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Republic of the Philippines  
**Supreme Court**  
Manila

**SECOND DIVISION**

**JENNIFER A. DEDICATORIA,**  
Petitioner,

**G.R. No. 250618**

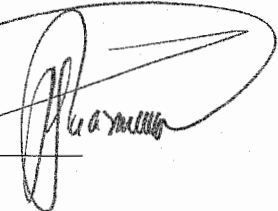
**Present:**

LEONEN, *SAJ.*,  
*Chairperson*  
LAZARO-JAVIER,  
LOPEZ, M.,  
LOPEZ, J., and  
KHO, JR., *JJ.*

- versus -

**FERDINAND M. DEDICATORIA**  
and **REPUBLIC OF THE**  
**PHILIPPINES,**  
Respondents.

**Promulgated:**

**JUL 20 2022** 

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**DECISION**

**LOPEZ, M., J.:**

Psychological incapacity as a ground to consider a marriage void under Article 36 of the Family Code, is not a medical, but a legal concept. Application of rigid medical parameters for its determination is, thus, ill-suited. Expert opinions furnished by psychiatrists or psychologists on the psychological temperament of parties are not indispensable.<sup>1</sup> It is enough that the totality of clear and convincing evidence proves that an enduring aspect of a spouse's personality, existing at the time of the celebration of marriage,

<sup>1</sup> See *Tan-Andal v. Andal*, G.R. No. 196359, May 11, 2021, < <https://sc.judiciary.gov.ph/20821/> >.

render him or her incapable of understanding or performing essential marital obligations.<sup>2</sup>

This court resolves the Petition for Review on *Certiorari*<sup>3</sup> under Rule 45 of the Revised Rules of Court, assailing the Decision<sup>4</sup> dated May 31, 2019 and the Resolution<sup>5</sup> dated November 26, 2019 of the Court of Appeals (CA) in CA-G.R. CV No. 107786, which ruled against the declaration of nullity of petitioner Jennifer A. Dedicatoria (Jennifer) and respondent Ferdinand M. Dedicatoria's (Ferdinand) marriage.

### Facts

Jennifer and Ferdinand were married on December 20, 1995.<sup>6</sup> However, on October 23, 2014, Jennifer filed a Petition for Declaration of Nullity of Marriage<sup>7</sup> due to Ferdinand's psychological incapacity. Summons was served through substituted service, but Ferdinand failed to file an answer. The Office of the Solicitor General entered its appearance for the Republic of the Philippines (Republic), and deputized the Office of the City Prosecutor of Pasay City on its behalf. After investigation, the Assistant City Prosecutor found no collusion between the parties.<sup>8</sup>

During trial, Jennifer testified that she noticed how irresponsible, immature, insensitive, self-centered, and dependent on his parents Ferdinand was, since they lived in her in-laws' residence after the exchange of vows. Ferdinand's mother continued to take care of him so he found no reason to look for a permanent job. She experienced how her in-laws' interests prevail over hers. She was also made to do all the household chores for Ferdinand's entire family. Distressed, she decided to leave and move in to her parents' house. But Ferdinand never visited her so she eventually decided to go back to her in-laws' house to be with Ferdinand. When she got pregnant, her father rented an apartment for her and Ferdinand to have their own place, but Ferdinand still opted to go to his parents' house every day and return to the apartment only at night. When confronted about it, Ferdinand reasoned: "*Ewan ko, hinahanap ko aruga ng nanay ko. Hindi ka naman katulad ng nanay ko. Dapat bumalik na tayo sa amin.*"<sup>9</sup> After Jennifer gave birth, the couple returned to live with Ferdinand's family. Jennifer expected Ferdinand to change his ways for their baby, but her ordeal only became worse as Ferdinand remained unemployed and took no part in looking after their newborn. Distraught, Jennifer decided to move out with their son in 1999 for good and all. Like before, Ferdinand never visited them. Worse, she became

<sup>2</sup> *Datu v. Datu*, G.R. No. 209278, September 15, 2021, <<https://elibrary.judiciary.gov.ph/thebookshelf/docmonth/Sep/2021/1>>.

<sup>3</sup> *Rollo*, pp. 28–57.

<sup>4</sup> *Id.* at 62–78. Penned by Associate Justice Nina G. Antonio-Valenzuela with the concurrence of Associate Justices Ricardo R. Rosario (now a Member of the Court) and Perpetua T. Atal-Paño.

<sup>5</sup> *Id.* at 79–80.

<sup>6</sup> *Id.* at 63.

<sup>7</sup> *Id.* at 81–94.

<sup>8</sup> *Id.* at 64–65.

<sup>9</sup> *Id.* at 66, citation omitted.

completely estranged from her husband upon the passing of her mother-in-law. Later on, Jennifer discovered that Ferdinand was already living with another woman with whom he had sired a child.<sup>10</sup>

To support her claim, Jennifer presented the testimony of Dr. Sheila Marie O. Montefalcon (Montefalcon), a clinical psychologist who conducted psychological tests on her, as well as clinical interviews on Ferdinand's sister, Teresita Dedicatoria (Teresita), and the couple's long-time common friend, Anarose Talag-Aguirre (Anarose). Ferdinand was invited for a psychological assessment, but to no avail. With the available resources, Montefalcon diagnosed Ferdinand to be suffering from Dependent Personality Disorder, rendering him incapacitated to perform his marital obligations. Montefalcon described Ferdinand's psychological incapacity as follows: (1) *grave* for being chronic and pervasive, which made him socially immature, inflexible, and ill-equipped to perform his marital obligations; (2) *incurable* as it is deeply ingrained in his personality structure; and (3) with *juridical antecedence* as it roots from dysfunctional factors involved in his childhood, unreliable parenting style from figures around him, and unfavorable early life experiences, which affected his perceptions of himself and his environment.<sup>11</sup>

Anarose was also presented in court. She testified that Jennifer and Ferdinand have not been living together since 1999 — this fact being privy to her as she has always been Jennifer's confidant. She also alleged that Jennifer usually takes refuge at her house every time the couple had altercations. As the couple's close friend, she claimed to have personally witnessed the breakdown of the marriage, Jennifer's emotional sufferings, and Ferdinand's neglect of his son. In brief, Anarose characterized Ferdinand as immature, irresponsible, and a "mama's boy."<sup>12</sup>

No countervailing evidence was presented.<sup>13</sup>

In a Decision<sup>14</sup> dated November 23, 2015, the Regional Trial Court of Pasay City, Branch 109 in Civil Case No. R-PSY-14-18009-CV, (RTC) found the totality of the evidence presented, comprised of the collateral interviews and the assessment of the expert witness on the psychological condition of the parties, sufficient to conclude that Jennifer and Ferdinand's marriage was a failure from inception due to Ferdinand's inability to function rationally, emotionally, and socially towards his spouse, thus:

**WHEREFORE**, premises considered, judgment is hereby rendered:

1. Declaring the marriage between **JENNIFER A. DEDICATORIA** and **FERDINAND M. DEDICATORIA**[,] which was celebrated on **December 20, 1995**[,] **Diliman Quezon City**[,] as null and void under Article 36 of the Family

<sup>10</sup> Id. at 65–66; and 129–131.

<sup>11</sup> Id. at 67–69; and 131–133.

<sup>12</sup> Id. at 131.

<sup>13</sup> Id. at 69.

<sup>14</sup> Id. at 128–141. Penned by Judge Tingaraan U. Guiling.

Code of the Philippines;

2. Further directing the Local Civil Registrar of **Quezon City** and the Civil Registrar General, Philippine Statistics Authority are ordered [sic] to stamp/annotate on said Certificate of Marriage of parties in their respective register (Book of Marriage) and to render the same without force and effect.

SO ORDERED.<sup>15</sup> (Emphases in the original)

The RTC denied the Republic's Motion for Reconsideration (MR)<sup>16</sup> in an Order<sup>17</sup> dated January 29, 2016.

However, on appeal, the CA found no sufficient evidence to prove the juridical antecedence, gravity, and incurability of Ferdinand's psychological incapacity. It found Jennifer's testimony and Montefalcon's Psychological Evaluation Report to have merely described Ferdinand's negative traits as grave without relating them to his inability to assume his essential marital obligations. Anent juridical antecedence, the CA ruled that Jennifer's allegations were self-serving and not supported by any evidence from an independent source. According to the appellate court, Anarose cannot be considered as an independent source to prove that Ferdinand's psychological incapacity existed at the time of celebration of marriage because she only testified as to what transpired between the couple during their marriage. Lastly, the CA held that the psychologist's findings cannot be given weight as there was no statement that Ferdinand's Dependent Personality Disorder is medically or clinically permanent to satisfy the requisite incurability of the incapacity. Thus, in the assailed Decision<sup>18</sup> dated May 31, 2019, the CA disposed:

We **REVERSE** and **SET ASIDE** the Decision of the Regional Trial Court, Branch 109, Pasay City, dated 23 November 2015, in Civil Case No. R-PSY-14-18009-CV. Instead, we **DISMISS** the Petition filed before the Regional Trial Court, Branch 109, Pasay City.

**IT IS SO ORDERED.**<sup>19</sup>

Jennifer moved for reconsideration, but was denied in the CA's assailed Resolution<sup>20</sup> dated November 26, 2019.

In the present recourse, Jennifer avers that the CA erred in refusing to give weight to Montefalcon's clinical diagnosis as part of the totality of evidence presented, which clearly demonstrates that Ferdinand suffers a

<sup>15</sup> Id. at 141.

<sup>16</sup> Id. at 142-148.

<sup>17</sup> Id. at 149-151.

<sup>18</sup> Id. at 62-78. Penned by Associate Justice Nina G. Antonio-Valenzuela with the concurrence of Associate Justices Ricardo R. Rosario (now a Member of the Court) and Perpetua T. Atal-Paño.

<sup>19</sup> Id. at 77.

<sup>20</sup> Id. at 79-80.

personality disorder that renders him incapable of complying with his marital obligations.<sup>21</sup>

On the other hand, the Republic cites the guidelines laid down in *Republic v. Court of Appeals (Molina)*,<sup>22</sup> in arguing that Ferdinand's negative behavior does not easily translate to the psychological incapacity contemplated by law as ground to declare a marriage void. The Republic's opposition to the CA's ruling capitalizes on the fact that only Jennifer and her witnesses were part of the psychological study, and Ferdinand was not personally examined or interviewed. As such, for the Republic, Montefalcon's diagnosis lacked depth and objectivity. Relying heavily upon *Molina*, the Republic contends that the law confines the meaning of psychological incapacity only to the most serious cases of personality disorders, which are clearly demonstrative of an utter insensitivity or inability to give meaning to the marriage.<sup>23</sup>

### Issue

Whether sufficient evidence was presented to prove psychological incapacity for the Court to declare the marriage void.

### Ruling

The petition basically impels the Court to re-evaluate the pieces of evidence and resolve if they are sufficient to declare the marriage void *ab initio* due to Ferdinand's psychological incapacity. Ordinarily, it is not within the purview of a Rule 45 petition to review the correctness of the lower court's appreciation of evidence. This Court is not a trier of facts and, therefore, is generally bound by the findings of fact of the CA. But this case falls under the exceptions to such rule, to wit: (1) "when [the factual] findings of the [RTC and the CA] are conflicting;" and (2) "[t]he [CA's] finding of fact x x x is premised on the supposed absence of evidence [but] is contradicted by the evidence on record"<sup>24</sup> as discussed below. Hence, the case deserves a second hard look.

#### *Psychological incapacity as a ground for declaring a marriage void*

Jennifer's cause of action is grounded upon Article 36 of the Family Code, which states:

ART. 36. A marriage contracted by any party who, at the time of the celebration, was psychologically incapacitated to comply with the essential marital obligations of marriage, shall likewise be void even if such incapacity becomes manifest only after its solemnization.

<sup>21</sup> Id. at 37.

<sup>22</sup> 335 Phil. 664 (1997).

<sup>23</sup> *Rollo*, pp. 224–242, Republic's Comment filed on October 12, 2020.

<sup>24</sup> *Datu v. Datu*, G.R. No. 209278, September 15, 2021,

<<https://elibrary.judiciary.gov.ph/thebookshelf/docmonth/Sep/2021/1>>.

In the recent case of *Tan-Andal v. Andal*,<sup>25</sup> the Court settled the varying guidelines in determining the existence of psychological incapacity as a ground to declare a marriage void. Foremost, the psychological incapacity must have **juridical antecedence** as required in *Molina* because Article 36 explicitly requires it to be *existing at the time of the celebration of the marriage, even if such incapacity becomes manifest only after its solemnization*. *Tan-Andal*, however, clarified that such requirement does not require proof that the psychological incapacity roots from a medically-identified mental incapacity or psychological incapacity as previously required in *Molina*. Psychological incapacity has always been a legal concept — it is neither a mental incapacity nor a personality disorder in a strict medical sense, although one’s clinical mental or personality disorder can be its root cause.<sup>26</sup>

As contemplated under the law, psychological incapacity plainly depicts an enduring aspect of a spouse’s personality structure, existing at the time of the celebration of marriage, that render [them] incapable of understanding and complying with [their] essential marital obligations, manifested through clear acts of dysfunctionality that undermines the family.<sup>27</sup> In other words, the law does not require a clinical diagnosis of a mental or personality disorder to obtain a decree of nullity on the ground of psychological incapacity. “A psychologically incapacitated [spouse] need not be shamed and pathologized for what could have been a simple mistake in one’s choice of intimate partner x x x.”<sup>28</sup> The respondent-spouse’s childhood development need not be probed into to prove juridical antecedence of [their] alleged psychological incapacity,<sup>29</sup> thus:

**Ordinary witnesses who have been present in the life of the spouses before the latter contracted marriage may testify on behaviors that they have consistently observed from the supposedly incapacitated spouse.** From there the judge will decide if these behaviors are indicative of a true and serious incapacity to assume the essential marital obligations.

In this way, the Code Committee’s intent to limit the incapacity to “psychic causes” is fulfilled. Furthermore, there will be no need to label a person as having a mental disorder just to obtain a decree of nullity. x x x. A person’s psychological incapacity to fulfill [their] marital obligations should not be at the expense of one’s dignity, because it could very well be that [they] she did not know that the incapacity existed in the first place.

x x x x

**[P]roof of juridically antecedent psychological incapacity may consist of testimonies describing the environment where the supposedly incapacitated spouse lived that may have led to a particular behavior.** For instance, violence against one’s spouse and children can be a manifestation of juridically antecedent psychological incapacity when it is

<sup>25</sup> Supra note 1.

<sup>26</sup> See Concurring Opinion of Associate Justice Mario V. Lopez in *Tan-Andal v. Andal*, supra.

<sup>27</sup> Id.

<sup>28</sup> Supra note 1.

<sup>29</sup> Supra note 26.

shown that a violent spouse grew up with domestic violence **or** had a history of abusive romantic relationships before the marriage.<sup>30</sup> (Emphases supplied)

The psychological incapacity must also be **grave** to distinguish it from “mild characterological peculiarities, mood changes, occasional emotional outbursts”<sup>31</sup> generally brought about by human nature and the natural dynamics of every personal relationship.

Finally, the psychological incapacity must be **incurable**, but unlike in *Molina*, such incurability should not be confused with medical or clinical permanence. Rather, the psychological incapacity must be incurable in the legal sense, meaning:

**[T]he incapacity is so enduring and persistent with respect to a specific partner, and contemplates a situation where the couple’s respective personality structures are so incompatible and antagonistic that the only result of the union would be the inevitable and irreparable breakdown of the marriage.** “[A]n undeniable pattern of such persisting failure [to be a present, loving, faithful, respectful, and supportive spouse] must be established so as to demonstrate that there is indeed a psychological anomaly or incongruity in the spouse relative to the other.”<sup>32</sup> (Citations omitted and emphasis supplied)

Thus, on the premise that psychological incapacity is a legal, not a medical concept, it is inapt to focus on rigid medical parameters to prove its juridical antecedence, incurability and gravity. Instead, the totality of clear and convincing evidence must be considered to determine that the essential requisites of the incapacity are satisfied.

The question, therefore, is whether the totality of evidence presented in this case — the testimonies of Jennifer, Anarose, and clinical psychologist Montefalcon — is sufficient to sustain a finding that Ferdinand is psychologically incapacitated.

We rule in the affirmative.

#### *Juridical antecedence*

Jennifer’s account of her experiences with Ferdinand, corroborated by the testimonies of the couple’s long-time friend, Anarose, and the expert evaluation of Montefalcon who examined, not only Jennifer and Anarose, but also Teresita, clearly and convincingly prove that Ferdinand’s incapacity to fulfill his marital and parental obligations are deeply-rooted from his childhood experiences carried on to his married life. These testimonies sufficiently established that Ferdinand had developed and exhibited extreme

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<sup>30</sup> Supra note 1.

<sup>31</sup> Id.

<sup>32</sup> Id.

dependency upon his family, which rendered him incapable of standing on his own as a family man, and ultimately, incapacitated him to understand and discharge his essential marital and parental obligations to his wife and child. Evidence shows that “from the beginning of the marriage, [Ferdinand] has not contributed — emotionally or financially — to their marriage.”<sup>33</sup> Ferdinand consistently seeks support and reassurance from his family, which causes pernicious effects on the decisions he made for his own family. For one, he would rather be with his family, especially his mother, than with his wife and child. He also constantly looks for his mother’s personality in the person of his wife. Further, the trial court correctly observed that Ferdinand has no job, not because he lacks motivation or is simply lazy, but because of his childish disposition, *i.e.*, he would rather be taken cared of by his mother than assume the responsibility of looking after, and establishing his own family. As found by the RTC:

*Antecedence* — x x x [T]he root cause of [Ferdinand’s] incapacity can be traced back from the way he [was] raised and brought up by his primary caregivers; x x x; [He] acquired his Dependent Personality Disorder from a faulty x x x parental influence during his developmental years. He grew up that everything is provided by his parents. He never experienced being shouted at and being physically disciplined by both parents. According to [his] sister, x x x, he is very dependent on their parents probably because he was pampered when he was still a child and up to this date. Although all of them were well-provided and overly attended by a very spoiler mother, [he] turned out to be lazy, passive and childish as if he did not mature at all. In other words, the root cause of [his] flawed personality pattern can be attributed to dysfunctional factors involved in childhood milieu. Unreliable parenting style from significant figures around him, and unfavorable early life experiences had greatly affected his perceptions of himself and his environment in general.<sup>34</sup> (Emphasis and italization in the original)

The CA, however, refused to recognize the juridical antecedence of Ferdinand’s incapacity due to the lack of an independent source to prove it. Citing jurisprudence,<sup>35</sup> the CA held that an independent source is a person who knew the parties before and after the celebration of their marriage.<sup>36</sup> For the appellate court, Jennifer’s testimony was self-serving, while Anarose’s testimony only dealt with circumstances that occurred during the marriage, which did not prove that Ferdinand’s traits were already existing at the inception of the marriage. But the evidence on record contradicts this conclusion. The CA utterly failed to consider that Montefalcon’s examination was based, not only on Jennifer’s and Anarose’s interviews, but also on the statements of Teresita, whom Ferdinand grew up with, which sufficiently gave light to the root cause of Ferdinand’s psychological incapacity, *viz.*:

<sup>33</sup> See *Quilpan v. Quilpan*, G.R. No. 248254, July 14, 2021, <<https://elibrary.judiciary.gov.ph/thebookshelf/docmonth/Jul/2021/1>>.

<sup>34</sup> *Rollo*, p. 139.

<sup>35</sup> *Republic v. Galang*, 665 Phil. 658 (2011).

<sup>36</sup> *Id.* at 675.



Based on the clinical interviews, marital history data, test results, and collateral information, [Ferdinand] is clinically diagnosed with Dependent Personality Disorder.

x x x x

[Ferdinand's] personality disorder speaks of antecedence as it has an early onset, with an enduring pattern and behavior that deviates markedly from the expectations of the individual's culture. U[p]bringing, family relationship, and childhood experiences are the contributory factors in personality development.

[Ferdinand] acquired his Dependent Personality Disorder from a faulty and lack of proper parental influence during his developmental years. He grew up that everything is provided by his parents. He never experienced being shouted at and being physically disciplined by both parents.

**According to the sister (Teresita) of [Ferdinand],** he is very dependent on their parents probably because he was pampered when he was still a child and up to this date. Although all of them were well-provided and overly attended by a very spoiler mother, [Ferdinand] turned the only lazy, passive and childish as if he did not mature at all.

In other words, the root cause of [Ferdinand's] flawed personality pattern can be attributed to dysfunctional factors involved in childhood milieu. Unreliable parenting style from significant figures around him, and unfavorable early life experiences had greatly affected his perceptions of himself and his environment in general.<sup>37</sup> (Emphasis supplied)


As discussed earlier, proof of juridical antecedence may consist of testimonies of ordinary witnesses who have been present in the couple's life before marriage, and are competent to describe the environment where the alleged incapacitated spouse lived that may have led to the incapacity as manifested through [their] errant behavior. Thus, Teresita's narration on what could have given rise to her brother's psychological incapacity, as evaluated by an expert witness, should be a sufficient basis to determine juridical antecedence of Ferdinand's incapacity. We acknowledge Montefalcon's assessment, and find no reason to discredit her testimony on this matter.

The Republic's opposition against the reliability of Montefalcon's findings and conclusion fails to impress. In casting doubt upon the expert diagnosis, the Republic offered nothing more than the inconsequential argument that Montefalcon "only interviewed [Jennifer] and her witnesses and did not personally seek out and meet [Ferdinand], who could have shed light on and established the conduct of the spouses before and during the marriage."<sup>38</sup> It is settled, the lack of personal examination or interview of the psychologically incapacitated spouse does not invalidate the findings of the

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<sup>37</sup> *Rollo*, p. 68.

<sup>38</sup> *Id.* at 237.



expert.<sup>39</sup> In fact, in as early as *Marcos v. Marcos*,<sup>40</sup> we already made a categorical reminder that “[t]here is no requirement x x x, that the respondent[-spouse] should be examined by a physician or a psychologist as a *conditio sine qua non* for [declaring the nullity of marriage on the ground of psychological incapacity.]”<sup>41</sup> In *Camacho-Reyes v. Reyes-Reyes*,<sup>42</sup> we ruled that the non-examination of one of the spouses will not automatically invalidate the findings of the examining psychologist since marriage, by definition, involves two persons who, on their own, are both credible to testify on the behavior and personality of the other in the privacy of their room and abode.<sup>43</sup> Thus, in *Tani-Dela Fuente v. De la Fuente*,<sup>44</sup> we held that the psychologist’s testimony, as corroborated by the plaintiff-spouse, sufficiently proved that the respondent-spouse suffered from psychological incapacity. The Court finds no reasonable basis to require examination of both spouses before reliability of the psychologist’s diagnosis is upheld.<sup>45</sup> As the *ponente* has elucidated in a Concurring Opinion in *Tan-Andal*, acquisition of the desired accurate information is still not guaranteed even if the respondent-spouse was examined or interviewed because of [their] bias — it is highly doubtful that [they] would admit to having psychological incapacity or a patterned behavior depicting inability to understand and fulfill marital obligations. Moreover, given the estranged relations between the spouses, it is unrealistic to expect both of them to cooperate at all times in such examination.<sup>46</sup>

In any case, Montefalcon’s assessment was not solely based on Jennifer’s testimony to be instantly denounced as “lack[ing] depth and objectivity[.]”<sup>47</sup> Other variables, such as the testimony of the couple’s long-time friend and Ferdinand’s own sister, Teresita, regarding their own observations and interactions with Ferdinand, were taken into consideration in the examination.<sup>48</sup> On this score, we find our recent pronouncement in *Quilpan v. Quilpan* apropos:<sup>49</sup>

This case is similar to *Tan-Andal*, where [w]e admitted the psychiatrist’s evaluation despite the absence of an interview with the psychologically incapacitated spouse since “it is [an] accepted practice in psychiatry to base a person’s psychiatric history on collateral information, or information from sources aside from the person evaluated.” [The plaintiff-spouse] should not be penalized for [the respondent-spouse’s] failure to appear before [the psychiatrist] for psychiatric evaluation despite [the psychiatrist’s] invitation to [the respondent-spouse] and his family. x x x.<sup>50</sup> (Citation omitted)

<sup>39</sup> Supra note 15; See also supra note 26.

<sup>40</sup> 397 Phil. 840 (2000).

<sup>41</sup> Id at 842.

<sup>42</sup> 642 Phil. 602 (2010).

<sup>43</sup> Id. at 627.

<sup>44</sup> 807 Phil. 31 (2017).

<sup>45</sup> Id. at 43–45.

<sup>46</sup> See supra note 26.

<sup>47</sup> *Rollo*, p. 237.

<sup>48</sup> See *Camacho-Reyes v. Reyes-Reyes*, supra note 40.

<sup>49</sup> G.R. No. 248254, July 14, 2021,  
<<https://elibrary.judiciary.gov.ph/thebookshelf/docmonth/Jul/2021/1>>.

<sup>50</sup> Id.

*Gravity*

In the same vein, there is no reason to deviate from Montefalcon's finding that Ferdinand's psychological incapacity is grave as his traits are not mere "mild characterological peculiarities, mood changes, occasional emotional outbursts[,]""<sup>51</sup> but are characteristics component of his personality structure, chronic and pervasive, as it made him immature and ill-equipped to perform his marital obligations from the inception of the marriage.<sup>52</sup> We also quote with approval the RTC's ruling on this aspect, viz.:

**Gravity** — x x x having been afflicted with a personality disorder characterized as *Dependent Personality Disorder*[,] [Ferdinand] is unable to assume the essential marital obligations of living together, observing love, respect[,] and fidelity[,] and rendering help and support, for he is inept to make ordinary and every day decisions. Fittingly established by the clinical psychologist, [his] psychological disorder i[s] manifested by his difficulty in making everyday decisions without excessive amount of advice and reassurance from others[.] x x x [I]t is difficult for him to move out from his parents because his family[,] especially his mother[,] needs him; and for a long time[,] they had relied [on] each other in almost all aspects of their decision[-]making then all of a sudden things would change radically. x x x; [He] was upset that [Jennifer] is not like his mother who treats him like a baby or who takes care of him extra-ordinarily. He wanted [his wife] to assume responsibilities the way his mother behaves as a wife and mother. x x x; [He] could not defend his wife from the outburst of his family members because he fears that he might lose support from his attachment figures (his family especially his mother). x x x; [He] prefers to live at his parents' house because he became too dependent on his family's support and presence. Without the reassurance from his parents, it is difficult for him to do things on his own. He has no intention to look for a job[,] not because [he] lack[s] motivation[,] but [due to] lack of self-esteem brought about by his childish disposition. He goes to excessive lengths to obtain nurturance and support from others, to the point of volunteering to do things that are unpleasant; x x x, [he] even brought his wife [to] his brother's house who is also a family man without thinking that it would be very unpleasant just so he could stay with his brother x x x. When [his wife and son left to make him realize their importance,] (x x x), he immediately looked for another woman (girlfriend) instead [of settling] their problems. Dependent persons are most likely to find another attachment figure when they feel threatened that they are losing one. x x x.

x x x x

[Ferdinand,] by continuously engaging [himself] in a carefree lifestyle such as being over dependent on his parent, patent irresponsibility and immaturity, [manifests] an obvious failure to fully appreciate the duties and responsibilities of parenthood at the time he made his marital vows. x x x.<sup>53</sup> (Emphases and italization in the original)

<sup>51</sup> Supra note 1.

<sup>52</sup> *Rollo*, p. 69.

<sup>53</sup> *Id.* at 135-136.

*Incurability*

As well, we agree with the RTC's conclusion that the incurability requisite was satisfied:

**Incurability** — x x x [Ferdinand's] psychological disorder is incurable x x x because his family traits is deeply rooted and already embedded in his psyche. As aptly stated by the expert witness, x x x, it is gleaned that [Ferdinand's] psychological disorder x x x is **permanent, chronic and pervasive** affecting many aspects of his life such as social, functioning and close relationships. He just cannot perform his duties x x x as husband, as he entered into marriage for his own self-satisfaction and gratification, x x x. He failed to ***render mutual love, respect, help, support and fidelity (Article 68, FC)***. Additionally, it also speaks of **INCURABILITY**, as he has no psychological insight that he has character problem. He would not acknowledge the pain he caused to people around him. x x x. He has poor ego integration that caused him the failure to understand the important tenets of marriage that is directed toward that solidarity and formation of family.<sup>54</sup> (Emphases, italization, and underscoring in the original)

Contrary to the CA's ruling, the incapacity need not be "rooted on some debilitating psychological condition or illness"<sup>55</sup> to be incurable. We stress, psychological incapacity does not need to be a medical or clinical condition. The witnesses' attestations as to Ferdinand's incorrigible personality towards Jennifer and their child sufficiently established Ferdinand's persistent failure to understand and fulfill his marital and parental obligations, inevitably resulting in the breakdown of their marriage. Moreover, apart from the finding that Ferdinand's traits are deeply-ingrained in his personality structure, the fact that Ferdinand has been estranged and physically living separately from Jennifer for more than 15 years at present is demonstrative of an incurable incapacity to comprehend and assume his responsibilities in the marriage. Taken together with the established facts, it is also indicative of the irreparable reluctance of the spouses to accept the other, which is indispensable to the marital relationship.<sup>56</sup>

In all, the totality of evidence presented, comprising of Montefalcon's psychological report, and the testimonies of Jennifer and Anarose, sufficiently prove Ferdinand's psychological incapacity as contemplated under Article 36 of the Family Code, warranting the declaration of nullity of his marriage with Jennifer. At this point, we find it apt to echo our final word in *Quilpan*:

It is cases like these that the law contemplates a situation where a spouse's psychic causes destroy a marriage. Corollary to this Court's Constitutional duty to value the sanctity of marriage is Our duty to ensure that only marriages that establish conjugal and family life are maintained. **That marriage is an inviolable social institution does not mean that a spouse who unwittingly marries an individual with a certain level of**

<sup>54</sup> Id. at 139.

<sup>55</sup> Id. at 21.

<sup>56</sup> See *De Silva v. De Silva*, G.R. No. 247985, October 13, 2021, <<https://sc.judiciary.gov.ph/25074/>>.

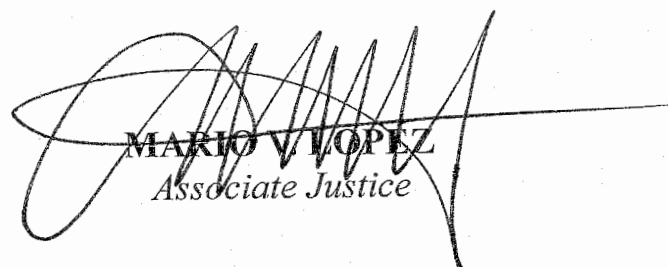


**“dysfunctionality that show[s] a lack of understanding and concomitant compliance with one’s essential marital obligations due to psychic causes” is condemned to a life sentence of misery.** There are more than enough jokes about the pitfalls of marriage. In the most serious of cases such as this, the Court steps in to ensure that the sanctity of marriage is maintained — not derided.<sup>57</sup> (Emphasis supplied and citation omitted)

To be sure, the time-honored spiel “until death do us part” is not a blind vow of eternal condemnation for worse but a simple pledge of faithful observance by the spouses of their utter commitment of *mutual* love, respect, support, and fidelity. Any complicity to breach their essential duties borne by dysfunctionality will not justify their continued union lest the inviolability of marriage as an institution will falter to perdition, betraying the constitutionally-enshrined purpose of sustaining the family as a basic social institution.

**ACCORDINGLY**, the Petition for Review on *Certiorari* is **GRANTED**. The Decision dated May 31, 2019 and the Resolution dated November 26, 2019 of the Court of Appeals in CA-G.R. CV No. 107786 are **REVERSED**, and The Decision dated November 23, 2015 of the Regional Trial Court of Pasay City, Branch 109, in Civil Case No. R-PSY-14-18009-CV is **REINSTATED**. “[T]he marriage between Jennifer A. Dedicatoria and Ferdinand M. Dedicatoria which was celebrated on December 20, 1995[,] Diliman[,] Quezon City[,] is declared as null and void under Article 36 of the Family Code of the Philippines; [and] x x x the Local Civil Registrar of Quezon City and the Civil Registrar General, Philippine Statistics Authority, are ordered to stamp/annotate on said Certificate of Marriage of [the] parties in their respective register (Book of Marriage)[,] and to render the same without force and effect.”

**SO ORDERED.**

  
**MARIO V. LOPEZ**  
Associate Justice

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<sup>57</sup> Supra note 33.

**WE CONCUR:**

  
**MARVIC M.V. F. LEONEN**  
*Senior Associate Justice*  
*Chairperson*

  
**AMY C. LAZARO-JAVIER**  
*Associate Justice*

  
**JHOSEP Y. LOPEZ**  
*Associate Justice*

  
**ANTONIO T. KHO, JR.**  
*Associate Justice*

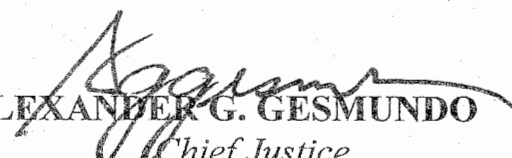
**ATTESTATION**

I attest that the conclusions in the above Decision has been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

  
**MARVIC M.V. F. LEONEN**  
*Senior Associate Justice*  
*Chairperson*

**CERTIFICATION**

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

  
**ALEXANDER G. GESMUNDO**  
*Chief Justice*