Editorial Team

Chief Editor

Dr. Muhammad Zubair Abbasi

Co-Editor

Marva Khan

Student Editors

Abdul Wahab Niaz
Sara Raza
Shayan Manzar

Editorial Board

International Members

Prof. Dr. Shaheen Sardar Ali
Professor of Law, School of Law, University of Warwick

Prof. Dr. Asifa Quraishi-Landes
Professor of Law, School of Law, University of Wisconsin

Dr. Mathew Nelson
Reader, Department of Politics and International Relations, School of Oriental & African Studies, University of London

Prof. Jeff Redding
Associate Professor, School of Law, Saint Louis University

Dr. Ahmad Ghouri,
Senior Lecturer in Commercial Law, School of Law, Politics, and Sociology, University of Sussex

Dr. Ayesha Shahid
Senior Lecturer, Coventry Law School, University of Coventry

Dr. Shoaib Ghias
JD and PhD in Jurisprudence and Social Policy, University of California, Berkeley

Dr. Vanja Hamzić,
Senior Lecturer in Legal History and Legal Anthropology, School of Oriental and African Studies, University of London

National Editorial Board

Prof. Dr. Muhammad Khalid Masud
Member of Shariat Appellate Bench, Supreme Court of Pakistan

Prof. Dr. Muhammad Munir
Vice President Administration, Finance, and Planning; ex-Director General Shari’ah Academy, International Islamic University, Islamabad

Dr. Shahbaz Ahmad Cheema
Assistant Professor, University Law College, University of the Punjab, Lahore

Dr. Muhammad Mushtaq Ahmad
Associate Professor of Law, International Islamic University, Islamabad
Aims & Scope

LUMS Law Journal is a peer-reviewed journal of Shaikh Ahmad Hassan School of Law, Lahore University of Management Sciences. The primary aim of the Journal is to provide a forum for scholarly debates amongst law students, faculty, lawyers, judges, practitioners and experts on important legal issues, which may lead to policy reforms. This Journal is an endeavour to foster a profound understanding of contemporary legal issues among its readers. While maintaining all the standards of academic legal scholarship and integrity, this Journal seeks to inform public discourse by publishing articles that are intellectually rigorous and thought provoking. It aims at providing its readers with a detailed, advanced and an insightful legal analysis of various ongoing developments in the legal arena in Pakistan and abroad. It is intended to stimulate interest in all matters pertaining to law, with an emphasis on matters arising from the relationship of law to other disciplines.

For the realization of its goals, the Journal draws on the academic rigor and excellence of various students, faculty members, lawyers, judges and practitioners by featuring their valuable contributions in the Journal. The Journal strives to uphold its vision of publishing challenging and useful legal scholarship of highest academic quality, a vision that is true for all times.

Permissions information

Unless otherwise noted, copyrights for the texts which comprise all issues of the LUMS Law Journal (LLJ) are held by the Lahore University of Management Sciences (LUMS). Items published by the LLJ may be freely shared among individuals, but they should not be republished in any medium without express written consent from the author(s) and advance notification to the LLJ Editorial Board. For permission to reprint articles published in the LLJ, please contact the editorial board at submissions.llj@lums.edu.pk.

Facts and views published in the LLJ express the opinions of the authors. While the information in the LLJ is believed to be true and accurate at the date of its publication, neither the editors nor the publishers or the authors accept any legal responsibility for any errors or omissions that may be made or for the results obtained from the use of such material.

Copyright © 2019

This journal is available online at https://sahsol.lums.edu.pk/law-journal.
A Note from the Editors

Over the past few years, Shaikh Ahmad Hassan School of Law has managed to publish one volume each year with entries on a variety of legal issues and prevalent topics in the LUMS Law Journal. This year we are pleased to present the sixth volume of the Journal that aspires to achieve increased readership and access to the legal fraternity in Pakistan and abroad.

We are thankful to a number of people who made the publication of this volume possible. First and foremost, we extend our utmost gratitude to the Chief Editor, Dr. Muhammad Zubair Abbasi, and the Co-Editor, Professor Marva Khan for their guidance and supervision. We are also grateful to the members of our Editorial Committee, especially Maha Malik, Momal Malik, Muhammad Usman Mumtaz, and Semra Islam who worked diligently while reviewing and editing various submissions.

Our ultimate goal remains to motivate law students, academics, lawyers, practitioners and judges to research and write on contemporary legal issues. Hence, we encourage scholarship and discourse on Pakistani law, and welcome constructive feedback and suggestions in pursuing our aim. If you want to provide us with recommendations or suggestions, please write to us at submissions.llj@lums.edu.pk.

Student Editors
Table of Contents

Articles

Multiplying Zeroes: (In)Validity of Promises in Marriage Contracts under Pakistani Case Law  
Muhammad Munir  
1

Democratizing Foreign Policy: Parliamentary Oversight of Treaty Ratification in Pakistan  
Ahmad Ghouri  
13

UNHCR in Pakistan: Analyzing the Global Governance Regime – Repatriation of Afghan Refugees from Pakistan  
Umar Rashid  
31

Liquidated Damages – Common Law versus Pakistan Law  
Hassan Raza  
49

The Hidden Curriculum of Street Law  
Mahum Shahzad Laun  
59

Presidential Pardoning Power, Judicial Review and ‘New Face of Mercy’: An Examination of Pardoning Power in Nigeria and India  
Olusola Babatunde Adegbite  
69

Case Notes

Comment on the Lahore High Court Judgment in Al-Baraka Bank (Pakistan) Limited v Province of Punjab through Secretary Food  
Zia Ullah Ranjah  
85

Sexual Harassment at Workplace: Asif Saleem v Chairman BOG University of Lahore  
Muhammad Usman Mumtaz  
94

Legislative Reviews

Does a Juvenile Get a Better Law this Time? A Comparative Review of the New & Old Juvenile Laws of Pakistan  
Kashif Iftikhar  
102

Combatting Terrorism: An Analysis of the Law on Information of Temporary Residences  
Arslan Mahmood  
108
Book Reviews

The Politics of Islamic Law: Local Elites, Colonial Authority, and the Making of the Muslim State: A Book Review
*Muhammad Wajid Munir*  
119

Constituting Religion: Islam, Liberal Rights, and the Malaysian State
*Raas Nabeel*  
124

Sexual Ethics and Islam: Feminist Reflections on Qur’an, Hadith, and Jurisprudence: A Book Review
*Sara Raza*