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**RESEARCH PAPER**

**Relationship between Rule of Law and Parliamentary Oversight: A Case-Study of the 15th National Assembly of Pakistan (2018-2023)**

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**ABSTRACT**

The significance of a truly empowered sovereign legislature can be sensed while considering the fact that the first and foremost factor as prescribed by the Index of the Rule of Law formulated by the World Justice Project is whether or not the government powers in any country are effectively limited by the legislature which must have the ability in practice to exercise effective checks on and oversight of the government. Moving further, the said Index, inter alia, also provides that the administrative regulations, drafts of legislation, and high court decisions are made accessible to the public in a timely manner. Contrary to this, majority of the contemporary legislatures either willingly avoid considering popular will while formulating public policy or the presence of very strong executive over them hinder their capacity to work in the prescribed manner. The case of Pakistan has not been an exception where the removal of Prime Minister Khawaja Nazimuddin in 1953 by the then executive head of the state set such pattern which continued throughout the history and almost all the civilian Prime Ministers of Pakistan, with the exception of Mr. Zulfikar Ali Bhutto, could not complete their term in office testifying that the sovereignty of the legislature has remained only a fairy tale for this country. Considering this background, the current study focuses on the performance of the 15th National Assembly of Pakistan (2018-2023) to understand how deeply it ensured its functioning to strengthen Rule of Law in the country. While reviewing the proceedings, the study finds that following the pattern set by its predecessors, the 15th National Assembly also ignored the essence of parliamentary spirit in various legislative domains hence it recommends that the National Assembly must undertake reforms to improve governance, enhance transparency, and foster meaningful public engagement to restore its effectiveness and public trust.

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**KEYWORDS** 15th National Assembly of Pakistan, Coalition Government, Parliamentary Oversight

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**Introduction**

The term of the 15<sup>th</sup> National Assembly of Pakistan (2018-2023) was marked by an increased political instability and polarization, with a consequent adverse impact on its legislative performance and the allied process of democratization in the country. The term was also marked by hardline rivalry among front-rung political parties, aggressive confrontation between the military establishment and civilian government, and a polarized and indecisive electorate. The most important episode of that term was the unprecedented ouster of Prime Minister Imran Khan by a vote of no-confidence in April 2022 (Afzal & Khan, 2025) which step resulted in a constitutional and political crisis. The Deputy Speaker of the National Assembly rejected the No Confidence Motion moved by

the opposition political parties against Prime Minister Imran Khan on the basis of alleged foreign influence initially and then the ruling party proceeded to dissolve the National Assembly. The Supreme Court subsequently declared those actions unconstitutional and restored the Assembly, which then voted upon the No Confidence Motion leading to Khan's ouster from Prime Minister office. That series of events not only unsettled government but also deepened political cleavages across the country. The military moved in on the political arena to interfere in civilian matters. It was commonly perceived that certain political forces were supported by the military. Such intervention in basic political choices turns elected political power less autonomous and engenders popular cynicism about the efficacy of democratic system (Sadiq, 2024).

On the other hand, social media and traditional media had been at the forefront in cultivating and boosting political polarization and cleavages among citizens. Most of the traditional print and electronic media outlets were affiliated with a specific political party hence exhibited partial reporting and unable to print/broadcast some balanced discussion. At the same time, social media forums had been reduced to be mere echo chambers which supported only their own fellows by disinformation and partial accounts thus further enforcing social division (Baqir, *et al.*, 2023).

### Literature Review

The Pakistan Observer (2023) provided a detailed review of the 15<sup>th</sup> National Assembly's overall performance, highlighting several weaknesses in its democratic functioning. The article notes that although the Assembly passed a significant number of laws, many were approved without undergoing full debate or consultation. The government often used presidential ordinances to bypass the normal legislative process, which weakened parliamentary authority. There was also low participation from members, especially during key discussions. The report emphasizes that important national issues were rarely addressed seriously in the sessions. It further points out that the Assembly proceedings lacked transparency, and most laws were passed without engaging civil society or the opposition. Parliamentary committees, which are crucial for reviewing legislation, remained underused and ineffective. Political polarization made dialogue difficult, and personal rivalries between party leaders affected lawmaking. The article also mentions that the executive had too much control over legislative affairs, limiting the role of elected representatives.

Associated Press of Pakistan (2023) highlights that the 15<sup>th</sup> National Assembly passed 322 laws during its five-year term- the highest number in Pakistan's parliamentary history. The article praises the assembly for continuing its work despite facing multiple challenges, including political instability, legal hurdles, and frequent changes in leadership. The report also appreciates greater female participation in the legislative process. However, the article does not give much detail on how these laws were discussed or if proper scrutiny took place before their approval. The article focuses on the quantity of laws but does not evaluate the quality, depth, or long-term impact of legislation hence more research is needed on how effectively the laws were debated and implemented.

Ali (2023) emphasizes that the 15<sup>th</sup> National Assembly passed more laws than the last three assemblies combined. It highlights a shift toward gender-responsive lawmaking, suggesting better engagement by women legislators. The article mentions that the legislative environment was politically tense, yet productivity remained high. It briefly points out that many laws were passed quickly, which could affect legislative

depth. While legislative quantity is appreciated, there is no detailed insight into whether proper debate or consultation took place.

### **Weak Coalition Government**

Initially, the 15<sup>th</sup> National Assembly of Pakistan (2018-2023) experienced a fragile coalition government led by the Pakistan Tehreek-e-Insaf (PTI) which remained reliant on the smaller parties to govern. Also, it could not take unilateral legislative actions being dependent upon approval from the partners of the government's agenda. The tenuous alliance of the governing coalition was obvious throughout the incumbent period as many disagreements arose between partners, often taking considerable time before a decision was made both administratively and legislatively. The need to compromise, sometimes involving several coalition partners, diluted meaningful policies that could have otherwise addressed timely to resolve the issues being faced by the country. In any case, the focus of the coalition government remained diverted from governance issues or legislative priorities as it concentrated on maintaining the coalition, seeing little if anything important through a national lens. The coalition's fragility was further exacerbated by its failure to express a formal coalition agreement that would have identified common goals and provided means and mechanism of resolving conflict. The lack of a formal agreement meant all decisions were made outside of a structured framework, in ways that were ad hoc, and resulted in increased misunderstanding between coalition partners. Kluver & Bäck (2019) notes that specific coalition agreements reduce conflicts within cabinets, show agenda priorities, and delegate responsibilities. Another important point was the excessive dependence of coalition government upon presidential ordinances to avoid proper legislation which illustrates the challenges faced by weak coalition government. Legislation through ordinances might be termed as a kind of decision-making relying on undemocratic mandates which, in essence, undermines democratic practices and destroys parliamentary debate. The disproportionate reliance on ordinances also illuminates the inability of the coalition government to reach negotiated consensus either within the partners or within the wider National Assembly. The coalition's weakness could be understood while considering Pakistan's federal structure. Smaller parties regularly used their provincially-mandated support to attain favorable concessions from one another, thus enhancing perceptions of favoritism among different provinces while overemphasizing provincial differences. This turbulence incrementally deteriorated interprovincial relations and created imbalances and inequities in terms of extracting benefits from federally available resources. Studies on coalition governance underscore the importance of institutionalized collaborative frameworks to achieve stability and effective policymaking. Specifically, studies on collaborative governance approaches illustrate that formalized collaborative structures in governance improve influence amongst stakeholders during decision-making processes and implementation (Woldesenbet, 2018).

### **Over-reliance on Presidential Ordinances**

As noted above, none of the mainstream political parties held a clear majority in the 15<sup>th</sup> National Assembly, which forced the PTI, being the largest parliamentary party, to align with smaller parties to form a coalition government. While the coalition allowed for a greater representation of political diversity in the government, these transactional partnerships weakened formal internal cohesion.

The weakening of cohesion within the ruling coalition further exacerbated problems of inconsistent policymaking and poor governance. Coalition partners

frequently exerted pressure on the government to obtain cabinet positions or development funding, which led to internal tensions and legislative stalemate. Some scholars observe that, in Pakistan's coalition governments, coalitions usually prioritize survival over performance which impacts political accountability and governance. One of the most evident ramifications of this tenuous coalition was the excessive reliance upon presidential ordinances to circumvent parliamentary approvals, thereby indicating executive control over legislative matters. The PTI government issued dozens of ordinances, some of which included highly controversial laws regarding electoral reforms and the regulation of media. Most of the ordinances were issued without any consultative process with coalition partners or the opposition parties, which provide further evidence of the government's struggle to achieve legislative consensus (The Dawn, 2022). Moreover, the presence of a coalition government at the center created new challenges for designing the country's measured response to multiple socioeconomic crises. Coalition partners remained divided in terms of formulating consistent policy decisions and stances regarding economic issues. Diverging opinions among partners on taxation, subsidies, along with the conditions imposed by the IMF diminished the country's ability to respond effectively to economic challenges. Contradiction among coalition partners delayed decision-making on the implementation of reforms related to the energy sector and social protection programs. Inconsistency transpired mixed signals to investors and international donors. Moreover, the coalition failed to project any coherence in foreign policy matters. The ruling PTI articulated a clear agenda regarding deeper relations with China and Turkey, while other coalition partners expressed their desire for stronger relations with Gulf states and re-engagement with the USA. This mixed messaging diluted Pakistan's foreign policy narrative, adding further to inconsistency in strategic positioning toward issues like China-Pakistan Economic Corridor (CPEC) and Kashmir.

Civil-military relations were also influenced due to the delicate coalition. Initially, the military establishment supported the PTI. However, internal failures of governance, along with civil-military disagreements erupted mainly during 2021, impacted this relationship. The coalition's failure to establish civilian supremacy or propose coordinated policy initiatives allowed the military to further influence the government. The public lost confidence in the democratic process due to excessive and constant political rivalry and power struggles among the coalition partners. The grand vision of "*Naya Pakistan*" faded amidst government paralysis that embodied elite compromises (Saleem *et al.*, 2021).

### **Erosion of Parliamentary Decorum and Conduct**

The 15<sup>th</sup> National Assembly of Pakistan experienced a major collapse in terms of parliamentary behavior and decorum and lost the feature of a consultative democratic governance altogether. There was frequent disruption of the parliamentary proceedings, personal attacks on fellow Assembly members, and disrespect for parliamentary standards of behavior. The sight of all such instances was damaging to the reputation, integrity and credibility of the institution itself. Indeed, in such cases, it was not only the legislative business that was lost to premature adjournment, members also failed to respect their own commitment to parliament by allowing business to fall into the abyss until the next schedule. One of the more egregious examples of this decline in standards was the routine absence of quorum that impeded all business in the Assembly (Afzal & Khan, 2025). The record of attendance signals even more distance of the Assembly members. The former Prime Minister, Imran Khan, attended only 11% of the total regular sittings during his term in office whereas his successor, Mr. Shehbaz Sharif, attended at

a rate of 17% which also was not a better proportion. Haleemi & Shah (2024) reported that quorum was called upon 105 occasions in the previous 5 years, which resulted in the premature Assembly adjournment on 72 occasions.

Parliamentary debates also deteriorated often turning into aggressive personal attacks and political point-scoring as opposed to genuine policy deliberations and engagements. Unseemly language and vituperative exchanges became commonplace, and had the effect of undermining the Assembly's core function of policy debate and scrutiny. The nature of legislative process was also compromised through the passage of bills without undertaking sufficient parliamentary process. Some 73 bills were passed in the 'wash-up' at the end of the term of the Assembly, 36 of which had not been considered or scrutinized by the relevant committees. While hastily rushing for approving the bills without allocating proper time for meaningful and substantial debate, the Assembly undermined the spirit of internal accountability and legislative transparency (Haleemi & Shah, 2024; Ali, Khan & Azeez, 2025).

### **Gender and Minority Representation Gaps**

The 15<sup>th</sup> National Assembly revealed the persistent difficulties women and religious minorities face while achieving meaningful legislative representation in Pakistan. Although the Constitution of Pakistan contained specific provisions for representation of women and religious minorities and guarantees affirmative action and policies in favor of these communities, women and religious minorities still remain underrepresented, demonstrating that these groups are marginalized by the political system itself. Women's representation in the 15<sup>th</sup> National Assembly remained about 20% with most being elected against reserved seats in the legislature, while only 3% of women were elected against the general seats. As a result, women's political participation was limited. These challenges are exacerbated by political norms set within the political parties, societal norms and gender-based biasness towards women participation in politics. According to the Election Act of 2017, political parties must commit to deliver at least 5% of the general seat tickets to women candidates but usually women are allocated tickets in such constituencies where the chances of their victory remained too low. Thus, legislation does not produce effective enough to bring women into office. As long as patriarchal structures remain intact within political parties and where women are not allowed to actively participate in society, limited legislative representation of the women would continue to prevail (Azhar, Khan & Waris, 2018).

Religious minorities, which constitute about four percent of Pakistan's total population, also face similar barriers hindering their effective political representation. The Constitution reserves ten seats in the National Assembly for non-Muslims, which are allocated to political parties under proportional representation to their share of seats in the Assembly. This party discretion germinates disproportionality in selecting minority representatives which, as a natural consequence, does not give true and genuine representative voice to minority communities since the candidates picked up by the political parties often do not truly represent and preserve the interests of their respective communities. The candidates chosen by the political leadership and not by the relevant electorate have no interest in resolving the genuine socio-political and economic problems faced by the respective communities whereas such representatives always keep trying to appease those who brought them in power i.e. the political leaders hence they do not devote time to genuinely fight for minority related issues and legislation within the legislature (Haq, Abdullah & Khan, 2024).

Socio-economic factors feed into minority marginalization. Many minority communities face economic hardships, especially the categorization of the Scheduled Castes within the Hindu minority, which limit their capacity to mobilize politically. The campaign costs of elections and systemic discrimination on socio-economic grounds discourage minorities to take part in the electoral politics since it is very difficult to substantiate such costs to make it to parliament. Even though the transgender community in Pakistan has legal recognition under the Transgender Persons (Protection of Rights) Act passed in 2018, the community remains politically neglected. Although some transgender persons have taken part in elections, they faced a disadvantageous position due to the society's attitudes and since here exists a well-placed institutional recoiling, here is very little representation of transgender persons in Pakistan's politics.

Various efforts can help to make possible a better representation of women and minorities. In order to address the structural and societal conditions that obstruct political engagement within and outside of the marginalized groups, it takes a holistic approach. For example, changing the electoral system to allow direct elections against the reserved seats; developing capacity-building programs for potential political candidates from marginalized groups, and supporting formal, inclusive processes and policies to be adopted and carried out by the political parties. In addition, it is also essential to engage the general public in creating such norms that would renew and redesign the traditional gender and race boundaries, so that sub-groups in society begin to feel themselves more acceptable hence ready to be engaged as practical politicians. Since education is an important function in facilitating greater respect and value for diversity and representation through the development of a politically-engaged culture and community, therefore, beginning educational campaigns would also be a promising initiative. In conclusion, while constitutional mandates are present to ensure the representation of women and minorities in the parliament of Pakistan, their implementation is not comprehensive.

Without an appreciation of the historical factors and processes which contributed to the aggravation of the problem of under-representation of minority segments in the body politic of Pakistan, any adequate resolution of the problem would be impossible. In fact, it needed systemic reforms, and a more engaged commitment from the political elite to ensure an all-inclusive participation at all levels of the political organization.

### **Lack of Inclusivity and Public Consultation**

Although public engagement is meaningful but the assurance of inclusive governance is central to a democracy and a key means of ensuring effective policy development is being cognizant of the varied needs of a diverse citizenry. In Pakistan, governance has mostly been viewed through a top-down lens, with limited engagement and opportunity for the citizens to be heard on issues which touch on their daily lives. The outcome is that a tenuous connection exists between policies made and the real life problems faced by various marginalized communities. This gap creates problems of mistrust towards the ruling elite within the general public who are the end-bearer of loopholes in service delivery mechanism/structure of the country.

One of the broader barriers to an engaged and inclusive governance structure in Pakistan is the exclusion of groups such as women, persons with disabilities (PWDs) and religious minorities. While the Constitution may grant "equal rights" and "representation" to various groups- these groups routinely face exclusion when it comes to participation and meaningful engagement in the political and policy-making as well

as implementation processes. The Human Rights Commission of Pakistan (HRCP) conducted a national survey in which the PWD participants cited ongoing barriers faced by them such as inaccessible polling stations, and the under-representation of women and minorities in the National and Provincial Assemblies. The continued exclusion of marginalized groups undermines democratic principles, and results in policies that are completely unresponsive, and do not reflect the actual needs or experiences of these communities. The absence of public consultation is also noticeable in the execution of development projects, especially in parts of Balochistan. The Accountability Lab Pakistan conducted a study which indicates that many public sector projects fail simply because citizens are not made part of the policy formulation and implementation processes. This detachment constructs a lack of ownership and trust within the community, which erodes the true character of a representative government. The dynamics of the involvement of political elite and bureaucracies consolidating power has diminished participatory local government. Political elite while consolidating power limits the opportunities for participatory decision making at the local level. This is particularly worrying in rural contexts because so much of local government is not able to engage with communities up to the desired level because of limitations on autonomy and resources (Habib, 2021). Some initiatives are taking place to promote inclusive governance and create improved opportunities with capacity-building projects to engage and support youth in participation and engagement. For example, Transparency International Pakistan in collaboration with other stakeholders facilitated undertaking such trainings program which intend to equip youth to participate in governance. These raising consciousness initiatives are meaningful, but without having systemic reforms and institutions blessed with necessary mechanisms to acquire public consultations, nothing can produce the desired results or make an effective impact.

The digital divide is also a substantial barrier to inclusive governance. Even with an explosive establishment of advanced digital platforms and forums, millions of Pakistanis cannot engage in crucial debates about governance reforms. On December 5, 2024, a conference was organized by UNESCO in collaboration with the Institute for Research, Advocacy and Development (IRADA), Pakistan, for emphasizing over the need for digital literacy and infrastructure to allow more people to engage in governance debates (Pakistan Today, 2024a).

To summarize, the limited inclusivity and public consultation in Pakistan's governance structure undermine democratic practice and create challenges to effective service delivery. Addressing these issues require systemic reforms which would institutionalize citizen engagement, the empowerment of local government structures, and provide a strategy for bridging digital divides. These steps would produce a culture of inclusivity and participation which not only would legitimize Pakistan's governance structures, but also make them more effective and responsive.

### **Governance Issues due to Inadequate Technological Infrastructure**

Pakistan's journey to digital transformation has been hampered by serious obstacles in installing and updating the technology infrastructure which, in turn, adversely impact the overall governance. Although there have been efforts to update the digital space of the country, fundamental problems, such as poor internet coverage, old technology together with the meager government investments continue to obstruct, reduce, and limit reforms. The infrastructural failure impacts efficiency of public services and access to the economy and the society as a whole. The performance of the

government institutions has been the most impacted by the poor availability of internet services to the whole country (The Tribune, 2025).

While urban areas are making strides, rural and remote areas still remain offline most of the time. The issue contributes to the already existing social and economic disparity faced by a vast portion of the population. It puts further limits of accessing information, education and the economic access that so many require. Secondly, the lack of dependable internet infrastructure in these regions makes it challenging to make possible an all-inclusive development (Pakistan Today, 2024b). Also, the existing public sector service-delivery systems which have incorporated information technology which rely on outdated hardware/software equipment, are facing hardship in providing efficient and reliable government services. Moreover, many public sector departments and organizations had not incorporated such modernized systems which are compatible with globally followed digital solutions. This lag in technology lowers operational efficiency and increases exposure to cyber and security threats given that these outdated systems are not as secure as those that are newer.

Cyber security is another issue faced by the public sector organizations due to limited and unsophisticated infrastructures. Without designing cybersecurity frameworks and protocols for government organizations, systems will remain exposed to cyber threats. The recent news highlighted the fact that this became a priority for government, and organizations are attempting to adopt measures to protect sensitive data while maintaining public confidence in their use of digital tools. Unless the government invest in cybersecurity infrastructure, not only do it would run the risk of security breaches, building an effective service delivery system would also remain a dream. Additionally, the private sector also faces repercussions resulting from the technological deficit in the country. In particular, businesses are failing to achieve competitive footings in the digital economy due to the lack of access to reliable internet services, as well as modern Information and Communication Technology (ICT) tools. Accessibility issues also impeded certain sectors' ability to innovate and develop beyond local confines. Bridging these infrastructural gaps would better enable vibrant and competitive commercial activity (Shahrose *et al.*, 2024).

### **Judicial Activism and Institutional Tensions**

In recent past, judicial activism had also become part of the political and institutional framework of Pakistan. While judicial activism, in essence, received praise for its role in promoting constitutionalism and supplemented limits to executive power, the potential of judicial activism also created conflicting engagements within the judiciary and its posture towards the executive and legislature. Such complexity indicated the difficulty of ensuring separation of powers in an already complex political environment being run under the parliamentary form of government.

The history of the judiciary in Pakistan is reflective of this uncertainty and has gone through epochs of recognition of power (e.g. judges ordering the dismissal of a government) and phases of neglect (e.g. judges ordering the reinstatement of the same political government after removal at the hands of the executive) (Khan & Hussain, 2023). It was only with the Lawyers' Movement of 2007 - for example - did the judiciary start to take its role in place seriously. Under Chief Justice Iftikhar Muhammad Chaudhry, the Supreme Court experienced a revival of judicial activism where the Court was prepared to undertake *suo motu* notices against such action of the executive varying from acts of corruption to breaches of human rights. Although the Court was ostensibly advocating



for rule of law and provision of justice, it often infringed on the authority and jurisdiction of the executive and legislature, causing weakness and unrest for the respective administrative institution (Ali, Sultana & Bajwa, 2024). The disqualification of Prime Minister Nawaz Sharif in 2017 at the hands of judiciary on grounds of corruption was a landmark example of judicial intervention in political arena which brought both the praises and criticism for the judiciary. The supporters viewed the decision of the court as a vindication of the independence of the judiciary, while the critics labeled the judiciary as partisan and politically charged. The case demonstrated the very fine line the judiciary must balance while countering the perceptions of judicial bias (Ali, Sultana & Bajwa, 2024). Between 2018 and 2022, judicial activism swelled further. There was increasing incidents which indicated that the judiciary was taking control of sovereign political power which included the disqualifications of members of parliament and an ultimate interference in the legislative intent and process, while *suo moto* raising questions regarding their legality which caused severe concerns about the erosion of parliamentary sovereignty. The desire from the judicial wing to impose accountability over the executive might be classified as judicial overreach and certainly would seem on the part of the judiciary to be acting without taking care of the supremacy of democratic spirit and procedure hence it proved damaging to the political institutions and the larger political system (Khan & Hassan, 2025).

The steadfastness of the judiciary challenged the military establishment as well. In fact, it appears that superior courts have been cowered or intimidated by the intelligence agencies predominantly, on issues related to political controversies. These allegations are a sign of the judiciary's struggle to function/arbitrate independently within the sphere of politics where the military's influence remains significant. To politically counter the encroachments over the legislative authority, the legislature has attempted to circumscribe the jurisdictional and juridical powers of the judiciary. The controversial 26<sup>th</sup> Constitutional Amendment, which altogether changed the appointment procedure of judges of the superior courts in general and the Chief Justice of Pakistan in particular, may be termed as a legislative assault over the independence of the judiciary. In cases such as the Reko Diq mining deal, termination of contracts by the judiciary set into motion international litigation against the Government of Pakistan, which led to huge financial penalties. These incidents illustrated that the judiciary has increasingly intruded upon those policies which traditionally belonged to the executive domain which, in turn, raised questions regarding the jurisdiction and expertise of the judicial wing and potential implications of this encroachment for the national economic policy (Khan & Hassan, 2025).

Even more problematic is the inconsistency that has emerged in the judiciary's decision-making. Conflicting and contradictory judgments on the similar legal issues existed between different benches, leading to an environment of legal uncertainty and waning public confidence in the judiciary. The existing contradictions and indecisions indicate the need to unify the existing legal framework, institutional discipline, and an enhanced internal accountability of the judicial wing (Ali, Sultana & Bajwa, 2024).

### **Impact of Regional Disparities and Legislative Imbalance**

Pakistan's federal structure, while accommodating a sizable ethnic and geographic diversity, intends to fairly represent its citizenry, nevertheless, the current situation of regional disparity and legislative imbalance illustrates pertinent structural and governance limitations within the federation. Regional economic disparities are

evident in the uneven patterns of development across and within provinces and the unequal representation of provinces in the national legislative and financial system.

The composition of the National Assembly inherently favors the dominance of more populous provinces like Punjab, which has the lion's share of seats and actually dominates over the National Assembly. Smaller provinces where reside less population, like Balochistan, have little input in the federal system and no effect over the internal or external federal policymaking process. Despite being the largest province in terms of area and strategically most important, Balochistan is neglected while crafting federal legislation and budget allocations. The general public feel alienated and underrepresented due to the funds allocation neglecting demographic imbalances and the population sizes of each province (Hanif & Hanif, 2023). To offset this, the Senate was created partly to ensure equal representation across all provinces. However, the Senate's limited powers, especially in relation to financial issues, inherently limits its ability to substantially affect national debate and dialogue. Thus, the Senate's capacity for addressing legislative imbalances is ultimately reduced to a mere symbolic instance instead of a meaningful one.

The delimitation of constituencies has also added to the problem. The Election Commission of Pakistan has created constituencies with vast differences in population, which is contrary to the goal of equal representation. According to Hanif & Hanif (2023), over 180 National Assembly constituencies did not comply with the 10% population variance rule. This means that a voter in Bannu district of Khyber Pakhtunkhwa (KP) does not have the matching electoral weight of an individual in Chitral. The 7<sup>th</sup> National Finance Commission (NFC) Award was introduced as a means to equitably allocate the financial resources between provinces. However, the regional economic grievances remain largely unresolved and although the Award did alter the resource distribution formula slightly in favor of the smaller provinces, Punjab and Sindh still enjoy overwhelmingly substantial revenue bases and so they will always exert substantial economic pressure. It must also be noted that the lack of transparency in provincial spending only worsens these dilemmas. The 18<sup>th</sup> Constitutional Amendment aimed to transfer administrative powers to provinces as a means to address the shortcomings of the previous governance system, but the lack of administrative capacity in the less-developed regions has inhibited effective implementation of these reformative policies.

### **The Problem of Symbolic and Crisis-Driven Lawmaking**

The trend toward predominantly symbolic and crisis-based lawmaking has plagued Pakistan's legislative bidding for decades. Specific laws are often passed quickly because a government has run into a politically charged crisis that requires an intervention, rather than following a thoroughly informed and deliberative agenda and process. This pattern erodes democratic norms, weakens institutional legitimacy, and often produces laws where durability, coherence, and public legitimacy are not expected outcomes. For example, the NRO (National Reconciliation Ordinance) was introduced by General Pervez Musharaff in 2007 to offer amnesty for politicians, bureaucrats and political workers accused of 'corruption' or other criminal acts during the years 1986 to 1999, and even though the ordinance was touted as making a step towards national reconciliation, critics argued that it was nothing more than a politically expedient measure to facilitate the return of certain politicians who were able to act with impunity to consolidate power of the then military ruler. Although the NRO was struck down by Supreme Court of Pakistan in 2009 but it highlighted the dangers of passing laws without formally adopting the requisite consensus and scrutiny.

A further example of lawmaking in a hurry and being crisis-driven is the sudden emergence of the Official Secrets (Amendment) Bill, 2023, which, quite swiftly, went from being introduced into and passed by the lower house of Parliament, notwithstanding the protest and agitation from the opposition political parties. The urgency that the government exhibited in passing the Bill, as seen by the observers of the treasury benches, indicated that they had taken into consideration both the likelihood of international repercussions for inaction, as well as charting out a pathway that removed the usual legislative barriers and practices followed while passing any Act of the Assembly. The said episode raised questions not only about transparency-related concerns in legislative process but also about the rule of law which prescribes that laws must be formulated while adopting the due procedure. The tendency to act in haste as opposed to deliberation is also illustrated with the passage of the 26<sup>th</sup> Constitutional Amendment, which while attempting to ameliorate governance issues, prompted concerns and controversy amongst legal and political communities. The detractors claimed that the amendment curtailed judicial independence, and that it was passed without sufficient deliberation and consultation with relevant entities. After the passage of the amendment there was widespread protest within the judiciary, and the day when said legislative measure was adopted was deemed a "Black Day". The Amendment took place under tumultuous circumstances prevailed among the judiciary on the one side and the executive and legislative branches of government which jointly were on the other side (Muhammad, Khan, & Shahid, 2023).

Furthermore, as discussed above, the ongoing reliance on presidential ordinances to create laws in the absence of parliamentary discussion clearly shows how Pakistan's legislative process is impacted by crisis. For example, under the PTI government, the public were inundated with a number of ordinances hastily put in place to bypass legislative protocol (Syed *et al.*, 2022). By resorting to ordinances, the government undermined parliamentary supremacy and questions about the legitimacy as well as the sustainability of such laws created by by-passing parliament, would remain unaddressed. The demand for clarity of intent of the lawmakers initiating any legislation always remained intact since a heavily polarized and conflictual political environment exists in Pakistan, where legislation is too often driven by personal interest, political, and other external pressures, rather than, keeping public interest and welfare as the foremost objectives of the law-making process. In effect, the political culture and climate in Pakistan encourage short-term legislation promulgated in the form of ordinances which serve as a tool to achieve immediate political objectives of the ruling elite, rather than developing a comprehensive positive policy framework based on long term planning, and this contributes to undiversified, uninformed, and faulty legislation. The lack of deliberative consultations with the stakeholders and public participation during legislative processes inside a polarized environment only encourages such legislation to emerge which does not recognize the genuine demands and aspirations of the people in Pakistan. Without undergoing consultations and inclusive debates, such legislation lacks legitimacy and does not support in addressing the fundamental issues faced by the body politic of Pakistan.

## Conclusion

The 15<sup>th</sup> National Assembly of Pakistan (2018-2023) faced many difficulties during its five-years term which affected its lawmaking performance. Differences between political parties and lack of cooperation often caused interruptions and slowed down the business of the house. The government's strong control sometimes took over the parliament's role, with laws being passed quickly through ordinances rather than

carrying out deliberative discussions. Committees were not always effective, and members did not attend regularly, which made it harder to work efficiently. Outside influences, such as powerful institutions of the civil-military establishment and media-pressures, also affected how freely the Assembly could function. These problems show that important changes are needed to make the parliament stronger and to help it work better for the country.

To conclude, the somewhat extended efforts of the 15<sup>th</sup> National Assembly to address/resolve the problems faced by the body politic of the country showed the capacity of the House to respond to pressing national needs when there exist political will and focused leadership. Yet, these achievements were often overshadowed by the continuous political confrontation between the treasury and opposition benches. The tendency to treat legislation as a tool for political gain rather than a means to serve the public interest diluted the effectiveness of the parliamentary process. Meaningful reforms in sectors like education, health, electoral transparency, and environmental protection remained largely unaddressed due to political distractions. The mainstream political parties along with their leadership must understand that effective legislative process can only be achieved while addressing the frictional aspects of the diverse society of Pakistan.

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