



Unit 530, Richville Corporate Tower, Madrigal Business Park, 1107 Alabang-Zapote Rd., Muntinlupa City
Metro Manila, Philippines Tel. No. (02) 7987-2833; (02) 8256-6863; 0917-5419370
E-Mail: allianceforthefamily@gmail.com Website: www.alfi.org.ph

11 May 2026

The Honorable Rep. Roger G. Mercado
Chairperson, Committee on Population & Family Relations
3/F Annex Building
House of Representatives
Constitution Hills, Quezon City 1126

**Subject: House Bill Nos. 108, 210, 655, 2954, 3693, 3904, 4781, 4945
and 6352**

Dear Chairperson Mercado:

We understand that your Committee will be conducting a meeting to discuss House Bill No. 108 entitled, “An Act Reinstating Absolute Divorce as an Alternative Mode for the Dissolution of Marriage”; House Bill No. 210 entitled, “An Act Reintroducing Divorce in the Philippines”; House Bill No. 655 entitled, “An Act Reinstating Absolute Divorce as an Alternative Mode for the Dissolution of Marriage”; House Bill No. 2954 entitled, An Act Reinstating Absolute Divorce as an Alternative Mode for the Dissolution of Marriage”; House Bill No. 3693 entitled, “An Act Reinstating Absolute Divorce as an Alternative Mode for the Dissolution of Marriage”; House Bill No. 3904 entitled, “An Act Reinstating Absolute Divorce as an Alternative Mode for the Dissolution of Marriage”; House Bill No. 4781 entitled, “An Act Reintroducing Divorce in the Philippines”; House Bill No. 4945 entitled, “An Act Institutionalizing Absolute Divorce in the Philippines on the Grounds of Abuse, Infidelity, and Serious Criminal Acts, and for Other Purposes”; and House Bill No. 6352 entitled, “An Act Expanding the Grounds for Dissolution of Marriage, Instituting Divorce and Setting the Procedures Thereof, Providing Protections to the Parties to the Marriage and its




Common Children, Amending for this Purpose Executive Order No. 209, or the Family Code of the Philippines”.

We are attaching our Position Paper in opposition to these bills.

Thank you very much for your consideration of our views.

Very truly yours,


MARIA CONCEPCION S. NOCHE
President


PARALUMAN ABUSTAN
Vice President



ALFI POSITION PAPER (In Opposition to the Institutionalization of Absolute Divorce)

Submitted to the House of Representatives, 20th Congress

I. INTRODUCTION

The Alliance for Family Foundation Philippines, Inc. (ALFI), a multi-sectoral organization committed to preserving and strengthening Filipino family values, respectfully submits this unified position paper in response to House Bills Nos. **108, 210, 655, 2954, 3693, 3904, 4781, 4945, and 6352**, all seeking to institutionalize **absolute divorce** in the Philippines.

ALFI recognizes the **real suffering** experienced by spouses trapped in broken, abusive, or irreparably strained marriages. We affirm that the State has a **moral and constitutional duty** to protect individuals—especially women and children—from violence, exploitation, and harm.

However, ALFI maintains that **absolute divorce is not the appropriate, necessary, or constitutional solution**. The Philippines can address marital breakdown **without redefining marriage as dissoluble** and without weakening the family as the foundation of the nation.

II. CONSTITUTIONAL FOUNDATIONS

The **1987 Constitution** provides the clearest guidance on the State's duty toward marriage and the family:

"The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution."—Art. II, Sec. 12

"Marriage, as an inviolable social institution, is the foundation of the family and shall be protected by the State."—Art. XV, Sec. 2

The Constitution characterizes **life, marriage, and family** as **sacrosanct, inviolable, and anterior to the State**—not mere legal constructs subject to redefinition. As ALFI's earlier paper notes:



“The constitutional fathers’ choice of the word ‘inviolable’ is significant... meaning ‘never to be broken, infringed, or dishonored.’”

The Supreme Court consistently affirms this permanence in cases too numerous to cite:

“Marriage is legally inviolable and protected from dissolution at the whim of the parties.”

The **Family Code** echoes this:

“Marriage is a special contract of permanent union between a man and a woman.”—Family Code, Art. 1

Conclusion: Any law introducing absolute divorce would **directly contradict** the Constitution’s explicit mandate to protect the **permanence and indissolubility** of marriage.

III. SOCIAL SCIENCE EVIDENCE: THE HARM OF DIVORCE

ALFI’s research compilation shows overwhelming global evidence that **divorce harms children**, weakens families, and provides **no long-term benefit** to spouses.

1. Children Suffer the Most

Studies involving hundreds of peer-reviewed papers show:

- Only **17%** of children of divorce maintain frequent contact with their fathers.
- Boys from divorced families experience **poorer educational outcomes** and **higher criminal involvement**.
- Children of divorce are **twice as likely** to experience emotional or behavioral problems.
- 40% of young adults from divorced families required psychological help.
- Children of divorce have **higher risks of stroke**, smoking, and stress-related diseases.



- Girls from divorced families become sexually active earlier and face higher risks of early pregnancy.
- Children of divorce have **lower oxytocin levels**, impairing bonding and attachment.

As one study cited in ALFI's paper states:

"Divorce powerfully changes the structure of childhood itself."

2. Long-Term Relationship Damage

- Adult children of divorce are **40% more likely** to divorce; if both spouses come from divorced families, the risk increases **200%**.
- 80% fear their own marriages will fail.
- 72% report difficulty maintaining close relationships.

3. Divorce Does Not Make Adults Happier

The study *Does Divorce Make People Happy?* found:

"Divorce did not reduce depression or raise self-esteem... and was associated with declines in happiness."

Two out of three unhappy marriages became **happy within five years**—without divorce.

4. Societal Impact

If divorce is legalized, global patterns suggest **25% of Philippine marriages** may end in divorce—over **100,000 divorces annually**, with devastating generational consequences.

IV. ALFI'S BALANCED POSITION: WE RECOGNIZE REAL SUFFERING

ALFI emphasizes:

- **No one should remain in a dangerous or abusive situation.**
- **Victims must be protected swiftly and decisively.**
- **Children must be shielded from harm.**



But ALFI distinguishes between:

- **protecting individuals from harm,**
and
- **redefining marriage as dissoluble**

The first is a **moral imperative**. The second is **unconstitutional** and **harmful to society**.

V. WHY DIVORCE IS NOT NECESSARY

1. Existing Remedies Already Address Abuse and Breakdown

Current laws provide:

- **Legal separation**
- **Annulment**
- **Declaration of nullity**
- **Protection orders (RA 9262 - Anti-Violence Against Women and Their Children Act)**
- **Criminal prosecution**
- **Custody and support enforcement**

The problem is **not the absence of remedies**, but:

- cost
- delay
- inaccessibility
- weak enforcement

2. Many Marriages Seeking Divorce Are Actually Void from the Start

Many failed marriages can be traced to a **total lack of consent existing prior to or at the time of marriage**. What appears as a defect is in substance a **total absence of consent**.

Thus, many marriages are **void ab initio**, not merely unhappy, **so the remedy is declaration of nullity of marriage**.



3. Divorce Redefines Marriage for Everyone

Legalizing divorce:

- weakens commitment norms
- reshapes cultural expectations
- normalizes dissolution
- destabilizes future generations

As ALFI's earlier paper warns:

“Divorce will redefine marriage... affecting future generations who rely on the security of its indissolubility.”

VI. ALFI'S POLICY ALTERNATIVES (NOT DIVORCE)

A Comprehensive, Constitutional, and Compassionate Framework

ALFI proposes reforms that **protect individuals, address marital breakdown, and strengthen families**—without violating the Constitution.

1. Strengthen Legal and Protective Mechanisms

- Faster issuance and enforcement of **protection orders**
- Expanded shelters and psychosocial services
- Stronger implementation of VAWC laws
- Free legal aid for vulnerable spouses

2. Reform, Expand, and Modernize Annulment and Nullity Procedures and Grounds

- Broaden grounds for nullity that demonstrate **actual lack of consent, making marriages void from inception**
- Simplify procedures; reduce costs and timelines
- Allow administrative processes for uncontested cases
- Strengthen specialized family courts



3. Mandatory Family Intervention and Restoration Systems

- Court-referred counseling
- Mediation for high-conflict marriages
- Addiction recovery programs
- Behavioral therapy for violent or abusive spouses
- Family case management by social workers

4. National Marriage and Family Formation Programs

- Enhanced premarital formation
- Marriage enrichment programs
- Parenting and family life education
- Conflict resolution and communication training

5. Community-Based Support Structures

- Barangay family support centers
- Domestic violence survivor programs
- Rehabilitation for addiction and behavioral issues

VII. CONCLUSION

ALFI respectfully urges the Legislature to **reject the institutionalization of absolute divorce.**

We submit that:

- Divorce contradicts the Constitution's mandate to protect the **inviolability** of marriage.
- Social science overwhelmingly shows that divorce harms children and society.
- Divorce does not improve adult well-being.
- The Philippines can address marital suffering **without redefining marriage.**
- ALFI recommends **real, concrete, compassionate solutions** that protect individuals and strengthen families.



VIII. FINAL STATEMENT

ALFI's position is not rooted in opposition for its own sake. It is rooted in **compassion, constitutional fidelity, and social science evidence.**

True compassion protects the vulnerable without normalizing the dissolution of families.

ALFI stands ready to collaborate with policymakers in crafting reforms that:

- protect victims,
- address marital breakdown,
- strengthen families, and
- uphold marriage as a permanent, inviolable social institution.