

Revisiting the Doctrine of Necessity: Judicial Interpretation in Pakistan and the April 2022 Crisis

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Received: 18-07-2025	Revised: 27-08-2025	Accepted: 24-09-2025	Published: 05-10-2025
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ABSTRACT

The creation of Pakistan on August 14, 1947, was the realization of a separate homeland for Muslims, yet from its inception the country has remained entangled in crises, both political and constitutional. The internal structure of Pakistan was destabilized not only by socio-political challenges but also by repeated unconstitutional interventions carried out by usurpers in power. The Constitutions of 1956, 1962, and 1973 were frequently suspended and violated, and such extra-constitutional measures were legitimized by courts under the doctrine of state necessity. This judicial validation of coups and unconstitutional actions created a dangerous precedent that undermined constitutionalism, rule of law, and democratic consolidation for decades. The doctrine of necessity provided a legal cover for usurpation of power and perpetuated a cycle of instability, weakening institutions and eroding public trust in judicial impartiality. However, the political crisis of April 2022 marked a significant departure from this troubled legacy. When the government of Prime Minister Imran Khan was removed through a constitutional process, the Supreme Court of Pakistan was called upon to adjudicate the matter. Exercising its suo motu jurisdiction, the Court annulled the unconstitutional dissolution of the National Assembly and restored Parliament, thereby ensuring continuity of democratic governance. This research examines the historical evolution of the doctrine of necessity in Pakistan, its legitimizing role in constitutional breakdowns, and the precedents it established. It then critically analyzes the events of April 2022, where the Supreme Court rejected the misuse of necessity and reinforced constitutional supremacy. The decision is hailed as a landmark development in Pakistan's judicial history, symbolizing the burial of the doctrine of necessity and laying the foundation for constitutional harmony and democratic resilience in the future.

KEYWORDS: Pakistan, Doctrine of Necessity, Constitutional Law, Judicial Interpretation, Supreme Court, April 2022, Constitutionalism, Democracy.

INTRODUCTION

The notion of statehood prospers on the very foundation of sustainable growth and nuanced development. A specific state requires, inevitably, a stabilized environment to achieve its goal of political solace. In addition to it, it is imperative for a country or state to have political stability for its evolution into a modern state. Stabilized political surroundings guarantee the protection of state in unprecedented dangers. (Radu, 2015)

(Kiani, 2022) Opines that Political uncertainty always causes ceaseless pain for the citizens. Moreover, it causes political paranoia and compromises the national peace. Due to lack of political stability, the economic crisis are worsened. It is important for a state to have state-level harmony in order to regulate its economic predicament.

Moreover, domestic politics had a decisive impact on Country's course of events. The complication of political front further jeopardizes the foreign policy of a state along with the national security. In addition to it, many states have seen the consequences of destabilized political chaos and have paid a heavy price of it. (Vankwani, 2022)

It is believed that one of the pivotal organ of a Government is its *Judiciary*. When a judiciary is well-structured, its functionalities are swift and imbedded with clarity. Moreover, its influence and impact is beyond the delivery of justice. A reliable judiciary can increase the spirit of competitiveness of a State. When an institution non-functions, political chaos is inevitable. (Ahmad, 2019)

The role of judiciary in a state is of great significance. Moreover, it is an apolitical institution which is construed upon the fundamental tenets of equality, independence and due process. In recent years, it has been observed that Judiciary has become, almost, an arbiter of political problems. Judiciary through the mechanism of *public interest litigation* adjudicates upon state matters. The apex-court has the responsibilities of supervising wherever justice is compromised. (Jahangir, 2022)

The role of judiciary is contingent on deciding cases in consideration of the law. Moreover, it also has the cardinal duty to interpret the law. The judicial interpretation of law also – implicitly – bestows the power to make 'laws', which are abstract in their form, but concrete in its impact. The interpretation paves way for 'precedents' which provide a coherent framework for multi-faceted predicaments. The constitutional judges have the noble duty to ensure that all the branches of the government and their ancillary are acting in the prescribed manner. (Warraich, 2021)

The Judiciary has the cardinal duty to perform its functionalities in consonance with the Constitution – the supreme law of the land. Pakistan is a vibrant democracy, as it is reflected by the division of its governmental organs. (Reporter, 2021)

The Supreme Court of Pakistan is bestowed with powers which can be invoked in times of danger. In addition to it, the powers of suo motu can be exercised when the Court feels that a certain situation demands so. However, after 2009, when the wave of judicial activism swept over the country, it was observed that the powers of suo motu were less availed for protection of fundamental rights and more for the intervention in political governance. The intervention in the political spectrum can be construed as the hyper-assertion of judicial overreach, subject to rule of necessity. (Malik, 2020)

A stronger judiciary has to rely on constitutional democracy. Moreover, the constitutional democracy is guaranteed by the rule of law, supremacy of constitution, separation of powers and independent Judiciary. When an order is not issued in consonance with the law, the foundations of democracy are rattled. A constitutional judge has the equal duty to be subjected to the Constitution and law. (Iqbal, 2021)

In judicial parlance, the philosophical notion of necessity is manifested into 'Doctrine of necessity' which was, for the very first time, introduced by William Blackstone and Henry De Bracton. Accordingly, the doctrine of necessity explicitly articulates that unlawful acts are construed lawful in times of necessity. The doctrine allows the state actors to commit certain acts which otherwise would be unlawful. In

historical context, as it is believed that the doctrine of state necessity has been availed for abusing the fundamental theory of 'separation of powers'. The doctrine of necessity was introduced by Late Justice Muhammad Munir into the realm of Pakistan's judiciary. Scholars believe that the doctrine was evolved and systemized into the system for political objectives. Dictators and Usurpers have manipulated the essence of constitution in the name of 'necessity'. (Pirzada, 2019)

The month of April in the year 2022 proved to be a fate-changing event in Judiciary. The bold ruling by Chief Justice of Pakistan, Justice Umar Ata Bandial, along with other judges in consonance, opined that Deputy Speaker ruling on April 3rd, 2022 was unconstitutional. The Supreme Court ordered the Parliament to be restored to its full effect and reburied the 'Doctrine of necessity' which was invoked by the said Deputy Speaker. However, the opponents of the ruling believed that the said Order had damaged the trichotomy of powers and the parliamentary sovereignty. The people believed that the Supreme Court of Pakistan – the guardian of justice – buried the doctrine of necessity, which in the past has compromised the equilibrium of Pakistan's system. The April Judgment of Supreme Court was historic in its form. The Constitution was upheld and the doctrine of necessity was barred from being used again. The burial of doctrine of state necessity was the manifestation of the fact that Supreme Court had performed its constitutional duty to safeguard the supreme law of the land. Many lawyers interpreted this judgment as a milestone in the Constitutional recourse of Judiciary. It is imperative for Supreme Court to, in the near future, to adjudicate upon matters whereby the Doctrine of necessity can be invoked to savagely destroy the essence of democracy. The Supreme Court not only buried the doctrine of necessity, but restored the sanctity of Parliament. (Malik H. , 2022)

Pakistan's democratic stability has always been smeared by orchestrated coups and brutal attack on the very foundation of democracy. Pakistan is one of the many nations whereby dictators have ruled the state with a clenched fist, the moment when they were exempted from any sort of accountability in the name of *Doctrine of necessity*. The usage of Doctrine of Necessity by Judiciary in many case laws is the manifestation of acknowledgment, wherein the dictators are given free hand to do whatever their instincts guide them to. This study is an endeavor to critically evaluate the case laws whereby Doctrine of necessity was legitimized. The Research gap is the recent endeavor of Imran Khan, former Prime Minister Endeavor to dissolve the Parliament and the Supreme Court's decision to bury the Doctrine *perpetually*.

RESEARCH OBJECTIVES

1. To critically examine *Case No. S.M.C 1/2022* concerning the rejection of the motion of no-confidence against the Prime Minister, with particular emphasis on the judicial refusal to apply the doctrine of necessity.
2. To analyze and evaluate the judicial precedents where the doctrine of necessity has been applied, in order to assess its historical evolution, scope, and contemporary relevance.

RESEARCH QUESTIONS

1. How did the Supreme Court of Pakistan interpret and address the doctrine of necessity in *Case No. S.M.C 1/2022* while ruling on the rejection of the no-confidence motion?
2. In what ways has the doctrine of necessity been applied in past judicial decisions, and how do these precedents influence its relevance in contemporary constitutional jurisprudence?

LITERATURE REVIEW

The Judicial system of Pakistan is evolved and modified. It has evolved into a well-structured and well-coherent system, which is inculcated with several intricacies and formalities. The judicial organ of the government had a steady growth, whereby its inherent framework was more well-established and cemented. The Constitution of Pakistan has eloquently bifurcated the powers of the institutions wherein one institution has to be separated from the other. The Constitution of Pakistan considers Judiciary as an independent organ which is bestowed with privileges and constitutional duties. The Judiciary has the cardinal duty to perform the process of interpretation in order to clear any ambiguities and vagueness, which may arise in the statutes legislated by the Parliament. (Hussain, 2015)

The Judicial history of Pakistan is marked with many monumental amendments. In addition to it, the judiciary had produced many legal norms which had a significant place in the structure of the state. The proximity between judicial norms and political paradigms was a manifestation of legal perspective. In historical context, the interpretation of statutes or a legal commission of an act is bestowed upon the Judiciary. The Doctrine of necessity originated in the judicial realm of Pakistan, when Justice Munir dismissed Maulvi Tameez Uddin petition against the-then Governor General, Ghulam Muhammad. The Chief Justice invoked the doctrine of *necessity*, which he had already invoked during his services at Lahore High Court when anti-Ahmad riots erupted in Punjab in the year 1953. It is believed that Chief Justice Munir was the founder of this very doctrine into Pakistan's judicial system, which set a perilous path for the constitutional course. (Jaffrelot, 2015)

Moreover, the Federal Court of Pakistan in PLD 1955 FC 453 introduced the Doctrine of State Necessity. The induction of this doctrine in cases like Tameezuddin were the manifestation of rule of state necessity. The necessity was the constitutional deadlock. Moreover, the cases like Reference to the Governor General, Usif Patel case and Ali Ahmad Hussain Shah case were the precedents whereby the Doctrine of necessity was applied, executed and implemented. (Khan H. , 2016)

However, as the role of Judiciary became more prominent, its role in the political spectrum was widely observed. The Judicialization of politics in Pakistan was exponentially increased during the stewardship of Former Chief Justice Iftikhar Muhammad Chaudhary. The confrontation between the two organs of the government – Executive and Judiciary – led to the influence of Judiciary in political prism. The usage of judicial review was availed for interpreting the Constitution, which was the manifestation of the fact that Judiciary had become a major key contributor to the political state of Pakistan. (Waseem, 2012)

The constitutional interpretation of a constitutional provision is upon the shoulders of Supreme Court of Pakistan. It is believed that due to the intrusive nature of judicial interpretation, the cardinal task of constitutional interpretation was devolved upon the apex organ of the judiciary. It was widely established that the apex court had misused its powers of constitutional cum interpretational supremacy in order to legitimize unconstitutional acts of certain institutions in the state. The judicial interpreters wielded more power than the constitution-maker. However, the tool of judicial absolutism was availed to strike down parliamentary acts and construe certain acts of the executive as judicial, which created a void for the separation of powers. (Siddiqi, 2010)

It is of paramount importance that a credible constitutional democracy depends on public confidence in the judicial system. In order to be effective, the judicial branch of the government has to be responsive to inevitable necessities of the state. The credibility of judicial organ of the state is contingent upon integrity and independence. Reasoned orders, coupled with consistency and clarity, are the hallmark of judicial

system. In contrast to it, the World Justice Project, a non-profit entity, through its The Rule of Law index has ranked Pakistan as 130 out of 139 countries which are reviewed in its adherence to the constitutional implementation. However, it is pertinent to mention that there has been always a desire for judicial independence in Pakistan which can be safeguarded if fearless decisions are made by Judiciary. (Hosain, 2021)

The state of Pakistan faced a conundrum in the month of April, 2022 when Imran Khan's government faced a vote of No-confidence. It was a political and constitutional crisis, which further weakened the democratic norms of the state. The Supreme Court, in its unprecedented move, dismissed the ruling of Qasim Suri – the Deputy Speaker – to block the Vote of No confidence in the necessity of a *foreign conspiracy*. It must be noted that security services had not found any credible evidence whereby a foreign conspiracy could be justified. The intervention of Supreme Court in the matter was severely criticized. Advocate Ali Zafar opined that judicial interpretation of a parliamentary act was against the separation of powers. In addition to it, the Supreme Court took the matter in pursuance of suo motu powers and interpreted the said ruling in its brief Order as *unconstitutional*. (Zaman, 2022)

On the said Day, the Deputy Speaker quoted Article 5(1) of the Constitution of Islamic Republic of Pakistan, 1973 on the said request of Fawad Chaudary, who opined that there is a collusion for regime change in Pakistan. The said Minister also articulated that a foreign conspiracy was a constructed between the opposition and the foreign power. (Shamsi, 2022)

Moreover, the Deputy Speaker claimed that since there is a threat of foreign conspiracy, the Parliament could be dissolved thereby invoking the infamous rule of necessity. The former premier, Imran Khan emphasized the same points in his interview to CNN, whereby he was of the opinion that a foreign conspiracy had been orchestrated against his government by un-named country. The Supreme Court, on the other side, did not seconded this opinion and interpreted the events of 3rd April, 2022 in its prestige. (Khan, 2022)

It is to be noted that after the unconstitutional acts of the said Deputy Speaker, 100 academics and prominent leaders wrote to Chief Justice of Pakistan, whereby they expressed their opinion that unconstitutional acts shall not be legalized. The letter clearly set out that the by invoking the principle of necessity, the social pattern of the state of Pakistan was endangered. The letter also demanded an independent commission which could investigate the factual premise of a foreign conspiracy. The letter read: "We have noted with enormous distress the aggressive and contemptuous manner in which the Constitution of Pakistan was violated by the outgoing government. This is a major threat to the social cohesion and well-being of the nation. This action has brought us to the ignominious juncture where the 'doctrine of necessity' is again being invoked by some to suspend due process and violate the fundamental right to vote on the basis of unsubstantiated claims of alleged foreign interference in the political process,". The letter was a manifestation of the fact that constitution is a sacred convent between the State and its subject. It is an implied will of the people, which collectively reside in a State. The unconstitutional act of April 3rd were the harbinger of anarchy and lawlessness. It was to be seen that the decision of Supreme Court of Pakistan would shape the perpetual trajectory of national course of events. (The News, 2022)

The Supreme Court brief order, with clarity, elucidated that the events of April of 3rd, 2022 were unconstitutional and had no legal effect. The said order in its clause 12 specifically mentioned that the Supreme Court's ruling is applied on the vote of No-confidence. However, in its other clauses, it encapsulated that the Prime Minister, who was already under question, could not have advised the

President to dissolve the Parliament by virtue of Article 58. The Supreme Court, burying the doctrine of necessity, restored the Parliament and all the ancillary aspects of it to its full extend. The Order, followed by a detailed judgment of 111 pages, clearly enumerated the mighty opinion of the Supreme Court of Pakistan. The Supreme Court judgment is to be construed as an unprecedented judgment, which discouraged the usage of doctrine of necessity for the very first time. (Bandial, 2022)

The Supreme Court judgment paved the way for constitutional supremacy and buried the ‘doctrine of necessity’ for the mean while. It ordered the Parliament to be restored and the Vote of No-confidence was commenced whereby the Prime Minister, Imran Khan was removed from his post. The day (10th April, 2022) was celebrated as *Constitution Day* due to the very fact that Supreme Court has, successfully, removed the venom of rule of necessity from its internal structure. The suo motu notice by the CJP was taken due to the Deputy Speaker of blocking the Vote of No-confidence in pursuance of ‘foreign conspiracy’ but the learned Judges sustained the sanctity of the Constitution – *the supreme law of the land*. (Anjum, 2022)

To eloquently summarize, the April events were again a moments of darkness for Pakistan’s constitutional pathway. The people of the state were concerned over the future of constitutional supremacy and parliamentary credibility. The Supreme Court, by virtue of its logical interpretation, buried the *Doctrine of necessity*.

RESEARCH METHODOLOGY

Research Design

This study adopts a qualitative, doctrinal, and exploratory research design to examine the doctrine of necessity in Pakistan’s constitutional jurisprudence. The qualitative approach is suitable because it enables an in-depth investigation of judicial reasoning, constitutional interpretation, and the political-legal context of the doctrine.

Data Sources

The study is based on secondary data collected from authentic and credible sources, including:

- Primary legal materials: Constitutional provisions, judicial precedents, and case laws (e.g., *State v. Dosso*, *Begum Nusrat Bhutto v. Chief of the Army Staff*, S.M.C. 1/2022).
- Secondary literature: Books, peer-reviewed journal articles, law reviews, and authoritative commentaries on constitutional law.
- Supplementary sources: Newspaper archives, opinion columns, and policy analyses for contextual understanding of the April 2022 political events.

Data Collection

A documentary review method was employed to gather relevant information. Judicial decisions were accessed through law reports and legal databases, while scholarly articles and books were sourced from academic repositories. The April 2022 constitutional crisis served as a contemporary case study to evaluate the judiciary’s refusal to apply the doctrine of necessity.

Data Analysis

The data was analyzed using thematic and critical legal analysis. Key themes such as *judicial justification of extra-constitutional actions, constitutional loopholes, and political legitimacy* were identified. Comparative references to earlier cases were drawn to highlight the historical evolution and contemporary relevance of the doctrine.

Scope and Limitations

The scope of the study is confined to the interpretation of the doctrine of necessity by the Pakistani judiciary, with specific focus on *S.M.C. 1/2022*. While the research incorporates historical precedents, its primary emphasis remains on the April 2022 events. The study is limited to secondary data sources.

DISCUSSION/ANALYSIS

The doctrine of necessity in Pakistan's constitutional history reveals a dual dimension of use and misuse, with its misapplication far outweighing its legitimate role. The doctrine, once allowed to flourish by state institutions, became entrenched in the political and judicial fabric of the country. Historical precedents demonstrate its repeated invocation to justify extra-constitutional measures. For instance, Ayub Khan's introduction of the "Basic Democracy" system, which empowered an electoral college to determine presidential authority, reflected a manifestation of the rule of necessity. Earlier, in the *Maulvi Tameez Uddin* case, the dissolution of the Constituent Assembly by Governor General Ghulam Muhammad marked a defining moment in embedding the doctrine into judicial reasoning, later solidified by Justice Munir's ruling. The 1962 Constitution, promulgated under Ayub Khan, carried discrepancies and loopholes that further destabilized constitutional development. Successive martial law regimes deepened the crisis, undermining Pakistan's political evolution as a welfare state and obstructing democratic growth. The events of April 2022 echoed this historical pattern: the dissolution of Parliament constituted yet another challenge to constitutional integrity, though the Supreme Court's restoration of the legislature sought to mitigate the damage and reaffirm constitutional supremacy. Nonetheless, the judiciary's past accommodation of usurpers to legitimize unconstitutional interventions has weakened public confidence, casting doubts on its impartiality and independence. The recurring reliance on the doctrine often stems from two drivers—fear and temptation—leading to outcomes where judicial actors have been swayed by external pressures. To overcome this entrenched pattern, several measures are essential: strengthening judicial appointments through merit and integrity; ensuring that the interpretation of the doctrine aligns strictly with constitutional principles; fostering institutional harmony between the judiciary and legislature; discouraging the normalization of extra-constitutional actions; and ultimately eradicating the doctrine's presence within the legal system. By doing so, Pakistan can safeguard judicial impartiality, strengthen constitutional democracy, and prevent the recurrence of doctrines that have historically undermined its political stability. Political stability emerges as one of the most significant determinants of state progress, as a stable and coherent political infrastructure is indispensable for national prosperity. In its absence, internal security becomes vulnerable to terrorism, extremism, and separatist movements, which threaten the very fabric of the state. Within this framework, the judiciary holds a cardinal responsibility to interpret constitutional provisions and statutory enactments in accordance with law and just morality. However, inconsistencies in interpretative approaches have, at times, undermined this role. A more rigorous application of interpretative strategies—particularly those inspired by Islamic legal methodologies—could fill existing legal vacuums and strengthen judicial credibility. The doctrine of necessity, however, has historically distorted the constitutional order by legitimizing unconstitutional actions of usurpers, dictators, and non-democratic actors. Cases such as *State v. Dosso* and *Maulvi*

Tameez Uddin Khan reflect this judicial inclination to validate executive excesses under the guise of necessity. Had the 1956 Constitution been allowed to operate without such interruptions, Pakistan's constitutional record could have evolved more consistently with democratic norms worldwide. The events of April 2022 further highlighted the persistent shadow of the doctrine. Though framed by some political quarters as part of a "foreign conspiracy," the dissolution of Parliament demanded judicial intervention. The Supreme Court's suo motu action in *S.M.C. 1/2022* proved pivotal in restoring parliamentary supremacy and safeguarding constitutional integrity. This decision not only reaffirmed the supremacy of the Constitution—the supreme law of the land—but also set a novel precedent that may influence Pakistan's judicial trajectory for years to come. By swiftly reversing unconstitutional actions, the judiciary reinvigorated public faith in its impartiality and reaffirmed its role as the guardian of constitutional order. Political stability is central to the sustainability of state institutions, as no governmental structure can prosper if its organs operate in contradiction to one another. Within this framework, the law of necessity has often been criticized for its vagueness and susceptibility to manipulation in favor of non-democratic actors. Historical examples reveal how courts have legitimized unconstitutional actions under the pretext of necessity. Justice Irshad Hassan Khan's validation of General Pervez Musharraf's military takeover and earlier judicial justifications of authoritarian interventions illustrate how the doctrine was distorted to consolidate dictatorial rule. Similarly, the promises of General Zia-ul-Haq in 1977 to hold elections within ninety days, which ultimately extended into more than a decade of military rule, highlight how reliance on this doctrine weakened Pakistan's constitutional foundations. Both Zia and Musharraf's prolonged regimes (1977–1988 and 1999–2007, respectively) underscore how judicial interpretations of necessity blurred the boundary between constitutional and unconstitutional acts. The doctrine, contingent only on genuine emergencies, requires a coherent and cohesive framework to prevent its misuse. Its invocation should not be based on speculation or political expediency, but on clearly defined constitutional parameters that separate lawful necessity from authoritarian convenience. In the contemporary context, the April 2022 events again placed the judiciary at the center of a constitutional crisis. While the Supreme Court's intervention between April 3–10, 2022 prevented a deeper leadership vacuum and preserved parliamentary supremacy, it also raised questions regarding the Court's role as a political arbitrator. The tension between judicial neutrality and political necessity created ambiguity about the Court's constitutional mandate. Ultimately, the sanctity of the Constitution—as the supreme law of the land—must remain paramount, and any validation of unconstitutional actions under the guise of necessity should be categorically rejected to preserve judicial integrity and the democratic order.

CONCLUSIO

The constitutional history of Pakistan is smeared with many coups, period of instability, chaotic precedents and political anarchy. Every usurper who came into power did not pay heed to the constitutional experts which kept propagating that a State cannot prosper if its internal structure is manipulated. Francis Fukuyama in his book "**Political Order and Political Decay**" states that a state needs to have *Rule of law* and democratic institutions. Pakistan was created on August of 14th, 1947 with the hope that it will be the safe haven for the Pakistanis. Moreover, the vision of founders implied that political and institutional stability will be the manifestation of the fact that Pakistan can travel on the voyage of **Nation-building**. However, it was the doomed fate of Pakistan that usurpers intervened and destroyed the very essence of constitutional mechanism and the pillars of the State. The infamous Doctrine of Necessity was the very rationale which was availed by dictators to legitimize their power. They seek constitutional authority in the name of necessity. Moreover, the custodians of justice also helped them in allowing them to materialize their power and unconstitutional intervention. From Ayub Khan to General Musharraf, all the dictators donned the cloak of 'necessity' and legitimize their powers. Their undemocratic rule and their reign was the manifestation that Democracy is a mere illusion in

Pakistani system. The state stability was always jeopardized in the name of ‘rule of state necessity’, which implied that unlawful {unconstitutional} acts of the usurpers can be legitimized in the wake of “need of the hour”. The Judicial precedents in judicial realm like Tameez Uddin case, Usif Patel case and many other cases imply that One branch of the Government has allowed a leeway to the other branch of the Government. If executive was able to legitimize their unlawful power or reservoir of authority, it was due to the constitutional impunity. When April, 2022 events materialized on the peripheries of statehood, there was an apprehension that once again, the state will go into the depth of constitutional crisis, political darkness and chaotic situations. The progress we were able to make till now would have been halted and perhaps, compromised. The “**doctrine of necessity**” was once again used on the basis of unsubstantiated claims of conspiracy and necessity. However, the author believes that the Supreme Court suo motu notice of 3rd April, 2022 was a constitutional necessity to bury the Doctrine of necessity and save the state from the chaos and apocalypse, which it suffered in the past decades. The S.M.C No.1 of 2022 will prove to be a perpetual precedent in judicial realm, which will imply that Supreme Court – as the elixir of law – was able to deal with a political and national situation whereby the constitution was manipulated. It is further recommended that there must be a clear and coherent interpretation of Doctrine of necessity. Cicero opined that “*In times of war, laws falls silent*”. Pakistan has been in turmoil since its inception. It desperately requires a strong and concrete constitutional structure, whereby there is no room for the usurpers to legitimize their unconstitutional authority. The usurpers have always availed the necessity ruse to exert their unconstitutional privileges. However, the Judicial Interpretation of Doctrine of necessity in April, 2022 will be a glorifying step towards *the Future* of Pakistan. The custodians of the law must provide a framework, whereby the doctrine of state necessity ceases to exist. If institutions are instilled with peace and harmony, the stability and prosperity of Pakistan will be the inevitable result. Moreover, the interpretation of state necessity must be nuanced and restructured. The state of Pakistan can proceed on the pathway of Constitutional stability, If *Doctrine of necessity* remains buried.

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