

CODIFYING THE VARIOUS LAWS ON ANTI-SUBVERSION AND INCREASING THE PENALTIES FOR MEMBERSHIP IN SUBVERSIVE ORGANIZATIONS

PRESIDENTIAL DECREE NO. 1835, January 16, 1981

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/6f3ed00792db/>

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

WHEREAS, the Communist threat remains a nagging problem of the government and a continuing menace to the security of the State;

WHEREAS, the Communist Party of the Philippines, its military arm, the New People's Army and any successors of such organizations or similarly purposed organizations persist in pursuing their defined objective to bring down by violence the Government of the Republic of the Philippines and to forcibly seize political power in order that they may replace the existing political, social, economic and legal order with an entirely new one based on communism or to secede or remove from the allegiance to the Philippine government or its laws, the territory of the Philippines or any part thereof;

WHEREAS, to support the continuing efforts of the government aimed at solving the problems of public disorder and lawlessness, and the restoration of normalcy in the country, it is necessary to provide an effective deterrent to membership in subversive organizations by increasing the penalty therefor;

WHEREAS, there have been a series of amendments to R.A. No. 1700 (the Anti-Subversion Law) and P.D. 885 (the Revised Anti-Subversion Law) thus necessitating the codification of said amendments for purposes of integration and convenience.

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

SECTION 1. This Decree shall be known as the Anti-Subversion Law of 1981.

SEC. 2. The Communist Party of the Philippines is hereby declared to be an organized conspiracy for the purpose of overthrowing the Government of the Republic of the Philippines or for the purpose of removing from the allegiance to said government or its laws, the territory of the Philippines or any part thereof, with the open or covert assistance or support of a foreign power or the open or covert support from a foreign source of any association, group of persons, whether public or private, by force, violence, terrorism, arson, assassination, deceit or other illegal means. The said party and any other organization, association, political party or group of persons organized for the same purpose and their successors are hereby considered and declared subversive organizations.

SEC. 3. As used in this Decree, the term "Communist Party of the Philippines" shall mean and include among others, the organizations now known as the Communist Party of the Philippines and its military arm, the New People's Army, and any such organizations/associations whose purposes are allied thereto.

SEC. 4. Whoever knowingly, wilfully and by overt act affiliates with, becomes or remains a member of a subversive association or organization as defined in Section 2 hereof, whether committed within or outside the territorial jurisdiction of the Philippines, shall be punished by reclusion temporal and in addition thereto shall suffer the forfeiture of his rights as a citizen of the Philippines, including permanent disqualification from holding any public office, appointive and elective, and from exercising the right to vote, if he is a Philippine citizen, and confiscation of his property, real or personal in favor of the State, in case of a second conviction, the principal penalty shall be reclusion perpetua; and in all subsequent convictions the penalty of reclusion perpetua to death shall be imposed; and any alien convicted upon this Decree shall be deported immediately after he shall serve the sentence imposed upon him: Provided, That if such member is an officer or a ranking leader of such subversive organization or association as defined in Section 2 hereof, or if such member takes up arms against the Government, he shall be punished by reclusion perpetua to death with all the accessory penalties provided therefor in the Revised Penal Code; And provided, finally, That one who conspires with any other person for the purpose of over-throwing the Government of the Republic of the Philippines or the government of any of its political subdivisions and to place such Government or political subdivision under the control and domination of a foreign power or for the purpose of removing from the allegiance to said government or its laws, the territory of the Philippines or any part thereof, by force, violence, terrorism, arson, assassination, deceit or other illegal means, shall be punished by reclusion temporal with all the accessory penalties provided therefor in the same Code.

SEC. 5. After the arraignment of an accused who is charged with subversion, the trial may proceed notwithstanding the absence of the accused, provided that he has been duly notified and his failure to appear is unjustified. Judgment may be promulgated in absentia and the penalty of confiscation of his properties in the Philippines may be immediately executed.

SEC. 6. The following acts shall constitute prima facie evidence of membership in any subversive association:

- (a) Allowing himself to be listed as a member in any book or any of the lists, records, correspondence, or any other document of the organization;
- (b) Subjecting himself to the discipline of such association or organization in any form whatsoever;
- (c) Giving financial contribution to such association or organization dues, assessments, loans or in any other forms;
- (d) Executing orders, plans or directives of any kind of such association or organization;
- (e) Acting as an agent, courier, messenger, correspondent, organizer, or in other capacity, on behalf of such association or organization;
- (f) Conferring with officers or other members of such association or organization in furtherance of any plan or enterprise thereof;
- (g) Transmitting orders, directives, or plans of such association or organization orally or in writing or any other means of communication such as by signal, semaphore, sign or code;
- (h) Preparing documents, pamphlets, leaflets, books, or any other type of publication to promote the objectives and purposes of such association or organization;
- (i) Mailing, shipping, circulating, distributing, or delivering to other persons any material or propaganda of any kind on behalf of such association or organization;
- (j) Advising, counselling, or in other way giving instruction, information, suggestions, or recommendations to

officers or members or to any other person to further the objectives of such association or organization;

(k) Participating in any way in the activities, planning action, objectives, or purposes of such association or organization.

SEC. 7. Any person who knowingly furnishes false evidence in any action brought under this Decree shall be punished by prision correccional.

SEC. 8. The sequestration of the property of any person, natural or juridical, engaged in subversive activities against the Government and its duly constituted authorities, is hereby authorized, in accordance with implementing rules and regulations as may be issued by the Secretary of National Defense.

As used herein, the term “sequester” and “sequestration” shall mean the seizure of private property or assets in the hands of any person or entity in order to prevent the utilization, transfer or conveyance of the same for purposes inimical to national security, or when necessary to protect the interest of the Government or any of its instrumentalities. It shall include the taking over and assumption of the management, control and operation of the private property or assets seized.

SEC. 9. Except as provided in Section 11 hereof, the two-witness rule heretofore provided in Republic Act Numbered Seventeen Hundred is hereby abrogated and the accused may be convicted on the testimony of one witness if sufficient under the rules of evidence, or on his confession given in open court.

SEC. 10. Nothing in this Decree shall be interpreted as a restriction on freedom of thought, of assembly and of association for purposes not contrary to law as guaranteed by the Constitution.

SEC. 11. Any provision of law, decree or order inconsistent with this Decree is hereby repealed: Provided, That acts committed in violation of Presidential Decree No. 885, as amended and before the effectivity of this Decree shall be prosecuted and punished in accordance with the provision of the former decree: And provided, finally, That acts committed in violation of Republic Act Numbered Seventeen Hundred and before the effectivity of Presidential Decree No. 885, shall be prosecuted and punished in accordance with the provisions of the former Act.

SEC. 12. This Decree shall take effect thirty (30) days after its release by the Office of the President.

DONE in the City of Manila this 16th day of January in the year of Our Lord, nineteen hundred and eighty-one.

(SGD.) FERDINAND E. MARCOS

By the President:

(SGD.) JUAN C. TUVERA

Presidential Executive Assistant

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.