



Republic of the Philippines
Supreme Court
 Manila

SECOND DIVISION

**ANTONIO S. QUIOGUE,
 JR.,**

Petitioner,

—versus—

**MARIA BEL B. QUIOGUE
 AND THE REPUBLIC OF
 THE PHILIPPINES,**

Respondents.

G.R. No. 203992

Present:

LEONEN, *S.A.J., Chairperson,*
 LAZARO-JAVIER,
 LOPEZ, M.,
 LOPEZ, J., *and*
 KHO, *JJ.*

Promulgated:

AUG 22 2022

X-----X

DECISION

LOPEZ, M., J.:

Love will always flow through our lives in this inconsistent, unknowable way, and we cannot press pause on the joyful bits, nor fast-forward the suffering.¹ Yet, in marriage, the reality is that a person may be truly psychologically incapable for the other² and it is best to sever the relationship as there is no point in trying to restore what is broken to begin with.

The Court resolves this Petition for Review on *Certiorari*³ under Rule 45 of the Rules of Court, assailing the Decision⁴ dated May 22, 2012 and Resolution⁵ dated October 3, 2012 of the Court of Appeals (CA) in CA-G.R. CV No. 93554, which dismissed the Petition for Declaration of Nullity of Marriage filed by petitioner Antonio S. Quiogue, Jr.

¹ NATASHA LUNN, CONVERSATIONS ON LOVE 286 (2021).

² *Tan-Andal v. Andal*, G.R. No. 196359, May 11, 2021.

³ *Rollo*, pp. 38–79.

⁴ *Id.* at 22–32. Penned by Associate Justice Ramon M. Bato, Jr., with the concurrence of Associate Justices Remedios A. Salazar-Fernando and Florito S. Macalino.

⁵ *Id.* at 34–35. Penned by Associate Justice Ramon M. Bato, Jr., with the concurrence of Associate Justices Remedios A. Salazar-Fernando and Florito S. Macalino.

ANTECEDENTS

In his Petition for Declaration of Nullity of Marriage, Civil Case No. Q-02-46137, filed before the Regional Trial Court, Branch 88, Quezon City, petitioner Antonio S. Quiogue, Jr. (Antonio) alleged that he and his wife, respondent Maria Bel B. Quiogue (Maribel), were married on October 16, 1980. They have four children: Marie Antonette, Jose Antonio, Anabel, and Maritoni. They have been separated in fact since the year 1998 after Maribel drove him out of the conjugal home. He was forced to temporarily stay in his office in the family-owned Nacional Memorial Homes. He went home to ask his wife for reconciliation for the sake of their children, but his efforts failed. He now stays at 407-A Valencia Hills Condominium in Quezon City. Antonio claimed that he and Maribel are both psychologically incapacitated to comply with the basic marital obligations. They did not observe mutual love and respect and also failed to provide the necessary emotional, psychological, and moral support for each other.⁶

In her Answer, Maribel denied the allegations in the Petition. She did not drive Antonio out of their home because he voluntarily left their conjugal dwelling to pursue his womanizing and perennial nocturnal gambling. Maribel stated that Antonio would only come home in the wee hours of the morning only to leave again. He stayed in his office for a month during their separation and came back. Thereafter, he would often come home from work drunk and violent. There were even times when he would threaten and harass Maribel. Antonio was verbally abusive to the extent of humiliating her in front of their children and neighbors.⁷

Upon referral to the public prosecutor, a report was submitted indicating that no collusion existed between the parties to the petition. In the pre-trial, the parties were given a cooling-off period but the attempts for reconciliation failed.⁸

During trial, Antonio testified that his wife Maribel did not love and respect him. She has no ability to maintain a peaceful married and family life because she is ill-tempered, tactless, irritable, and confrontational. She has no respect for him as she divulged vulgar and demeaning matters about him even to his office staff. She often called his office and shouted at his employees if she could not get information about his whereabouts. His wife would find ways to embarrass him. Although Antonio admitted that he had “flings” with other women during their marriage, his wife made the situation more difficult as she was constantly nagging about it. There was a time that he tried to avoid philandering but instead of supporting him, his wife pasted pictures of the woman everywhere inside their house. Aside from sending obscene fax messages to his office, Maribel also used their children to bring him unsealed letters which contain brutal and insulting words.⁹ He left the conjugal home in 1998. In the year 2000, the Makati RTC granted their petition for separation of

⁶ *Id.* at 12.

⁷ *Id.* at 13.

⁸ *Id.*

⁹ *Id.* at 14.



properties. He filed the present Petition for declaration of nullity of marriage a year later in 2001.¹⁰

The next witness Gemarie Martin (Gemarie), office staff in the Nacional Memorial Homes, corroborated Antonio's account. Gemarie testified that Maribel would call their office and ask questions about Antonio's womanizing. She was even confronted by Maribel regarding the unidentified numbers appearing on the phone bills and often inquired on Antonio's whereabouts. She also witnessed the incidents wherein Antonio would sleep in one of the empty rooms in the memorial chapel after being evicted by his wife from their home. On the following day, Maribel sent over Antonio's clothes through the driver. In addition, Gemarie confirmed that Maribel sent vulgar fax messages to Antonio which were seen by everyone in the office.¹¹

The last witness for petitioner is the psychiatrist Dr. Valentina Del Fonso Garcia (Dr. Garcia). She conducted a mental status assessment and clinical psychiatric interviews with Antonio and their eldest daughter, Marie Antonette. Dr. Garcia likewise interviewed Maribel in several sessions when the latter brought their second daughter Anabel for consultation and treatment of her depression. In a Psychiatric Evaluation¹² dated October 29, 2001, Dr. Garcia recommended that the marital nullification be strongly considered by the court on the ground of psychological incapacity of the spouses.¹³

For her part, Maribel disagreed with the evaluation of Dr. Garcia. First, she clarified that she submitted herself to be interviewed only because their daughter Anabel was being treated by Dr. Garcia for depression with suicidal ruminations. She alleged that her disclosures to Dr. Garcia about their family life were taken out of context when her statements were used in relation to this case. Next, she denied being a suspicious wife as she seldom visits Antonio's office. She thought that their marriage was stable until she found out about Antonio's affairs with other women through anonymous calls and letters. One woman was the telephone operator, while the others were the branch manager of the bank, a "GRO", and a certain Ynes Gamila (Ynes), who was first introduced by her husband as his cousin. Their children, later on, told her that Ynes moved in with Antonio and they would often see that their actions had sexual implications.¹⁴

The spouses' eldest daughter Marie Antonette was also presented on the witness stand. She testified that she knew about the girlfriends of her father. She saw the pain caused by her father's illicit relations to her mother. She understood the situation and tried to look on the positive side. She knew Ynes who was initially introduced by her father as his cousin. Ynes would frequently visit their condominium unit in Quezon City. Subsequently, Ynes would sleep over, and join them in out-of-town trips, Sunday masses, and even during family gatherings. At

¹⁰ *Id.* at 23.

¹¹ *Id.* at 14-15.

¹² *Id.* at 175-194.

¹³ *Id.* at 194.

¹⁴ *Id.* at 17-18.



present, her father lives in the condominium with her siblings Anabel and Jose Antonio, together with Ynes and the latter's son.¹⁵

RTC DECISION

In its Decision¹⁶ dated May 8, 2008, the RTC found sufficient grounds to declare the marriage between petitioner and Maribel void. The RTC held that both parties are psychologically incapacitated to perform their marital obligations of living together, observing mutual love, respect, and fidelity, and rendering mutual help and support.¹⁷ Dr. Garcia found that although Antonio frowned upon the multiple women conquest of his own father, he succumbed to his “narcissistic and histrionic” personality disorder. He had no qualms in admitting his “flings” despite knowing its devastating effects on his wife and children. His extra-marital affairs are manifestations of ego gratification because he finds pleasure and thrill in pursuing illicit relationships. Maribel, on the other hand, exhibited extreme emotional reactions towards her husband by deliberately demeaning and insulting him in public. She would unfold her vulgar thoughts to others, even to her children. These show her lack of respect and love for her husband. Maribel's unstable temperament, and her derogatory and fretful stance, which heavily contributed to the collapse of their marriage, shows her inability to cope with the stressors and complexities of marriage.¹⁸ Based on Dr. Garcia's findings, the trial court ruled:

WHEREFORE, premises considered, the petition is hereby granted and the marriages [*sic*] between petitioner Antonio S. Quiogue, Jr. and respondent Maria Bel Bandelaria Quiogue solemnized on October 16, 1980 before the Municipal Mayor of Pasig, Metro Manila, is hereby declared null and void under Article 36 of the Family Code as amended.

This Decision shall become final upon the expiration of the fifteen-day period from notice to the parties and from the time that the corresponding Entry of Judgment has been made if no motion for reconsideration or new trial, or appeal, is filed by any of the parties, the Public Prosecutor or the Solicitor General.

Let a copy of this Decision be furnished the parties, their counsels, the Public Prosecutor, the Office of the Solicitor General, Local Civil Registry of Quezon City, Local Civil Registry of Pasig and the Civil Registrar General at their respective office addresses.

SO ORDERED.¹⁹ (Emphases in the original)

¹⁵ *Id.* at 18.

¹⁶ *Id.* at 12-20.

¹⁷ *Id.* at 18; citing Article 68 of the Family Code.

¹⁸ *Id.* at 19.

¹⁹ *Id.* at 20.

CA DECISION

The CA reversed the RTC's ruling on appeal. In the assailed Decision²⁰ in CA-G.R. CV No. 93554, the CA agreed with the Solicitor General that the infidelity of Antonio and his irreconcilable differences with his wife Maribel do not constitute psychological incapacity under Article 36 of the Family Code. Anent the psychiatric evaluation, the CA held that the report issued by Dr. Garcia merely confirmed Antonio's and Maribel's marital problems, but it cannot be considered as conclusive proof of the spouses' alleged psychological incapacity. The *fallo* of the Decision reads:

WHEREFORE, the instant appeal is **GRANTED**. The Decision dated May 8, 2008 of the Regional Trial Court of Quezon City, Branch 88, in Civil Case No. Q-02-46137 is **REVERSED AND SET ASIDE**, and a new one entered **DISMISSING** the petition for declaration of nullity of marriage.

SO ORDERED.²¹(Emphases in the original)

Petitioner asked for reconsideration, but his motion was denied in the assailed CA Resolution²² dated October 3, 2012. Hence, this recourse.

In seeking the reversal of the assailed judgment, petitioner faults the CA for discrediting the expert opinion of Dr. Garcia relative to his psychological incapacity. He insists that the totality of the evidence, *i.e.*, their family backgrounds and the events that transpired during their ill-fated marriage, unmistakably establish psychological incapacity, especially on his part, to comply with the essential marital obligations.²³

The Solicitor General opposes the Petition on the ground that petitioner failed to establish the gravity, juridical antecedence, and incurability of his alleged psychological incapacity.²⁴ It argues that petitioner's acts of infidelity and subsequent cohabitation with another woman are not sufficient to declare a marriage void. Citing *Hernandez v. CA*²⁵ and *Dedel v. CA*,²⁶ the Solicitor General asserts that the infidelity must be a manifestation of a disordered personality that makes the psychologically incapacitated spouse completely unable to discharge the basic obligations of marriage,²⁷ which is not so in petitioner's case.

As for Maribel's ill-temper, tactlessness, lack of respect, and quarrelsome attitude, these are not grave enough to warrant the declaration of nullity of their

²⁰ *Id.* at 22–32. Penned by Associate Justice Ramon M. Bato, Jr., with the concurrence of Associate Justices Remedios A. Salazar-Fernando and Florito S. Macalino

²¹ *Id.* at 31.

²² *Id.* at 34–35. Penned by Associate Justice Ramon M. Bato, Jr., with the concurrence of Associate Justices Remedios A. Salazar-Fernando and Florito S. Macalino.

²³ *Id.* at 38–58.

²⁴ *Id.* at 240–243.

²⁵ 377 Phil. 919, 927 (1999).

²⁶ 466 Phil. 226, 233 (2004).

²⁷ *Rollo*, p. 243

marriage. Her emotional outbursts are not indicative of a psychological disorder but are natural consequences of petitioner's wrongdoings. Further, the Solicitor General points out that Dr. Garcia's psychiatric evaluation was methodologically flawed because Maribel only allowed herself to be assessed and interviewed in connection with her daughter's treatment for depression. As such, Dr. Garcia worked on pure suppositions given that Maribel's disclosures pertain to the psychiatric treatment of their daughter Anabel, and not to their marital issues.²⁸ Finally, the Solicitor General submits that the evidence, in this case, refer only to grounds for legal separation, not for declaring a marriage void.²⁹

RULING

The Petition is meritorious.

Psychological incapacity is a ground to declare a marriage void under Article 36 of the Family Code, which states:

ARTICLE 36. A marriage contracted by any party who, at the time of the celebration, was psychologically incapacitated to comply with the essential marital obligations of marriage, shall likewise be void even if such incapacity becomes manifest only after its solemnization.

The provision speaks of two requisites. First is ***gravity***, or that the person who contracted the marriage is psychologically incapacitated to assume the essential marital obligations and not merely refuses or neglects to do so because of difficulty or ill will. The second one, ***antecedence***, requires that the incapacity exists at the time of the solemnization of the marriage, even if it manifests only thereafter. This should not be confused with divorce wherein the marital bond is severed for causes occurring after the celebration of the marriage.³⁰ Recently in 2021, the Court revisited the concept of psychological incapacity in *Tan-Andal v. Andal*.³¹ There, we observed that what was first described in 1995 in *Santos v. CA*³² as a "mental incapacity" that renders a person incognizant of the basic marital covenants, has since fortuitously evolved into the rigid criteria laid down in *Republic v. Molina*.³³ The *Molina* doctrine required the parties to prove not only ***gravity*** and ***antecedence*** stated under Article 36, but also ***incurability***. The parties were then expected to present expert testimony to sufficiently prove that the root cause of the psychological incapacity has been medically or clinically identified.³⁴

Later, the Court saw that viewing psychological incapacity from a medical perspective is unnecessary. As clarified in *Marcos v. Marcos*,³⁵ an actual medical

²⁸ *Id.* at 246.

²⁹ *Id.* at 247-248.

³⁰ *Marcos v. Marcos*, 397 Phil. 840, 845-846 (2000).

³¹ G.R. No. 196359, May 11, 2021.

³² 310 Phil. 21, 40 (1995).

³³ 335 Phil. 664, 691 (1997).

³⁴ *Tan-Andal v. Andal*, *supra* note 31; See also *Hernandez v. Court of Appeals*, 377 Phil. 919, 932 (1999).

³⁵ *Supra* note 29 at 850.

examination of the person concerned need not be resorted to if the totality of the evidence presented is enough to sustain a finding of psychological incapacity. Besides, demanding proof of incurability is antithetical to Article 36 since the incapacitated spouse is not considered ill-equipped to remarry another person.³⁶ For this reason, the aspect of *incurability* is now approached in the legal sense. This contemplates of a situation wherein the person's personality structure manifests through clear acts of dysfunctionality which undermine the marital union and there must be clear and convincing proof that the incapacity is enduring or persistent with respect to a specific partner.³⁷

Relative to this, the Court rejects the Solicitor General's argument that Dr. Garcia's psychiatric evaluation is methodologically flawed because Maribel did not submit to the clinical examination for the purposes of determining psychological incapacity in their marriage. She merely acquiesced to be interviewed by Dr. Garcia to help seek treatment for their daughter's depression and suicidal tendencies. The Court observes however that in providing a backdrop for the treatment of their daughter Anabel, Maribel inevitably revealed her marital woes. Certainly, one cannot deny that the relationship between the parents has pervasive effects on the family, especially on the younger children. In any case, even if we disregard the clinical interviews of Maribel, the bulk of evidence consisting of the interviews and testimony in open court of both Antonio and their eldest daughter Marie Antonette, and the letters written by Maribel to Antonio which were part of psychiatric assessment made by Dr. Garcia, all support the conclusion that Antonio was able to discharge the burden of proof required to nullify his marriage to Maribel.

*Antonio's chronic infidelity
is a form of psychological
incapacity:*

In the assailed Decision, the CA held that although there was a reference made in the psychiatric evaluation regarding the extra-marital affairs of Antonio's biological father, still, his own infidelity throughout his marriage with Maribel does not equate to psychological incapacity as it was not shown to be existing prior to the union. The CA is mistaken.

Under Article 68 of the Family Code, the "husband and wife are obliged to live together, observe mutual love, respect and fidelity, and render mutual help and support." Clearly, the law itself recognizes fidelity as the norm and a spouse should not be made to settle for anything less than absolute faithfulness from the other. This stems from the nature of marriage being a "special contract"³⁸ of an exclusive partnership between a man and a woman. While it is true that infidelity is a ground for legal separation,³⁹ the same may also be an indication of a psychological

³⁶ *Tan-Andal v. Andal*, *supra* note 31; citing *Ngo Te v. Yu-Te*, 598 Phil. 666, 678 (2009) and *Kalaw v. Fernandez* 750 Phil. 482, 497-498 (2015).

³⁷ *Tan-Andal v. Andal*, *supra* note 31.

³⁸ Article 1 of the Family Code.

³⁹ Article 55 of the Family Code.



incapacity if, for the same reason, one is completely unable to discharge the essential obligations of marriage.⁴⁰

Of course, this is not to say that the Court will intuitively declare a marriage void for a single act of marital indiscretion. Infidelity is not measured in terms of frequency. To be considered as a form of psychological incapacity, infidelity must satisfy the requirements of (1) gravity or severity, (2) antecedence, and (3) legal incurability or persistence during the marriage.

(1) Juridical antecedence:

In this case, Antonio's Chronic infidelity is not only comprised of multiple illicit amorous relations. As detailed in the Psychiatric Evaluation⁴¹ by Dr. Garcia, his affairs are not casual mistakes as these were shown to be deeply rooted in his psychopathology which was in place even before his marriage.⁴²

Dr. Garcia described Antonio as the ambitious but disconcerted son of a businessman, who had 11 children with four other women. He grew up emotionally close to his mother. She wanted him to be respectful to his unfaithful father, who only stays and sleeps in their house every Wednesday and Saturday. His mother is always out playing *mahjong*, while his father only gave them money. At the age 17, Antonio lived in with his first girlfriend, Del and they broke up when she got pregnant with their son, whom he failed to support. He had a series of short-lived relationships before he met Maribel when he was 23 years old. He was then in a relationship, but he still courted Maribel. Two years later, in 1980, Maribel got pregnant, and Antonio was pressured to marry her. Their first child died three months after birth due to aneurysm. As he was having a difficult time accepting the situation, he asked his mother to stay with them and this spurred his quarrels with Maribel. In 1982, Maribel gave birth to their eldest daughter Marie Antonette, followed by their son Antonio in 1984. A year later, in 1985, they had a serious fight after Maribel discovered his relationship with a paramour, which he immediately ended. In 1987 and 1988, their daughters Anabel and Maritoni were born. From 1989 to 1996, Antonio divulged that he had several "flings" which Maribel never found out.⁴³ Despite this, Antonio prides himself on being able to give his family a very comfortable life. He showered his wife and kids with gifts, and they often traveled in and out of the country.⁴⁴

In March 1997, Antonio had another affair with a 19- year old GRO. Maribel learned about this in September 1997. During the confrontation, Antonio was under the impression that Maribel will help him stop the affair. Instead, she went into a rage and nagged him. Antonio intended to immediately end his illicit relationship, but the woman begged for more time. One day, Maribel went to the woman's house

⁴⁰ *Tan-Andal v. Andal*, *supra* note 31.

⁴¹ *Rollo*, pp. 175-194.

⁴² *Id.* at 192.

⁴³ *Id.* at 180.

⁴⁴ *Id.* at 176-179.

along with their eldest daughter and the latter's classmate. Maribel took pictures and told all their children about his affair. Antonio expected that Maribel would initiate a talk, yet she never did. Instead, she pasted pictures of the woman inside his room, in the bar, and even in the dining room. Whenever pestered by his wife's constant nagging about his affairs, Antonio leaves the house and stays for a month or so in a rented condominium or apartment ⁴⁵

In June 1998, Antonio was driven out of their house because Maribel was suspicious that he was still engaging in an affair. Antonio slept in a vacant chapel in the funeral home, thinking it was just another one of their fights. Yet, on the next day, Maribel sent his clothes. He felt embarrassed as the incident was seen by his employees. He came back home on the weekends and slept in his son's room. That same year, his brother bought a condominium in Quezon City and asked him to live there with his son. He only visited his daughters outside their home, or they would sleep with him at the condominium during the weekends. Antonio stated that he never wanted to be like his father. He waited for Maribel's forgiveness and understanding which never came. ⁴⁶

As for his wife, Antonio disclosed to Dr. Garcia that Maribel took care of the children and catered to all of their needs "because she is not employed anyway." ⁴⁷ In return, Antonio "compensated her" by giving her a monthly allowance for expenses like groceries, market, salary of the maids, and utilities. Although Maribel diligently attended to the housework, Antonio remarked that she loves to gamble in casinos, and they often fought about this. Apart from this, Maribel would call him at his office and ask for information from the employees as to his whereabouts. ⁴⁸ He complained of his hellish situation when she got fixated on his other women and unfaithfulness. Antonio expressed regret for his womanizing but claimed that he is weak to modify his conduct. He blamed his wife for driving him away and not doing something to win him back. ⁴⁹

Based on the foregoing, Dr. Garcia declared that Antonio is gravely psychologically incapacitated to perform the essential marital obligations. He has a narcissistic and histrionic personality disorder that was in place even before his marriage such that it can no longer be effectively addressed through psychiatric treatment. Further, Dr. Garcia found that:

Antonio has a sense of entitlement. He has unreasonably expected favorable treatment or automatic compliance with his expectations and whims. He is an exploitative partner who manipulated and deceived his spouse for his own gain. He lacks the empathy or the sensitivity to adequately respond to the needs and feelings of his wife and his children[.]

Moreso, he has apparently a marked degree of attention[-]seeking demeanor

⁴⁵ *Id.* at 180-181.

⁴⁶ *Id.* at 181.

⁴⁷ *Id.* at 179 and 191.

⁴⁸ *Id.* at 179.

⁴⁹ *Id.* at 192.



which could be attributed to his perceived emotional deprivation as a child and as an adolescent. Secondly, he has pathologically identified with his philandering and remorseless father who had exposed him to his illicit affairs. Thirdly, he has a strong desire to accomplish and to be recognized and revered in the end. His manifold associations with women are ego-gratifying. Yet, there was lack of warmth and depth in his dealings with them and that he could have acted on his sexual impulses to prove that he is a worthy and a charming individual. He also has dependent traits, *i.e.*, he feels helpless and uncomfortable when left alone and as such, he has the propensity to look for thrill and pleasure in his relationships.⁵⁰

In *Tan-Andal v. Andal*,⁵¹ the Court recognized that a person's behavior is determined not only by certain genetic predispositions but is also influenced by his or her environment. One that is particularly significant is the character of the parents as witnessed by a child during the formative years. Here, Dr. Garcia's psychiatric evaluation invariably shows that Antonio's proclivity to act on his sexual impulses is deeply rooted in a psychological condition that existed before the celebration of their marriage.

Contrary to the CA's observation, Dr. Garcia was able to demonstrate how Antonio's childhood and adolescent years – which were spent dealing with his philandering father and impervious mother, heavily affected the way he perceives romantic relationships. Antonio's father sired eleven children, with four other women, and was never discreet about his illicit affairs. Women would often look for his father and ask for financial support. As a child, Antonio thought this was the only role of his father. Dr. Garcia also noted that Antonio lacked the proper attention from his mother. This led to his attention-seeking demeanor and dependent personality trait which fuel his propensity to look for thrill in his relationships. For instance, Antonio recalled that after school, he would spend the rest of the day with a tutor. When he comes home at night, his mother would not be there as she would always play *mahjong* elsewhere. Growing up, he detested his father, but his mother would force him to show respect because they are being well provided for. Unfortunately, Antonio mirrored his father's ways. As a young adult, he engaged in several short-lived, overlapping relationships, including the one with Maribel. They dated when he still had another girlfriend. After two years, Maribel got pregnant, so he was forced to marry her. However, the marriage did not prove to be a catalyst for Antonio as he repeatedly committed marital indiscretions. Soon enough, the spouses fell into a pernicious cycle of discovery, reprisal, forgiveness, and then a new illicit affair. Clearly, Antonio's inability to maintain a monogamous relationship with his wife can be traced to his dysfunctional childhood.

(2) *Gravity and (3) Incurability:*

Apart from the chronicity of Antonio's infractions, the Court also notes that there is no clear recognition on his part that fidelity is one of his essential obligations to his wife Maribel.

⁵⁰ *Id.* at 193.

⁵¹ *Tan-Andal v. Andal*, *supra* note 31.

In the Psychiatric Evaluation, Dr. Garcia quoted Antonio saying: “As a husband, I’m practically a good husband; but I would always be cheating on my wife.”⁵² From his perspective, his illicit affairs are minor incidents which Maribel should have overlooked or dealt with differently. It also did not escape the Court’s attention that Antonio has a distorted concept of a wife. During his interviews with Dr. Garcia, Antonio referred to Maribel as a “good housewife,” “because she is not employed anyway.”⁵³ He described Maribel as a dedicated mother “because she has no work, and she can always be with kids.”⁵⁴ In return, Antonio “compensated her” by giving her a monthly allowance for household expenses. It is evident that Antonio considers himself superior to his wife. He does not consider Maribel as a partner, hence, there is a constant need for him to look for affection outside the marriage.

Moreover, Antonio blamed Maribel’s nagging and tactlessness for the demise of their marriage, saying that her actions drove him away. He admitted that he was weak in not being able to control his womanizing, but Maribel is at fault for not doing anything to win him back. He did not perceive his wife’s actions as a sign of despair or her own peculiar way of fighting for their marriage. Antonio focused on Maribel’s anger and its effects on him. Antonio’s failure to show sincere remorse for his blatant infidelity and the lack of desire to fix his ways to save their marriage clearly amount to psychological incapacity, which is grave in nature.

Further, Antonio’s incapacity is incurable. It is persistent throughout the marriage and is specifically directed at his wife Maribel. Antonio did not have ample affection and commitment towards Maribel even at the outset. This was exacerbated by Maribel’s insulting discourse and brazen attacks in response to Antonio’s perennial womanizing and callousness. As explained by Dr. Garcia, the spouses lacked the ability to give each other sustained love, support, understanding, and respect which are expected from emotionally fit couples.⁵⁵ Surely, their distorted interaction and detestable communication pattern did not help to resolve their conflict⁵⁶ and instead resulted to marital disintegration. The totality of evidence thus points to Antonio’s psychological incapacity as the cause to nullify his marriage to Maribel.

No sufficient evidence of psychological incapacity on the part of Maribel:

As for Maribel’s retaliatory acts, *i.e.*, sending vulgar fax messages and hateful letters, and evicting Antonio from the conjugal home, the Court sees that these are typical of a woman treated with contempt. Maribel was a college student when she got pregnant. She got married to Antonio and devoted herself to becoming a wife

⁵² *Rollo*, p. 182.

⁵³ *Id.* at 179 & 191.

⁵⁴ *Id.* at 182.

⁵⁵ *Rollo*, pp. 193–194.

⁵⁶ *Montealto–Laylo v. Ymbang*, G.R. No. 240802, September 29, 2021.

and mother to their kids. She wanted someone to grow old with and exerted efforts to have a stable and healthy home for Antonio and their children.⁵⁷ However, when Maribel discovered her husband's illicit affairs, she was seething with anger that her nurturing ways turned into rage. Admittedly, Maribel's vengeful stance contributed to the collapse of the marriage as it aggravated Antonio's psychological incapacity. Despite Maribel's belligerent attitude and verbal offensives towards Antonio, the Court rules that these do not amount to psychological incapacity because these only existed during the marriage, particularly, as a reaction to Antonio's philandering.

Our laws pertaining to marriage and family could not be expected to address every incarnation or nuance of husband and wife relationships. Nevertheless, in interpreting the provisions relating to the declaration of nullity of marriage, courts must discern those relationships that are patently ill-equipped to cope and adapt to the complexities of marriage.⁵⁸ In this case, Antonio and Maribel have been separated in fact since 1998 and it has not been shown that they have changed for the better to compel them to remain in a marriage.⁵⁹ Truly, their union should not be upheld solely for the sake of permanence because doing so will only destroy the very essence of marriage as an institution.⁶⁰

ACCORDINGLY, the Petition is **GRANTED**. The Decision dated May 22, 2012 and Resolution dated October 3, 2012 of the Court of Appeals in CA-G.R. CV No. 93554, which dismissed the Petition for Declaration of Nullity of Marriage filed by petitioner Antonio S. Quiogue, Jr., is **REVERSED** and **SET ASIDE**.

The marriage between Antonio S. Quiogue, Jr., and Maria Bel B. Quiogue is declared **VOID** on ground of Antonio's psychological incapacity.

SO ORDERED.


MARION V. LOPEZ
Associate Justice

⁵⁷ *Rollo*, pp. 193.

⁵⁸ *Tan-Andal v. Andal*, *supra* note 31.

⁵⁹ *Estella v. Perez*, G.R. No. 249250, September 29, 2021.

⁶⁰ *Tan-Andal v. Andal*, *supra* note 31.

WE CONCUR:



MARVIC M.V. F. LEONEN
Associate Justice
Chairperson



AMY C. LAZARO-JAVIER
Associate Justice



JHOSEP Y. LOPEZ
Associate Justice



ANTONIO T. KHO, JR.
Associate Justice

ATTESTATION

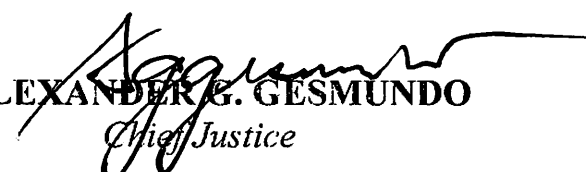
I attest that the conclusions in the above Decision had been reached in consultation before the cases were assigned to the writer of the opinion of the Court's Division.



MARVIC M.V. F. LEONEN
Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the cases were assigned to the writer of the opinion of the Court's Division.



ALEXANDER G. GESMUNDO
Chief Justice