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Freedom of Expression in Pakistan: Constitutional Guarantees, Legal Restrictions, and International Standards

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ABSTRACT

The freedom of expression is a principle right that has been acknowledged in the Constitution of Pakistan and in the international law of human rights. This paper analyzes the extent of freedom of expression in Pakistan, the constitutional provisions of the 1973 Constitution as per articles 19 and 19A of the 1973 Constitution, the local limitations on these freedoms as prescribed by the law and how the Pakistan structure interprets the provisions of freedom of expression as per the international requirements, especially the International Covenant on Civil and Political Rights (ICCPR). The doctrinal analysis of the stipulations of the constitution, statutory laws and highly significant judicial decisions, along with the analysis of the pieces of scholarly and human rights literature is conducted. The results indicate, although the Constitution ensures the freedom of speech, expression and information, these freedoms are subject to extensive restrictions, which are not limited to the interests of religion, national security, public order and morality but surpass the limited restrictions that are allowed under the international law. The laws of defamation, blasphemy, sedition and cybercrimes have proved to be a major weapon in curbing dissent and critical voices. The international norms insist that curtailment of any expression must be necessary and proportionate nevertheless, the legislation and application of the same has been revisited many times and has been found wanting in this regard in Pakistan. This study highlights how the constitutional assurances in Pakistan occupy a clash with the legal act and gives suggestions on address of reforms to enhance the protection of freedom of expression to meet the international standards of human rights.

Keywords: Freedom Of Expression; Pakistan; Article 19; Article 19A; ICCPR; Human Rights; Censorship; Free Press

Introduction

The concept of freedom of expression is largely perceived to be a pillar of the democratic society and a precondition that must be fulfilled prior to the other human rights being actualized. It also allows free communication, transparency and sharing of ideas hence promoting social development and accountability. This right is expressly guaranteed by the Constitution of 1973 of Pakistan: Article 19 guarantees that every citizen shall be free of speech and expression, and shall also be free of press, and Article 19A that was added



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by the Constitution amendment of 2010, ensures that citizens have the right to information on matters of national interest. Such stipulations give a promise of respect of free speech and transparency. They are, however, subject to qualifications that authorize the state to impose in the name of a variety of interests, such as the exaltation of Islam, integrity, security or defense of Pakistan, amiable relations with foreign nations, civil order, decency or morality, contempt of the court, defamation or incitement of a crime. The scope of such exceptions has been a point of discussion and worry among jurists, human rights activists and even scholars.¹

Practically, Pakistan has had difficulties in producing the complete freedom of expression. The history of the military rule and political instability in the country has been characterized by strict limitations on freedom of press and political discussions. It is common even in civil governments where laws and regulations are used to squash criticism of such mighty bodies as the military and the courts, or to mutter those who speak in opposition. Consequently, Pakistan has always scored low in the international rating of freedom of the press and freedom of the internet. In 2022, as an example, Pakistan was ranked number 157 out of 180 on the World Press Freedom Index created by Reporters Without Borders, and was rated Partly Free on the Freedom in the World survey by Freedom House. In the last twenty years, dozens of Pakistani journalists were killed and many more attacked, kidnapped, prosecuted in law and intimidated because of their work. These statistics help highlight the contradiction between the constitutional right to free speech and the reality faced by journalists, activists, and regular citizens.²

The global legal system has set a standard with which the performance of Pakistan could be evaluated. Pakistan is a party state in the ICCPR which in its Article 19 not only enshrines the freedom of expression and information but also provides a boundary of restrictions of these freedoms. The international standards claim that limitations on expression should be offered by law, and necessitate and reasonable toward fulfilling a legitimate purpose, including the safeguarding of national security, general calm, general wellbeing or wellbeing, or the rights and reputations of others.³ This also begs the following critical questions: Are the constitutional and legal limitations on speech as witnessed in Pakistan within the area of what the international law deems as acceptable? What have the courts and lawmakers of Pakistan read into these restrictions and what have they applied? And what about the effect of these legal restrictions on the general climate of the freedom of expression in the country?

In this paper, the questions are explored with reference to the provisions of the constitution of Pakistan on the freedom of expression, the statutes and regulations that restrain the freedom of expression, and case law to the extent that they apply to the international human rights standards. One of the analyses includes looking at the literature available and reports that have been made in the past that show how the laws have led to the suppression of speech and what has been suggested as reform. The study sheds light on the conflict between the de jure and the de facto practices of the country by analyzing the black-letter law and its application. It is hoped to offer a detailed but brief history of the situation in the legal context of freedom of expression in Pakistan,

¹ Aftab, S. (2024). Right to Privacy and Freedom of Expression in the Constitution of Pakistan. In *Comparative perspectives on the right to privacy: Pakistani and European experiences* (pp. 99-126). Cham: Springer Nature Switzerland.

² Korai, A. G., Ghaffar, A., & Samad, A. (2023). Freedom of Speech under Constitution of Pakistan. *Journal of Law & Social Studies (JLSS)*, 5(2), 172-179.

³ Ahmad, N. M., & Saqib, K. M. (2025). Freedom of Expression in Pakistan and Malaysia: A Comparative Legal Analysis. *Indus Journal of Social Sciences*, 3(1), 996-1007.



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and to recommend the way the legal framework would be corrected to more accurately reflect the ideals of the Pakistani constitution and the international community.

Literature Review

There is emerging literature that has discussed the issue of freedom of expression in Pakistan in both legal, political and human rights dimensions. According to scholars and commentators, even though in Pakistan, free speech and access to information are enshrined in the Constitution, their implementation has been limited by a maze of laws and socio-political considerations. A lot of the scholarly debate focuses on the conflict between the state interest, including the security and religious peace, and the individual rights. An example to illustrate this point is that, according to Ahmed and other (2020), the concept of reasonable restrictions in Article 19 is an imitation of common law and colonial traditions, but when it was implemented in Pakistan, it has been quite liberal and allowed authorities to censor on general grounds. Ahmed (2020) puts the historical context in perspective and notes that governments over time have seen it easy to put stability and order above civil liberties, which has impeded the development of a healthy culture of free speech.⁴

Besides the scholarly research, reports by human rights groups and media critics are insightful. The trends of media repression, intimidation of the journalists, and use of laws against dissent has been reported by the international and domestic NGOs. Indicatively, Media Matters for Democracy (2021) stated that the legal situation to express online in Pakistan has grown more demanding, citing the adoption of strict cybercrime laws and the blocking of content by governments very often. In that report, it was noted that the Prevention of Electronic Crimes Act (PECA) of 2016 has served as an instrument of arbitrary internet censorship, and provided examples of journalists who have been charged under this law due to making critical posts on social media.⁵

The same human rights groups have sounded the alarm over the wider regard of freedom of expression. Amnesty International (2021) noted that when the COVID-19 pandemic hit, Pakistan, as many other states, imposed new regulations, which were allegedly used to combat misinformation and keep the order, and it is part of the trend of securitizing the civic space (Amnesty International, 2021, pp. 1618). The body cautioned that the actions seemed unreasonable and were meant to stop fair criticism (Amnesty International, 2021, p. 19). Amnesty International (2022) also reported that the critical voices were still pressed, and the new laws were used against journalists, activists, and NGOs under the general human rights of national security and order (Amnesty International, 2022, pp. 14, 17). Similar to other observers, it observed that the restrictions imposed by Pakistan tend to be neither necessary nor proportionate to the requirements of the international standards and that ambiguity can be abused (Amnesty International, 2022, p. 19).⁶

The other critical aspect in literature is the contribution made by the judiciary in interpreting the freedom of expression. The case law has been discussed (Ahmad, 2019; International Human Rights Observer, 2024) indicating that the higher courts of Pakistan have occasionally taken a protective attitude towards fundamental rights, but have also supported disputable restrictions. In the case of *Benazir Bhutto v. In 1998*, President of Pakistan, the Supreme Court decided that the government could not wiretap its citizens

⁴ Ahmad, N., & Malik, M. E. (2020). Freedom Of Speech And Expression In The Contemporary World: A Case Study Of Pakistan And Limitations Of Article 19 Of The Constitution Of Pakistan, 1973. *Journal of the Punjab University Historical Society*, 33(02).

⁵ Arain, M. M., Rehman, T. U., Rafiu, A., & Ali, J. (2024). The Freedom of speech and expression in Pakistan. *Law and Justice*, 9(1), 188-204.

⁶ Rizwan, S., & Naz, S. (2025). Freedom of Expression AMD Press under Pakistan's Constitution 1973. *Research Consortium Archive*, 3(3).



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as it interfered with their privacy rights, which was against Article 14 (Home) and thus oppressed free expression (Article 19). The Court emphasized the importance of interpreting basic rights in a liberal manner in order to ensure that they reap to the maximum benefit of citizens. On the other hand, the judiciary in some cases has also approved restrictions particularly when speech is seen to pose a threat to the religious feelings or the safety.

In general, the literature indicates there is complex interaction between the constitutional commitment and actualities of Pakistan. It is agreed that the legal system in Pakistan puts wide restrictions on expression that are not necessarily in keeping with the principles of liberal democracy as well as international human rights standards. The literature has a strong appeal of reforms in law, harsher judicial review of restrictions, and more compliance with international standards (including the Article 19 of the ICCPR) to protect expression in Pakistan. These views form the basis of analysis of the present research comments on how Pakistan is able to balance its domestic laws and its international law obligations.⁷

Methodology

The methodology used in this research is a doctrinal one, which is based on the analysis of legal texts and the interpretative materials. The paper will start with a close examination of the primary sources, such as the Constitution of Pakistan (especially Articles 19 and 19A) and other important legislative tools, which have any impact on the freedom of expression. These are penal laws (such as the section on sedition, blasphemy and defamation in the Pakistan Penal Code), media and press laws (such as the Pakistan Electronic Media Regulatory Authority Act), and cyber-laws such as the Prevention of Electronic Crimes Act, 2016 and the rules thereof. Besides the legislation, the study also reviews the case law of the judiciary system as a whole focusing on the ways the courts interpreted the free expression boundaries and the feasibility of different restrictions in the high-profile verdicts.

To make the analysis in a global context, the methodology will reach the international legal instruments and standards. Pakistan uses the ICCPR as the main international treaty on civil and political rights to which it is a party as the authority to compare the laws of the country. The relevant United Nations documents, including General Comment No. 34 of the UN Human Rights Committee (that expounds on Article 19 of the ICCPR), and reports of the United Nations special rapporteurs are consulted in an attempt to establish the acceptable standards of lawful limitations on expression. These international sources assist in determining the level of adherence or non-adherence of the laws of Pakistan to the international standards.

The third pillar of the methodology is constituted by using secondary sources. It will include the analysis of scholarly articles, legal commentaries, and reports by the non-governmental organizations specializing in the freedom of expression and rights in Pakistan. Through such synthesis, the study puts the situation in Pakistan into the wider academic discussion and uses empirical evidence by the safety organizations of journalists, human rights groups, and even think-tanks. The three-fold approach of legal texts, case law, and academic/human rights commentary, provides the complete picture of the letter of the law and its application.

This analysis is based on descriptive mapping of the legal framework and critical analysis of its sufficiency and compliance with international standards. The provisions of

⁷ Liaquat, S., Qaisrani, A., & Khokhar, E. N. (2016). Freedom of Expression in Pakistan: A myth or a reality.



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the constitution and the legal provisions are outlined first in context and their history where applicable. Secondly, the imperative application of these laws is also critically discussed basing on case precedents and recorded examples of application. Lastly, the framework of Pakistan is tested on the international legal standards and therefore regions of agreement and disagreement are determined. The approach to the methodology of the study allows not only to trace the current legal landscape but also to question its sufficiency when it comes to the protection of freedom of expression. The research is objective, as it has utilized the documented sources and jurisprudence, though it offers the depth of scholarly insights into the understanding of the regime of freedom of expression in Pakistan.

Research Findings

The Constitution of Pakistan guarantees the right to freedom of speech and expression, freedom of press and the limitation to both, which is clearly stipulated in the constitution under Article 19. It also ensures the right to information in public affairs which is of common concern as seen in Article 19A and as such transparency is part and parcel of democracy. Nevertheless, the two articles are explicitly limited to reasonable restrictions by law on a list of purposes. The following purposes, which are listed in Article 19, contain general and abstract words: glory of Islam, integrity, security or defense of the state, friendly relations with foreign countries, public order, decency, morality, contempt of court, defamation, and incitement to an offense. Article 19A also permits the state to control the access to information based on the same grounds. The very fact that such broad exceptions have been included gives rise to the fact that constitutional protection of expression is not absolute as it is conditioned by the judgment of the legislature regarding the reasonableness of restrictions.⁸

These constitutional clauses have far reaching implications. On the one hand, they provide the state with the flexibility in order to deal with the real issues, say, to avoid incitement to violence or to safeguard the state of religious peace. Instead, they leave the gateway to any form of abuse since virtually any controversial or critical speech can be seen as a part of one of these exception categories. As noted by the spectators, the definition of such terms as glorification of Islam and a state of public order is undefined and it has been interpreted broadly. Practically, these indistinct clauses have been taken advantage of to force any opposing opinion (International Human Rights Observer, 2024). Furthermore, the constitutional reasonableness standard of limits on restrictions with no direct requirements of necessity and proportionality is, in effect, giving wide latitude to the legislature in establishing the boundaries of speech.⁹

Statutory Restrictions and Censorship: In this constitutional system, the legislature of Pakistan has passed many laws limiting the speech. The Pakistan Penal Code (PPC) has a number of these provisions. As an example, the blasphemy laws, which are mainly PPC Sections 295-298, have criminalized any insult to religion or religious personalities, and punishments include life imprisonment or death. These provisions, ostensibly motivated by the glory of Islam, are reportedly used widely to persecute religious minorities or to resolve personal disagreements, which results in a situation where open discussion of religious issues can be a dangerous affair. The other restriction which is passed aboriginally is the sedition law (PPC Section 124-A), which prohibits the expression that

⁸ Riaz, J., Suleman, Z., & Cheema, Z. I. (2020). Confrontations and Limitations on the Freedom of Expression in Pakistan. *Global Mass Communication Review*, 5(4), 136-146.

⁹ Abbas, Z., Khan, R., Khan, M. Z., & Imran, M. (2023). Cyber laws and media censorship in Pakistan: an investigation of governmental tactics to curtail freedom of expression and right to privacy. *Journal of Creative Communications*, 09732586231206913.



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consists of hatred or contempt of the government. Sedition charges have resurfaced against activists and opposition figures in recent years after a spell of rarely used and infrequent use against the opposing elements in the country, which demonstrates that there is little tolerance to political dissent. Criminal defamation is still retained in Pakistan (PPC Section 499) in addition to civil defamation, although criminal prosecutions are rare, the presence of imprisonment against libel by the penal code has a chilling effect on journalists. General security laws such as the Anti-terrorism act 1997 have been on occasion applied to speech, whereby expressions of critical commentary or protest slogans are viewed as a threat to national security, hence extending arguments about national security into non-violent forms of speech. 10

The laws in media and communication also limit free expression. Pakistan Electronic Media Regulatory Authority (PEMRA) exerts enormous power over the content of broadcasts: it can impose instructions, forbid to broadcast, or withdraw licenses in case the broadcasting authority considers the programming of a certain channel to be against some unclear concept of the national interest or decency. In effect, the reporting on some of the controversial topics, including the criticism of the military or the judiciary, or the separatist movements, has been occasionally banned by the regulatory edicts or advisories. Print media are not a subject of one single regulator, but they are having the same pressure through a mixture of the executive notifications and financial sticks (such as the selective withdrawal of governmental advertising to the critical newspapers). These are some of the steps that promote self-censorship in newsrooms. The Prevention of Electronic Crimes Act (PECA), 2016 has emerged as the principal tool of online censorship in the digital realm.¹¹ PECA section 37 gives the Pakistan Telecommunication Authority the power to censor or delete online content at its discretion in the name of religion, national security, public order, and undefined other imperfect categories, without much transparency or judicial review (Media Matters for Democracy, 2021, p. 18). PECA has been used to arrest dozens of individuals including journalists and activists, because of posting something on social media that is considered to be critical of the authorities. Further in 2020, the 2020 Removal and Blocking of Unlawful Online Content official rules (under PECA) gave the authorities an even wider authority to censor online content. Civil society groups have criticized these rules as lacking due process and permitting arbitrariness in takedowns of speech online, as they have been formulated without having undergone any meaningful degree of public consultation.

Judicial Responses and Case Law The higher courts in Pakistan the High Courts and the Supreme Court, are constitutional watchdogs charged with the responsibility of balancing between freedom of expression and the state interests of restricting its citizens. Free expression has been unequally enforced by courts. As an illustration, in *Benazir Bhutto v. Suleman v/s. Pakistan* (PLD 1998 SC 388), the Supreme Court declared the government phone tapping as unconstitutional and stated that such tapping infringed upon privacy and suppressed the freedom of expression as was assured by Article 19.¹² The Court emphasized that fundamental rights should be given a broad interpretation to get the full benefit. Similarly, the Islamabad High Court upheld in 2019 a blanket gag on

¹⁰ Javed, K., Jianxin, L., & Khan, A. (2021). Constitutional exceptions of right to speech: Evidence from the apex courts of Pakistan. *Journal of Humanities, Social and Management Sciences (JHSMS)*, 2(1), 72-84.

¹¹ Khan, S., Tehrani, P. M., & Iftikhar, M. (2019). Impact of PECA-2016 provisions on freedom of speech: A case of Pakistan. *Journal of Management Info*, 6(2), 7-11.

¹² Cheema, M. (2021). *Courting Constitutionalism: The Politics of Public Law and Judicial Review in Pakistan*. Cambridge University Press.



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media reporting on an opposition leader, finding that this censorship was unconstitutional because it infringed on the right to information of the population under Article 19.

Nevertheless, judiciary has at times also been inclined to abide by the perception of the state of what is reasonable. The courts have come out seldom in striking down speech-limiting laws; instead, they have affirmed them with occasional warnings on careful application. The blasphemy laws have never been struck by the superior courts, such as emphasizing on limiting their abuse (e.g. false accusers) but without considering whether they are constitutional. Judges are more likely to take into account the claim of necessity by their governments in the national security issues. This case demonstrates the Zaheeruddin case (1993) in which the Supreme Court used the reference to the Islamic identity of Pakistan to support drastic restrictions against religious manifestations of the Ahmadi minorities. On the same note, efforts to reverse certain components of PECA have been mostly futile, with some of the scandalous uses of the statute (such as banning out of the internet websites wholesale) subject to judicial scrutiny, yet the very essence of its authorities is still open to utilize against electronic communications. Overall, the court system has been less than perfect: it sounds like a champion of free speech, yet all too frequently, it has not gone beyond declaring its rhetoric.¹³

Correspondence to International Standards: Article 19 of the ICCPR permits any restriction to only some legitimate purposes (e.g.: national security, public order, public health or morals, or rights of others) and to only the necessary and proportionate measures. In comparison, the constitutional and legal limitations of Pakistan have grounds not necessarily identified internationally (defending religious feeling or the friendship relations with other states) and they frequently have no provable need. As an example, UN human rights institutions have condemned the Pakistan anti-blasphemy laws and anti-Ahmadi ordinances saying that they violate obligations under ICCPR because they criminalize the expression that is protected by it and because they violate the very limited scope of what can be done (UN Human Rights Committee, 2017).¹⁴

Also, global principles challenge such practices as blanket obstructs of the internet or blanket media gag orders. They have been interpreted as collective punishments and are not considered to pass the test of proportionality because they limit the rights of millions of people instead of targeted threats (Amnesty International, 2022). These actions have been used by Pakistan in times of crisis and are not deemed as an effective way of addressing particular threats. The common practice of using national security and maintaining public order as a reason to suppress peaceful criticism has been identified as a misuse of the notions. The laws should also be specific under the ICCPR; however, some of the provisions of PECA and other Pakistani legislations are so broad that they could entangle valid speech into their snare, which is not the case under international law.¹⁵

On the bright side, Pakistan has done a few things to keep pace with international standards, including the enactment of right-to-information laws in 2017 to deliver on the commitment in Article 19A, and courts sometimes mentioning the international standards of human rights in their decisions. These measures are however constrained. The overwhelming trend of evidence suggests that the mechanism of Pakistan to control the

¹³ Larik, A. H., Begum, S., Khan, F. A., Ansari, Y., & Khan, M. S. THE CONSTITUTION OF PAKISTAN 1973 AND FREEDOM OF SPEECH; USES AND ABUSES.

¹⁴ Sharif, H. S., & Kataria, J. R. (2020). Freedom of Expression and Justiciability in Pakistan. *South Asian Studies*, 34(1).

¹⁵ Zafar, S., & Irfan, M. M. (2025). Freedom of Expression vs. Misinformation Reconciling Human Rights with Digital Regulation. *Social Science Review Archives*, 3(4), 26-40.



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expression is still out of tune with the high standards that are established by the international human rights law. This distortion does not only draw the attention of international criticism but also negatively affects the proper use of freedom of expression within the country.

Discussion

The results indicate a central contradiction of the decision made by Pakistan toward the freedom of expression: the coexistence of the constitutional guarantees and the broad legal restrictions. This duality may be explained against the background of Pakistani historical, political, and social situation. Having gone through several phases of martial law and intense ideological tides, the state has traditionally been suspicious of the freedom of expression, frequently reducing dissent or non-mainstream opinion to a threat of national security or social stability. This wary attitude may be summarized by the text of the constitution, its laundry list of grounds of restrictions. It tries to strike a balance between individual rights and the collective sensitivities, especially the religious feelings and the security issue, but arguably it swings towards the second. In liberal democratic terms, this inclination is an interpretation into a legal situation in which the interest of the state in deterring any harm that may occur too often dominates the interest of the individual in free expression.¹⁶

Another motif that can be identified in the analysis of the situation concerning Pakistan and the free expression is the imprecision and generosity of restrictions. Such indistinct legal norms are dangerous in any court but when dealing with Pakistan, where political and religious tensions are high, it is particularly vulnerable to abuse. Laws in vague language such as sedition, anti-state propaganda or acts against the glory of Islam are effective in giving the wide discretion to the authorities to know when the speech is on the wrong side of the line. According to media rights organizations, this discretion has been applied on a very broad range of expression, covering not only journalists who write about corruption, but also activists who expose human rights abuses or simple citizens on social media who criticize government policies or even the military. Self-censorship has been caused in large numbers by the fear of stepping over an imaginary boundary. Most journalists and commentators are cautious or use indirect words to discuss controversial topics and this does not benefit the debate in the society nor does it enhance the watchdog ability of the press.¹⁷

The consequences of such restrictions are not merely associated with the individual prosecutions or the bans, but the discourse of democracy in general. Sending a message that strong political discussion is not allowed, when the opposition politicians are put into prisons or accused of making hot speeches, or when the protest movements are gagged by the general prohibitions. As an example, recent years have witnessed crackdowns on peaceful assemblies, which include the violent breaking up of the rallies of the Pashtun Tahafuz Movement and the blanket bans on protests by opposition parties, which is an example of freedom of expression and freedom of assembly interdependence (The New Humanitarian, 2024)[20]. The slogans of protest, speech or even social media campaigns relating to such movements have been interpreted as sedition or defamation of the state institutions and there is no distinction between a legitimate dissent and illegality. These acts do not only go against global principles of freedom of peace

¹⁶ AGHA, S. (2024). Measuring Freedom of Expression in Pakistan: Challenges to Citizens Security.

¹⁷ Hashmi, M. A. I., Bakhsh, F., & Tariq, K. U. R. (2024). FUNDAMENTAL RIGHTS IN PAKISTAN: A CONSTITUTIONAL PROMISE OR A DISTANT DREAM?. *Contemporary Journal of Social Science Review*, 2(04), 2418-2430.



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assembly but also reduce the arena in which citizens can express grievances. The subsequent chilling effect is opposite to the constitutional image of a democracy, whereby the people can to discuss and criticize the issues of national concern freely.¹⁸

In comparison, most democracies have issues with the freedom of speech and other issues, and the Pakistani model is one of the stricter. That practice suggests that any restrictions should be very specific and infrequently invoked but the broad provisions of the law and the aggressive enforcement of this right suggested by Pakistan are contradictory to this idea. The still persistence of colonial crimes such as sedition and draconian penalties against blasphemy highlights an opposition to modernization in the law. In addition, the shift to the new curbs in the digital space reflects the tendency of the extension of the state power into the new places of free speech expression, as opposed to the weakening of the older ones.¹⁹

The position of the judiciary can influence much. The principled approach would ensure that courts check executive overreach, and protect speech, as in the above cases. However, where the judiciary is in accord with the broad understanding of the establishment of what is reasonable in restrictions, it lacks a chance to expand expressive freedom. These roles have swung back and forth between Pakistan courts. The growing area of the free expression could gradually be enlarged by a more rights-conscious judiciary, overtly applying international standards to domestic decisions.²⁰

The international scrutiny and lobbying is another factor that influences the direction of Pakistan. Being one of the signatories to the ICCPR, the UN bodies and human rights groups have put questions and recommendations on Pakistan about its free expression record periodically. Although this kind of feedback is occasionally dismissed as external interference, at other times it has led to discussions in this country it has even been a matter of making people think again about the blasphemy laws or amending the cyber law - internationally aroused concern has in part been the motivation. Finally, complying with international standards would be advantageous to Pakistan on the domestic level too: the societies, which safeguard the freedom of expression are more innovative, open and stable. The reaction of Pakistan to the demand of reforms will determine how democratic the country will become and how dynamic the civil society will be.

Recommendations

To supplement the security of freedom of expression in Pakistan in the context of the above analysis, several steps are suggested to ensure that the legal system of the country is consistent with the international norms:

Constitutional Clarification:

Parliament ought to make an amendment to the Article 19 limitation clause. Such terms as the glory of Islam and the public order should be defined in a clear manner according to the international standards and the Constitution should expressly state that the restriction should be necessary and reasonable to reach legitimate goal. Such exegesis would assist in avoiding the excessive generalizations of the law.

¹⁸ Zafar, S., & Irfan, M. M. (2025). Freedom of Expression vs. Misinformation Reconciling Human Rights with Digital Regulation. *Social Science Review Archives*, 3(4), 26-40.

¹⁹ Akhtar, N. (2022). Rights Denied: Human Rights Challenges in Pakistan's Legal Landscape. *Journal of Regional Studies Review*, 1(1), 36-43.

²⁰ Yasmeen, S. (2025). Human Rights in Pakistan: Obligations, Challenges, and Compliance with International Standards. *SADIQ Journal of Pakistan Studies*, 5(1).



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Revision Of Repressive Laws:

The speech laws which are draconian must be revamped. The blasphemy laws require immediate protection, including evidence of motive, abolishment of the death penalty against blasphemy, and false prosecutions that will lead to the prevention of abuses and also ensuring that the right to speak can be carried out lawfully. Similarly, such laws as the sedition law and criminal defamation should be abolished or drastically reduced. These are old-fashioned offenses and tend to be abused in order to punish those who criticize the government and elimination of these would further lead Pakistan towards international standards of democracy which provide people with civil redress against criminal justice to punish the offender by speech.

Protections in Cyber Governance:

Cyber laws should be updated in Pakistan in order to give more protection to online expression. PECA 2016 needs to be modified in such a way that it provides a judicial check on content blocking and explicitly exempts lawful political speech and dissent against criminalization. The 2020 blocking rules are also to be revised or substituted by a transparent and consultative process. Increased openness, including publication of content removal commands and the issuance of disallowances, will contribute to the fact that any restrictions against the Internet should be highly specific and responsible.

Empowerment of Oversight Institutions:

Oversight institutions need to be empowered and depoliticized. Information Commission, which was created under the RTI law, should be empowered and given the resources to implement the Article 19A rights of citizens to information. In the same manner, the structure of PEMRA should be redefined to make it independent e.g. with the involvement of judges, media professionals, or civil society in the running of PEMRA to avoid it being used as an instrument of political censorship. Without unnecessarily limiting the press, independent regulators are able to enforce standards.

Judicial Intervention in Rights:

The judiciary needs to be strengthened in terms of safeguarding free speech. The training of the judges on international freedom of expression standards and comparative jurisprudence would help them. Higher courts can be exemplary, invoking the principles of the ICCPR in their rulings, and providing instructions to lower courts to carefully examine allegations that contain a speech aspect. These would create a more rights-aware judiciary and discourage any form of frivolous or politically motivated prosecution on expression.

Security of Journalists and Critics:

The concrete steps are required to protect the journalists and activists as well as the whistleblowers. This implies the enforcement of accountability to those who intimidate or assault media personalities, and not misusing the laws to intimidate reporters or those that criticize the government. As an example, governments ought to promptly drop defamation, sedition, or some other charges which do not hold water and appear to be aimed at threatening the press. By showing that it respects free press and working civil society, by consulting such stakeholders in policy formulation and swiftly acting against those who destroy them, the state would be showing that it upholds constitutional values.



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Fostering the Culture of Tolerance:

Pakistan has to in the long run foster the culture of support of freedom of expression. Learning and media campaigns are necessary to emphasize the importance of an open discussion, the acceptance of other points of view, and the presence of constructive criticism in social development. In many cases, acts such as the blasphemy or sedition act become popular because of the popular opinion. Popular support in regards to censorship can be mitigated through developing counter-narratives, which can explain the distinction between harmful incitement and disagreement. Finally, the best protection of free speech is an informed population that embraces communication.

These suggestions would need political goodwill and maybe a slow process of change, but they would provide a blueprint of a more open and rights-observing Pakistan. By ensuring that the law practices are consistent with the spirit of its own Constitution as well as with its international obligations, Pakistan may be in a position to enhance its democracy and safeguard the voices of its citizens.

Conclusion

Freedom of expression in Pakistan is in an awkward state of tension between ideal and reality. In theory, the rights to free speech and access to information guaranteed in the Constitution are the indicators of a democratic spirit that promises empowerment to people. Practically, these freedoms have been gutted by a wide range of general legal ban and a generally-intolerant enforcement climate. This discussion shows that most of the laws and practices of the Pakistani government on the issue of expression have not been up to the standards of the international practices, thus raising concerns about whether Pakistan is upholding its human rights mandate. The freedom of speech has been unduly restricted by broad crimes, severe punishment of expression, and heavy censorship, which has not been as wide as it ought to be in the constitutional democracy.

However, the way to reform can be easily traced. Focusing on domestic constitutional values and turning to the international legal principles, Pakistan will be able to re-adjust its attitude toward freedom of expression. The key is to make sure that exceptions to free speech are actually exceptional in a sense that they are employed only where and only when it is needed to ensure that the exception serves a legitimate objective, and they undergo effective checks and balances. Implementing the recommendations of legal reforms and safeguards as suggested above would be a step in the right direction on that objective. Through effort and sincerity, freedom of expression can be realized in the spirit of the constitution, and the opinions of the people of Pakistan may be heard without fear or unnecessary suppressions.

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