

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 51
A PROCLAMATION GRANTING AMNESTY

WHEREAS, the occupation of the Philippines by the Japanese armed forces during the last war and the organization by them of a government administered by citizens of the Philippines but subject to their direction and control have given rise to charges of collaboration with the enemy against such citizens who occupied positions in that government, as well as against those who traded with the enemy;

WHEREAS, as a result of those charges, indictments have been filed against a large number of Filipino citizens for alleged treasonable collaboration with the enemy before the People's Court, which was established especially to hear and try those cases;

WHEREAS, these trials have been held for more than two years now but no final judgments convicting any one of the accused have been rendered;

WHEREAS, the Supreme Court has declared that the mere holding of a position in the government established by the enemy does not per se constitute the crime of treason under the laws of the Philippines;

WHEREAS, with respect to those who are at present indicted for alleged trading with the enemy, it appears that because aside from the requirements of the two-witness rule in treason trials, it has been declared necessary to prove specifically that the materials involved in the trading were essential to the prosecution of the war, no final judgments of conviction have been entered so far in such cases and, on the contrary, several verdicts of acquittal have been rendered and orders of dismissal issued;

WHEREAS, the majority of the Filipino people now realize that the alleged acts attributed to political collaborators either were not voluntary on their part or, in effect, were performed by them in the sincere belief that it was their patriotic duty to execute them in the interest of the safety and well-being of their countrymen who were then at the mercy of the enemy;

WHEREAS, with the lapse of time there has come a better understanding on the part of the Filipino people of the motives which actuated the persons who held positions under the occupation government, and there is evidence that a majority of the people have fully vindicated the accused, convinced that in the discharge of their functions as public officials they did everything in their power to minimize the atrocities of the enemy and to prevent the carrying out of his purpose to induce or compel the Filipino people to arm themselves against the allied nations;

WHEREAS, under the laws of the Philippines and the doctrines laid down by our courts, the prosecution of the cases now pending appears unjustified with regard to alleged political collaborators and futile as to those charged with economic collaboration;

WHEREAS, the question of collaboration has divided the people of the Philippines since liberation in a manner which threatens the unity of the nation at a time when the public welfare requires that said unity be safeguarded and preserved;

WHEREAS, the question of collaboration is essentially political in nature and should be settled in accordance with the conscience of the majority of the people;

WHEREAS, it appears that the overwhelming sentiment of the people of this Republic is now in favor of resolving this question as speedily as possible by the grant of amnesty to all persons who have been accused or may hereafter be accused of treason through alleged collaboration with the enemy;

WHEREAS, this public sentiment does not extend to persons who voluntarily took up arms against the allied nations or the members of the resistance forces, or acted as spies or informers of the enemy, or committed murder, arson, coercion, robbery, physical injuries or any other crime defined and punished in our penal laws, for the purpose of aiding and abetting the enemy in the war against the allied nations, or in the suppression of the resistance movement in the Philippines;

NOW, THEREFORE, I, MANUEL ROXAS, President of the Philippines, by virtue of the power in me vested by Article VII, Section 10(6) of the Constitution, do hereby proclaim and grant full and complete amnesty to all

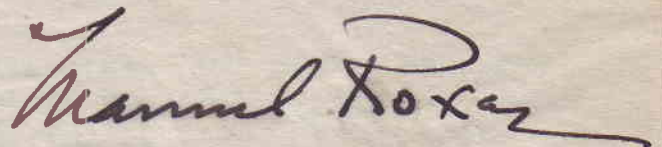
persons accused of any offense against the national security for acts allegedly committed to give aid and comfort to the enemy during the last war; Provided, however, that this amnesty shall not extend to persons who are now or may hereafter be accused of treason for having taken up arms against the allied nations or the members of the resistance forces, for having voluntarily acted as spies or informers of the enemy, or for having committed murder, arson, coercion, robbery, physical injuries, or any other crime against person or property, for the purpose of aiding and abetting the enemy in the war against the allied nations or in the suppression of the resistance movement in the Philippines.

All cases now pending before the courts for alleged offenses coming within the terms of the amnesty herein granted shall be dismissed by the respective courts on their own motion or upon petition by the prosecution or the accused.

This proclamation shall take effect upon the concurrence therewith by the Congress.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done at the City of Manila, this 28th day of January, in the year of Our Lord, nineteen hundred and forty-eight, and of the Independence of the Philippines, the second.



By the President:



N. ROXAS

Acting Executive Secretary