

FOREWORD*

The second issue of Volume 89 invites readers of the JOURNAL to revisit the fundamentals of legal reasoning. From demonstrating a basic grasp of cases and statutes to formulating original theories which explore the intersections of the law with other disciplines, this issue reviews national laws on highly debated issues and recent landmark decisions of the Supreme Court. It also features an article on the Association of Southeast Asian Nations (ASEAN) Integration, a historic phenomenon which presents several challenges to the national and international affairs of the Philippines.

ASEAN's Legal Framework on Financial Integration explains how international organizations create and enforce policies which form the legal infrastructure of international finance. This Article also highlights the significant role of non-state actors in addressing global financial and economic challenges which burden states and illustrates how ASEAN initiatives, in light of the ASEAN Integration, mirror the manner by which non-state actors regulate international financial law.

Green is In: Legal Considerations on Renewable Energy Development in the Philippines provides an overview of the problematic areas in the environmental and energy situations in the Philippines and discusses the incapability of current laws to address these. This Article also explores the possibility of developing sustainable policies on renewable energy which may benefit the natural environment.

Heritage in Law: Locating the Ifugao Terraces in Philippine Legislation underscores the cultural significance of, and analyzes the existing laws dealing with, the magnum opus of the early Ifugaos. Aside from calling attention to the need for legal reform, this Note also advocates the establishment of a governmental agency better suited to preserve these cultural treasures.

Assessing Compliance with Foreign Ownership Restrictions under Narra Nickel discusses the manner by which administrative agencies implemented foreign ownership restrictions prior to the Supreme Court's ruling in *Narra Nickel Mining and Development Corp. v. Redmont Consolidated Mines Corp.* In addition to explaining the Supreme Court's application of the Grandfather Rule, this Note also lays down a procedure which may be used in determining foreign ownership in light of various policy considerations.

* *Cite as Foreword*, 89 PHIL. L.J. iii, (page cited) (2015).

People v. Jumawan: *Examining the Law's Silent Treatment of Marital Rape* criticizes the current state of Philippine rape laws and emphasizes the need for legal reform that offers a more substantial recourse for wives sexually abused by their husbands under the pretense of irrevocable consent. In providing an in-depth look of the Supreme Court's first conviction of marital rape, this Note emphasizes the fact that there is no statute specifically criminalizing the same.

Unusual but not Immoral: Pregnancy Outside of Marriage and Employee Dismissal After Leus v. Saint Scholastica's College Westgrove examines the scope of the "hybrid" test formulated by the Supreme Court which combined the "prevailing norms of conduct" test with the "public and secular morality" test. This Note makes the claim that such tests are incompatible, thus rendering the future application of the *Leus* "hybrid" test questionable. Furthermore, it observes that the non-declaration of dismissals based on pregnancy outside of marriage as acts of discrimination is a "missed opportunity" on the part of the Supreme Court.

Over the past one hundred years, the JOURNAL has been the platform upon which students, professors, and practitioners have enriched the quality of legal scholarship, for in its pages they may discuss not only what the law is but also what it ought to be. The second issue of Volume 89 upholds this century-old tradition. By providing a basic understanding of cases and statutes which may be adopted in supporting various advocacies, the JOURNAL hopes to make its readers appreciate and use the power of the law in addressing the issues relevant both to them and to society.