

Gonzales vs. Gonzales

Title:

Francisco L. Gonzales vs. Erminda F. Gonzales, 514 Phil. 517 (2003)

Facts:

Francisco Gonzales and Erminda Gonzales lived together as husband and wife starting March 1977 and married formally on February 4, 1979. They had four children. On October 29, 1992, Erminda filed a complaint with the Regional Trial Court (RTC) for annulment of marriage, stating that Francisco was psychologically incapacitated to comply with marital obligations, citing abuse, humiliation, and excessive promiscuity.

Francisco denied the allegations, claimed the properties acquired during their marriage were his alone, and countered that Erminda was the one psychologically incapacitated. Both parties listed the properties acquired during their union with differing valuations. The public prosecutor certified no collusion between the parties.

The RTC found that Francisco's abuse and excessive promiscuity proved his psychological incapacity. The marriage was declared null and void. The court then ordered the custody of the minor children, delivered legitimes, monthly support, and dissolution of the conjugal partnership. It divided the properties equitably. Francisco appealed to the Court of Appeals (CA), which upheld the RTC's decision. Francisco's motion for reconsideration was denied, leading to the present petition for review on certiorari.

Issues:

1. Whether the Court of Appeals erred in ruling that the properties should be divided equally between Francisco and Erminda under Article 147 of the Family Code.

Court's Decision:

The Supreme Court affirmed the CA's decision, stating that Francisco did not challenge the CA's declaration of the marriage as void. As a consequence, the couple's property relations should be governed by Article 147 of the Family Code, which applies to void marriages and mandates a co-ownership regime.

Resolution of Issues:

1. ****Property Division under Article 147:**** The Supreme Court held that under Article 147, properties acquired during cohabitation are deemed acquired through joint efforts and are owned equally unless proven otherwise. The Court found that Erminda significantly

contributed to managing their pizza business, thus qualifying their properties for equal division.

Doctrine:

Article 147 of the Family Code presumes that properties acquired during cohabitation without a valid marriage are jointly owned, emphasizing equality and recognizing non-monetary contributions like household maintenance.

Class Notes:

- **Key Elements:**

- **Psychological Incapacity:** Mental or personality disorder existing at the time of marriage rendering a spouse unable to fulfill marital obligations.
- **Void Marriages:** Marriage declared legally null.
- **Property Relations:** Governed by co-ownership in void marriages.
- **Article 147, Family Code:** Applies to void marriages, mandates equal sharing of properties acquired during the union.

- **Statutory Provisions:**

- **Family Code, Article 147:** "When a man and a woman who are capacitated to marry each other, live exclusively with each other as husband and wife without the benefit of marriage or under a void marriage, their wages and salaries shall be owned by them in equal shares..."

- **Application/Interpretation:**

- Psychological incapacity must be proven to exist at the time of the marriage.
- Equal division of properties acquired during cohabitation unless proven otherwise, recognizing non-monetary contributions such as household management.

Historical Background:

This case reflects changing societal norms in the Philippines towards marriage and property relations, where non-monetary contributions to a household are legally recognized. Article 147 was a significant development under the Family Code of 1988, underscoring equitable property rights and justice in void marriages.