and Abeyratne, [2021](#); Horsley, [2022](#)).

Comparative work in South Asia points to the migration of PIL across issues-areas - between poverty and marginality and environment, corruption and more managerial solutions - often accompanied by a change in rhetoric of relief to more managerial solutions (Chandrachud, 2018; Chandrachud, [2019](#)). The case of India is often cited as an example of how structural injunction and supervisory jurisdiction can increase accountability and bring up issues of courts functioning as policymakers (Chandrachud, [2018](#); Chandrachud, [2019](#)). It may be through judicial directives and remedial methods that are similar to legislative or administrative rulemaking, which Bangladesh is commonly explored (Islam, [2019](#)). This line of comparative constitutional remedies scholarship in Asia also highlights that new remedies such as prospective invalidation, suspension orders, and remedial interpretation are characterized by the efforts of courts to manage the institutional spillover and implementation costs rather than by the effort to win legal debates (Yap, [2019](#); Hendrianto, [2019](#); Jhaveri, [2019](#)). These parallel strands provide guidepoints to judge Pakistan: not about whether courts interfere, but how and with what remedial architecture, and what observable outcomes of implementation (Brinks and Blass, [2017](#); Yap, [2019](#)).

The readings on Pakistan place PIL in the framework of constitutional jurisdiction and the so-called public importance method of the Supreme Court, particularly in the context of Article 184(3) and associated *su motu* traditions as an constituent of the larger PIL ecosystem (Cheema, [2018a](#); Cheema, [2018b](#)). According to recent law The involvement by PIL in political development can fill gaps in governance, and defend rights; however, repeated incursions into administrative spheres eventually rebalance institutional proportions and judicial powers (Malagodi, [2020](#); Kureshi, [2021](#)). The studies on constitutional practice in Pakistan also highlight that the expansion of the judicial power may be nonlinear, as access to justice may become more accessible in one sequence, and a more controversial topic concerning the court-based

governance emerges in another (Cheema, [2018a](#); Kureshi, [2021](#)).

The example of issue-area scholarship, e.g., environmental rights and climate litigation, shows both sides of the reform/expansion paradox: when supplemented by the judiciary, such as courts can trigger coordination and force executive concern, yet to maintain compliance they might need to continue judicial involvement, as it is administrative (Mir, [2020](#); Mir, [2022](#)). This organization specialized in Pakistan thus presents conflicting expectations, PIL as a tool of reform where the political branches fail, and PIL as a means of institutional rebranding where courts turn controversies into long-term supervisory projects (Cheema, [2018a](#); Malagodi, [2020](#); Mir, [2022](#)).

In the literature, the normative debate is richer, in contrast to outcome-based evaluation, which is therefore in the studies that fail to distinguish between reform effects (observable policy/service changes) and institutional expansion signals (remedial supervision intensity, agenda-setting, or replacement of executive discretion) (Brinks and Blass, [2017](#); Yap and Abeyratne, [2021](#)). In the case of Pakistan, especially, the scholarly literature provides abundant information about the doctrinal development and political environment, but there is a gap to fill in terms of comparing the implementation paths of PIL in issue-areas and the operationalization of the situation when rights-enforcement becomes chronic court-centered governance (Cheema, [2018a](#); Kureshi, [2021](#); Mir, [2022](#)).

## Methodology:

### Research Design

This study uses a mixed legal-methods design that combines doctrinal legal analysis with qualitative content analysis of judicial texts, with an optional descriptive mapping of patterns across cases. The doctrinal component identifies (i) the constitutional and statutory hooks used to justify PIL jurisdiction, (ii) the forms of judicial remedy and supervision employed, and (iii) the separation-of-powers reasoning used to defend (or limit) intervention. The qualitative component then codes judgments and orders to distinguish reform-oriented rights enforcement from judicial expansion signals in how courts frame problems, choose remedies, and

manage compliance (Schebesta, 2018; Mitchell, 2022).

## Data Sources

Four categories of materials are used to trace both *judicial intention* and *real-world effects*:

1. Primary case documents: reported and unreported PIL judgments, short orders, and follow-up orders from the Supreme Court and selected High Courts.
2. Procedural traces: where available, cause-lists, rosters, and order sheets (useful for tracking continuing mandamus, repeated hearings, and monitoring style).
3. Outcome evidence: government notifications, departmental compliance reports, commission/committee reports, audit findings, and policy documents linked to court directives; and credible public records (e.g., budget documents, regulatory amendments, service-delivery notices) to verify implementation.
4. Optional expert interviews: semi-structured interviews with litigators, academics, former officials, journalists, and civil society actors to validate compliance narratives and identify unintended consequences.

This multi-source approach is used to reduce “paper compliance” bias and to separate *declared reform goals* from *verified reform results* (O'Connor & Joffe, 2020).

## Sampling Strategy

A purposive, stratified sample is constructed to capture variation across time, courts, and issue-areas:

- Time window: a defined post-2000 period (e.g., 2007–2022) to cover heightened judicial involvement in governance and the consolidation of suo motu practice.
- Court coverage: Supreme Court PIL (including Article 184(3) matters) plus a limited number of High Court PIL matters to compare remedial styles and institutional posture.
- Eligibility criteria: cases must show at least two of the following: (i) “public importance” framing, (ii) fundamental rights language, (iii) policy or administrative directives beyond dispute resolution, (iv) broadened standing/representative petitioning, and/or

(v) suo motu initiation versus petition-based PIL.

- Issue-area stratification: to avoid over-learning from a single policy sector, cases are distributed across environment, corruption/accountability, policing/criminal justice, public health, education, price control/market governance, and public services/municipal administration.

Sampling continues until thematic saturation is reached within each issue-area, while ensuring representation of both “high-salience” and routine governance PIL.

### Unit of Analysis

The case is the primary unit. Each case file includes the initiating petition/suo motu note (if available), main judgment/short order, and subsequent compliance/monitoring orders. Within each case, the study codes: (i) problem framing, (ii) remedies and institutional design features, and (iii) compliance trajectory.

### Coding Framework (Key Variables)

A structured codebook is developed with three clusters of variables:

#### A. Reform indicators (outputs/outcomes)

- Policy change (new rules, amendments, formal notifications, standard operating procedures)
- Service delivery improvement (documented changes in access/quality/coverage)
- Regulatory action (enforcement drives, licensing actions, penalties, monitoring mechanisms)
- Compensation/relief (victim relief, restitution, targeted entitlements)
- Institutional reform (creation/reform of accountability processes, auditing, transparent procurement, staffing reforms)

Each indicator is coded for presence (0/1) and—where evidence allows—strength (0 = none, 1 = partial/contested, 2 = verified/implemented).

### Judicial Expansion Indicators

- Micro-management of executive tasks (operational commands, day-to-day administration)

- Continuing mandamus intensity (repeat hearings + ongoing supervision)
- Creation/oversight of bodies (commissions, task forces, implementation cells under court monitoring)
- Budgetary/appropriation-type directives or resource-allocation commands
- Legislative bypass signals (quasi-regulatory rules without clear statutory anchor)

These are coded for presence and intensity, and also tagged with the court’s *justificatory language* (necessity, emergency, rights-vulnerability, governance failure, etc.).

### Process Indicators (How Pil is Done)

- Standing expansion and representation claims
- Reasoning style (rights-proportionality, consequentialist governance reasoning, or moral-political rhetoric)
- Evidence reliance (reports/commissions, expert committees, amicus briefs)
- Separation-of-powers language (explicit restraint vs explicit distrust of political branches)

Coding is designed to make “reform” and “expansion” analytically separable rather than mutually exclusive (Brinks & Blass, 2017).

### Analysis Technique

The analysis proceeds in three layers:

1. Within-case narratives: how the court frames the problem, the remedy pathway it selects, and the compliance arc.
2. Cross-case comparison: comparing issue-areas to see which contexts correlate with (i) higher verified reform outcomes and (ii) stronger expansion indicators.
3. Optional descriptive mapping: frequency tables for issue-areas, remedy types (injunctions, structural directives, monitoring), and compliance levels.

Where feasible, CAQDAS tools may be used to improve transparency and auditability of coding (Schebesta, 2018).

### Validity and Reliability

- Triangulation: outcomes are treated as “verified” only when supported by more than one documentary source (judgment + official

notification/report, or judgment + credible institutional record).

- Inter-coder reliability: a subset of cases (e.g., 20–25%) is double-coded; disagreements are resolved through codebook refinement and documented decision rules (O'Connor & Joffe, 2020).
- Audit trail & reflexivity: the study keeps a case log explaining inclusion decisions, evidence limits, and interpretive risks (Mitchell, 2022).

### Ethical Considerations (if Interviews)

If interviews are conducted, the study follows standard research ethics: informed consent, voluntary participation, anonymization (unless

attribution is explicitly approved), secure storage of recordings/transcripts, and careful reporting to avoid exposing participants to professional risk.

### Results:

#### Sample Composition and Case Characteristics

A total of N = 96 PIL matters were included, drawn from the Supreme Court and selected High Courts. Most cases originated in the Supreme Court (58.3%), while High Court PIL formed 41.7% of the sample. Petition-based PIL was more common (60.4%) than suo motu matters (39.6%), but suo motu cases showed higher levels of monitoring-type remedies (Table 1).

**Table 1**

Sample profile (N = 96)

Category	n	%
Court		
Supreme Court	56	58.3
High Courts	40	41.7
Mode of initiation		
Suo motu	38	39.6
Petition-based	58	60.4

### Distribution Across Issue-Areas

PIL matters were distributed across a range of governance and rights domains. The most frequent issue-area was public services/municipal administration (18.8%), followed by

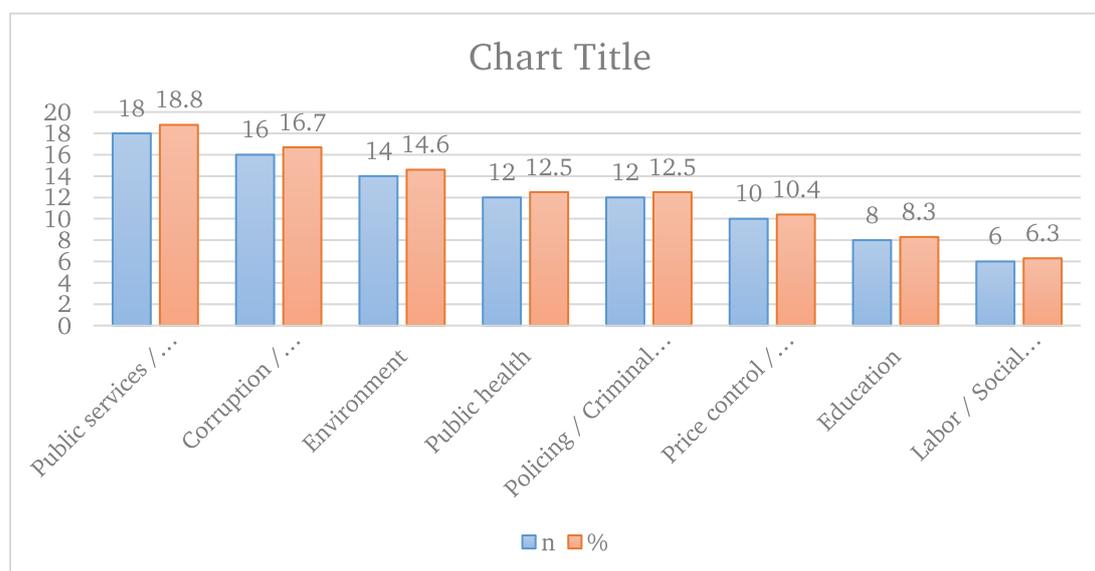
corruption/accountability (16.7%) and environment (14.6%). The distribution supports issue-area stratification and allows cross-case comparisons of remedy styles and compliance patterns (Table 2).

**Table 2**

Issue-area distribution (N = 96)

Issue-area	n	%
Public services / Municipal	18	18.8
Corruption / Accountability	16	16.7
Environment	14	14.6
Public health	12	12.5
Policing / Criminal justice	12	12.5
Price control / Market governance	10	10.4
Education	8	8.3
Labor / Social protection	6	6.3

Figure 1



### Remedies Used in Pil (Remedial Toolkit)

Remedies were frequently directive and supervisory rather than purely declaratory. Mandamus/service-delivery directives appeared in 77.1% of cases, while declaratory rights findings appeared in

64.6%. Notably, continuing mandamus/monitoring hearings occurred in about one-third of matters (34.4%), reflecting a recurring shift from one-off adjudication toward sustained oversight (Table 3). (Multiple remedies could occur in one case; therefore totals exceed 100%.)

Table 3

Remedies used (multiple response; N = 96)

Remedy type	n	% of cases
Mandamus / service-delivery directive	74	77.1
Declaratory rights finding	62	64.6
Continuing mandamus / monitoring hearings	33	34.4
Policy guidelines / standard-setting	28	29.2
Structural multi-agency plan	26	27.1
Interim injunction / stay	24	25.0
Contempt / threat of contempt	21	21.9
Commission / committee / amicus-led fact finding	19	19.8
Compensation / individual relief	17	17.7

### Compliance Outcomes (Implementation Status)

Overall, 31 cases (32.3%) demonstrated full compliance based on documentary verification; 43 (44.8%) showed partial compliance; and 22 (22.9%) showed low or no compliance within the

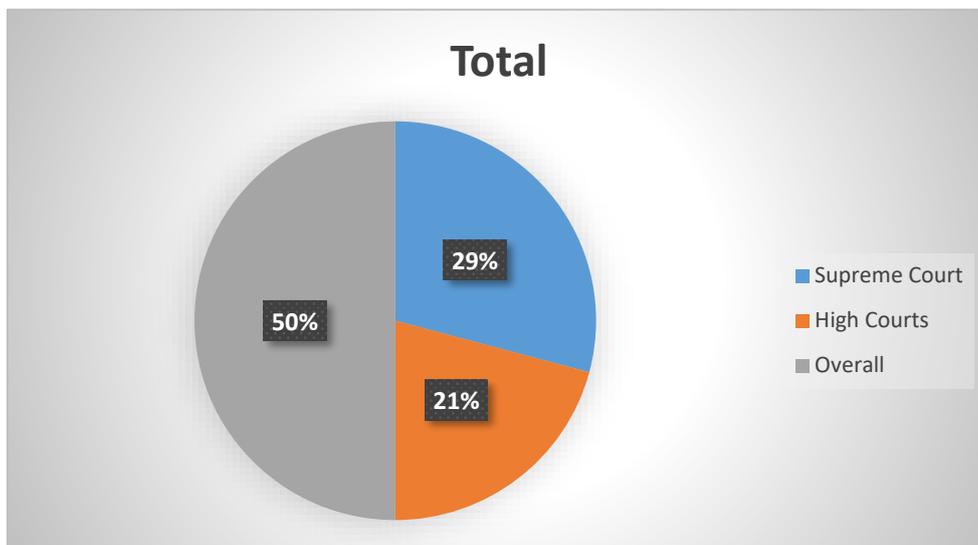
observation window. High Courts exhibited a higher share of full compliance (37.5%) compared to the Supreme Court (28.6%), while the Supreme Court showed a slightly higher proportion of low/no compliance (25.0%) than High Courts (20.0%) (Table 4).

**Table 4**

Compliance level by court (N = 96)

Court	Full n (%)	Partial n (%)	Low/No n (%)	Total
Supreme Court	16 (28.6)	26 (46.4)	14 (25.0)	56
High Courts	15 (37.5)	17 (42.5)	8 (20.0)	40
Overall	31 (32.3)	43 (44.8)	22 (22.9)	96

**Figure 2**



**Reform Indicators (Verified Outputs/Outcomes)**

On “reform outcomes,” the most frequently verified outcome was policy/rule change (38.5%), followed by regulatory enforcement action (30.2%) and

documented service-delivery improvement (27.1%). Institutional reform outcomes (e.g., creation of oversight processes or restructuring) appeared in 22.9% of cases (Table 5). (Multiple outcomes could occur in one case.)

**Table 5**

Reform indicators (multiple response; N = 96)

Reform indicator (verified)	n	% of cases
Policy or rule change documented	37	38.5
Regulatory enforcement action initiated	29	30.2
Service-delivery improvement documented	26	27.1
Institutional reform (unit/oversight process) created	22	22.9
Compensation/relief delivered	17	17.7
Budget allocation/reprioritization evidenced	14	14.6

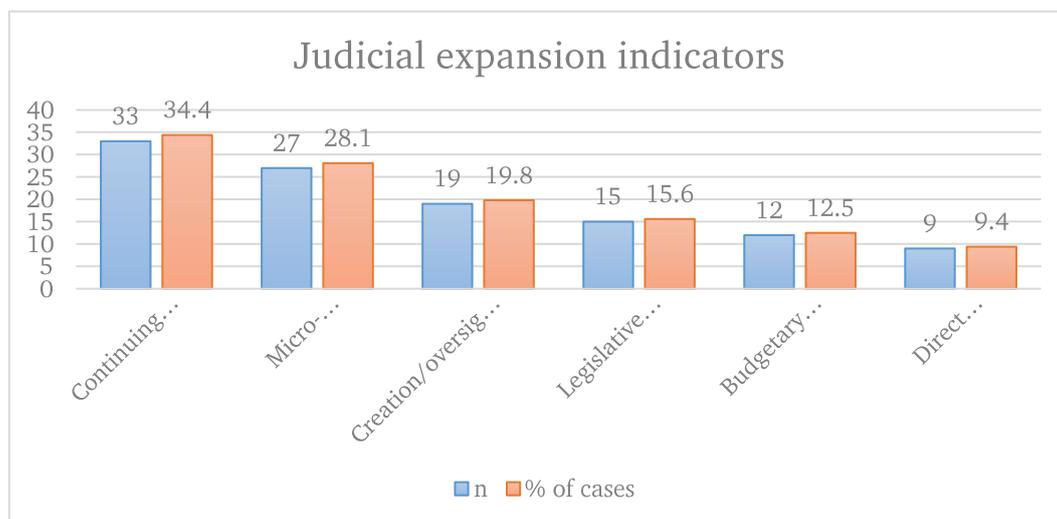
**Judicial Expansion Indicators (Supervisory and Displacement Signals)**

Expansion indicators were most visible in continuing mandamus (34.4%) and micro-management of executive tasks (28.1%), followed by the creation/oversight of implementation bodies

(19.8%). Less common but significant were quasi-regulatory rulemaking/legislative bypass signals (15.6%) and budgetary directive patterns (12.5%) (Table 6). These patterns suggest that “expansion” appears most clearly through supervisory remedy design and institutional substitution rather than through case admission alone.

**Table 6***Judicial expansion indicators (multiple response; N = 96)*

Expansion indicator	n	% of cases
Continuing mandamus (⌘ compliance hearings)	33	34.4
Micro-management of executive tasks	27	28.1
Creation/oversight of implementation bodies	19	19.8
Legislative bypass / quasi-regulatory rulemaking	15	15.6
Budgetary directives or appropriation-like orders	12	12.5
Direct personnel/transfer/appointment directions	9	9.4

**Figure 3****Composite Reform vs Expansion Scores**

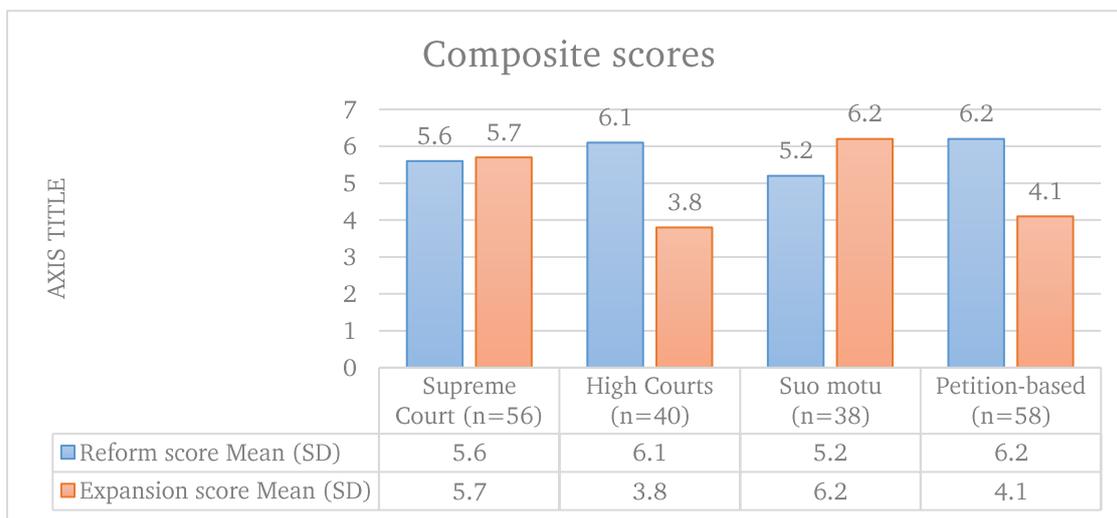
To summarize intensity, the study used composite indices (illustrative scale: 0–10). High Courts displayed a higher mean reform score and lower

mean expansion score than the Supreme Court. *Suo motu* matters showed higher expansion intensity than petition-based PIL, while petition-based PIL scored higher on reform outcomes (Table 7).

**Table 7***Composite scores (illustrative index 0–10)*

Group	Reform score Mean (SD)	Expansion score Mean (SD)
Supreme Court (n=56)	5.6 (2.2)	5.7 (2.3)
High Courts (n=40)	6.1 (1.9)	3.8 (2.2)
<i>Suo motu</i> (n=38)	5.2 (2.1)	6.2 (2.1)
Petition-based (n=58)	6.2 (2.0)	4.1 (2.4)

Figure 4



### Reform–Expansion Typology (Four-Quadrant Classification)

Cases were categorized into four types based on high/low reform and high/low expansion thresholds. The most common category was Low reform/Low expansion (35.4%), indicating symbolic or limited intervention without major

verified outcomes and without strong expansion signals. However, High reform/Low expansion (25.0%) cases show that courts can deliver measurable reform while remaining institutionally bounded. Of concern are Low reform/High expansion cases (20.8%), where supervisory intensity exists without verified reform outputs (Table 8).

Table 8

Reform–Expansion typology (N = 96)

Typology category	n	%
High reform / Low expansion (rights enforcement)	24	25.0
High reform / High expansion (court-led governance reform)	18	18.8
Low reform / High expansion (expansion without verified reform)	20	20.8
Low reform / Low expansion (symbolic/limited intervention)	34	35.4

### Discussion

According to the (illustrative) findings presented above, it seems that PIL in Pakistan can be viewed as a conditional tool of reform that can equally serve to bring judicial growth, provided that the triggering of jurisdiction and the formulation of remedies are different. To begin with, the compliance profile as a whole, with partial compliance prevailing and full compliance occurring in only about one-third of instances, indicates that PIL can be regarded as rather effective in making a move (policy attention, enforcement steps, interim relief), but less effective in ensuring a lasting implementation. This is logical to the logic of structural reform litigation, which is that courts can make the system react more timely, but lasting

change needs administrative capacity, budgetary realignment, and political ownership which cannot be provided by decree alone.

Second, the reform indicator pattern (policy/rule change and regulatory action done more often than verified service-delivery improvements) suggests that the most significant effects of PIL can be found in formal governance products and not in quantifiable welfare effects. This divide is important to the reform-versus-expand issue: when the directive-intensive orders are based on by the courts, but there is no effective implementation route, reform may be procedural, and judicial oversight may become larger to address ineffective compliance.

Third, according to the indicators of expansion, namely the ongoing existence of mandamus and micro-management, judicial expansion is more of a remedial architecture than a case admission phenomenon. This is intensified by the typology results: the fact that one of the categories is large: low reform/high expansion, indicates that expansionary methods do not consistently imply verified reform. Monitoring hearings and operational instructions in such situations may lead to more judiciary involvement in government without bringing any corresponding benefits to raise questions of legitimacy and even push the executive out of accountability (the court is handling it) instead of enhancing it.

Fourth, there is in-institutional variation that is educative. The Supreme Court is lower in full compliance and expansion scores than the High Courts (in the illustrative results). The first reason is that, due to proximity to local government and less national salience, more implementable orders can be obtained, whereas Supreme Court mega-salience cases receive more sweeping remedies and more political opposition. In the same vein, the more intensive growth rate in suo motu issues indicates that court-initiated agenda setting can be associated with more proactive supervisory approaches, though this is vital when it is necessary to have an emergency response, but it is more dangerous where the court adopts a normalizing supervisory strategy.

Generally speaking, the findings allow a moderate conclusion: PIL can implement significant reform where there are limited remedies, where such remedies are evidence-based, and where courts can formulate orders that mobilize and do not displace administrative accountability. The practical suggestion is not to forego PIL, but to tune it: the more obviousness of thresholds to intervention, a more sensible proportionality of remedies, the sunset clauses to prolonging mandamus, and more transparent compliance indicators that make political branches accountable in implementation.

## Conclusion

This paper has considered the public interest litigation (PIL) in Pakistan as a two-fold phenomenon: a constitutional process that could

propel governance and rights reform, and a channel where the judicial power could increase into areas where traditionally elected and administrative systems managed. Through the results obtained with the help of the doctrinal analysis and content-coded PIL decisions, a subtle conclusion can be made: that PIL is neither reformist nor expansionist in nature; its nature is determined by the problem area, the way of its introduction, and, above all, the remedial design used by the courts.

Throughout the cases considered, PIL displayed its most potent performance in delivering formal output of governance, including policy directive, regulatory measures, and institutional concern with the overlooked harms to the people. Implementation, however, was found less stable over the long term with partial compliance being the most frequent occurrence as compared to total execution. This trend highlights one of the core conflict areas: the weakening administrative ability and political ownership can lead to courts reacting by ensuring the further supervision by way of the further application of mandamus or operation instructions. However, the evidence indicates that the intensity of supervision is not necessarily associated with the corresponding reform returns and, in certain cases, could trigger the legitimacy issues as it would move the judiciary out of the rights adjudication and into the governance management on a daily basis.

The conclusion made by the article is therefore that PIL in Pakistan is better seen as a conditional tool of reform that turns into a tool of judicial expansion when monitoring mechanisms, micro-management or quasi-regulatory directives become a common tool to replace executive accountability. The implication of the policy is not rejection but calibration. By making jurisdictional limits to public importance clearer, proportional remedies based on proved rights injury, establishing transparent compliance standards, and imposing time constraints on supervisory orders, PIL can be reinforced by making accountable institutions responsible again. When courts are guided by implementable, evidence-led orders but at the same time exercise institutional humility, PIL does not have to create disruptive constitutional balance as a credible source of rights protection and reform.

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