

Title: Republic of the Philippines vs. Jennifer B. Cagandahan

Facts: Jennifer B. Cagandahan, born on January 13, 1981, was registered as a female in the Certificate of Live Birth. As Cagandahan grew up, male characteristics developed due to a condition known as Congenital Adrenal Hyperplasia (CAH), where a person exhibits both male and female characteristics. Cagandahan petitioned for the correction of entries in the birth certificate before the RTC of Siniloan, Laguna, to change the name from “Jennifer” to “Jeff” and the gender from “female” to “male,” asserting that Cagandahan, for all intents and appearances, as well as in mind and emotion, had become a male person.

The RTC granted the petition after compliance with publication requirements and considering the testimony and medical certificate presented by Dr. Michael Sionzon, which medically confirmed Cagandahan’s condition. The RTC ordered the Civil Register of Pakil, Laguna, to change the name and gender in the birth certificate to “Jeff” and “male,” respectively.

The Solicitor General appealed the decision, raising issues about non-compliance with the procedural requirements and the correction of sex under Rule 108 of the Rules of Court.

Issues: The legal issues raised are:

1. Whether the RTC erred in granting the petition for correction of birth certificate entries without impleading the local civil registrar as an indispensable party as required under Rules 103 and 108 of the Rules of Court.
2. Whether a petition under Rule 108 of the Rules of Court allows for the change of gender or sex in the birth certificate.
3. Whether Cagandahan’s medical condition of CAH qualifies Cagandahan to be considered a male.

Court’s Decision: The Supreme Court denied the Solicitor General’s petition, affirming the RTC’s decision to change both the name and gender on Cagandahan’s birth certificate.

1. The Court found that there was substantial compliance with Rule 108, as a copy of the petition was furnished to the local civil registrar.
2. The Court determined that the change of gender due to CAH is not a mere clerical or typographical error but a substantial change that correctly falls under the ambit of Rule 108.

3. The Court held that Cagandahan's condition and self-identification as a male provided sufficient basis for the correction of gender in the birth certificate. Thus, considering the unique intersex condition, the Court respected Cagandahan's choice and recognition as male.

Doctrine: The Court recognized the rights of intersex individuals—in cases where nature does not conform to the typical binary sex classification—to have their legal documents reflect their lived gender identity and established that the gender classification at birth may be inconclusive and can be subject to change upon reaching maturity.

Historical Background: This landmark decision demonstrates a move towards a more inclusive legal recognition of individuals with diverse sexual characteristics in the Philippines. It reflects an understanding of intersex conditions and acknowledges the complexities of gender beyond binary classifications, which is a significant step in the legal system's adaptation to the nuanced nature of human biology and identity.