

Title:

****People of the Philippines vs. Alexander Albofera and Romeo Lawi-an****

Facts:

Alexander Albofera and Romeo Lawi-an were initially convicted of Murder, and their conviction was affirmed by the Supreme Court of the Philippines on July 20, 1987, modifying the penalty from death to reclusion perpetua and fixing civil liability at Php 30,000. Subsequently, a Manifestation and Motion for Reconsideration were filed on September 3, 1987, by Atty. Enrico R. Castro, de officio counsel for the accused-appellants, predicated on a significant supervening event — the grant of absolute pardon by the President of the Philippines to both Albofera and Lawi-an on January 29, 1987. This motion argued for the dismissal of the case and/or appeal based on this pardon. The Solicitor General, requested to comment, confirmed the granting of the pardon and its implication that while criminal liability is extinguished, civil liability persists.

Procedural Posture:

The case reached the Supreme Court after Albofera and Lawi-an were convicted of murder. After their conviction was affirmed, the Motion for Reconsideration was based on the presidential pardon, leading to discussions focusing on the pardon's effect on their criminal and civil liabilities. The procedural uniqueness lies in the reconsideration aspect being triggered by an executive grant of pardon.

Issues:

1. Whether the absolute pardon granted by the President to Albofera and Lawi-an extinguishes their criminal liability for murder.
2. Whether the absolute pardon affects the civil liability of Albofera and Lawi-an arising from their criminal acts.

Court's Decision:

The Supreme Court partially granted the Motion for Reconsideration. It held that the absolute pardon extinguished the criminal liability of Albofera and Lawi-an, thereby relieving them from serving the penalty of reclusion perpetua. However, it affirmed that their civil liability remained intact, pursuant to Article 36 of the Revised Penal Code, which clearly articulates that a pardon does not exempt the perpetrator from the payment of the civil indemnity imposed by the sentence. Thus, Albofera and Lawi-an were still obligated to indemnify the heirs of the victim, Teodoro Carancio, in the amount of Php 30,000.00 and to bear half of the legal costs.

Doctrine:

1. An absolute pardon extinguishes the criminal liability of the individual pardoned but does not affect their civil liability.
2. Under Article 36 of the Revised Penal Code, "A pardon shall in no case exempt the culprit from the payment of the civil indemnity imposed upon him by the sentence."

Class Notes:

- **Absolute Pardon:** An executive action that forgives the commission of an offense and releases the convicted individual from the penalties and legal consequences of the crime. It erases criminal liability but not civil liability.
- **Civil Liability in Criminal Cases:** Despite a criminal case's conclusion or the grant of an absolute pardon, civil liability, which pertains to the obligation to provide reparations or indemnity to the victim or their heirs for the injury or damage caused, persists.
- **Relevant Statute:** Article 36, Revised Penal Code: Enshrines the principle that a pardon does not exempt the individual from paying civil indemnity.
- **Application in Context:** In cases where a pardon is granted, students should discern between the pardon's effect on criminal versus civil liabilities, emphasizing the preservation of victims' rights to indemnity.

Historical Background:

This case is situated within the context of the Philippine legal system's interplay between executive clemency powers and judicial proceedings. The timing of the pardon, granted before the 1987 Constitution took effect, underscored the specific legal conditions and considerations before the constitutional requirement for conviction by final judgment for pardon eligibility was established. It reflects the nuances of Philippine law regarding the aftermath of an absolute pardon, especially concerning civil liabilities, illuminating the balance between executive mercy and the enduring aspects of judicially imposed responsibilities.