

LESTER BENJAMIN S. HALILI, PETITIONER, VS. CHONA M. SANTOS-HALILI AND THE REPUBLIC OF THE PHILIPPINES, RESPONDENTS.

G.R. No. 165424. June 09, 2009

Ponente: CORONA, J.

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CORONA, J.:

This resolves the motion for reconsideration of the April 16, 2008 resolution of this Court denying petitioner's petition for review on certiorari (under Rule 45 of the Rules of Court). The petition sought to set aside the January 26, 2004 decision[1] and September 24, 2004 resolution[2] of the Court of

Appeals (CA) in CA-G.R. CV No. 60010.

Petitioner Lester Benjamin S. Halili filed a petition to declare his marriage to respondent Chona M. Santos-Halili null and void on the basis of his psychological incapacity to perform the essential obligations of marriage in the Regional Trial Court (RTC), Pasig City, Branch 158.

He alleged that he wed respondent in civil rites thinking that it was a "joke." After the ceremonies, they never lived together as husband and wife, but maintained the relationship. However, they started fighting constantly a year later, at which point petitioner decided to stop seeing respondent and started dating other women. Immediately thereafter, he received prank calls telling him to stop dating other women as he was already a married man. It was only upon making an inquiry that he found out that the marriage was not "fake."

Eventually, the RTC found petitioner to be suffering from a mixed personality disorder, particularly dependent and self-defeating personality disorder, as diagnosed by his expert witness, Dr. Natividad Dayan. The court a quo held that petitioner's personality disorder was serious and incurable and directly affected his capacity to comply with his essential marital obligations to respondent. It thus declared the marriage null and void.[3]

On appeal, the CA reversed and set aside the decision of the trial court on the ground that the totality of the evidence presented failed to establish petitioner's psychological incapacity. Petitioner moved for reconsideration. It was denied.

The case was elevated to this Court via a petition for review under Rule 45. We affirmed the CA's decision and resolution upholding the validity of the marriage.

Petitioner then filed this motion for reconsideration reiterating his argument that his marriage to respondent ought to be declared null and void on the basis of his psychological incapacity. He stressed that the evidence he presented, especially the testimony of his expert witness, was more than enough to sustain the findings and conclusions of the trial court that he was and still is psychologically incapable of complying with the essential obligations of marriage.

We grant the motion for reconsideration.

In the recent case of *Te v. Yu-Te and the Republic of the Philippines*,^[4] this Court reiterated that courts should interpret the provision on psychological incapacity (as a ground for the declaration of nullity of a marriage) on a case-to-case basis -- guided by experience, the findings of experts and researchers in psychological disciplines and by decisions of church tribunals.

Accordingly, we emphasized that, by the very nature of Article 36, courts, despite having the primary task and burden of decision-making, must consider as essential the expert opinion on the psychological and mental disposition of the parties.^[5]

In this case, the testimony^[6] of petitioner's expert witness revealed that petitioner was suffering from dependent personality disorder. Thus:

Q. Dr. Dayan, going back to the examinations and interviews which you conducted, can you briefly tell this court your findings [and] conclusions?

A. Well, the petitioner is suffering from a personality disorder. It is a mixed personality disorder from self-defeating personality disorder to [dependent] personality disorder and this is brought about by [a] dysfunctional family that petitioner had. He also suffered from partner relational problem during his marriage with Chona. There were lots of fights and it was not truly a marriage, sir.

Q. Now, what made you conclude that Lester is suffering from psychological incapacity to handle the essential obligations of marriage?

A. Sir, for the reason that his motivation for marriage was very questionable. It was a very impulsive decision. I don't think he understood what it meant to really be married and after the marriage, there was no consummation, there was no sexual intercourse, he never lived with the respondent. And after three months he refused to see or talk with the respondent and afterwards, I guess the relationship died a natural death, and he never thought it was a really serious matter at all.

xx xx xx

Q. Likewise, you stated here in your evaluation that Lester Halili and respondent suffered from a grave lack of discretionary judgment. Can you expound on this?

A. xx xx I don't think they truly appreciate the civil [rites which] they had undergone. [It was] just a spur of the moment decision that they should get married xx xx I don't think they truly considered themselves married.

xx xx xx

Q. Now [from] what particular portion of their marriage were you able to conclude xx xx that petitioner and respondent are suffering from psychological incapacity?

A. xx xx they never lived together[.] [T]hey never had a residence, they never consummated the marriage. During the very short relationship they had, there were frequent quarrels and so there might be a problem also of lack of respect [for] each other and afterwards there was abandonment.

In *Te*, this Court defined dependent personality disorder^[7] as

[a] personality disorder characterized by a pattern of dependent and submissive behavior. Such individuals usually lack self-esteem and frequently belittle their capabilities; they fear criticism and are easily hurt by others' comments. At times they actually bring about dominance by others through a quest for overprotection.

Dependent personality disorder usually begins in early adulthood. Individuals who have this disorder may be unable to make everyday decisions without advice or reassurance from others, may allow others to make most of their important decisions (such as where to live), tend to agree with people even when they believe they are wrong, have difficulty starting projects or doing things on their own, volunteer to do things that are demeaning

in order to get approval from other people, feel uncomfortable or helpless when alone and are often preoccupied with fears of being abandoned.

In her psychological report,[8] Dr. Dayan stated that petitioner's dependent personality disorder was evident in the fact that petitioner was very much attached to his parents and depended on them for decisions.[9] Petitioner's mother even had to be the one to tell him to seek legal help when he felt confused on what action to take upon learning that his marriage to respondent was for real.[10]

Dr. Dayan further observed that, as expected of persons suffering from a dependent personality disorder, petitioner typically acted in a self-denigrating manner and displayed a self-defeating attitude. This submissive attitude encouraged other people to take advantage of him.[11] This could be seen in the way petitioner allowed himself to be dominated, first, by his father who treated his family like robots[12] and, later, by respondent who was as domineering as his father.[13] When petitioner could no longer take respondent's domineering ways, he preferred to hide from her rather than confront her and tell her outright that he wanted to end their marriage.[14]

Dr. Dayan traced petitioner's personality disorder to his dysfunctional family life, to wit:[15]

Q. And what might be the root cause of such psychological incapacity?

A. Sir, I mentioned awhile ago that Lester's family is dysfunctional. The father was very abusive, very domineering. The mother has been very unhappy and the children never had affirmation. They might [have been] x x x given financial support because the father was [a] very affluent person but it was never an intact family. x x x The wife and the children were practically robots. And so, I would say Lester grew up, not having self-confidence, very immature and somehow not truly understand[ing] what [it] meant to be a husband, what [it] meant to have a real family life.

Ultimately, Dr. Dayan concluded that petitioner's personality disorder was grave and incurable and already existent at the time of the celebration of his marriage to respondent.[16]

It has been sufficiently established that petitioner had a psychological condition that was grave and incurable and had a deeply rooted cause. This Court, in the same Te case, recognized that individuals with diagnosable personality disorders usually have long-term concerns, and thus therapy may be long-term.[17] Particularly, personality disorders are "long-standing, inflexible ways of behaving that are not so much severe mental disorders as dysfunctional styles of living. These disorders affect all areas of functioning and, beginning in childhood or adolescence, create problems for those who display them and for others." [18]

From the foregoing, it has been shown that petitioner is indeed suffering from psychological incapacity that effectively renders him unable to perform the essential obligations of marriage. Accordingly, the marriage between petitioner and respondent is declared null and void.

WHEREFORE, the motion for reconsideration is hereby GRANTED. The April 16, 2008 resolution of this Court and the January 26, 2004 decision and September 24, 2004 resolution of the Court of Appeals in CA-G.R. CV No. 60010 are SET ASIDE.

The decision of the Regional Trial Court, Pasig City, Branch 158 dated April 17, 1998 is hereby REINSTATED.

SO ORDERED.

Puno, C.J., (Chairperson), Velasco, Jr.[*], Leonardo-De Castro, and Peralta[**], JJ., concur.

[*] Additional member per raffle dated May 27, 2009.

[**] Additional member in lieu of Justice Minita V. Chico-Nazario per Special Order No. 653 dated June 1, 2009.

[1] Penned by Associate Justice Godardo A. Jacinto (deceased) and concurred in by Associate Justices Elvi John S. Asuncion (dismissed from the service) and Lucas P. Bersamin of the Former Fourth Division of the Court of Appeals. Rollo, pp. 10-20.

[2] Id., pp. 22-24.

[3] Decision penned by Judge Jose R. Hernandez. Id., pp. 106-109.

[4] G.R. No. 161793, 13 February 2009, p. 25. See *Salita v. Magtolis*, G.R. No. 106429, 13 June 1994, 233 SCRA 100, citing *Sempio-Diy, Handbook on the Family Code of the Philippines*, 1988, p. 37. Although the case pertained mainly to a petition to declare the parties' marriage as null and void on the ground of psychological incapacity of one of them, this Court, however, did not rule on the issue as the assigned error in the petition for review filed in this Court dealt with rules of procedure.

See also *Santos v. CA, et al.*, 310 Phil. 21, 36, (1995), which reiterated the above cited principle.

[5] Id., pp. 28-29, citing Archbishop Oscar V. Cruz, D.D. of the Archdiocese of Lingayen-Dagupan, who explained in the Marriage Tribunal Ministry, 1992 ed., that "[s]tandard practice shows the marked advisability of [e]xpert intervention in [m]arriage [c]ases accused of nullity on the ground of defective matrimonial consent on account of natural incapacity by reason of any factor causative of lack of sufficient use of reason, grave lack of due discretion and inability to assume essential obligations - although the law categorically mandates said intervention only in the case of impotence and downright mental disorder."

[6] TSN, 11 December 1997, pp. 3-10.

[7] *Te v. Yu-Te*, supra note 4, p. 35, citing Kahn and Fawcett, *The Encyclopedia of Mental Health*, 1993 ed., p. 131.

[8] Exhibit C. RTC records, pp. 42-57.

[9] Id., p. 44.

[10] See RTC Decision, rollo, p. 107.

[11] Exhibit C, supra at 51.

[12] TSN, supra note 6, p. 7.

[13] Id., p. 8. Respondent was described as domineering, demanding and short-tempered.

[14] Exhibit C, supra at 44.

[15] TSN, supra note 6, p. 7.

[16] Id., see pp. 9-10:

Q. Now, would you say that this psychological incapacity which you identified and described earlier, is it beyond treatment?

A. Yes, sir.

xx xx xx

Q. Now, based on your findings and what you said, would you say then that the psychological incapacity of the petitioner was already apparent even before he got married?

A. Yes, sir.

[17] *Te v. Yu-Te*, supra note 4, p. 34, citing Kahn and Fawcett, *THE ENCYCLOPEDIA OF MENTAL HEALTH*, 1993 ed., p. 292.

[18] *Id.*, p. 35, citing Bernstein, Penner, Clarke-Stewart and Roy, *Psychology*, 7[th] ed., 2006, pp. 613-614.

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