

FOREWORD

*Rommel J. Casis**

A law journal realizes its cardinal purpose when it culls and elevates incisive ideas that are able to not only further the dynamic development of the law, but also push and redefine its very boundaries. And there is rarely a richer wellspring of ideas than that cultivated and refined by the rigors of the academe.

The first issue of Volume 88 of the PHILIPPINE LAW JOURNAL celebrates the fundamental and dynamic role of student legal scholarship in the field and discipline of law. The award-winning student articles featured in this issue provide an in-depth analysis and review of legislative and judicial issues currently prevailing in this jurisdiction and beyond. A high-caliber education, after all, is not only founded upon a grand manner of instruction, but also upon the provision of opportunities for students to appreciate and participate in scholarship and the development of law. The present articles underscore the significance of this academic discipline in furthering the legal field and profession.

Josalee S. Deinla's *International Law and Wars of National Liberation against Neo-Colonialism* garnered her the much-coveted Roberto Sabido Award for Best Legal Paper in 2013. In this article, Deinla contends that the way the right to self-determination has evolved over time warrants a reevaluation of international humanitarian law in the context of neo-colonialism. In particular, she makes a cogent argument for the treatment of wars of national liberation against neo-colonialism as veritable international conflicts under international law. She further demonstrates how her proposed normative framework in this regard may be applied in this jurisdiction.

Blesie Mae P. Bustamante and Karina N. Pulido were awarded the Gonzalo Santos, Jr. Prize for Best Paper in Securities Law in 2013 for their work, *Insider Trading in the Philippines: Constitutional and Other Legal Issues on Imposing Civil and Criminal Liability for Short-Swing Profits and Insider Trading*. In their article, Bustamante and Pulido look at the sufficiency and enforceability of the laws and regulations pertaining to insider trading violations prevailing in this jurisdiction.

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They present an insightful and critical analysis of the efficacy of such laws and regulations as regards the State's declared policy of promoting investor confidence in the Philippines.

Eleanor N. Balaquiao was awarded the Magno Gatmaitan Prize for Best Paper in Professional Responsibility in 2013 for *Rings and Towers: A Study of Judicial and Legal Ethics in the Philippines*. In her work, Balaquiao examines the apparent conflict and dissonance in the values of legal practitioners and those of the judiciary, in the context of the enforcement of accountability and the corresponding imposition of administrative liability. Her ultimate recommendations regarding the regulation of the bench and the bar surely deserve strong consideration.

And, finally, in *Beyond the Smoke and Mirrors: Graphic Health Warnings and the Freedom of Expression of Tobacco Companies*, Marie Krizel P. Malabanan examines the nature of the regulations imposed on the tobacco industry. Given recent legislative bills seeking to compel the placement of graphic health warnings on the packaging of tobacco products, this article seeks to determine whether such a measure violates the right against compelled speech. Malabanan's use of a soft-paternalism framework in reconciling the ostensibly conflicting interests of the State is particularly enlightening in this regard. Malabanan won the Froilan Bacungan Prize for Best Paper in Freedom of Expression in 2013 for her work.

Through these student articles, the JOURNAL recommits itself to its century-old mission of cultivating legal scholarship and furthering the development of the legal discipline.