

### Title: People of the Philippines vs. Federico A. Burce, G.R. No. 111727

### Facts:

Appellant Federico A. Burce married AAA in 1975, their daughter CCC was born in 1976. AAA worked in Saudi Arabia as a nurse, leaving her children in Burce's care.

1. **November 10, 1990**: CCC, a 15-year-old high school student, arrived home from a classmate's birthday at 7 PM. After dinner, CCC went to bed. Burce returned home at 11:30 PM, sent her brother BBB to bed, and confronted CCC, banging her head against the wall. Burce raped CCC, threatening to kill her if she told anyone. CCC resisted but was overpowered and raped, leading to bleeding and fever for three days.
2. **Subsequent Rapes**: Burce raped CCC six more times on specific dates, each following a pattern where he would come home drunk and force entry into CCC's room under a pretext, physically and sexually assaulting her.
3. **Revelation to Mother and Authorities**: CCC confided in her grandmother DDD on August 7, 1991, who informed AAA. On August 23, 1991, CCC disclosed to her mother in a church. Subsequently, on September 2, 1991, they filed complaints after medical examinations.
4. **Arrest and Legal Proceedings**: Burce was arrested on September 3, 1991, and initially pleaded not guilty but later offered to plea bargain, expressing remorse in letters to his family. Trials and testimonies ensued, including corroborative evidence from family and medical personnel.

### Issues:

1. Was there sufficient evidence to convict Burce of the subsequent rape charges beyond the initial incidence on November 10, 1990?
2. Are the testimonies of CCC and corroborative witnesses credible and sufficient to uphold the conviction?
3. Did the trial court err in sentencing Burce to "imprisonment for life" instead of the appropriate penalties prescribed by law?

### Court's Decision:

1. **Validity of Testimony**: The Court upheld the credibility of CCC's testimony, noting that despite repeated and detailed humiliating disclosures about rape, CCC remained consistent. The coordinated pattern of assaults evidenced by CCC was held credible.
2. **Credibility of Witnesses**: The Court found the supportive testimonies of AAA, BBB, and DDD credible. AAA's emotional testimony was seen as a legitimate result of discovering

her daughter's ordeal and not a motive to falsely accuse Burce.

3. **Defense of Alibi**: The defense's alibi was deemed weak. Burce's purported lack of presence during the assaults was discredited by direct cross-examinations and specific dates aligning with the assaults.

4. **Guilt Beyond Reasonable Doubt**: The Court found Burce guilty of seven counts of rape, affirming the lower court's decision in all charges and dismissing the defense's claim of insufficient evidence.

5. **Sentencing Correction**: Adjusting the term "imprisonment for life" to reclusion perpetua per Article 335, with additional moral and exemplary damages and indemnification as per recent legal pronouncements.

### ### Doctrine:

1. **Incestuous Rape**: Indicates that parental ascendancy and moral influence can substitute for violence or intimidation in establishing the commission of rape.

2. **Credibility of Rape Victims**: Asserts the principle that credible testimony from rape victims, especially minors, is often sufficient alone to convict the accused.

### ### Class Notes:

- **Legal Elements in Rape**:

- **Due Moral Ascendancy** and **Parental Authority** can substitute for traditional forms of violence or intimidation (Article 335, Revised Penal Code).

- Conviction can rest upon the consistent and credible testimony of a single witness; heightened when the witness is a minor (People v. Matrimonio).

- **Sentencing**:

- Correct application of reclusion perpetua for crimes committed prior to RA 7659.

- **Damages**:

- Prescribed indemnity and moral damages for each count of rape, ensuring appropriate financial restitution per prevailing jurisprudence.

### ### Historical Background:

During the period when significant numbers of Filipinos worked abroad, there was increased concern about the socio-familial impacts on families left behind, particularly incidences of sexual abuse within families. This case serves as a stark example of such ramifications on the integrity and welfare of the household, highlighting societal challenges in addressing domestic abuse amid migratory labor trends.