

Title: Republic of the Philippines v. Marelyn Tanedo Manalo

Facts:

Marelyn Tanedo Manalo, a Filipino citizen, was previously married to a Japanese national, Yoshino Minoru. A divorce decree was rendered by a Japanese court on December 6, 2011, dissolving their marriage. Seeking recognition of this divorce in the Philippines and the subsequent cancellation of their marriage entry in the Civil Registry of San Juan, Metro Manila, Manalo filed a Petition for Cancellation of Entry of Marriage on January 10, 2012, in the Regional Trial Court (RTC) of Dagupan City. During the proceedings, the petition's title was questioned, leading to its amendment to also seek recognition and enforcement of the foreign judgment. After presenting evidence and notwithstanding the absence of a challenge from the Office of the Solicitor General (OSG), the RTC denied the petition for lack of merit, upholding the Philippine law on marriages involving Filipino citizens. The Court of Appeals (CA) later reversed the RTC decision, invoking Article 26 of the Family Code, which relates to the recognition of foreign divorce decrees involving Filipino citizens married to foreigners. The OSG's motion for reconsideration was denied, leading to the appeal to the Supreme Court.

Issues:

1. Whether or not the CA erred in applying Article 26 of the Family Code in granting the petition for recognition and enforcement of the foreign divorce decree.
2. Whether or not a Filipino citizen, who initiated and obtained a divorce abroad against a foreign spouse, has the capacity to remarry under Philippine law.

Court's Decision:

The Supreme Court denied the petition and affirmed the CA decision, with a remand to the court of origin for further proceedings on the relevant Japanese law on divorce. The Court upheld the application of Article 26 of the Family Code, stating that it was crafted to avoid the absurd situation where a Filipino is still married to a foreign spouse who, in turn, is considered not married to the Filipino because of a recognized divorce abroad. The Court discerned no substantial distinction between a Filipino who initiated foreign divorce proceedings and a Filipino who obtained a divorce decree upon the instance of an alien spouse regarding their capacity to remarry under Philippine law.

Doctrine:

Paragraph 2 of Article 26 of the Family Code is interpreted to include cases involving parties who, at the time of the celebration of the marriage, were Filipino citizens but later

on, one of them becomes naturalized as a foreign citizen and obtains a divorce decree abroad. This provision applies regardless of which party initiated the divorce proceeding abroad, so long as the divorce enables the foreign spouse to remarry.

Class Notes:

1. Philippine law does not allow absolute divorce for Filipino citizens, but recognizes foreign divorce decrees under specific conditions, as stated in Article 26 of the Family Code.
2. For a foreign divorce decree to be recognized in the Philippines, the party pleading it must prove the divorce as a fact and demonstrate its conformity to the foreign law allowing it.
3. The case highlights the intersection between the principles of comity and the public policy against absolute divorce, illustrating the legal system's accommodation of the realities of mixed marriages involving Filipino citizens.

Historical Background:

The prohibition of absolute divorce in the Philippines is deeply rooted in the country's civil and family laws, reflecting the state's policy to protect marriage as an inviolable social institution. The introduction of Paragraph 2 of Article 26 in the Family Code marked a significant legal accommodation to address the peculiar predicaments faced by Filipino citizens in mixed marriages, particularly when foreign divorce decrees are involved. This legal provision represents the Philippines' nuanced approach to recognizing foreign divorce decrees involving its citizens, balancing the country's conservative stance on marriage with the practicalities of international matrimonial relations.