

## SECOND DIVISION

[ G.R. No. 241144, June 26, 2019 ]

**JUANITA E. CAHAPISAN-SANTIAGO, PETITIONER, V. JAMES  
PAUL A. SANTIAGO, RESPONDENT.**

### DECISION

**PERLAS-BERNABE, J.:**

Assailed in this petition for review on *certiorari*<sup>[1]</sup> are the Decision<sup>[2]</sup> dated June 6, 2018 and the Resolution<sup>[3]</sup> dated August 1, 2018 of the Court of Appeals (CA) in CA-G.R. CV No. 109683 affirming the Decision<sup>[4]</sup> dated January 11, 2017 of the Regional Trial Court of Antipolo City, Branch 72 (RTC) in Civil Case No. 12-9628, which declared the marriage of petitioner Juanita E. Cahapisan-Santiago (petitioner) and respondent James Paul A. Santiago (respondent) null and void on the ground of the latter's psychological incapacity.

#### The Facts

Sometime in 1999, respondent met petitioner at a car service center along Marcos Highway, Antipolo City. At that time, petitioner was forty (40) years old and respondent was twenty-two (22) years old.<sup>[5]</sup> Petitioner became respondent's girlfriend, and three (3) months into the relationship, she became pregnant. Eventually, or on March 31, 2000, petitioner and respondent got married before the Mayor of Pangil, Laguna. During their marriage, however, instead of experiencing marital bliss, their relationship was fraught with quarrels.<sup>[6]</sup>

Respondent averred that petitioner was domineering, considering that she was the one earning and he was a high school drop-out. Sometime in 2005, petitioner and respondent separated because they could no longer stand each other. After eleven (11) years of living apart, respondent filed a Petition for Declaration of Nullity of Marriage<sup>[7]</sup> before the RTC.<sup>[8]</sup> In support of his petition, respondent presented the report<sup>[9]</sup> of an expert clinical psychologist, Ms. Shiela Marie O. Montefalcon (Ms. Montefalcon), who assessed him to be suffering from Dependent Personality Disorder (DPD),<sup>[10]</sup> and petitioner from Narcissistic Personality Disorder (NPD).<sup>[11]</sup> According to the report, respondent's DPD is a long term chronic condition that manifested itself through his overdependence on petitioner and his own mother to meet his emotional and physical needs. The clinical features of respondent's DPD were likewise exhibited through his: (a) difficulty in making everyday decisions without an excessive amount of advice and reassurance from petitioner and his own mother; (b) problem in expressing disagreement with others because of fear or loss of support or approval; (c) struggle in initiating projects on his own because of lack of self-confidence in judgment or abilities; (d) excessive dependence on petitioner and his own mother to obtain nurturance and support; and (e) inclination to substance use and abuse.<sup>[12]</sup> On the other hand, petitioner's NPD was found to be

grave, severe, and already ingrained deeply within her adaptive system, as evidenced by her pervasive pattern of grandiosity, need for admiration, and lack of empathy.<sup>[13]</sup> As both parties were found to be psychologically incapacitated to perform their essential marital obligations, Ms. Montefalcon, therefore, recommended that their marriage be declared null and void.<sup>[14]</sup>

For her part, petitioner contended that respondent was not psychologically incapacitated, but was merely immature and lacked a sense of responsibility.<sup>[15]</sup> She also pointed out that respondent's past addictive behavior is not permanent, considering that the latter was able to cope with his drug dependency and was able to change for the better.<sup>[16]</sup> She added that respondent's alleged DPD is even contrary to his personality, since the report stated that respondent "can present a proposal or lead a group discussion with ease and tact. He is assertive but sometimes impatient. He is best in situations that need sound common sense and practical ability with things. He relies on his ability to improvise instead of preparing in advance."<sup>[17]</sup> Furthermore, respondent's "common capacities and strengths" are "being friendly, energetic, resourceful, and having negotiating skills."<sup>[18]</sup> Finally, she claimed that it was respondent's womanizing, and not his purported dependency, that caused their frequent fights.<sup>[19]</sup>

### **The RTC Ruling**

In a Decision<sup>[20]</sup> dated January 11, 2017, the RTC granted the petition and declared the marriage of the parties null and void on the ground of respondent's psychological incapacity.<sup>[21]</sup> The RTC ruled that the totality of evidence sufficiently established respondent's incapacity to fulfill his marital obligations, as he was shown to have disregarded and abandoned his family after repeated quarrels with petitioner.<sup>[22]</sup> Moreover, having been diagnosed with DPD, respondent manifested his inability to be cognizant of his familial obligations.<sup>[23]</sup> *However, as to petitioner's alleged psychological incapacity, the RTC held that there was insufficient evidence to prove its root cause or juridical antecedence.*<sup>[24]</sup>

Aggrieved, petitioner filed an appeal<sup>[25]</sup> before the CA.

### **The CA Ruling**

In a Decision<sup>[26]</sup> dated June 6, 2018, the CA affirmed the RTC Decision.<sup>[27]</sup> The CA ruled that respondent was able to discharge his burden of proving that his marriage with petitioner was void due to his psychological incapacity.<sup>[28]</sup> In this regard, it found that the root cause of respondent's psychological incapacity, *i.e.*, DPD, was medically identified, and that the same was present at the inception of his marriage with petitioner, considering that prior to the marriage, he was already irresponsible, drug dependent, and overdependent on his mother.<sup>[29]</sup> It also found that respondent's DPD was permanent, incurable, and grave, as a result of his upbringing and family background.

Dissatisfied, petitioner filed a motion for reconsideration,<sup>[30]</sup> which was denied in a Resolution<sup>[31]</sup> dated August 1, 2018; hence, this petition.

### **The Issue Before the Court**

The issue for the Court's resolution is whether or not the parties' marriage should be nullified on the ground of respondent's psychological incapacity, *i.e.*, DPD.

### **The Court's Ruling**

The petition is meritorious. At the outset, it bears stressing that the RTC, as affirmed by the CA, already ruled that there was insufficient evidence to prove the root cause or juridical antecedence of petitioner's alleged NPD. Finding no cogent reason to disturb the same, the resolution of this case shall, thus, revolve on whether or not, on the other hand, respondent's psychological incapacity, *i.e.*, DPD, was proven.

Jurisprudence states that the validity of marriage and the unity of the family are enshrined in our Constitution and statutory laws; hence, any doubts attending the same are to be resolved in favor of the continuance and validity of the marriage and that the burden of proving the nullity of the same rests at all times upon the petitioner. The policy of the Constitution is to protect and strengthen the family as the basic social institution and marriage as the foundation of the family. As such, the Constitution decrees marriage as legally inviolable and protects it from dissolution at the whim of the parties.<sup>[32]</sup>

Under Article 36<sup>[33]</sup> of the Family Code, as amended,<sup>[34]</sup> psychological incapacity is a valid ground to nullify a marriage. However, in deference to the State's policy on marriage, psychological incapacity does not merely pertain to any psychological condition; otherwise, it would be fairly easy to circumvent our laws on marriage so much so that we would be practically condoning a legal subterfuge for divorce.<sup>[35]</sup>

According to case law, psychological incapacity should be confined to the **most serious cases of personality disorders that clearly manifest utter insensitivity or inability to give meaning and significance to the marriage.**

<sup>[36]</sup> It should refer to no less than a mental — not merely physical — incapacity that causes a party to be **truly incognitive of the basic marital covenants that concomitantly must be assumed and discharged by the parties to the marriage,** which, as provided under Article 68<sup>[37]</sup> of the Family Code, among others,<sup>[38]</sup> include their mutual obligations to live together, observe love, respect and fidelity, and render help and support.<sup>[39]</sup>

In this accord, psychological incapacity must therefore be characterized by three (3) traits: (a) gravity, *i.e.*, it must be grave and serious such that the party would be incapable of carrying out the ordinary duties required in a marriage; (b) juridical antecedence, *i.e.*, it must be rooted in the history of the party antedating the marriage, although the overt manifestations may emerge only after the marriage; and (c) incurability, *i.e.*, it must be incurable, or even if it were otherwise, the cure would be beyond the means of the party involved.<sup>[40]</sup>

Applying the foregoing guidelines, the Court finds that - contrary to the rulings of the courts *a quo* - the totality of evidence presented failed to sufficiently establish respondent's psychological incapacity based on his DPD.

In this case, respondent relied heavily on the testimony of and psychological examination by the clinical psychologist, Ms. Montefalcon, to establish his psychological incapacity. In her report, she enumerated several clinical features