

[PRESIDENTIAL DECREE NO. 1834, January 16, 1981]

INCREASING THE PENALTIES FOR THE CRIME OF REBELLION, SEDITION, AND RELATED CRIMES, AND AMENDING FOR THIS PURPOSE ARTICLES 135, 136, 140, 141, 142, 143, 144, 146 AND 147 OF THE REVISED PENAL CODE AND ADDING SECTION 142-B THERETO

WHEREAS, the State to has a right to self defense when its life is endangered;

WHEREAS, the crimes of rebellion, subversion, sedition, conspiracy of proposal to commit such crimes and crimes of offenses committed in furtherance thereof or in connection therewith constitute direct attacks on the life of the State;

WHEREAS, it is necessary to provide an effective deterrent to these pernicious activities;

WHEREAS, there is an urgent necessity to impose capital punishment for rebellion or insurrection, sedition and certain illegal acts or offenses which involve the national security, and imperil the existence and stability of the government.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order as follows:

SECTION 1. Article 135 of the Revised Penal Code is amended to read as follows:

"Art. 135. Penalty for rebellion or insurrection. — Any person who promotes, maintains, or heads a rebellion or insurrection, or who, while holding any public office or employment takes part therein, engaging in war against the forces of the Government, destroying property or committing serious violence, exacting contributions or diverting public funds from the lawful purpose for which they have been appropriated, shall suffer the penalty of reclusion perpetua to death.

"Any person merely participating or executing the commands of others in a rebellion shall also suffer the penalty of reclusion perpetua to death."

SEC. 2. Article 136 of the Revised Penal Code is amended to read as follows:

"Art. 136. Conspiracy and proposal to commit rebellion or insurrection. — The conspiracy and proposal to commit rebellion or insurrection shall be punished by reclusion perpetua to death."

SEC. 3. Article 138 of the Revised Penal Code is amended to read as follows:

"Art. 138. Inciting to rebellion or insurrection. — The penalty of reclusion perpetua to death shall be imposed upon any person who, without taking arms or being in open hostility against the Government, shall incite others to the execution of any of the acts specified in Article 134 of this Code, by means of speeches, proclamations, writings, emblems, banners or other representations tending to the same end."

SEC. 4. Article 140 of the Revised Penal Code is amended to read as follows:

"Art. 140. Penalty for sedition. — Any person participating in the sedition shall suffer the penalty of reclusion perpetua to death."

SEC. 5. Article 141 of the Revised Penal Code is amended to read as follows:

"Art. 141. Plot or conspiracy to commit sedition. — Persons conspiring to commit the crime of sedition shall be punished by reclusion perpetua to death."

SEC. 6. Article 142 of the Revised Penal Code is amended to read as follows:

"Art. 142. Inciting to sedition. — The penalty of reclusion perpetua to death shall be imposed upon any person who, without taking any direct part in the crime of sedition, should incite others to the accomplishment of any of the acts which constitute sedition, by means of speeches, proclamations, writings, emblems, cartoons, banners, or other representations tending to the same end, or upon any person or persons who shall utter seditious words or speeches, write, publish, or circulate scurrilous libels against the Government of the Philippines, or any of the duly constituted authorities thereof, or which tend to disturb or obstruct any lawful officer in executing the functions of his office, or which tend to instigate others to cabal and meet together for unlawful purposes, or which suggest or incite rebellious conspiracies or riots, or which lead or tend to stir up the people against the lawful authorities or to disturb the peace of the community, the safety and order of the Government, or who shall knowingly conceal such evil practices."

SEC. 7. There is hereby added to Chapter One of Title III of the Revised Penal Code, Article 142-B to be inserted after Article 142-A which shall read as follows:

"Art. 142-B. The penalty of reclusion perpetua to death shall be imposed on any person who, on occasion of a rebellion or sedition, gives aid and comfort to the perpetrators of such crimes. The penalty of reclusion perpetua to death shall also be imposed upon any person, who having control and management of printing, broadcast or television facilities, or any form of mass communication shall use or allow the use of such facilities for the purpose of mounting sustained propaganda assaults against the Government or any of its duly constituted authorities which tend to destabilize the Government or undermine or destroy the faith and loyalty of the citizenry thereto, or who shall use or allow the use of such facilities for any plot or conspiracy to accomplish any of the acts which constitute rebellion or insurrection or sedition.

"Conviction for the offenses provided under this Section shall carry with it the forfeiture and/or sequestration of the mass media facilities, firearms and explosives, and all other instruments, equipment or tools used in their commission."

SEC. 8. Article 143 of the Revised Penal Code is amended to read as follows:

"Art. 143. Acts tending to prevent the meetings of the Assembly and similar bodies. — The penalty of prision mayor and a fine not exceeding 10,000 pesos, shall be imposed upon any person who, by force or fraud, prevents the meeting of the National Assembly, or any of its committees or subcommittees, constitutional commissions or committees or divisions thereof, or of any local legislative body.

"The penalty of reclusion temporal and a fine of 20,000 pesos shall be imposed in case of a second conviction."

SEC. 9. Article 144 of the Revised Penal Code is amended to read as follows: