

Title:

The United States vs. Melecio Macalintal et al.

Facts:

On the night of September 12, 1902, Maria Estevan, mother of defendant Isidoro Palad, fell ill. Isidoro Palad suspected witchcraft and physically assaulted his mother to force a confession. Maria ultimately named Saturnina Austria as the witch. Consequently, Isidoro, accompanied by his brother-in-law Melecio Macalintal, sought out Saturnina Austria in Sibul, San Miguel. Upon finding her, they forcibly took her to Batong-Uling. There, with criminal intent and deliberate cruelty, they cut off her ears and threw her into the river. They then kicked her, causing her head to hit a rock, resulting in her death.

A medical inspection of Saturnina's body, conducted by Antonio Crespillo after three days of burial, revealed a bruise on her frontal temple area indicating a heavy weapon blow, a skull fracture, bruises on her right cheek, and the absence of both ears. Witnesses Andres Castro, Margarita Gumabun, and Julia de Jesus testified that they saw Palad and Macalintal submerging Saturnina in the river until she drowned.

The accused plead not guilty, alleging that they only acted to compel Saturnina to cure Maria Estevan, who groaned that Saturnina was choking her. They admitted to cutting her ear but claimed it was accidental. They further stated that when Saturnina refused to heal Maria and struck her head upon being thrown into the water, it was unintended.

Issues:

1. Whether the crime committed was murder or homicide.
2. Whether mitigating circumstances should be considered in determining the penalty.
3. Whether the aggravating circumstance of abuse of superiority applies.

Court's Decision:

1. ****Crime Classification:****

The Court held that the crime constituted homicide, not murder, because there was no intent to kill Saturnina with absolute certainty exacerbated by cruelty. The attackers, driven by a misguided belief in witchcraft, lacked premeditated cruelty intending to amplify Saturnina's suffering for the sake of amusement or brutality. Though initially charged with murder, the lower court's conviction for murder was revised to homicide.

2. ****Mitigating and Aggravating Circumstances:****

The Court considered two mitigating circumstances under the Penal Code:

- **Mitigating Circumstance No. 7 (Impulse of Passion):** The accused acted out of passion and disturbance provoked by a false belief in witchcraft induced by Maria's words.
- **Special Mitigating Circumstance (Ignorance):** The accused sincerely believed that Saturnina's witchcraft was genuinely the cause of their suffering due to prevalent superstitions at that time.

However, one of these mitigating circumstances was offset by the aggravating circumstance of abusing their superior strength to overpower Saturnina.

3. **Penalty Determination:**

Taking into account the aforementioned circumstances, the Court found it just to impose the minimum term of the penalty for homicide under Article 404 of the Penal Code. Each defendant was sentenced to thirteen years of reclusion temporal with additional penalties of absolute temporal disqualification and subsequent subjection to authority supervision. They were also ordered to pay 1,000 Insular pesos, jointly and severally, to Saturnina's heirs and to split the case costs.

Doctrine:

The case reiterates that for a crime to be qualified as murder, intent to kill with cruelty must be substantiated. Also, prevalent societal beliefs (such as witchcraft in this case) can also present valid mitigating circumstances if they significantly influence the conduct of the accused.

Class Notes:

- **Elements of Homicide vs. Murder:** Intent to kill, qualifying/motivating circumstances (e.g., cruelty).
- **Mitigating Circumstances (Article 9, Penal Code):** Impulse of passion, ignorance.
- **Aggravating Circumstances:** Abuse of superiority.
- **Legal Statutes Cited:**
- Article 404, Penal Code: Defines and penalizes homicide.
- Article 402, Penal Code: Defines murder.
- General Orders No. 58, Section 29: Allows revision of charges without affecting accused's rights if charges encompass a broader category.

Historical Background:

In early 20th century Philippines, beliefs in witchcraft were still prevalent, especially in rural areas. This context underscores the accused's actions influenced by fear and

superstition. The judicial system then aimed at rationalization and modernization of legal penalties amidst such superstitions, balancing ignorance and modern legal principles.