

A NOTE FROM THE EDITORS

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We are pleased to announce the publication of Volume 5 of the LUMS Law Journal. This Volume aims to incite discussion and educate its readers on critical cases and legislation pertaining to the legal system in Pakistan. Volume 5 of the LUMS Law Journal contains six articles, three case notes, three legislative reviews and three book reviews.

In his article, Dr. Shahbaz Ahmad Cheema conducts a socio-legal analysis of the remedy of the restitution of conjugal rights, and argues that it should be abolished because of its misuse against women. In an article on corporate governance in Pakistan, Fatima Wahla examines the multi-tiered agency problems that exist due to concentrated ownership structures in the corporate sector in Pakistan. Zeeshan Iftikhar and Tashif Ehsan probe the reported cases in which Pakistani courts have pierced the corporate veil. In particular, this article discusses the limits placed on the separate legal identity of a corporation by courts. The symbiotic relationship between religion and politics in Pakistan is a prominent feature of the country's constitutional history, as Umair Ahmad demonstrates by studying the role of the Objectives Resolution and its effect on religious morality and democratic framework of Pakistan. Mir Asfandyar Khan Mohmand scrutinizes the conflicting judicial interpretations of section 4 of the Muslim Family Laws Ordinance 1961, which provides orphaned grandchildren the right of inheritance. Dr. Mohammad Akbar Khan and Zohaib Hasan Makwal introduce the concept of death-illness, and its role in matters of family law, such as marriage, divorce, and payment of dower. The analysis is rooted in classical Islamic law, which has yet to recognize the emergence of newer ailments that may cause death-illness.

The first case note by Kamran Adil evaluates the issue of registration of multiple FIRs in the *Sughran Bibi* case, and praises the Supreme Court for taking a step in the right direction to reform criminal justice in Pakistan. The second case note by Mirza Moiz Baig on *Zulfiqar Ahmed Bhutta v Federation of Pakistan* sheds light on the constitutional right to form and join political parties by analyzing the

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court's restrictive interpretation of Article 17(2) of the Constitution. The third case note by Zia Ullah Ranjah peruses the law of blasphemy in the *Asia Bibi* case. The writer provides an appreciation for the court's adherence to the principles of criminal law, and its thorough examination of available evidence. Sarim Jamal's legislative review provides an analysis of the Pakistan Climate Change Act 2017, and compares its provisions to international environmental law. Eesha Arshad Khan elaborates on the emerging issue of cybercrime in Pakistan by assessing the provisions of the Prevention of Electronic Crimes Act 2016. This legislative review discusses the background of the law, and the relationship between its provisions and the protection of human rights in Pakistan. Imran Ali inspects the illegal transfer of funds and its prevention in the legislative review of the Anti-Money Laundering Act 2010. This review juxtaposes Pakistan's law on money laundering with international standards, exposing the loopholes in domestic legislation that inadvertently end up facilitating the crime of money laundering. The first book review by Dr. Shahbaz Ahmad Cheema elaborates upon the issue of gender and justice in classical Islamic thought by providing a review of the *Gender Justice in Islamic Law* written by Musa Abubakar. It provides a gendered analysis of the offences of homicide and bodily injury in Islamic criminal law. Shaista Anwar reviews the *International and Domestic Arbitration in Pakistan: Law and Practice* by Rana Rizwan Hussain, simultaneously appreciating the book's detailed study on arbitration and highlighting its shortcomings. Abdul Wahab Niaz's book review of the *Early Islamic Legal Theory: The Risāla of Muḥammad ibn Idrīs al-Shāfi'ī* by Joseph E. Lowry provides a comprehensive introduction of al-Shāfi'ī's *Risala*, and analyzes the relationship between Islamic law and divine text.

Many people worked together to make the publication of this volume possible. We would like to express our gratitude to the current and former members of the LUMS Law Journal Editorial Committee for their hard work in reviewing and editing several articles. We specially thank LUMS Law Journal Fellow, Saba Tariq, student editors, Mir Asfandyar Khan Mohmand and Hiba Fatima Hassan, and student sub-editors Abdul Wahab Niaz, Eesha Arshad Khan and Sara Raza for diligently reviewing and editing submissions. We are also grateful to the members of the Editorial Board for reviewing several articles and providing their expert views.

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We hope to encourage legal scholarship in Pakistan through the publication of the LUMS Law Journal. We welcome submissions, as well as feedback and suggestions, at submissions.lj@lums.edu.pk.

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