

Title

****Bugayong v. Ginez, 100 Phil. 616 (1956)****

Facts

This case originated in the Court of First Instance of Pangasinan where a complaint for legal separation was filed by Benjamin Bugayong against his wife, Leonila Ginez. Benjamin, a serviceman in the U.S. Navy, married Leonila on August 27, 1949, in Asingan, Pangasinan, while he was on furlough leave. They lived with Benjamin's sisters in the same municipality. Before returning to duty, they agreed that Leonila would stay with his sisters, who later moved to Sampaloc, Manila.

Around July 1951, Leonila left her sisters-in-law's dwelling and informed Benjamin by letter that she had gone to reside with her mother in Asingan, Pangasinan. She later moved to Dagupan City to study in a local college. Around this time, Benjamin began receiving letters from his sister-in-law Valeriana Polangco and some anonymous letters alleging acts of infidelity by Leonila, prompting him to consult the Navy Chaplain and later seek legal advice from the Navy legal department.

In August 1952, Benjamin visited Asingan, Pangasinan, found Leonila at her godmother's house, and together they stayed for two nights and one day as husband and wife at his cousin Pedro Bugayong's house and then at his own house. Benjamin confronted Leonila about the alleged adultery, but she left without responding. Despite believing in her infidelity, Benjamin exerted efforts to locate her, eventually going to Bacarra, Ilocos Norte, to "soothe his wounded feelings."

On November 18, 1952, Benjamin filed a complaint for legal separation. Leonila denied the allegations vehemently and set up affirmative defenses. The court set a hearing for June 9, 1953. After Benjamin testified and Leonila's counsel moved orally for dismissal, the court ordered a written motion, which alleged three grounds: the claim was barred by the statute of limitations, the acts had been condoned, and the complaint failed to state a cause of action.

Issues

1. ****Whether the claim for legal separation is barred by the statute of limitations.****
2. ****Whether there was condonation of the alleged acts of infidelity by Leonila.****

3. **Whether the complaint failed to state a cause of action.**

Court's Decision

The Court focused on the issue of condonation.

- **Condonation:**

The Court agreed with the lower court that condonation had occurred. Condonation is defined as the conditional forgiveness or remission by one spouse of a matrimonial offense committed by the other. The Court held that Benjamin condoned Leonila's alleged infidelity by cohabiting with her for two nights and one day, sleeping together as husband and wife despite his belief in her unfaithfulness. This conduct amounted to a conditional forgiveness, nullifying his claim for legal separation under Article 100 of the Civil Code, which bars legal separation if there has been condonation of the adultery.

The Court found the other grounds moot because they were not raised in the appellant's assignment of errors.

Doctrine

The doctrine of condonation as applied in this case emphasizes that cohabitation and resumption of marital relations after knowledge or belief of infidelity constitute a form of forgiveness and nullify the right to petition for legal separation based on that infidelity. The Court reaffirmed that Article 100 of the Civil Code precludes legal separation claims if the alleged innocent spouse condoned the adulterous acts.

Class Notes

- **Condonation:** Forgiveness of a marital offense, which bars claims for legal separation.
- **Statutory Limitation:** A claim must be filed within specific time limits (Article 102 of the Civil Code).
- **No cause of action:** A complaint failing to establish sufficient legal grounds for a court proceeding.
- **Article 97 of the Civil Code:** Grounds for legal separation include adultery or concubinage and attempts against life.
- **Article 100 of the Civil Code:** Legal separation may not be claimed if there is condonation.

Historical Background

The decision in **Bugayong v. Ginez** reflects the social and legal attitudes of mid-20th century Philippines towards marriage, fidelity, and forgiveness. The Court's emphasis on condonation illustrates the high value placed on marital reconciliation and underscores the Filipino legal framework that seeks to prevent hasty dissolutions of marriage. By strictly upholding principles such as condonation, the judiciary aimed to reinforce marital bonds despite challenges, mirroring broader cultural values of family unity.