

# POLITICAL AND CONSTITUTIONAL CRISIS IN PAKISTAN

Unfortunately, Pakistan has been under political and constitutional crisis since 1947. On and off, we are facing such crisis in different forms and for different interests. Constitution of 1956 and 1962 was abrogated in 1958 and 1967 respectively. Separation of east-Pakistan in 1971, dictator's rule for more than 30 years and no democratic government was successful in completing its 05 yrs tenure smoothly, shows that we have been facing these crisis since the birth of our beloved country. One of our former president once said,

"Constitution is a piece of paper for me, I can torn it into pieces whenever I want"

In recent past, situation got even worsened both politically and constitutionally when couple of decisions, though not-unconstitutional but generally unacceptable-were made. Despite of being constitutional, they left their mark negatively on the political and Constitutional history of Pakistan.

## 1. VOTE OF NO CONFIDENCE :-

Article #58 of constitution states that

"PM ceases to hold office if majority of members of national assembly vote in favour of no-confidence"

No-confidence movement was tabled on 28<sup>th</sup>

March, 2022. That time government tried to revoke that, with the help of Speaker of national assembly, even they called that motion as "International Conspiracy". Speaker of assembly cancelled that movement on 9<sup>th</sup> April, 2022 by calling it unconstitutional. Resultantly, Supreme Court of Pakistan jumped into the matter and gave constitutional justification to that movement and ordered the speaker to conduct voting on it. On 10<sup>th</sup> April, 2022 Vote of no confidence was successfully passed first time in history of Pakistan and message from the opposition to that time prime-minister was clear.

"Sir! You have to go"

Coalition parties came into government, whereas that time government became opposition now.

Consequently, Opposition party came out for protests, jalsas and even they did two long marches to built their narrative in public regarding foreign interference in matters of Pakistan. Opposition in federal gov't, after forcefully thrown out of gov't, decided to voluntarily back off from their provincial governments in Punjab and Khyber Pakhtunkhwa.

### DISSOLUTION OF PROVINCIAL ASSEMBLIES :-

Provincial assemblies of Punjab and KPK were dissolved on 14<sup>th</sup> Jan, 2023 and 18<sup>th</sup> Jan, 2023 respectively by governors on advice of Chief ministers of respective provinces. That decision was a

constitutional though but generally unacceptable and non-benifical in state's wider interest. In Punjab, opposition made government with the help of floor crossers before dissolution; However, Supreme Court declared that act as unjustified from constitution.

These two incidents lead Pakistan to severe political crisis across the country and it had many ~~implications~~ catastrophic - implications.

### IMPLICATIONS :-

The major implications include; instability economic crisis, anger in citizens and questioning the institutional integrity.

### ECONOMIC CRISIS

All that political instability in Pakistan consequently affected ~~very badly~~ the economy very badly. Stock exchange market got crashed, wave of disappointment among our foreign citizens resulted huge decline in Remittances, served as a severe threat to Pakistan's economy. Decline in dollar reserves resulted ~~devaluation~~ devaluation in Pakistani rupees. Pakistani rupee in comparison to US dollar, fell from 220 to 280 in the span of few months. Inflation reached to its peak that affected citizens too badly and frustrated them against the political system.

## 9th May Incident :-

On 9th May, 2023 unprecedented incident occurred in Pakistan. State institutions especially military installations were targeted and attacked by general public. Severity of those attacks were more in Lahore, Peshawar, Rawalpindi and Swat. General Headquarters (GHQ) was attacked by a mob. 9th May incident was unjustifiable from all perspectives and it showed the frustration among people regarding institutions. Political parties had their own stance on that incident, government (coalition parties) declared it as

“Pre-planned and offensive act by opposition”  
whereas, opposition claimed it to be  
“Planted act”

against them. Opposition believed that, 9th May incident was a trap plan for them.

After this incident state institutions came into action and they started doing operations against the protestors and protesting party. Key leaders of opposition were arrested, Furthermore, Secondary, tertiary leadership as well as the protestors was jailed.

Aforementioned incidents put Pakistan into severe crisis of economy, national security, civil military relations and most importantly political system. Not only this, we also had several constitutional crisis in recent past. Pakistan's Constitutional integrity has been challenged again & again for

our personal party interests. Let's have glimpses of some recent constitutional crisis faced by Pakistan.

## CONSTITUTIONAL CRISIS

As per constitution of Pakistan, when assembly is dissolved a general election to assembly shall be held within 90 days. (Article 224).

### DISSOLUTION OF PROVINCIAL ASSEMBLIES:

Punjab and KPK assemblies were dissolved in Jan 2023; However, elections were to be held in 90 days (Article # 224) that didn't happen, which shows the clear violation of constitution.

### DISSOLUTION OF NATIONAL ASSEMBLY:

National assembly was dissolved on 9<sup>th</sup> Aug, 2023 by president on PM's advice. This act was done just three days before the official date of ending assembly tenure. So, as per constitution, elections are supposed to be held in ninety days but the million dollar question is that would elections be held in 90 days?

### Elections: AS PER NEW CENSUS?

New census were held and now

the question was about elections, whether they will be according to new or old census.

Council of Common Interest (CCI) had a meeting in which it was decided that elections will be held as per new census.

CCI meeting exacerbated constitutional crisis because two of chief ministers were not elected and now Supreme court will be the decisive authority. Constitutional amendments are needed to legalise such actions, but as assembly is not-elected so how would that happen? This is another major question over the issues that apparently leads to constitutional crisis in Pakistan.

#### ELECTION DATE: DECISIVE AUTHORITY?

Constitution states that Election Commission of Pakistan will announce election date after consulting President. However, resolution was passed in national assembly which authorize ECP to decide date individually. This is another clash where Supreme court will decide the legal importance of constitution and resolution at this time of huge uncertainty in country.

#### PRESIDENT'S ASCENT:

Recently, another can of worms was opened after president's claim of not signing the bills of official secret act and Army amendment bill. These bills were passed

from senate and national assembly and then sent to president for his assent.

Article #75 states that in phase 01 president have ten days to either sign or reject bill with reservations. In phase 02 if both houses accepted the bills it will be resent to president but this time bill will automatically be accepted even if president don't sign it in ten days.

However, in case mentioned above the bill was not signed by president and also not returned within defined limit which arises new crisis that are to be decided by custodian of the constitution.

Pakistan has its constitution in written form, that book must be the ultimate authority in each matter and despite of having a written constitution, Pakistan has been facing constitutional crisis in almost every era. To bring back the political, constitutional stability, civil-military relations, trust and confidence among citizens, constitution has to be implemented and we all should accept it as guiding way and ultimate authority in country's matters.

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