**Searching for answers**

**[Mehlaqa Samdani](https://www.nation.com.pk/columnist/mehlaqa-samdani)**

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At a time when Pakistan’s judiciary is in turmoil and the integrity of the institution and of its members is under scrutiny once again, I find myself reflecting on the life of my father, Justice K.M.A. Samdani, who showed us what it means to live honorably in the face of despotism. Baba passed away ten years ago, but the enduring values and principles he lived by, and his approach to judicial rectitude, continue to offer lessons today.

Many people are aware of the various ways Baba defied General Zia-ul-Haq: first, by granting bail to former PM Zulfiqar Ali Bhutto at a time when the military regime sought to eliminate any opposition; by publicly reprimanding the Chief Martial Law Administrator at a cabinet meeting for illegitimately seizing power and for humiliating the bureaucrats in the room; and finally, by refusing to take the oath under the General’s Provisional Constitutional Order.

I was five years old when Baba took the monumental step of resigning from his position as a high court judge—I do not recall much of that time except that our home in G.O.R. was always filled with important people, and chauffer-driven cars lined our driveway at 11 Aikman road. Later I learned these were Baba’s friends and colleagues who tried to convince him to reverse his decision. He however remained resolute, and walked away from a prestigious career in the judiciary.

[Pakistan thump New Zealand in first ODI](https://www.nation.com.pk/27-Apr-2023/pakistan-thump-new-zealand-in-first-odi)

Many would consider this a difficult decision—it meant losing his job, his home, relocating his family, and starting afresh when he was at the pinnacle of his career. And while it must have been challenging in practical terms, I do not believe this decision presented itself as a moral dilemma to Baba. Professional status, wealth, and material possessions meant nothing to him—to his mind, a person’s worth was measured by their commitment to do the right thing, the honorable thing, no matter what the circumstance, no matter what the consequence.

In the days and weeks following his resignation, family and friends were struck by Baba’s equanimity, composure, and lightness of being. Even as he and my mother planned next steps, his demeanor was that of a man without a care in the world. I believe his ability to get through this time with grace and fortitude was borne of spiritual resilience—an inner strength inspired by his Sufi master, Baba Ubaidullah Khan Durrani.

[ANP seeks judicial inquiry into resettlement of terrorists in KP](https://www.nation.com.pk/27-Apr-2023/anp-seeks-judicial-inquiry-into-resettlement-of-terrorists-in-kp)

(The Divine Beloved takes care of all my affairs—for me to worry about anything is therefore futile – Maulana Rumi)

In later years, when asked about the qualities of a good judge, Baba often quoted a former British Chief Justice who said, ‘A judge is a gentleman first and a gentleman last. If he knows the law, so much the better.’ For Baba, a judge’s character was of paramount importance—somebody who was invincible in the face of political pressure, impervious to intimidation, and immune to financial incentives. In Pakistan’s context, he insisted a judge should be no less than a Mard-e-Momin\* (or Momina), or at least somebody who aspired to be one.

It seemed that for Baba, being a judge was not just a professional calling, but a spiritual one. He asserted that for judges to act independently, they must strive to become ‘independent from the self’ – to become free of those aspects of themselves that induce them to seek favors and act dishonorably. Only then could a person acquire the fearlessness and moral courage required for holding this office.

[Banks to remain closed on May 1](https://www.nation.com.pk/27-Apr-2023/banks-to-remain-closed-on-may-1)

When asked why so many in the judiciary fell short of upholding the constitution, he bemoaned the fact that an ailing society bereft of values could only produce individuals with similar afflictions. A case in point was a higher court judge who questioned Baba’s refusal to take the PCO oath. When Baba reminded him that he had taken an oath to uphold the constitution, this particular judge replied: Samdani Sahib, oathain to aati jaati hain, aapko PCO vala oath lay laina chahiye tha (Translation: oaths come and go, you should have just taken oath under the PCO)

In his final years, Baba felt deeply aggrieved by the state of our society. He strongly believed any effort to reform our institutions would fail unless accompanied by a concerted effort to reform ourselves. Currently, Pakistan is deeply mired in a series of crises, but I am sure Baba would agree that perhaps the most fundamental challenge confronting the country is the crisis of character at both the individual and collective levels.