

## Search and Seizure

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The law on search and seizure in the Philippines developed mainly in the context of the country's peculiar historical background, having been under the regime of three great foreign forces. Along with the fact that the law on search and seizure has been the source of issues with regard to weighing delicate considerations of punishing the culprit and at the same time administering him justice in the process, a look into the development of the law on the matter is of importance. The Article looks into each stage of the country's path to liberty in analyzing the growth of the law on search and seizure.

The Spanish Regime was characterized by the enactment of laws that drew a line between the Spaniards and other foreign residents on the one hand, and the natives, on the other. Hence, a clear policy towards discrimination was evident. Conversely, the advent of the American Regime came with it the promulgation of General Orders No. 58 which provided for the establishment of a law on search and seizure which not only was unbiased in character but also was constitutive of more stringent safeguards with regard to the exercise of such power. Finally, the independent Philippines carried with it, insofar as the law on search and seizure was concerned, little deviations from that established under the American Regime, concentrating only on issues of admissibility of evidence obtained from illegal searches and seizures.

In providing for a history of the development of the law, the Author concludes that the preference accorded to the law on search and seizure stems primarily from the country's experience of oppression throughout its unique history.