

# [ PRESIDENTIAL DECREE NO. 1974, May 02, 1985 ]

## AMENDING PRESIDENTIAL DECREE NO. 1834

**WHEREAS**, under Presidential Decree No. 1834 a uniform penalty of reclusion perpetua to a death is imposed for the crimes of rebellion or insurrection, conspiracy and proposal to commit rebellion or insurrection, inciting to rebellion or insurrection, sedition plot or conspiracy to commit sedition, inciting to sedition, and on any person who, on occasion of a rebellion or sedition, gives aid and comfort to the perpetrators of such crimes or who uses or allows the use of mass media facilities to mount a sustained propaganda assault against the government;

**WHEREAS**, in the spirit of national reconciliation, the Government has deemed it wise to temper the penalties for conspiracy or proposal or inciting to commit such crimes;

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree:

**SECTION 1.** Article 136 of the Revised Penal Code is hereby further 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 respectively, by prision mayor in its maximum period and a fine not exceeding 12,000 pesos and by prision mayor in its medium period and a fine not exceeding 10,000 pesos.

**SEC. 2.** Article 138 of the Revised Penal Code is hereby further amended to read as follows:

**"Art. 138. *Inciting to Rebellion or Insurrection.***—The penalty of reclusion temporal in its minimum period and a fine not exceeding 15,000 pesos 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. 3.** Article 141 of the Revised Penal Code is hereby further 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 prision mayor in its medium period and a fine not exceeding 10,000 pesos."

**SEC. 4.** Article 142 of the Revised Penal Code is hereby further amended to read as follows:

**"Art. 142. *Inciting to Sedition.***—The penalty of prision mayor in its maximum period and a fine of not exceeding 12,000 pesos shall be imposed upon any person who, without taking any direct part in the crime of sedition, should incite others to the accomplishments of 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, 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 people of the community, the safety and order of the Government, or who shall knowingly conceal such evil practices."

**SEC. 5.** 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 prision mayor in its minimum period and a fine not exceeding 8,000 pesos shall be imposed on any person who, on the occasion of a rebellion or sedition, gives aid and comfort to the perpetrators of such crimes. The same penalty shall also be imposed upon such person who, having control and management of printing, broadcast or television facilities, or any form of mass communication, shall use or follow 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 Article 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. 6.** Article 143 of the Revised Penal Code is hereby further amended to read as follows:

**"Art. 143.** *Acts tending to prevent the meetings of the Assembly and similar bodies.*—The penalty of prision correccional in its maximum period and a fine not exceeding 4,000 pesos, or both, shall be imposed upon any person who, by force or fraud, prevents the meeting of the Batasang Pam-bansa, or any of its committees or subcommittees or divisions thereof, or of any local legislative body.

"The penalty of prision correccional in maximum period and a fine not exceeding 6,000 pesos shall be imposed in case of a second conviction."

**SEC. 7.** Article 144 of the Revised Penal Code is hereby further amended to read as follows:

**"Art. 144.** *Disturbance of Proceedings.*—The penalty of arresto mayor in its maximum period and a fine not exceeding 1,000 pesos shall be imposed upon any person who disturbs the meetings of the Batasang