

Title:

People of the Philippines vs. Edgar Jumawan

Facts:

Edgar Jumawan was married to KKK on October 18, 1975; they lived together, raising four children and running several businesses. On December 3, 1998, and December 12, 1998, incidents of marital rape and physical assault were alleged to have taken place in their residence. KKK executed a Complaint-Affidavit on February 19, 1999, stating that her husband, Jumawan, had raped and physically abused her. Informations for two counts of rape were filed against Jumawan, who plead not guilty in both cases.

Issues:

1. Whether sexual intercourse within the realm of marriage, if not consensual, constitutes rape.
2. Whether the testimonies of the wife and the daughters suffice as evidence to prove the commission of rape by the accused-appellant.
3. Whether the marital exemption rule in rape laws should still apply, given the historical context and modern principles of human rights.
4. Whether there were any extenuating circumstances or defenses, such as alibi, that could acquit Jumawan.

Court's Decision:

The Supreme Court affirmed the Court of Appeals' decision, convicting Edgar Jumawan of two (2) counts of rape and sentencing him to suffer the penalty of reclusion perpetua for each count. By reviewing the facts and testimonies, the Court concluded that intercourse was not consensual and that the marital exemption rule does not exempt a husband from criminal liability for rape. The defense of alibi was considered weak and inconsistent with the existing evidence.

Doctrine:

Marital rape exists when a husband has sexual intercourse with his wife against her will or without her consent. The irrevocable implied consent theory associated with the marital exemption rule in rape no longer holds as it infringes upon modern internationally acknowledged human rights principles of gender equality and women's control over their

sexuality.

Class Notes:

1. Elements of Rape:

- Sexual congress with a woman
- Against her will, or without her consent
- Consent is absent when it is obtained through force, threat, intimidation, or when the victim is incapable of giving consent.

2. Defense of Alibi:

- Require proof that the accused was at another place at the time of the crime
- It must be physically impossible for him to be at the scene of the crime

3. Doctrine of Equal Protection:

- Similar subjects must not be treated differently without a reasonable basis

4. Gender Equality (RA 8353):

- Recognizes marital rape, criminalizing non-consensual sexual activity within a marriage

Historical Background:

The decision signifies a departure from the long-standing marital exemption rule in rape, which viewed a husband's entitlement to sexual intercourse with his wife as irrevocable consent. It reflects changes introduced by RA 8353, aligned with international conventions recognizing women's rights and the concept of marital rape, underscoring the evolution of understanding gender equality and spousal relationships in Philippine legal context.