

Title:

People of the Philippines vs. Filomeno Camano, G.R. Nos. L-36882-84

Facts:

On February 17, 1970, in the barrio of Nato, Sagñay, Camarines Sur, Filomeno Camano, after having been drinking liquor, stabbed Godofredo Pascua twice with a bolo, resulting in Pascua's immediate death due to severe hemorrhage. The stabbing occurred on a barrio street near the store of Socorro Buates.

Subsequently, Camano went to the seashore, where he encountered Mariano Buenaflor kneeling by the gate of his house. Camano hacked Buenaflor on the head with the same bolo and continued to stab and hack him until he died. Buenaflor sustained eight wounds, two of which were fatal.

The bloody episode was not preceded by any immediate altercation, but three years prior, Pascua and Buenaflor had refused a request from Camano to tow his fishing boat, leading to bitterness from Camano's side.

After the killings, Camano surrendered to the local police, admitting to the murders. He was charged under two separate informations for murder with evident premeditation and treachery. The cases were tried jointly.

During the trial, Camano admitted to killing Buenaflor in self-defense but denied killing Pascua and claimed that the fist fight incident between Buenaflor and him was trivial and had been forgotten. However, the trial court rejected Camano's self-defense claim, finding his and his cousin Nemesio Camano's testimonies implausible due to their inconsistencies and the absence of any injuries on Camano despite his claim of being attacked by multiple individuals.

Camano was found guilty of murder and sentenced to death. On appeal, his counsel argued that the crimes should only be classified as homicides, not murders, due to the absence of evident premeditation and that treachery was not present in the attack on Buenaflor.

Issues:

1. ****Evident Premeditation****: Whether the killing of Pascua and Buenaflor was

premeditated.

2. **Treachery**: Whether the murders were attended by treachery.
3. **Abuse of Superior Strength**: Whether this aggravating circumstance was present and separate from treachery.
4. **Intoxication**: Whether intoxication should be considered a mitigating or aggravating circumstance.
5. **Death Penalty**: Whether the death penalty is cruel and unusual punishment under the Constitution.

—

Court's Decision:

1. **Evident Premeditation**:

- The Court found that there was no evident premeditation, as there was no sufficient proof of a preconceived plan. The prosecution failed to establish the specific time and method by which the plan to kill was hatched or the persistence of such plan over time.

2. **Treachery**:

- The Court upheld the trial court's finding of treachery. Godofredo Pascua was attacked from behind, ensuring the execution without risk to Camano. Buenaflor was attacked while in a defenseless and stooping position, further confirming the element of treachery.

3. **Abuse of Superior Strength**:

- The Court agreed that this circumstance was absorbed in treachery. The actions demonstrated an advantage over the victims' defenseless positions, which is intrinsic to the characteristic of treachery.

4. **Intoxication**:

- The Court treated intoxication as a mitigating circumstance. It was not established that Camano was habitually intoxicated or had planned the murders while drunk. The occasional drunkenness diminished his capability to fully comprehend the consequences of his actions and thus mitigated the penalty.

5. **Death Penalty**:

- The Court rejected the argument that the death penalty was cruel and unusual under the Constitution. The penalty of death was within the legal bounds for the crime of murder.

Given these findings, the Court modified the penalty due to the mitigating circumstance of

intoxication. Camano was sentenced to an indeterminate penalty ranging from 10 years and 1 day of prision mayor to 17 years, 4 months, and 1 day of reclusion temporal for each murder.

—

Doctrine:

The case reaffirmed the application of:

1. **Treachery**: Can be established through an attack executed in a manner ensuring execution without risk from any defensive or retaliatory act by the victim.
2. **Evident Premeditation**: Requires proof of the time when the plan was conceived and maintained, not merely a long-standing grudge.
3. **Intoxication**: As a mitigating factor unless shown to be habitual or specifically used to facilitate the crime.
4. **Absorption Doctrine**: Abuse of superior strength is absorbed by treachery when both circumstances are present.

—

Class Notes:

- **Treachery**: Involving surprise attacks ensuring no defensive action.
- **Evident Premeditation**: Requires specific evidence of planning and persistence.
- **Intoxication**: Can mitigate if not habitual and affects mental faculties.
- **Art. IV, Sec. 21, Philippine Constitution**: Death penalty not considered cruel or unusual if legally justified.
- **Absorption Doctrine**: Superior strength abuse is absorbed into treachery when both apply.

—

Historical Background:

The case reflects the interpretation of treachery and evident premeditation under Philippine law. During this period, the courts were meticulous in distinguishing between the aggravating and mitigating circumstances, particularly given the gravity of imposing the death penalty. Camano's case was significant due to the insistence on substantial proof and clear differentiators in establishing premeditation and the proper application of mitigating circumstances like intoxication. The legal principles articulated continue to guide determinations of similar cases, ensuring justice is meted with both rigor and fairness.