

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 248

REPRIMANDING CONSUL JUAN C. DIONISIO

This is an administrative case against Mr. Juan C. Dionisio, Consul in the Philippine Consulate General at San Francisco, California, who is charged with (1) having been arrested with three hundred Filipinos in December, 1952, in Watsonville, California, for violating the law against cockfighting; (2) having invoked, when arraigned, his consular immunity which was disregarded by the judge; and (3) frequenting Watsonville where his brother owns a cockpit and his wife serves as gatekeeper.

On November 29, 1952, a picnic was held at Palm Beach in Watsonville, California, for the purpose of raising funds for the construction of the headquarters of the Aglipay Lodge, a reputable fraternal organization of which Mr. Jesus Tabasa, respondent's brother-in-law, was the "Worshipful Master." On that occasion the lodge organized and allowed cockfighting, which is illegal in Watsonville, to be played at one corner of the picnic grounds, from which it derived some income. Around three hundred persons, including the respondent and his wife, were present at the picnic and at the cockfighting. Respondent knew when he went to the picnic that there would be cockfighting and that this game is illegal in Watsonville. The place was raided by some twenty deputy sheriffs accompanied by the municipal judge of Watsonville, who would not release anybody unless the lodge or Mr. Tabasa put up a bail bond of \$4,000 to secure the appearance in court of all the persons appre-

hended. As said bail bond could not be posted, all the adults were made to deposit \$10 with the judge, in accordance with the practice followed by police magistrates in the United States, amounted to a fine and become automatically forfeited to the city.

The respondent vainly tried to intervene with the judge in behalf of all those present in order to relieve them from responsibility, even going to the extent of identifying himself as a Consul of the Philippines and invoking for the purpose of avoiding undue adverse publicity, his consular immunity. However, while the rest of the crowd deposited \$10 each as bail bond or fine before being allowed to leave the premises, the respondent and his wife were released without such bail or fine and, although their names were taken down by a deputy sheriff, the official records of the incident and of the arrests do not show their names.

It has also been established that the respondent frequented Watsonville because he used to visit his father, a paralytic, and because his mother and sister (Mr. Tabasa's wife) live there too; that neither his brother-in-law nor anyone in respondent's family owns or runs a cockpit; and that respondent does not gamble and enjoys an excellent reputation in the area. There is absolutely no evidence that on the day in question respondent's wife acted as gatekeeper.

Respondent explains that he went to the picnic in his official capacity upon, the invitation of his brother-in-law, in order to give moral support to the project of the lodge and to avoid being criticized as unfriendly to a Filipino community undertaking pursued "with a worthwhile objective." He stresses the difficult position of a Philippine foreign affairs officer assigned to areas in the United States where there is a large number of Filipinos, like the Pacific coast, who expect their country's representatives there to take part in all phases of community life, otherwise they would feel abandoned or forsaken by them.

I am not impressed by respondent's supposed motive in going to the picnic. He went there because he wanted to contribute to the success of his brother-in-law's undertaking. Even if his motive were true, the same is censurable since he thereby in a way allowed, encouraged, or abetted the violation of a local law of the country where he was performing his functions. He owes it to the country playing host to him and to his own country to be ever circumspect in his acts and to use all his official influence in dissuading and discouraging the nationals of his country from infringing the laws of the host State. A foreign affairs officer can be friendly and helpful to his compatriots without descending from the proper level of personal and official conduct that he should always maintain. Unfortu-

nately, some of our representatives, in their desire to capture the fancy and win the good graces of the members of Philippine communities abroad, yield to all their desires, no matter how objectionable they may be; and instead of endeavoring to lead them into honorable ways of life, discouraging overindulgence and vice, they permit themselves to be placed in embarrassing situations like this one.

The foregoing shows that respondent is guilty of a minor infraction of the criminal law of the country of his assignment and of an indiscretion and conduct unbecoming a foreign affairs officer and consul. Considering, however, that the holding of the illegal picnic was imbued with a laudable purpose; that respondent himself did not participate in the cockfighting game; that cockfighting is legal in the Philippines on certain days; and that he was prompted by a desire to completely identify himself, like other consular officers, with our nationals in that area in their undertakings, I am inclined to view his case with some measure of leniency.

Wherefore, and in accordance with the recommendation of the Department of Foreign Affairs, Consul Juan C. Dionisio is hereby reprimanded and warned that a repetition of similar act in the future will be dealt with more drastically. In view of the adverse publicity that has been given to this case against him in that part of the United States, thereby affecting his prestige and usefulness there, he should be transferred to another post. The respondent shall be immediately reinstated in the service and shall be considered as on leave of absence with pay during the period of his preventive suspension.

Done in the City of Manila, this 23rd day of December, in the year of Our Lord, nineteen hundred and fifty-three, and of the Independence of the Philippines, the eighth.

ELPIDIO QUIRINO

President of the Philippines

By the President:

MARCIANO ROQUE

Acting Executive Secretary
