**A historic decision**

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Among the four pillars of a functioning democracy, the judiciary holds the most significant place. The foremost role of the judiciary is to protect rule of law, ensure the supremacy of the constitution, and protection of the national interest. It safeguards the rights of the individual, resolves the disagreements in accordance with the law, and ensures that democracy does not permit the despotism of an individual or a group.
The autonomous judiciary is the foundation of a fair, unbiased, and constitutionally fortified society. Independence means that judges can freely make legal decisions whether encompassing influential politicians, governmental personnel, or ordinary citizens. In a fragile democracy like Pakistan, the judiciary has to face many crucial challenges in order to bolster civil society and strengthen constitutional culture among the masses at large.
The Constitution of Pakistan assigns the Supreme Court the responsibility to preserve, shield, and guard the constitution. Articles 184 (3) and 199 of the Constitution of Pakistan allow the Supreme Court of Pakistan the power to make orders to enforce fundamental rights. The Supreme Court of Pakistan has unarguably achieved this feat and upheld its constitutional responsibilities by passing decrees paralleled with the rule of law without getting influenced or extorted by any institution or populous tendencies.
Amid the ongoing political turmoil in Pakistan, when the Lower House of the Parliament witnessed some unprecedented circumstances, once again the superior judiciary had to intervene in an attempt to stabilise the political system and stop the misapplication of the constitution by some politicians for their own political benefits.
A constitutional and legal upheaval prevailed in Pakistan on the 3rd of April after Deputy Speaker of National Assembly, Qasim Suri blocked the no-trust move by the opposition against the Prime Minister Imran Khan, misinterpreting Article 5 of the constitution citing an alleged foreign conspiracy to topple Imran Khan’s government.
Following the obstruction of the no-confidence motion in the National Assembly, Imran Khan then advised the President to dissolve the Assembly which was accomplished in an extraordinary hustle by the President, leading to constitutional and political chaos with an absolute adverse impact on the already declining economic conditions of the country.
Feeling his constitutional obligation, the Chief Justice of the Supreme Court of Pakistan took a suo moto notice of the crisis and formed a five-member bench comprising Chief Justice Umar Ata Bandial, Justice Ijaz ul Ahsan, Justice Mazhar Alam Khan Miankhel, Justice Munib Akhtar and Justice Jamal Khan Mandokhail to tackle the crisis by providing the correct elucidation of the constitution.
After five days of painstaking hearing and arguments from the appointed legal representatives by both government and the opposition, The Supreme Court, on the 7th of April, passed a landmark judgment and termed the actions by Dy Speaker of the National Assembly Qasim Suri on 3rd April as contrary to the constitution and to the law and of no legal effect.
The momentous judgment also confirmed that the no-trust motion against the Imran Khan was pending and existing at all times and continues to so remain pending and existing. It was also concluded that Prime Minister Imran Khan was under the bar imposed by the explanation to clause (1) of Article 58 of the Constitution and continues to remain so restricted. He could not, therefore, have at any time advised the President to dissolve the Assembly as contemplated by clause (1) of Article 58.
The brave gesture and positive exhibition of judicial activism by the honourable Chief Justice of Pakistan and the superior judiciary as an institution have assuredly emboldened democrats and the civil society in the country by enunciating that the top legal body of the country has evolved in a manner that it withstands the constitution without any conciliation and fear.
Despite attempts made by certain political segments to malign the judiciary through derogatory social media campaigns and aspersive statements, the top court, through its historic verdict, has supported progressive sentiments and democratic norms. The masses believe that the recent judgment is not only a huge victory for democracy, but has also buried the doctrine of necessity forever.
It has also portrayed a positive image of Pakistan at the global amphitheatre as a country that has a robust, intrepid, and pro-democracy legal system that is committed to the rule of law, and the omnipotence of the constitution.