

Title: Republic of the Philippines v. Helen Bayog-Saito, et al.

Facts: Helen Bayog-Saito, a Filipino, was married to Toru Saito, a Japanese national, on August 30, 1999 in Pasay City, Metro Manila. Their marriage ended without children or conjugal properties due to cultural and nationality differences. Toru Saito initiated the divorce in Japan by requesting Helen to sign the divorce notification papers, which she accepted. The divorce was then registered in Toru's family registry. Helen then filed for the judicial recognition of the foreign divorce decree in the Philippines, invoking Article 26 of the Family Code, which provides that a Filipino is capacitated to remarry when an alien spouse obtains a valid divorce overseas and can remarry.

The RTC recognized the foreign divorce and capacitated Helen to remarry, which was affirmed by the CA. The OSG, representing the Republic, contended that the Philippine law does not recognize absolute divorce and questioned Helen's action to jointly seek a divorce decree, arguing that Article 26 of the Family Code only contemplates a situation where the foreign spouse unilaterally obtains a divorce.

Issues:

1. Whether or not the CA erred in affirming the RTC's decision that granted the petition for the judicial recognition of the foreign divorce between Helen and Toru and declared Helen capacitated to remarry.
2. Whether or not a foreign divorce decree jointly obtained by Filipino and foreign spouses abroad can be recognized in the Philippines.

Court's Decision: The Supreme Court denied the petition of the Republic of the Philippines, affirming the decision of the CA and recognized the divorce decree. It clarified that Article 26 of the Family Code also applies to cases where a foreign divorce was obtained jointly by the Filipino and foreign spouse, consistent with the precedent set in the Manalo case. The evidence Helen presented was deemed sufficient to prove the fact of the divorce and compliance with Japanese law. The Court held that preventing a Filipino spouse from remarrying after being legally divorced abroad would perpetrate an injustice.

Doctrine: The Supreme Court established that a foreign divorce decree, even one obtained jointly by Filipino and foreign spouses, may be recognized in the Philippines provided it is valid according to the national law of the foreign spouse. The Court reiterated the doctrine set forth in the case of Manalo that Article 26 of the Family Code is applicable regardless of whether the foreign divorce proceeding was initiated by the Filipino spouse, the foreign

spouse, or both.

Historical Background: The Philippines, largely influenced by Catholicism, has set into law that civil marriages cannot be dissolved through absolute divorce. Article 26 of the Family Code was instituted as an exception to this principle to avoid the absurd situation where a Filipino spouse is unable to remarry after a foreign spouse legally obtains a divorce abroad. This provision aligns with the constitutional policy of protecting marriage as an inviolable institution by giving due recognition to the attorney of foreign divorce decrees affecting mixed marriages. The underlying principle is the nationality theory, which dictates that a state's laws have a personal application to its citizens, wherever they may be. The case is historically significant because it further clarifies and expands on the purview of Article 26, aligning with contemporary realities of transnational marriages and their dissolution.