

FIRST DIVISION

[G.R. No. 132319, May 12, 2000]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
FERNANDO MADARANG Y MAGNO, ACCUSED-APPELLANT.**

DECISION

PUNO, J.:

What distinguishes man from beast is his intellect. Man's action is guided and controlled by his mind. Law is designed for rational beings as it is based on our inherent sense of right which is inseparable from reason. Thus, when man's reasoning is so distorted by disease that he is totally incapable of distinguishing right from wrong, he loses responsibility before the law. In the case at bar, we are asked to resolve whether or not the accused, invoking insanity, can claim exemption from liability for the crime he committed.

Accused FERNANDO MADARANG y MAGNO was charged with parricide for killing his wife LILIA MADARANG in an Information^[1] which reads:

"That on or about September 3, 1993, at Poblacion, municipality of Infante, province of Pangasinan, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, with evident premeditation and treachery, armed with a bladed weapon, did then and there, wilfully, unlawfully and feloniously attack and stab LILIA M. MADARANG, his legitimate wife, inflicting upon her stab wound 4 1/2 inches by 1 1/2 inch(es) long and 3/16 of an inch wide, located just below the left clavicle 1 3/4 inch(es) lateral to the supra-sternal notch, and plowed along the interpace slightly coursing upward and posteriorly and stab wound 1 inch in length, gaping and 3 1/2 inch(es) deep, located at the right arm at its medial aspect, coursing upwards and medially towards the apex of the right axilla which caused her instantaneous death, to the damage and prejudice of the heirs of Lilia M. Madarang."

"Contrary to Art. 246 of the Revised Penal Code."

At the arraignment, the accused refused to enter a plea. Pursuant to the Rules, the trial court entered a "not guilty" plea for him. At the initial hearing of the case on May 5, 1994, the accused's counsel manifested that his client had been observed behaving in an abnormal manner inside the provincial jail. Thus, the Court called the accused to the stand but he refused to answer any of the questions propounded by the court. Hence, on the same date, the Court issued an Order^[2] directing the transfer of the accused to the National Center for Mental Health (NCMH) for psychiatric evaluation to determine his fitness to stand trial. CODES

The initial examination of the accused at the NCMH revealed that he was suffering

from a form of psychosis known as schizophrenia. The accused was detained at the hospital and was administered medication for his illness. On June 19, 1996, after more than two (2) years of confinement, the accused was discharged from the NCMH and recommitted to the provincial jail as he was already found fit to face the charges against him.^[3]

At the resumption of the hearing, a reverse trial was conducted. The accused proceeded to adduce evidence on his claim of insanity at the time he committed the offense.

As culled from the testimonies of the accused, his mother-in-law AVELINA MIRADOR, and his daughter LILIFER MADARANG, the following facts were established: The accused and Lilia Mirador were legally married and their union was blessed with seven (7) children. The accused worked as a seaman for sixteen (16) years. He was employed in a United States ship until 1972. In 1973, he worked as a seaman in Germany and stayed there for nine (9) years, or until 1982. Thereafter, he returned to his family in Infanta, Pangasinan, and started a hardware store business. His venture however failed. Worse, he lost his entire fortune due to cockfighting.^[4]

In the latter part of July 1993, the accused, his wife Lilia and their children were forced to stay in the house of Avelina Mirador as the accused could no longer support his family. Moreover, Lilia was then already heavy with their eighth child and was about to give birth.^[5]

On **September 3, 1993**, at about 5:00 p.m., the accused and Lilia had a squabble. The accused was jealous of another man and was accusing Lilia of infidelity. In the heat of the fight and in the presence of their children, the accused stabbed Lilia, resulting in her untimely demise.^[6]

AVELINA MIRADOR was then in the pigpen when she heard the children of the accused shouting and crying inside her house. She called out to them and asked what was wrong. She received no reply. Her nephew barged into the house and brought out the children one at a time, leaving the accused with Lilia. While passing by Avelina, her nephew warned her: "You better run." Avelina then saw the accused emerge from the house holding a bolo. She scampered for safety.^[7]

She declared that during the period that the accused and his family stayed in her house, she did not notice anything peculiar in accused's behavior that would suggest that he was suffering from any mental illness. Neither did she know of any reason why the accused killed his wife as she never saw the two engage in any argument while they were living with her.^[8]

The accused declared that he has absolutely no recollection of the stabbing incident. He could not remember where he was on that fateful day. He did not know the whereabouts of his wife. It was only during one of the hearings when his mother-in-law showed him a picture of his wife in a coffin that he learned about her death. He, however, was not aware of the cause of her demise. He claimed that he did not know whether he suffered from any mental illness and did not remember being confined at the NCMH for treatment.^[9]

DR. WILSON S. TIBAYAN, a resident doctor of the National Center for Mental Health (NCMH), declared that **the accused was committed to the NCMH on July 4, 1994 upon order of the court.** The NCMH conducted three (3) medical and psychiatric evaluations of the accused during his confinement therein. Based on the **first medical report, dated August 2, 1994,**^[10] the accused was found to be suffering from **insanity or psychosis, classified as schizophrenia.** Dr. Tibayan explained that schizophrenia is a mental abnormality characterized by impaired fundamental reasoning, delusions, hallucinations, preoccupation with one's thoughts, poor self-care, insight and judgment, and impaired cognitive, social and occupational functions. The patient may be incapable of distinguishing right from wrong or know what he is doing. He may become destructive or have a propensity to attack any one if his hallucinations were violent.^[11] **A schizophrenic, however, may have lucid intervals during which he may be able to distinguish right from wrong.**^[12] Dr. Tibayan opined that the accused's mental illness may have begun even prior to his admission to the NCMH and it was highly possible that he was already suffering from schizophrenia prior to his commission of the crime.^[13]

By **December 21, 1994, as per the second medical report,** the accused was still suffering from schizophrenia. After one and a half years of confinement, the third psychiatric evaluation of the accused, **dated May 27, 1996,**^[14] showed that his mental condition considerably improved due to continuous medication. The accused was recommended to be discharged from the NCMH and recommitted to jail to stand trial.^[15]

The trial court convicted the accused as his evidence failed to refute the presumption of sanity at the time he committed the offense. The dispositive portion of the Decision reads:

"WHEREFORE, in view of all the foregoing facts and circumstances of this case, this Court is of the view that accused Fernando Madarang is of sound mind at the time of the commission of the offense and that he failed to rebut by convincing proof the evidence on record against him to exempt him from criminal liability. And since the death penalty was suspended or abolished at the time of the commission of the offense, this Court hereby sentences the accused FERNANDO MADARANG y MAGNO to suffer the penalty of *reclusion perpetua* and to pay the heirs of the victim the amount of Fifty Thousand (P50,000.00) Pesos.

"SO ORDERED."^[16]

Hence this appeal.

The appellant insists that at the time he stabbed his wife, he was completely deprived of intelligence, making his criminal act involuntary. His unstable state of mind could allegedly be deduced from the following:

First. He had no recollection of the stabbing incident. Hence, he was completely unaware of his acts that fateful day and must have committed the crime without the least discernment.

Second. His **behavior at the time of the stabbing** proved he was then afflicted with schizophrenia. He cited the testimony of Dr. Tibayan that a schizophrenic may go into extremes -- he may be violent and destructive, or very silent and self-focused. The appellant exhibited his violent tendencies on that fateful day. He killed his wife and Avelina and her nephew were so frightened that they ran away at the sight of him holding a bolo. He did not seem to recognize anybody and could have turned to anyone and inflicted further injury. He avers that this is peculiar only to persons who are mentally deranged **for a sane person who just committed a crime would have appeared remorseful and repentant after realizing that what he did was wrong.**

Third. The appellant also relies on Dr. Tibayan's opinion that there was a **high possibility that he was already suffering from insanity prior to his commission of the crime on September 3, 1993.**^[17] The defense posits that **his mental illness may have been caused by his loss of fortune.** His hardware business, which he started through 16 years of working as a seaman, went bankrupt. He ended up virtually dependent on his mother-in-law for his family's support and **all these may have been beyond his capacity to handle.**

The appellant further contends that the fact that he and his wife never engaged in a fight prior to that fateful day should be considered. The marked change in his behavior when he uncharacteristically quarreled with his wife on that day and suddenly turned violent on her confirms that he was mentally disturbed when he committed the crime.

Lastly, the appellant urges that he had no motive to kill Lilia who was scheduled to give birth to their eighth child three (3) days prior to the killing. Unless overpowered by something beyond his control, nobody in his right mind would kill his wife who was carrying his child. **Jealousy,** the appellant posits, **is not a sufficient reason to kill a pregnant spouse.**

We find these arguments without merit.

In all civilized nations, an act done by a person in a state of insanity cannot be punished as an offense. The insanity defense is rooted on the basic moral assumption of criminal law. Man is naturally endowed with the faculties of understanding and free will. The consent of the will is that which renders human actions laudable or culpable. Hence, where there is a defect of the understanding, there can be no free act of the will. An insane accused is not morally blameworthy and should not be legally punished. No purpose of criminal law is served by punishing an insane accused because by reason of his mental state, he would have no control over his behavior and cannot be deterred from similar behavior in the future.^[18]

A number of tests evolved to determine insanity under the law. In Anglo-American jurisprudence, the traditional test is the M'Naghten rule of 1843 which states that "to establish a defense on the ground of insanity, it must be clearly proved that, at the time of committing the act, the party accused was laboring under such a defect of reason from disease of the mind, as not to know the nature and quality of the act he was doing, or, if he did know it, that he did not know he was doing what was wrong." The **M'Naghten rule** is a cognitive measure of insanity as the accused is