

FOREWORD*

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The third issue of Volume 94 of the PHILIPPINE LAW JOURNAL is a collection of works covering a wide range of topics and concepts.

In *Hard Cases Make Bad Movies: The Candidates Poe and Philippine Citizenship Law as Screenplay*, Professor Dante Gatmaytan forwards the idea of reimagining Supreme Court cases as screenplays. The Article underscores the interplay of law and storytelling and examines how the screenplay format may be an interesting and effective medium to narrate and discuss court decisions. As an example, Professor Gatmaytan reimagines two Supreme Court decisions as a screenplay with facts and circumstances akin to a movie plot - *Tecson v. Commission on Elections* and *Poe-Llamanzares v. Commission on Elections*. Such retelling demonstrates how creativity and play can be applied in the study of law.

Lindolf De Castro, Juan Paolo Artiaga, and Christine Faith Tango's *The Remedy of Furlough: Removing Arbitrariness in a Controversial Procedural Recourse* discusses the concept of furlough and how it is applied in the Philippines. The authors assert that the highly discretionary and arbitrary nature of furlough grants in the Philippines enables discrimination and opens it to an equal protection challenge. Absent unequivocal guidelines, there has been a disparity in how the remedy has been granted to detainees of different socioeconomic backgrounds. In this light, the Article also reviews domestic and international jurisprudence on furloughs. The piece ends with suggested standards and recommendations on how to improve the grant of furloughs for the remedy to be truly fair, reasonable, and accessible to all defendants—regardless of power, wealth, popularity, social standing, or counsel.

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Gail Rose Anne Egar's *The Battle on the Digital Trading Floor: A Review of the Securities Regulation Code vis-à-vis Information-Based Manipulation of Securities Through the Internet* tackles the issue of information-based market manipulation facilitated through online channels. The Article reviews pertinent provisions of the Securities Regulation Code and evaluates whether these provisions remain adequate in combating market manipulation executed on evolving digital platforms. The author's review found that these provisions are lacking. Thus, the author advocates for an update of the policy directions and regulations of the Securities and Exchange Commission to adequately address the issue. The Article underscores the necessity of imposing certain obligations on, and standards for, both publicly listed companies and Internet personalities to curb market manipulation through online misinformation.

In *Schrodinger's Nuisance: Update in the Jurisprudence on Nuisance – Frabelle Properties Corp. v. AC Enterprises, Inc.*, authors Julia Therese Pineda and Charles Fredricksson de Belen present an update on the legal concept of nuisance. The Comment succinctly discusses the development of the concept of nuisance in laws and jurisprudence. The discussion focuses on the recently promulgated Supreme Court decision in *Frabelle Properties Corp. v. AC Enterprises, Inc.*, which consolidated and identified guidelines in determining noise nuisance. The Comment seeks to fill a gap in determining nuisance by providing a measuring stick based on the *Frabelle* Guidelines.

Enrico Calдона and Maria Patricia Santos' *Competing or Non-Competing: The Overlapping Jurisdiction of the Philippine Competition Commission and of Philippine Transportation Agencies Over Sector-Specific Regulatory Matters and Competition Issues* highlights the overlapping jurisdiction over sector-specific matters and competition issues in the transportation industry between the Philippine Competition Commission (PCC) and the Philippine transportation agencies. The Note discusses recent situations wherein the overlap was apparent. To resolve the overlap, the authors posit that the Philippine transportation agencies should exercise jurisdiction over sector-specific matters involving the transportation industry, and the PCC should exercise jurisdiction over competition issues in the transportation industry.

The Note by Javy Gamboa, *Overcoming Jurisdictional Immunities: A Remedies Framework for Employees of International Organizations in the Philippines*,

proposes a framework of analysis for Philippine courts to overcome the jurisdictional bar of immunity of international organizations and to provide international human rights law-compliant remedies to employees of these organizations. The author explores policy and legal considerations faced by the country in affording a remedy to aggrieved employees.

Procedural Impact of Gios-Samar, Inc. v. Department of Transportation and Communications on Certiorari in the Traditional and the Expanded Form by Kent Almadro Alonzo tackles the landmark decision of *Gios-Samar, Inc. v. Department of Transportation and Communications*, which clarified the extent of the Supreme Court's jurisdiction and power of judicial review. The Note enumerates the necessary allegations that must be pleaded when certiorari is resorted to as a legal remedy, given the *Gios-Samar* decision.

In sum, while encompassing an array of topics, the articles in this issue share one thing in common: they all underscore innovation, or the need for such, in the law—from its pedagogy to its application. One article centers around a new and imaginative method of teaching the law. Some articles highlight key developments in the law. Others delve into novel issues for which the law currently has no adequate remedy. While the pieces in this issue cover a diverse set of themes and subjects, they share important commonalities—they are all well-written and contribute to legal scholarship.