

**\*\*Title:\*\*** Conchita Liguez vs. The Honorable Court of Appeals, Maria Ngo Vda. de Lopez, et al.

**\*\*Facts:\*\*** This case revolves around a complaint filed by Conchita Liguez against the widow and heirs of the late Salvador P. Lopez for the recovery of a 51.84-hectare parcel of land in Davao, Philippines. Liguez claimed ownership based on a deed of donation executed in her favor by Lopez on May 18, 1943. The defendants countered that the donation was void due to an illicit consideration: Liguez's agreement to enter into marital relations with Lopez, a married man. The donation was prepared and ratified by the Justice of the Peace, with Liguez then a 16-year-old minor. Despite claims of love and affection from Lopez, investigations revealed the donation was motivated by Lopez's desire for a romantic relationship with Liguez, which her parents would only agree to if he donated the land. Subsequently, Liguez and Lopez lived together until his death in July 1943. The property was deemed conjugal, belonging to Lopez and his wife, Maria Ngo. The donation was never recorded, and the land had been improved and possessed by Lopez's heirs.

**\*\*Issues:\*\***

1. Whether the donation was void for having an illicit causa or consideration.
2. The applicability of the *pari delicto* rule when one party is a minor.
3. The legality of Lopez's donation of conjugal property without his wife's consent.

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

The Supreme Court reversed the Court of Appeals' decision, holding that:

1. The donation, while motivated by illicit considerations, was not entirely void as the parties were not of equal guilt - Liguez being a minor seduced by the significantly older Lopez.
2. The *pari delicto* rule does not apply as it would unjustly penalize the less guilty party (Liguez).
3. Lopez's donation of conjugal property was void to the extent that it prejudiced his wife's share but could be valid beyond that. The heirs cannot invoke the donation's illegality as a defense since it comes from a wrongdoing by their predecessor.

**\*\*Doctrine:\*\***

- Not all illicit causes result in void contracts when the parties are not equally guilty, especially when one is an unsuspecting or less guilty party, such as a minor.
- The principle of *in pari delicto* does not uniformly apply and can be set aside to prevent unjust enrichment or where equity demands favor towards a less guilty or innocent party.

- Donations of conjugal property by one spouse are void only insofar as they prejudice the rights of the other spouse or the legitimes of the forced heirs.

**\*\*Class Notes:\*\***

**Key Elements or Concepts:**

- Illicit causa or consideration can potentially invalidate contracts, but context and parties' relative guilt matter.
- The in pari delicto principle bars recovery for both parties in a transaction rooted in illegal consideration but is nuanced by the parties' relative fault and innocence.
- Under Philippine law, donations of conjugal property require consent from both spouses and cannot prejudice the legal share of a spouse or the legitimes of the heirs.
- \*In remuneratory contracts, the consideration is the service or benefit for which the remuneration is given, distinguishing them from pure beneficence contracts.\*

**\*\*Historical Background:\*\***

This case highlights the complex interplay between property rights, marital and family laws, and societal norms in mid-20th century Philippines. It reflects the judicial system's evolving stance on the protection of parties in transactions involving illicit considerations, especially when involving vulnerable individuals such as minors. The decision underscores the Court's role in adjudicating property disputes arising from personal relationships within the bounds of legal and moral frameworks of the time.