

Title:

The People of the Philippines vs. Apolinar Adriano (1948)

Facts:

Apolinar Adriano was charged with the crime of treason against the Commonwealth of the Philippines during the Japanese occupation in World War II. The specific allegation was his membership in the Makapili, a military organization that was established to assent to and aid the Japanese Imperial Forces against the United States and the Commonwealth of the Philippines. Between January and April 1945, he was purportedly involved in armed conflicts and engagements with Japanese forces against American forces and Philippine Commonwealth guerrillas in the Province of Nueva Ecija and the mountains of Luzon.

The case went to trial at the People's Court, where it was established only that Adriano had joined the Makapili organization, but no evidence was presented to substantiate the allegations that he actively committed acts of treason. Although the lower court convicted him based on presumed adherence to the enemy and the giving of aid and comfort through his enlistment in Makapili, it also acknowledged that not a single specific act of treason had been proven by the testimony of two witnesses (as mandated by law), thus treating those claims as unsubstantiated.

Despite the discrepancy in evidence, the lower court sentenced Adriano to life imprisonment, imposed a P10,000 fine, and adjudicated the costs. Adriano appealed the decision to the Supreme Court of the Philippines, raising doubts regarding the sufficiency and nature of evidence required for a conviction of treason.

Issues:

1. Whether mere membership in the Makapili organization established the crime of treason.
2. Whether the conviction for treason can be sustained without the overt acts being proven by the testimony of two witnesses as required by law.

Court's Decision:

The Supreme Court, upon review, held that while membership in Makapili could be indicative of adherence to the enemy, it did not, by itself, constitute an overt act of giving aid and comfort unless compelled against one's will. The Supreme Court emphasized the strict adherence to the two-witness rule in cases of treason, which requires that each element of the accused's overt acts must be established by the deposition of two witnesses.

Thus, the evidence presented at trial was insufficient to meet the legal standard for

conviction of treason because no two witnesses testified to the same overt act, and the two-witness rule was not satisfied. The Supreme Court reversed the judgment of the People's Court, and Apolinar Adriano was acquitted.

Doctrine:

The doctrine established from this case reiterates the strict interpretative approach to the two-witness rule in treason cases, emphasizing the severe restrictiveness of this requirement. This rule mandates that each overt act attributed to the defendant must be supported by the testimony of two witnesses.

Class Notes:

- The two-witness rule for the crime of treason requires that every overt act contributing to the crime must be testified to by at least two witnesses.
- Adherence to the enemy is not equivalent to an overt act of treason.
- The overt act must be a demonstration of actually giving aid and comfort to the enemy.
- Membership in certain organizations alone does not constitute treason unless accompanied by actual involvement in hostile actions against the state.
- The principle from Wharton's Criminal Evidence and jurisprudence such as *Cramer v. United States* underscores the need for two witnesses to testify to the same overt act.

Historical Background:

The case occurred in the context of the aftermath of the Japanese Occupation of the Philippines during World War II. The Philippines, then a Commonwealth under the United States, witnessed collaboration by some Filipinos with the Japanese forces. The Makapili was an organization formed during this period that actively supported the Japanese military, and after the war, individuals associated with it were prosecuted for treason. This case exemplifies the challenges in post-war justice and the high evidentiary standards set by law to protect against wrongful convictions for treason, a crime that has historically been utilized for political persecution.