

SPECIAL ISSUE ON LGBT RIGHTS & LAW
EDITORS' NOTE

This issue—the fourth and last of Volume 88 of the PHILIPPINE LAW JOURNAL—was purposely and purposefully devoted to *LGBT Rights and Law*. By itself, the issue of LGBT Rights is an important facet in the development of Philippine civil rights, and one therefore deserving of a dedicated analysis; however, in the Philippine and Asian legal academic context, it takes on a special importance.

Despite the emergence of progressive thought brought about by rapid economic growth and a freer exchange of ideas with other societies and jurisdictions, Asian (and, particularly, Philippine) law has resisted recognizing the special circumstances and rights of LGBTs. LGBTs continue to be discriminated against in Asian jurisdictions that refuse to recognize civil rights it affords to heterosexuals, like marriage. They remain unprotected in Asian countries which do not punish hate crimes against them. Most unfortunately, they are actively persecuted through laws like sodomy statutes which punish them for otherwise valid expressions of their identity.

It is tempting to dismiss this criticism of Asian law as a pro-Western construct, one that does not recognize inherent cultural differences between East and West. But through this issue, the JOURNAL makes a stand that, as in the cases of racial and religious discrimination, gender discrimination cannot and should not be justified by differences in culture or belief, at least before the eyes of secular law.

This issue features the works and opinions of legal professionals and law students, both members and non-members of the LGBT community. The Board has also invited a civic leader *outside* the legal community to write the foreword for this issue, to emphasize that this compilation is not concerned with providing a space for empty legal rhetoric, but that its subject is ultimately the rights of people unjustly disfavored solely on the basis of their identity. In doing so, we hope to encourage a serious national discussion on the rights of LGBTs and the ways by which these can be recognized and protected within the Philippine legal framework.

Asian legal scholarship on LGBT Rights is, by far, largely undeveloped. By devoting the first issue after the celebration of its Centennial to this regrettably novel, narrow, and neglected field, the JOURNAL hopes to embolden more Asian law reviews and scholars, especially those in the Philippines, to spend more of their energies on developing and broadening the literature on LGBT Rights and Law.

As Asia's oldest English language law review begins its second century, the JOURNAL recommits itself to the development of legal scholarship, even and especially in the most unpopular fields, and the reform of law into a system of rules and norms fully free of bigotry and hatred—one that would truly guarantee equal rights for all.

