

****Title:** People of the Philippines v. Manuel Beronilla, Filipino Velasco, Policarpo Paculdo, and Jacinto Adriatico******

****Facts:****

Arsenio Borjal, the elected mayor of La Paz, Abra, at the outbreak of World War II, continued his role during the Japanese occupation until a failed attempt on his life led him to Bangued on March 10, 1943. Manuel Beronilla was appointed Military Mayor by Lt. Col. R. H. Arnold of the 15th Infantry in December 1944. Beronilla received orders to investigate and try puppetry government officials in Northern Luzon, specifically naming Borjal.

In March 1945, Borjal returned to La Paz and was placed under custody. Charges of espionage, aiding the enemy, and abuse of authority were filed against Borjal. A jury of twelve bolomen, appointed by Beronilla, found Borjal guilty on all counts and sentenced him to death. The records were reviewed and returned by Lt. Col. Arnold on April 18, 1945, to Beronilla with the approval to impose any disposition on Borjal's case. That evening, Borjal was executed upon Beronilla's orders.

Years later, Beronilla, Paculdo, Velasco, and Adriatico were indicted for murder, allegedly conspiring in Borjal's execution. They filed for amnesty under President Manuel A. Roxas's proclamation, but their application was denied, and the case proceeded to trial. The Court of First Instance of Abra convicted Beronilla, Paculdo, Velasco, and Adriatico, while acquitting the jury and gravedigger for lack of participation.

****Issues:****

1. Whether the accused received and disregarded a directive from Colonel Volckmann declaring the illegality of Borjal's execution.
2. Whether the accused acted within the bounds of military orders without criminal intent.
3. Whether the accused was entitled to amnesty under Executive Proclamation No. 8.

****Court's Decision:****

1. ****Directive Knowledge****:

The Supreme Court found no satisfactory proof that Beronilla received or read Col. Volckmann's directive. Witness testimonies failed to establish this conclusively, and Beronilla's conduct post-execution did not imply disobedience of superior orders.

2. ****Acting Within Military Orders****:

The Court concluded that the accused acted upon express orders from superior military commands. The entire procedure, from arrest to execution, followed prescribed instructions.

Thus, their actions lacked criminal intent (*mens rea*). The Court emphasized the absence of malice and recognized the good faith belief in the legality of their actions.

3. **Amnesty Application**:

The Court noted contradictions in the records about the date of La Paz's liberation. Citing ambiguity about the exact liberation date and applying Presidential Directive (Administrative Order No. 11), the Court resolved doubts in favor of the accused, determining that they were covered by the amnesty.

Doctrine:

1. **Mens Rea Doctrine**:

* The principle of "Actus non facit reum nisi mens sit rea" was reiterated, emphasizing that criminal liability requires a guilty mind.

2. **Military Orders Compliance**:

* Military subordinates acting on superior orders without awareness of illegality and without criminal intent are not criminally liable.

3. **Amnesty**:

* Given reasonable doubt regarding amnesty coverage, it must be resolved in favor of the accused.

Class Notes:

1. **Mens Rea**:

* Mens rea, or criminal intent, is a requisite for criminal liability.

* Citation: U.S. vs. Catolico, 18 Phil., 507

2. **Military Orders**:

* Compliance with superior military orders, given in good faith and without malice, does not constitute a crime.

* Relevant in cases of military subordination and command hierarchy.

3. **Amnesty Resolution**:

* Ambiguities regarding amnesty coverage should be resolved in favor of the accused.

* Administrative Order No. 11 mandates favorable resolution of doubt.

Historical Background:

The case is rooted in the context of World War II and the Allied liberation of the Philippines

from Japanese occupation. It highlights the complexities faced by local leaders under dual pressures of occupation forces and guerrilla movements. Post-war, the application of justice and amnesty for actions taken during the conflict were contentious, reflecting the moral and legal challenges in the aftermath of war and in reconciling wartime acts with peacetime legality.