

Bill recognizing civil effects of church annulments nears passage

By BEN R. ROSARIO

The bill seeking state recognition of the civil effects of church-decreed marriage annulments is nearing passage in the House of Representatives.

This after the Lower House unanimously approved on second reading House Bill No. 6779 or "An Act Recognizing the Civil Effects of Church Annulment Decrees."

Authored by Deputy Speaker and Cebu Rep. Gwendolyn Garcia, together with Reps. Yedda Marie Romualdez (Lakas-CMD, Leyte) and Sol Aragon (NPC, Laguna), HB 6779 is expected to be disposed of on third and final reading next week.

Drawing strong bipartisan support, HB 6779 had just been sponsored for plenary deliberation when supporters moved for immediate second reading approval. Nobody objected to the motion.

Aragones, who sponsored the bill as chairperson of the House Committee on Family Relations, said the new bill provides that whenever a marriage, duly and legally solemnized by a priest, minister, imam, rabbi or presiding elder of any church or religious sect in the Philippines is subsequently annulled or dissolved in a final judgment or decree in accordance with the canons

or precepts of the church or religious sect, the said annulment or dissolution shall have the same effect as a decree of annulment or dissolution issued by a competent court.

Under the legislative measure the final judgment or decree of annulment or dissolution issued by the proper church or religious sect shall be recorded in the appropriate civil registry within 30 days from issuance of said final judgment or decree of annulment or dissolution.

Further, either of the former spouses may marry again after complying with the requirements of the preceding paragraph and Article 52 of Executive Order No. 209 or the Family Code of the Philippines, otherwise, the subsequent marriage shall be null and void.

In her sponsorship speech, Garcia said the bill underscores the progress in social reforms in the country with the state recognizing religious traditions in marriage and its dissolution "mindful of and sensitive to the fact that almost always, religion and culture not only intersect, but are sometimes indistinguishable."

"It is time that the dissolution of marriages of other religions, churches and sects - as, for instance, the Catholic majority in the Philippines, from whose

Canon Law, ironically, we borrowed the concept of psychological incapacity as a basis for declaration of nullity of marriage under the Family Code - be given equal civil effect," she said.

The House official added: "With the passage of this bill, the State would be granting to a great majority of Filipinos a recourse now available only to a few, and provide for the security and future of the children of church-annulled marriages."

"The breakdown of any marriage - whether Christian, Muslim, or of whatever religion - has very real effects in the lives of the parties thereto, the children who resulted therefrom, and the society of which the family is a basic unit," said Garcia.

Currently Philippine laws only recognize divorce under the Code of Muslim Personal Laws, which is based on the Sharia or the Islamic law.

For her part, Romualdez said enactment of the legislative proposal will free separated couples from the burden of undergoing the civil annulment process.

"Once this bill becomes a law, a declaration of nullity decreed by the Church will hold as much weight and have the same effect as a civil annulment," said Romualdez.

* HOUSE BILL