



JUDICIAL JR REVIEW

WELCOME EDITION



It all started with a farfetched idea of making eid packages for the Adiyala Jail prisoners. With just a couple of thousands collected from our prior charity exhibition the idea seemed too idealistic to implement with just less than a week left before Eid holidays starting. However being part of an institution that not only encourages us but goes a step further to help such plans in their execution made our jobs much simpler. All that needed to be done was to educate the rest of the University of our agenda, gain their confidence, support and start collecting donations. A fund big enough to make goodie bags/ eid packets for the women & children wing, and Juvenile wards. With the cooperation of our fellow students at SIL as well as teachers we were successfully able to raise funds exceeding fifty thousand rupees, and all this happened within a week. We also received donations in form of kind, for example clothes, shoes, shawls etc.

We worked rather systematically; we first made around 500 goodie bags for every child, woman and juvenile in that prison (or at least tried to) which included a bag of chips, a box of juice, a couple of sweets, a biscuits ticky pack and either nido or everyday. The idea was to make their eid special in any possible way that we could and what better to make another happy than FOOD? =p

Our next step was to make cloth packages, for which interestingly enough some of us for the first time in our lives went to the Itwar Bazar for sasta shopping, many would think it's a congested, smelly, crowed place where you get real tacky stuff BUT that's not the case. To my surprise at least, it was clean, open, organized and most importantly the stuff there wasn't as bad or bad at all (from what I was expecting). We bought all sorts of clothes, shoes and sweaters for women, children, and young men and made them into individual gift packs for everyone. We also made first aids kits for the prisoners in each of the wings.

Even after spending all this money on food and clothing we still had plenty left so we decided to make hygiene bags for them as well, which would include a shampoo, soap, a toothbrush and a tooth paste.

We also bought a few Urdu digests for the women to read along with diaries and the Quran as well.

On the last day we had the SIL Law Clinic almost half full of cartons with stuff packed and ready to be taken to its destination. We had collected more that stuff than anyone of us had ever imagined we would. We all worked as a team, everyone donated generously, which is why this plan was such a success.

Finally the day came to go give these things to whom they belonged, and I'll only say this much, that smile on the children s faces on receiving their gift packs was price less. Many argued with us while we were collecting donations that why should we give to the criminals? Why not to the orphans or the homeless? The answer to that might be that yes maybe there are more needy people out there, but the ones locked up are most miserable ones, many of them are there because of crimes they were forced to commit, there are children there who are living a caged life because of their parents act, they also like all of us deserve some happiness, and as it says outside of the Adiyala Jail building, 'don't hate the criminal, hate crime'. Hence, we shouldn't judge, or think ourselves to be better than those behind bars. Put yourself in their shoes and then pass a judgment. It was a life changing experience and I feel as if our country's youth should visit a place like this to understand where we lack, what we are capable of and the change that desperately needs to be brought in this country.

With hardly anyone covering the issue at hand, and even fewer recognizing it as one, SAHIL has done an impeccable job in order to help stop the sexual abuse of children.

With a country that is more or less on the verge of accepting child sexual abuse in Pakistan, SAHIL is the only institution that has actually taken a step forward in order to halt this acceptance. It helps provide counselling for not only children who have been abused, but for those that have suffered abuse as children. It also provides legal aid, and goes to schools in order to spread its message to the rest of Pakistan. Currently they are working on a legislation that will bring upon proper sanctions to be imposed on abusers of children.

When I was informed that there would be a workshop on child abuse, I didn't give it much thought, and I felt that all that would occur were a couple of gory slides. However, when Ms. Bano entered, and when she started her lecture, it was understood that she did have a proper aim, and she was achieving her goal one step at a time. The level of passion she has for this particular issue was one that very few people can achieve.

Her first day was an introductory lecture, where she informed us exactly how serious the situation is, and how that issue has expanded over time. She defined exactly what can constitute abuse and how SAHIL started and has grown. She informed us about her visits to schools and the activities she has with children at schools in order to make them aware of a situation one would dare not speak of with even an adult in Pakistan's society. She told us of real-life incidents and how they were to be dealt with. The books and short cartoons the organization has made, and how they have been received by members of the public.

Her next lecture started off with an activity called "Myths and Facts". She placed statements in front of us and asked us to confirm whether those statements were myths or facts. Although we all got them more or less correct, it was just the fact that we saw such astonishing statements that moved most of us. She also brought in other activities that she uses with children in schools to show us exactly what child abuse is, and how it can be curbed. She also informed us more about the laws on the matter of child abuse and how they have been ignored time and time again.

The fact that there is somebody out there, picking up phone calls of those that have suffered child abuse and helping them as much as they can, by providing them with counselling and legal aid, shows me, if not anyone else, that we are heading towards some sort of betterment in this country in relation to the rights of children. Just the fact that SAHIL is picking a major issue most dare not speak of, and the fact that they are actually doing all that can possibly be done, and more, by a private organization in relation to child sexual abuse, gives us some hope. To endorse the actions of SAHIL is one thing; however, one must commend their efforts and their achievements. I pray that their legislation is agreed to by the Legislators, even if they have been reluctant in the past, and I hope that SAHIL will continue their long and tedious struggle, because if they stop, the remedying of the issue is stopped, and we cannot allow this issue to continue any further than it already has. I am particularly glad to note that SIL is signing an MOU with SAHIL that will involve the students at the Law Clinic to help in providing pro bono legal assistance to all cases that are taken up by SAHIL. All major accomplishments require a starting point and perhaps for us students this can be it!

Suleman. A. Zeb

SAHIL, and their fight to end Child Sexual Abuse

This article is dedicated to a recent lecture which was delivered by the head of Afzal and Afzal associates. When I got to know about the lecture on the effect and scope of tort law in Pakistan, honestly, I was not much interested because since the classes of second year have started we've been studying the law of torts twice a week. And trust me studying tort is not fun. It is a very straight forward yet complex subject...as ironic as that sounds. So, I decided to load myself with patience and attend the lecture.

As I have studied law in my A-levels, I know a few main things about this area of law. But our lecturer provided us with the information none of us previously had. He started off by explaining the meaning of the word 'tort' (a derivative of the word 'tortious'). Tort law concerns civil wrongs as distinguished from criminal wrong. There are various categories of tort, which lead back to the system of separate causes of action. The tort of negligence is however increasing in importance over other types of tort, providing a wide scope of protection. Unfortunately, the legal system of Pakistan does not cover this branch of law. And the lecture was all about spreading awareness amongst the new lawyers, like us. So, in the future we can bring change in the society.

Change is the easiest thing to bring about. All one needs is courage and we, as future lawyers, are trained to be outward and courageous for the matters of justice. This is how our profession is carried like and this is the reason why lawyers are supposed to be respected. However, this concept is not clear to most of us.

Overall, the lecture went well and finished on time. Everyone must have learnt one or the other thing from that lecture but one thing I learnt was that one must never disrespect a profession and, must always try hard to contribute to society no matter what it takes. If we, as lawyers, are capable of transformations, why not go for the one that benefits all.

Michael Guinan of the US Embassy delivered an insightful and highly interactive lecture to SIL students at the campus on the First amendment of the US Constitution and I was lucky enough to attend it. The lecture concentrated on the aspect of freedom of speech and it is significant not only for law students but for Muslims all over of the world to know the scope of freedom of speech in the US after the release of the blasphemous movie The Innocence of Muslims. The first amendment states that "Congress shall make no law .. abridging the freedom of speech.."

Mr.Guinan discussed some cases that concerned the freedom of speech under the 1st amendment however I shall discuss the most latest case decided by the US Supreme Court regarding this issue, Snyder v. Phelps. The Supreme Court in "Snyder" extolled the protected status of hate speech as essential to First Amendment values, even when the speech targeted a private funeral where it caused significant emotional harm to grieving family members.

The facts of the case were Petitioner Albert Snyder's son, Marine Lance Corporal Matthew A. Snyder, was killed in action while deployed in Iraq. Respondents Fred W. Phelps, Sr., Shirley L. Phelps-Roper, and Rebekah A. Phelps-Davis ("the Phelpses") are members of the [Westborough Baptist Church, Inc.](#) ("WBC"), which is also a party to the action. Members of WBC uphold the view that God hates homosexuality and therefore hates America for its tolerance of homosexuality, particularly in the United States military.

At the funeral of Snyder's son, the Phelpses and other members of the WBC arrived at the funeral site , carrying signs that with the phrases "God Hates the USA," "Thank God for 9/11," "America is doomed," "Pope in hell," "Fag troops," "You're going to hell," "God hates you," "Semper fi fags," and "Thank God for dead soldiers." Snyder did not see any of the signs or hear any of the chanting, but he became aware of the protest later that day while watching a news station's coverage of the funeral. WBC also published an epic poem on their website, entitled "The Burden of Marine Lance Cpl. Matthew Snyder." Snyder subsequently sued the Phelpses for [intentional infliction of emotional distress](#)("IIED"), invasion of privacy by [intrusion upon seclusion](#), and [conspiracy](#). The issue at hand for the Supreme Court essentially was 'Does an individual's interest in suing to recover for the disruption of a family member's funeral outweighs the disrupter's 1st Amendment right to freedom of speech?'

Surprisingly the Supreme Court in Snyder by an eight-to-one majority upheld the much-criticized practices of Fred Phelps and the Westborough Baptist Church as protected under the First Amendment. The decision on its own undoubtedly can be considered a victory for minorities everywhere who struggle to have their message heard. However, the majority of the Supreme Court arguably forgot to consider that while defending the noble cause of free speech they fostered lethal hate-speech which is void of decency.

The Supreme Court's majority opinion, written by Chief Justice Roberts, states that the First Amendment protects those who stage a peaceful protest on a matter of "public concern" near the funeral of a military service member from liability. However the message that Phelps and the WBC spread may be a matter of public concern only by the broadest possible interpretation of the phrase. Whereas the message is hateful, crude and offensive and offers no constructive public discourse. To call the message set forth by WBC a "matter of public concern" is to cheapen real matters of public concern. It must also be noted that WBC is not engaging in a public debate, they are targeting the vulnerable and exploiting those in grievance in an effort to spread hate.

Justice Roberts states in his opinion, "As a nation we have chosen a different course — to protect even hurtful speech on public issues to ensure that we do not stifle public debate." I cannot disagree with this notion, but find it inapplicable to the case at hand. The speech being addressed here is not "hurtful," it is hateful. There must be a clear distinction between the two. If such speech is considered merely "hurtful" than people also have the right to make statements that are misogynistic, racist, anti-gay, and Islam phobic or even have the right to praise Islamic Terrorists. Hence no one may be prosecuted, fined, or put in jail for indulging in any of these forms of speech as these are the kinds of speeches protected under the First Amendment. Hence If the Supreme Court seeks to further public debate and bolster citizens' rights to voice their beliefs, "Snyder v. Phelps" is possibly the worst case for them to use in this pursuit.

In his dissenting opinion, Justice Alito writes, "In order to have a society in which public issues can be openly and vigorously debated, it is not necessary to allow the brutalization of innocent victims." The interpretation of the 1st Amendment has not only been brutal for the citizens of the US but also for the entire Muslim community. The movie which has been supported by President Obama as an example of free speech has hurt sentiments of billions of Muslims around the world and has resulted in riots in several countries.

However after reviewing the case of Snyder I being Muslim and a follower of the Prophet Muhammad PBUH don't hold anything against the US Judiciary or Legislature for not taking any action against the makers of the blasphemous movie. If while interpreting the first amendment the Supreme Court of US can overlook the sentiments and feelings of a father who's son was martyred serving the country than I suppose it is impossible for them to understand or even value the sentiments of the muslims all over the world who they cannot even relate to.

This leaves us with a question what can we do now? As President Obama suggested "the strongest weapon against hateful speech is not repression; it is more speech, the voices of tolerance that rally against bigotry and blasphemy, and lift up the values of understanding and mutual respect." I do surely agree with the President that the best weapon against hateful speech is more speech but I wonder how would the president react if anybody released a movie on YouTube called, "the 'N' (rhymes with bigger) becomes president again". Will he respond to it with a speech that will increase mutual understanding? Or by ordering drone attacks? Or by simply suing the person for [intentional infliction of emotional distress](#) ("IIED") just like Snyder did? May be if something like this happens in his new tenure he would like to check the effectiveness of the broad interpretation of the First Amendment, since now as it stands free speech is an inalienable right regardless of message or motivation and can be used as weapon to hurt not only the citizens of US but also people of any religion, race or color.

It's a lot of bling to play with. You got to have the bling, and SIL did really have that Bling. Being fashionably late welcomed me with flashing lights, perfect décor and of course a bunch of beautiful people.

“When you photograph people in colour, you photograph their clothes. But when you photograph people in Black and white, you photograph their souls!” and that’s exactly what we did at the welcome dinner 2012. The black and white theme not only made everyone look stunning but also established a great connection to the world of law. The walls were’ blinging’ with the reflection of silver CDs and the tables were decorated with elegant candles and silver pearl like beads. It was a lot more than just perfect.

The entire event was extremely entertaining, people were laughing and giggling, the sky was filled with the colours of happiness. From the Introduction, to the welcoming statements, to the titles and the awarding of gavels everything was managed exceptionally well.

After these fun moments, a catchy aroma covered the atmosphere. Hot spicy bar BQ’s with a combination of Italian menu were mouth-watering. The personally served bowls of soup in the freezing cold evening were soothing and delicious. After which warm caramel bread puddings with chilled vanilla ice-cream were waiting for us.

The event started beautifully and ended even in a better manner. The cutting of a huge cake shaped like a gavel marked the end of the event.

It was time to go back but No one wanted to because SIL gave us all much more than we expected and much more than just Perfect.



Sana Shakeel.
'Bling it on'

No matter where you go, as long you have friends around there will be lots of fun. And SIL's trip to Khanpur was the definition of fun. Being students of law drains the fun out of you by piling on assignments and tons of material to learn; maybe that is why a trip to Khanpur seemed like the most amazing thing that happened so far.

The day started with everybody signing their own permission slips. Every student was heard complaining that they do not need to get their parents' signatures to confirm permission as they are no longer in kindergarten. Coasters took us to our destination and we arrived there listening to songs from a playlist which didn't cater to most people's taste in music. At all!. Upon arrival to Khanpur Dam we saw that we had nearly the whole place to ourselves. We were welcomed by a few men of the army who practiced water sports on the amazing blue water of the dam. Very little of those welcoming statements were heard by us as we were busy in endless discussions on "fear of drowning" and making threats to those who didn't know how to swim. The water sports included water surfing, knee boarding, boating etc.

We were initially showed how these activities are done and then those who wanted to try them were welcome into the water. Trouble was that there weren't many who were brave and willing enough to jump into the cold water. Knee boarding was the water sport which was tried out the most. It seemed difficult and rather dangerous to do. Despite that, many brave men of SIL gave it a go. Not many succeeded at the first attempt but their efforts were still applauded. One of those brave men was Nauman Masood from the third year. Not knowing how to swim in the first place, jumping in the cold water and then willingly trying out the sport, is indeed a commendable effort. If he shows the same determination and confidence in a court room where he'll be exploring the waters of the law under the eyes of a very intimidating judge instead of the water of the Khanpur dam, he can become one great lawyer.

The greatest pity was that the girls of SIL just stood there at a distance and watched the men dive in like they are having the time of their lives. It can be very safely said that they were burning with envy and the blazing sun wasn't helping. The girls did however did have their share of fun. There is nothing like the feeling of wind blowing in your hair when you're going for a round of cruising around the dam. Everybody went for more than two rounds. And every girl came back with hair blown in all places looking like brides of Frankenstein. Well, that may be an exaggeration but the point is: speedboats are fun. If all of us become very successful filthy rich lawyers one day, most of us will have "speed boats or jet-ski's" in our 'Things to Buy' list.

How can lots of friends go together on a trip and not get naughty? Even though by signing the permission slips we all promised to behave and we did try hard to but some things just can't be helped. While on the later rides on the speed boats we decided to stand up on the boat while it makes a turning. We stood up holding onto things and people in front of us in order to avoid falling. Let's just say one of the things held was a two-seater in the boat and the whole thing came off as the boat jerked on the turning. We had brought along our own equipment of fun as well. Even though it was too windy to play badminton, Frisbee was a better option. It's more fun to play Frisbee with your dog because he can fetch it and bring it back to you- your classmates aren't that nice. Swimming and boat rides eventually made us hungry. What's better than a BBQ to put out that hunger? It's a universal rule or custom to let the ladies go first. Ladies should not be

underestimated. They were hungry and FEASTED upon the exceptional tikkas and kebabs and naans and puris. The men soon joined in and by the time we had licked our fingers and left the coke bottles empty it was time to look forward to more activities.

Boating rides continued, some went back to Frisbee and some sat in the shade and enjoyed tea with Ma'am Nida while some soaked themselves in the sun,. Some wandered of and practiced their stone skipping skills which really needed some polishing and some just waited to be taken to other side of the dam where another kind of fun awaited us.



Now jet skis are thrilling. What is not thrilling about them is that you cannot go alone. If you ignore the person sitting on the edge of the jet ski in front of you controlling where you're going, you can enjoy it. If not, you'll be cursing the person the whole way. We raced with our classmates, tried to avoid collision and tried sneaking in extra rounds without having to pay for them. It soon started to get dark and we sat back in the coasters all wet, muddy and tired. We arrived back to SIL listening that very same playlist we listened to when we left for Khanpur. SIL's trip to Khanpur is more than just about fulfilling that obligation of providing a trip to students. It's about strengthening the SIL community. It's about bringing the students of all years together through such an opportunity. And more than everything it's about having fun.