

Title: Tenebro vs. The Honorable Court of Appeals: A Landmark Case on Bigamy and Psychological Incapacity in the Philippines

Facts:

Veronico Tenebro married Leticia Ancajas on April 10, 1990, after which he revealed an earlier marriage to Hilda Villareyes in 1986, and soon left Ancajas to live with Villareyes. Later, Tenebro contracted another marriage with Nilda Villegas in 1993. Upon learning of Tenebro's third marriage, Ancajas filed a complaint for bigamy. During the trial, Tenebro denied his marriage to Villareyes, asserting it was made solely for employment benefits and even presented certifications asserting no record of such marriage existed. The Regional Trial Court of Lapu-Lapu City found Tenebro guilty of bigamy, a decision affirmed by the Court of Appeals. Tenebro's defense claimed the second marriage was void due to psychological incapacity, and thus, he should be acquitted of bigamy.

Issues:

1. Whether a judicial declaration of nullity of a second or subsequent marriage, on the ground of psychological incapacity, affects criminal liability for bigamy.
2. Whether the existence of a first marriage has been sufficiently proven.
3. Whether the second marriage, despite being null and void, can serve as basis for bigamy.

Court's Decision:

The Court held that a judicial declaration of nullity of marriage on the ground of psychological incapacity does not affect one's criminal liability for bigamy. Bigamy necessitates the existence of a valid first marriage, and contracting another marriage while the first is subsisting. The Court established that the marriage to Villareyes was proven and remained valid, and therefore, the subsequent marriage to Ancajas, regardless of its nullity on grounds of psychological incapacity, constituted the crime of bigamy. The Court affirmed Tenebro's conviction.

Doctrine:

The Supreme Court reiterated its stance that the criminal liability for bigamy does not hinge on the validity of the second or subsequent marriage if contracted during the existence of a valid prior marriage. Judicial declarations of nullity on the grounds of psychological incapacity have no retroactive effect concerning criminal liability for bigamy.

Class Notes:

- Elements of Bigamy: A lawful first marriage, the first marriage not being legally dissolved

or the spouse not being declared presumptively dead, contracting a second or subsequent marriage, and the second or subsequent marriage having all essential requisites for validity if not for the subsisting marriage.

- Psychological incapacity as a ground for the nullity of marriage cannot absolve the criminal liability for bigamy as it does not negate the act of contracting a subsequent marriage during the subsistence of a valid marriage.

Historical Background:

The Tenebro case is pivotal as it explores the intersection between family law and criminal law in the Philippines, specifically addressing the effects of a declaration of nullity of marriage on grounds of psychological incapacity on bigamy charges. It illustrates the strict interpretation of penal laws concerning marriage's sacred institution, emphasizing the permanence and legal acknowledgment of marital bonds in Philippine society.