

CASE ANALYSIS OF ANNULLED WOMEN and their MANNER in MOVING FORWARD

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This particular study was conducted to investigate the causes as a ground for the nullity of marriage, to define the problems encountered during the case process and to know how people who seek annulment feel into making-up stories or lying about their previous failed marriage.

In order to gather the necessary data, observation and interviews were conducted to the annulled women who have undergone the process of Declaration of Nullity of Marriage.

Through careful treatment of data, the study ended up concluding that psychological incapacity is the only cause in the declaration of the nullity of the participants' marriage. Descriptions of the psychological incapacity based on this research were given and summarized as the husband is a drug addict and liar; the wife was always beaten by the dependent, alcoholic, gambler, and drug dependent husband. Husband who should be the financial provider has no permanent work and the worst and most painful for a mother was when the children were beaten by their father who can be psychologically classified as anti-social with the underlying narcissistic personality traits, pathological lying, and pathological gambler with impulse-control disorder. The problems encountered by battered women when filing for a nullity of marriage is its long process and the large amount of money to be paid for a package deal process to the lawyer.

Annulled women described themselves after their nullity of marriage as being free from pains, they become stronger and persevering. They gained more self-confidence because they are free from emotional burdens, they are working hard for their children and most of all; they now have a "friendly" life. In moving forward, they practiced meditation, and exercise thinking aloud on how their case on nullity of marriage would be successful. Social support also played a very important part in letting go as well as no feeling of bitterness which helps them in looking for a positive outlook in life after their annulment. As an upshot of this study and to be able to help the abused women to expedite the process of annulment, a resolution addressing the problem encountered was crafted.

Moreover, based on findings, a realization was drawn like: "psychological incapacity" to the most serious cases of personality disorders clearly demonstrative of an utter insensitivity or inability to give meaning and significance to the marriage.

Keywords: nullity of marriage, psychological incapacity, self-concept

1. Introduction

Annulment or Nullity of Marriage is when the marriage is valid from the very beginning but can be annulled on various grounds. This is the term commonly used by Filipino layman but it is not commonly used by Filipino lawyers because it is more difficult to prove and, in most cases, the circumstance of the married person does not fall in this category. Article 45 of the Family Code provide the grounds for annulment of marriage. Declaration of nullity on the other hand, states that the marriage is void or did not even legally exist in the first place. A Filipino or Filipina can marry again once there is a final judgment from the court that declares the marriage as null and void from the very beginning. The case that will be filed is what we call "petition to declare the marriage as null and void" and commonly called as "petition for nullity of marriage".

When a petition sought the declaration of nullity of the marriage based on Article 36 of the Family Code where it was alleged that the respondent was psychologically incapacitated at the time of the celebration of their marriage to comply with the essential obligations of marriage and such incapacity subsists up to the present time sufficiently state a cause of action. A cause of action is an act or omission of the defendant in violation of the legal right of the plaintiff. A complaint states a cause of action when it contains three essential elements: (1) a right in favor of the plaintiff by whatever means and under whatever law it arises; (2) an obligation of the defendant to respect such right; and (3) the act or omission of the defendant violates the right of the plain tiff. A petition should state the ultimate facts on which the petitioners base his claim in accordance with Section 1, Rule 8 of the old Rules of Court. Ultimate facts refer to the principal, determinative, constitutive facts upon the existence of which the cause of action rests. The term does not refer to details of probative matter or particulars of evidence which establish the material elements. Thus; in the petition for nullity of marriage, the petition sufficiently states a cause of action when it states the legal right of petitioner, the correlative obligation of the respondent and his act or omission in violation of the legal right of the petitioner.

The Code is silent as to who can file a petition to declare the nullity of a marriage. Voidable and void marriages are not identical. A marriage that is annulable is valid until otherwise declared by the court; whereas a marriage that is void as initio is considered as having never to have taken place and cannot be the source of rights. The first can be generally ratified or confirmed by free cohabitation or prescription while the other can never be ratified.

On the contrary, the property regime governing voidable marriages is generally conjugal partnership and the children conceived before its annulment is legitimate. Divorce is not available in the Philippines. What if a marriage begins to fall apart? Husband and wife either live together and suffer each other's company or they can split up and move away from one another in which case they still remain married to each other. However, it may be fortunate that the Philippines do not have a divorce law but we have an annulment/nullity of

marriage. This does not mean that it can be applied liberally for the court set a guideline before this process can be applied. The most widely used is the psychological incapacity. In a simple case of a married couple drifting apart, it usually starts when the couples' become strangers to each other, or with the husband consequently falling out of love and wanting a way out. An unsatisfactory marriage, however, is not a null and void marriage. Mere showing of "irreconcilable differences" and "conflicting personalities" does not wisely constitute psychological incapacity. Article 36 of the Family Code is not to be confused with a divorce law that cuts the marital bond at the time the causes therefore manifest them. It refers to a serious psychological illness afflicting a party even before the celebration of the marriage. It is a malady so grave and so permanent as to deprive one of awareness of the duties and responsibilities of the matrimonial bond one is about to assume. Decision in annulment cases as stipulated in Section 19 of A.M. No. 02-11-10-SC.

The author of this study is a licensed psychologist and psychometrician and a private practitioner who appear in court, testifying in the nullity of marriage as an expert witness using her craft as a psychologist in evaluating the psychological profile of the petitioner.

The result of this study will serve as a basis in analysing the reasons and knowing the cause of the petition for annulment of those annulled person in order to determine the problems encountered by those who were seeking for nullity of marriage. The gathered data in this study will be very useful in determining how the annulment works in every married couple.

2. Statement of the Purpose

With the different issues and concerns of the married persons who are seeking for nullity of their marriage, the researcher decided to document the difficulties they encountered and the manner on how they moved forward.

1. What are the reasons for nullity of marriage?
2. What are the problems behind the process of nullity of marriage?
3. What is the current self-concept of the annulled participants?
4. What kind of practices does annulled women employed in letting go/moving forward?
5. What could be the input of this research to the possible review of related legislation?

3. Methodology

The study used the **qualitative phenomenological research design** made of unstructured questionnaire based on the ethical situation of nulled marriage. According to Sandelowski as cited by Lambert and Lambert (2012), qualitative descriptive research is seen as a categorical, as opposed to a non-categorical, alternative for inquiry; is less interpretative than an "interpretative description" approach because it does not require the researcher to move as far from or into the data and **does not require a conceptual or highly abstract rendering of data** compared to other qualitative design. This research design was used to approach the objectives of the nulled marriage.

Data collection of this research focused on discovering the nature of specific subject or events under the study. Data collection involved minimal to moderate, structured, open-ended, individual or focus group interviews as further added by Lambert (2012)

4. Results and Discussion

This research gathered the following data from the participants with tables and discussions.

Table 1
What are the Reasons for Nullity of Marriage?

<i>Case No.</i>	<i>Participants Names</i>	<i>Reasons</i>
1	Krissy	➤ Alcoholic ➤ drug addict ➤ gambler ➤ self-centered (being so much in love with himself)
2	Popsy	➤ Alcoholic ➤ drug addict ➤ aggressive ➤ self-centered ➤ jobless
3	Sassy	➤ Always beaten by husband ➤ Gambler
4	Lucy	➤ Alcoholic ➤ drug addict ➤ self-centered ➤ beaten by husband
5	Jenny	➤ Alcoholic ➤ drug addict ➤ aggressive ➤ self-centered
6	Mercy	➤ Drug addict ➤ beaten by husband ➤ self-centered ➤ jobless
7	Jessy	➤ Beaten by husband ➤ Alcoholic

Table 1 presents that psychological incapacity was the reason on filing a petition for the nullity of marriage. The seven participants narrated the description of the causes through their shared stories. Psychological incapacity refers to no less than a mental (not physical) incapacity that causes a party to be truly in cognitive of the basic marital covenants that concomitantly must be assumed and discharged by the parties to the marriage. Traits written on the table as basis for nullity of marriage when given interpretations falls as psychological incapacity.

Lubman et al. (2004) presents an argument that suggests that the inhibitory system involving brain regions involved in aspects of response inhibition and selection underlies compulsive behaviours associated with drug addiction. They are not suggesting that addicted individuals are automatons under the direct control of substances or related stimuli acting on the brain, but rather that aspects of decision-making are compromised in perhaps either a direct way (i.e. a dysfunctional inhibitory system) or indirectly via a dysfunctional reward system.

According to John Booth Davies (Davies 1992), addiction is a myth or legend like ‘possession’ that serves particular functions for society. Davies notes that the language that addicts use to describe their behaviour varies depending on the person to whom they are talking. If they are talking to health workers or the police, they use the language of addiction; their behavior is out of control and they cannot help themselves. In this way they minimize blame and punishment and maximize their chances of forgiveness, understanding and help. When so-called addicts talk to their peers they use a different kind of language that would be hard to distinguish from the language they use to talk about other behavior’s such as shopping.

They are exercising preferences that are understandable and rational given the kind of people they are and the circumstances in which they live. Attributing drug taking or other damaging excesses to addiction also serves the needs of people other than the addict. It serves the needs of those in the professions whose living depends on treating addicts as though they were ill. It serves the emotional needs of families of addicts who find it difficult to accept that someone they care for is behaving in a way that is harming themselves and others and otherwise would be morally wrong. It serves the needs of politicians and pundits who prefer not to make moralistic judgments about people.

CASE NO. 1: Krissy got married four (4) years after her relationship to estranged husband. The couple was both well-known in town. They had four (4) beautiful siblings. Krissy has been a battered wife for almost 15 years since she was always beaten by her husband in that year that they were still living together as married couple. Krissy narrated her story as a nightmare. *“Psychological Incapacity, I was a battered wife kase for almost 15 years wari. kaya lang ako nagfile kase sira ang utak niya”. Oo, battered ako for 15 years, hindi ka naman kasi ma-anull, hindi ka ma-annul, kung wala kang evidences na re-record sa korte. Hindi ma-gra-grant ang annulment mo pag wala kang blotter, pag wala kang medical certificate and everything ..kase dyan ka sino-source..”Walang walang moral support kase*

eversince wala syang trabaho, yung cause adik sya..lahat na..” Ganito yun, the day na naging boyfriend ko sya..ganun na talaga sya...”Ay’.. Hindi naman kame nagpakasal agad, kase, mommy and daddy ko medyo strict yan, lalo na si Daddy.. 4 years muna tinagal nun..” He’s sweet at first, kahit naman diba those guys that courted us, ayos lang from beginning then after that nagpakasal na kame, yun pala I’m not aware na sya ay drug addict.. ay pinakasan ko sya..kase kwan ahm.. akala ko okey na.. na settled na, e lalo palang lumala.. ay may magagawa pa ba ko, e di бага if you loved that person, i-accept raw mandin, Ay’ Oo, willing kang tanggapin sya, tapos nagpakasal na kame nun..eh nam-babae na sya nun.. Yan oh’ (referring to the maid who was acrossed us) si analyn..analyn, ikaw na nga magkwento ng buhay ko.. alam ni analyn lahat.. Yan ay pinag-nasahan..Oo, si analyn pinagnasaan, lahat ng maids hinipuan, pagtulog, hinihipuan niya, legs pataas, dede, Oo,..walang hiya kase.. He’s psychologically ill meaning sa utak..pati adik..

CASE NO. 2: On the other hand, Popsy is also a well-known individual in town and had a four (4) children. Popsy toll the reason why she filed a case against her husband. Popsy and her children were always beaten by her husband. Through chatting, she revealed her story. *“Hindi sya psychologically ready to have a family.. Mentally.. Financially..and Spiritually.. Sex? – that’s the only thing he was good at.. pero hindi mag-grow ang isang marriage if it just sex alone. You have to bring out the best in each other. Sa bounng Santa Cruz parang pang 2nd ako sa nagfile ng annulment..walang problema sakin.. I was a battered wife and my kids are battered children. And tinago ko sya sa family ko at first because I came from well-known family dyan sa Santa Cruz”. “tuwing lasing sya, may galas sya and he would beat us up including my eldest. Si A and si B. Nang malaman ng family ko, kinuha mga bata, then pinadala sa London. Lahat ng pananakit sakin, pina-blotter ko and nagpa-medical ako. Because, one day, I know, I will need it sa annulment. Hindi regular ang kita ng Ex-hubby ko.. My dad and mom, sila sumasalo ng gastusin, kasi ayaw ng ex-hubby ko na mag-work ako..pati 3 yayas ng mga anak ko, parents ko nagbabayad. Yun house naming dati parents ko din.”*

CASE NO. 3: Sassy said *“ Utak.. baliw yun..nananakit, walang dahilan, ampay sira, kulang nalang pumatay yung hayop na yun.. ito ay, adamay pa mga anak ko ”*

CASE NO. 4: In Lucy’s statement *“mahalin mo man,baliw parin.. walang katinuan.. Psychological incapacity daw ngani.. Hindi pa naga-trabaho,tamad yun..Dangan lamang at inaalala ko mga anak ko, hindi sya..Ay papanu kung akoy namatay sa kakahampas nya ng kahoy? Dos por dos pa wari yun.. Ay mandin, at akoy mang-suka-suka na ko ng dugo nun..manlulusik pa sya ng mata..tumanda sya ng ganun.. wala syang tinandaan..”*

CASE NO. 5: At the case of Jenny, she said that her ex-husband is alcoholic person since it was teenager *“sya ay lasenggero na.. kahit nung binata pa laang sya..May trabaho sya, pero sya ay kuripot.. Ay, Oo..galasin yun, one time, nung umuwi sya,awan kung san galing aah, naliutan ko na..Ay naka-lock na kasi yung pinto..pero that time.. I know..mauwi sya.. Alam mo ginawa, itong si pinto..Tinadyakan.. pinagsisipa..at ang sisi pa sakin.. ako raw ay wala minlaang kwenta asawa..Ay dumating naman sya ..Maka alasdos na siguro, madaling araw nay un ha! Ako pa бага naman ang walang kwenta..dapat sya ang walang kwenta..winalang hiya nya ko..inintay ko pa sya, may pasok kinabukasan ako, hala raw, kung*

sa iba yan, sya'y sinaksak na, iniwan pa siguro ng paalanganin..nagamalasakit ako at syempre asawa ko sya noon.. hindi sya ibang tao sakin..Ay awan ko na..basta sya ay tanga.. tanga sya..”

CASE NO. 6: Jessy is brave but in the main time they live together as couple, she had a guts of coldness because of her husband who was so addicted on drugs “*sabi sa korte, psychological incapacity daw, adik kasi yun..nagamit ng droga.. eh yung drugs.. yun yung.. mismong nakasira lalo ng utak niya..nananakit pati..paghindi ako ang mapagtripan, sina sunny at luna ang agapapaluin..kasi ako, palaban ako, hindi ako basta basta maga surrender ng pride.. kaya ngania ako nag pa annul eh..kasi ayoko ng ganung buhay..Wala akong pakilam kong sino may tama samin nun..basta ayoko sa kanya, ayun..annuled mandin.. wala kasi syang makukuhang ebidensya.. kasi nasa kanya ang saltik ng utak niya.. wala sakin..*

Table 2
What are the Problems behind the Process of Nullity of Marriage?

Case No.	Participants Names	Problems Behind the Process of Nullity of Marriage
1	Krissy	- Asking for something in exchange for freedom - Amount of filing the case - Availability of the expert witness in the province - Long process of the case
2	Popsy	- Asking for something in exchange of freedom
3	Sassy	- Amount to be used in filing the case - Availability of the expert witness in the province - Long process of the case
4	Lucy	- Amount to be used in filing the case - Availability of the expert witness in the province - Long process of the case
5	Jenny	- Amount to be used in filing the case - Availability of the expert witness in the province - Long process of the case
6	Mercy	- Amount to be used in filing the case - Availability of the expert witness in the province - Long process of the case

7	Jessy	- Amount to be used in filing the case - Availability of the expert witness in the province - Long process of the case
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The table shows that most of the participants' concerns were the amount to be used in filing the case, availability of the expert witness in the province and the long process of the case. Some of the participants ex-husband asked something in exchange of their freedom. Two of them did not attend the hearing because if they did not attend the annulment would not be granted. The timeframe of an annulment process depends on the circumstance of the case and on some factors, e.g., docket of the courts, opposition of the spouse, availability of the judge or the public prosecutor, etc. Annulment of marriage usually takes less than a year, or it can be longer if there arise other factors that will delay the proceedings.

State law governs the consequences of an annulment. Customarily, an annulment is a court declaration that no marriage had ever existed, but this created various problems. If a marriage was dissolved by divorce, the children of the marriage were legitimate, and the parent awarded custody could be awarded Alimony. No such provision, however, were made in an annulment. A majority of the state have ratified this situation by statutory provision. In most state, children of voidable and sometimes void, marriages are legitimate. In addition, some state provide alimony and property settlement upon the granting of an annulment. Several other jurisdictions allow their court to devise a fair allocation of property where necessary and equitable.

Laws regarding annulment of a marriage should safeguard both parties' rights to property and guarantee them information regarding the proceedings. Any options for ending a marriage should protect her rights, including those related to property, child custody, immigration status and support.

According to Attorney Navarro, Jr.v. Cecilio (2007) annulment generally does not change the legitimacy of your children. Children born during a marriage are legitimate. Divorce does not change this status, and neither does annulment. This is so even if the annulment is due to a reason such as bigamy or incest. In an annulment case, a court still has to decide issues related to a couple's children, namely custody and child support issues. The duties as a parent are separate from your marital status. When a couple has children, an annulment can be more complex and take longer compared to cases where child-related issues aren't present. Some states may require confirmation of a child's parentage.

He added, generally an annulment returns spouses to the status they had before the marriage. For example, if you owned a house before the marriage, after the annulment you will still own it alone. Your former spouse will likely have no legal rights to it. However, know that annulment erases the legal protections offered to spouses as it applies to property. Inheritance rights are lost, because you lose status as a spouse. While there are some exceptions, alimony isn't awarded in an annulment. Property issues are likely minimal because most annulments involve short marriages. It's likely that a couple hasn't acquired

much property together. Many states' laws do recognize that couples can have complex property issues, especially in longer marriages. In these cases, a court may have the power to decide property and debt division issues.

CASE NO. 1: Lucy went to London to work and to save money for filing an annulment upon her return to the Philippines. *“Nag-apon ako sa London.. Loads of money para maayos ko buhay ko ..then I went back and filed..*

CASE NO.2: *I gave him my house in Quezon City, my car and my money..kapalit ng pirma at lahat ng mga anak ko..” “sinugal ko bahay saka kotse kasi material things lang sila.. Madali lang mapalitan pag nagsikap ulit”*

CASE NO. 3: In the case of Mercy, her husband did not attend every hearing. For the simple reason that if he does not attend, the case may not be approved by the judge. *“Yun ay inutusan nung ama, ga-file daw ng petition para daw di ma-aprobahan, ang hindi alam, the more na hindi sya umaattend..mas lalong nadadagdagan yung tsansa na ma-aproved..” “yun nga di umattend.*

CASE NO. 4:“e kwan ganito ay, pay gusto nasa kanya yung mga anak ko..ay anung apalamon niya dun.. wala syang trabaho tapos pag napunta yung mga anak ko sa mogpog..“Oo, sina Cindirella ay.. Ay inahingian pa ng isang daan.. Yung pambili nga ng sigarilyo ahingin pa sa mga bata.. Ay tamo, kung kaharap lang natin this time, mukha syang kawawa, basang sisiw..kwan sya! Ahm anu ay..miserable ng tingnan, ang itsura niya ngayun, eww! “yung mga damit, yong polo binili ko sa kanya, kase once dumalaw kami dun sa kanila.. sa bahay namin.. Oo..yung polo na binili ko sa kanya, makalutak na..hindi na wari makabili ng damit..” “Oo, kase lagi kong nabilhan ng damit yuon dati, ay hindi na wari minlaang makabili ng damit ngayon..at walang ngang ganito ahh”.. Oo, walang pera.

Table 3

What is the Current Self-Concept of the Annulled Participants?

Case No	Participant's Name	Current Self-Concept of the Annulled Women
1	Krissy	➤ Regained freedom ➤ Children are relieved from fathers beating
2	Popsy	➤ Now working hard and determined
3	Sassy	➤ Becomes more beautiful ➤ No Bitterness
4	Lucy	➤ Took all the responsibilities ➤ Now has a friendly life

5	Jenny	➤ Free from beating of the husband
6	Mercy	➤ Feel free from pains
7	Jessy	➤ Gained back self-respect ➤ Taking care of reputation

The table revealed that the following are the description of the current self-concept of the annulled women like they have regained their freedom, that their children are now free from their fathers' beating, they are determined to work to raise their children.

Sassy, as she said, became more beautiful and most of all she gained back her self-respect. Those mothers, who have suffered the beating of their husbands when they were still living together, received not only physical pains but also pains in their hearts. The children are also included in the suffering whenever their parents are fighting or whenever their father was drunk.

The most dominant practice that had an enormous impact on the ego of the annulled women is the support of their friends and family which is social support. This is considered the most important since it regain the self-concept of the annulled women after the painful process of annulment.

Social psychologists Ross, Lepper and Hubbard (2013) found that some people have a tendency or unwillingness to admit that their foundational premises are incorrect even when shown convincing evidence to the contrary. Belief perseverance is this tendency to reject convincing proof and become even more tenaciously held when the belief has been publicly announced to others.

Bergner (2010) universally defines the self-concept as a "kind of organized informational summary of perceived facts about oneself, including such things as one's traits, values, social roles, interests, physical characteristics, and personal history.

It the gender as three basic assumptions as elucidated in Bergner (2010) – it is learned, it is organized, and it is dynamic. The self-concept gradually emerges in the early months of life and is shaped and reshaped through repeated perceived experiences, particularly with significant others. Developing a self-concept is said to be an important task in early childhood, according to Reinecke (1993). At school age, children start seeing themselves as having unique personal qualities. They gain a strong sense of their cognitive powers to bring into focus a picture of self that is sharp and unique.

The self-concept is organized in the sense that each person maintains countless perceptions regarding one's self, and each perception is orchestrated with all the others. Self-concept is also dynamic. Its dynamism lies in its ability to direct action and its being responsive to the constant assimilation of new ideas and the expulsion of old ideas throughout

life. This dynamic aspect of the self-concept is important because it indicates that it can be modified or changed (Franken, 1994).

Cognizant of the discussion on self-esteem, the research literature on the battered woman viewed in this dissertation have noted the following: Lenore Walker (1979) found that most of the American battered woman had low self-esteem; Estellado and Zalazar-Clemen's (2007) study revealed abuse has effect on women's perception of the self that pushed them to refrain from facing challenges in life; Layda (2000) found that "low self-worth, among others, was experienced by women in response to the battering.

CASE NO. 1: As I interviewed Jenny, I ask her how she felt when the annulment was done and what was the effect of it to her children. She answered: *"Ah..Oo, sobrang saya, kung di ako nagpa-annul eh tigok na kame ng mga anak ko.." "parang naging successful ako financially after annulment" "Effect?" Wala, natuwa..nag fiesta.. freedom ko yun eh.." "Nagpa-party pa nga"*

CASE NO. 2: In the case of Krissy, before she feel free, she suffered a lot from her husband, mentally, sexually and emotionally. Her children were not excused from the beating of his husband. By then, she remembered all of those as a nightmare. *"Di ko na sana aala nahin, nightmare nalang kase sya para sakin," "Ay,hindi okey lang..Natatawa nalang nga ako pag-naalala ko. Effect ng annulment sa anak ko, they had been with me pag-binubulbog ako, mga anak ko, iba iba yan".. "The eldest, si R, she was high school that time, kunwari nabulbog na ko..apat sila.. ito si R, ang tendency niya is to escape from house, hihingi ng tulong yun..tatakbo siya dito sa school".. "Yung pangalawa, ito si J, since sya yung fighter..ang tendency.. sya yung nakikipag-buno-sa tatay niya.. si A naman, bata pa nun..naka-ganito sya sa giliid, bata pa sya nun, umiiyak.. full forced talaga na nakatakip yung kamay niya sa tenga niya.. Ganito!..nakapikit pa, kasi ayaw niyang makita na sinasaktan ako ng ama nila, iba iba kasi ugali".. "naging alarm sakin is si L, pag-nasuntok ako, natawa sya, nahalakhak ng tawa".. "Ey..sempre, yun yung kinalakihan nya eh.. Hindi normal yun nanakita nya yung ganun, syempre bata pa.. So, at saka yung awareness na nakikita nya samin during that time na sinaksaktan ako ng tatay nila, parang naging okey lang sa kanya..Tapos tong ama, atapon tong si L sa bintana".. May galit ba sila sa father nila? Wala, because, hindi naman ako naging selfish sa mga anak ko when it comes to their Dad, Daddy nila yun ehh.. But they can live without their father, inataboy ko pa nga yang mga yan pa mogpog..Sabi ko, pag kumpleto sila mostly bagay bakasyon ha!..Sabi ko, punta manlaang kayo dun ahh..Inataboy ko yan, Sabi ko, hingi manlaang kayong tig-iisang daan".. "Maka-ayaw manlaang..Siguro, nakukulitan na din sakin, kaya minsan napipilitan na din silang pumunta".*

CASE NO. 3: After granting the annulment of every participant, they consider themselves now as an independent mom's. Popsy took the responsibility of her children for about 12 years. *"I took all the responsibilities for my children, Ayoko umasa sa parents ko anymore.." "Marami akong work sa London.. House keeper sa Ritz Hotel in Paris, Journalist sa London Newspaper.. Nanny ng special children at caregiver sa Carehome".. "I don't known kung may care pa, basta ako lahat sa mga anak ko for 12 years na.." I spent*

300k sa process, naka-expidite siya, meaning nagbayad ako ng malaki para matapos agad.. Usually 75k lang annulment fee.. Mine is 300k para matapos agad..

CASE NO. 4: As I heard from Mercy, she become stronger when she had the freedom to do everything she want in life. “Ang sarap palang mabuhay nang wala kang aisipin, hindi naman sa malayang Malaya ha!, syempre responsibilities for my kids, ako mismo gagawa non! But of course for freedom na..kahit sabihing naghiwalay kame, nagpakawild ako, wala syang magagawa kase nung natapos ang annulment, nung na-grant ito.. I deserved to be free talaga”

CASE NO. 5: Although Sassy has been unfairly treated by her husband, she still gave a lot of effort to save her family. She became martyr for her children, for them not to feel a broken family. “Atty. Ask me na..Bakit pinatagal pa ng 14 years bago mag annulment? You were telling us..na. inasaktan ka na dati pa, bakit ka pa nagpa anak? Bakit ka pa nag pakasal? Sabi niya yun..basta.. Gusto ibalik sa kin nung attorney na ako yung parang may psychological ..at ako nga yung nagpaka-martyr.. talo ko sila sa sagot ko, sabi ko. “Nope, I came from a good family with good reputation, ayoko na lumaki na..as much as possible.. ayoko magkaroon ng broken family. Nagtiis ako sa lahat ng pananakit kase ayokong lumaki yung mga anak ko ng walang tatay, na ganun..walang tatay.. walang nanay.. I tried.. I tried to save the marriage..pero.. hanggang dun nalang ang kaya ko”.. “and kung gaanu sya ka-selfish pala..yung last birth ko nun.. kay L, kase cesarian ako, pero pwede pa kong magka-anak, siguro na fe-feel na nya na may galit na ko sa kanya.. pina anu nya ko.. pina-ligate, di ko alam.. Nung nagkagulo na kame, sinabi nya sa kin na..anung akala mo? Na may magkakagusto pa sa iyo? May magkakagusto sa iyo.. Aiwanan ka, hindi ka na magkaka-anak.. “Ay, itong isa, iba ang pananaw ay..sabi niya, Okey lang, kita naman ay may apat nang anak.. Basta kita’y maginhawa pagtanda”

CASE NO. 6: Jessy hid her being a battered wife to her family because she is from a well-known family.“I was a battered wife and my kids are battered children. And tinago ko siya sa family ko at first because I came from well-known family dyan sa Santa Cruz.”

Table 4

What kind of Practices does Annulled Women Employed in letting go?

Case No.	Participant's Name	Kind of practices the annulled women employed in letting go/moving forward
1	Krissy	• Hired a psychologist for therapeutic sessions
2	Popsy	• Spent large amount of money in visiting beautiful places
3	Sassy	• Got a social support
4	Lucy	• File a blotter
5	Jenny	• Shopping
		• Concentrate on Work
6	Mercy	• Wrote all the painful experiences/free-writing

Table 4 shows the kind of practices the annulled women did in letting go on all the sufferings that they experienced. Krissy, as she narrated hired a psychologist to be able to easily cope up from depression. Popsy spent a large amount of money and has been to London where she meandered. Sassy and Jessy looked for social support from their family and friends while Lucy filed a blotter against his ex-husband. Jenny just concentrated on her work and went on shopping when she felt bored.

Ornstein (1972) observes that meditation refers to a set of techniques, which are the products of a different type of psychology that aims at personal rather than intellectual knowledge. According to him meditation exercises are designed to produce an alteration in consciousness, which means a shift away from an active, outward-oriented, linear mode towards receptive and quiescent mode with a shift from external focus of attention to an internal one. These exercises constitute a deliberate attempt to separate oneself for a short while from the flow of daily life, and to “turn off” the active mode of normal consciousness so that one may enter a complementary mode. This process involves inhibiting the usual mode of consciousness in order to cultivate a second mode that is available to man. The basic understanding underlying meditative exercises is that our ordinary consciousness is a personal construction and that it can be extended to a new mode of operation.

Deikman (1971) has listed several characteristics of the action and the receptive modes of consciousness. Most importantly as a psychological state the action mode is a state of striving whose functional orientation is achieving personal goals, from nutrition to defence to obtaining social rewards, a variety of symbols and sensual pleasures and avoidance of pain. This involves manipulation of the environment. The psychological manifestations of action mode include focal attention, object-based logic, heightened boundary perception, dominance of formal over sensory characteristics and predominance of shapes and meanings. The time orientation of this mode is future. The physiological correlates of this mode are dominance of striate muscle system, sympathetic nervous system, b-waves on EEG and increased muscle tension.

In the process of annulment, the petitioner must have all the evidence that will prove to the court. In the case of Mercy, her psychologist did a a free writing in which she identified all the painful experience during the time that has been beating her husband.

CASE NO. 1: Mercy spent a half million of her money to the process of annulment, during her time and with the support of her parents. *“Yung maga-stand kase dyan is.. Yung Psychologist/Psychiatrist mo yun yung ma-depend sayo sa court, do you know why? Kase, sa process ng annulment, ang pina-gawa sakín ng psychologist ko, ako. pumunta ako sa isang lugar.. a far place, nagsulat ako, dinetalye ko lahat ng experiences ko.. During that time I was writing it, natatawa ako, natawa pa ako..anu ba naman ito?.. Hindi na ko emotional nun..kase before akong humiwalay dyan.. marami na kong nasabi na ayoko na talaga.. Wala nang naniniwala sakín ngani at nagkakabalikan nanaman, pero yun talaga, the last time, ayoko na talaga, wala na naman naniniwala sakín.. Aba, nakaisang lingo, di nabalik ang lola*

mo.. *“During my time, gumastos ako ng kalahating milyon, kase I was the 6th person na nagrant ang annulment sa boung pilipinas, year 2001..” “Oo, naman.. sina Amy Perez ay.. nauna pa ko dyan”*

CASE NO. 2: Jenny opened her life without any bitterness from her ex-husband, she had a communication to the new wife of her ex-husband without hesitation or madness. *“Sya ay nightmare, nightmare na comedy na sa akin ngayon.. Ay, hindi ko na naiisip, nagyon lang, maige ako at wala akong bitterness, wala akong bitterness, dahil.. I got my four kids, beautiful four kids, pasalamat di naman ako, nabigyan niya ko ng apat na anak.. “yung biyanan? Yung lolo nila, wala, walang asabihin yun at wala naman silang na contribute sa buhay namen..Hiyang-hiya pa sila.., Yung bagong asawa? Ay, inakausap ko yun, pag wala ka na kaseng bitterness, wala yun.. Pag di ka na bitter sa buhay mo..di ka na affected”.. “nagaon pa ko dun ah, dalha daw dine yung anak ni daddy mo ay, Oo, inahawakan ko yun, pag nasa mood ako.. Ay, minsan, gusto ko sanang i-shopping, ay akoy inatribidahan ng mangungutang daw ng puhunan pamilya ng baboy.. Haha.. Tamo, abuser yun, kahit nung kami pa.. Abusero”..*

CASE NO. 3: Jessy felt the support of her parents not only when it comes to the emotional pains but also in financial and moral support. *“Supported ang parents ko? Oo naman, sila pa nga ang nagpagamot dun..pina rehab pa nila yun.. daang libo ang ginastos dun ni Mommy..”*

CASE NO. 4: Sassy is also supported by her parents through the obligation for her children during the time she was suffering from her husband. *“My dad and mom, sila sumasalo ng gastusin, kasi ayaw ng ex-hubby ko na mag-work ako..pati 3 yayas ng mga anak ko, parents ko nagbabayad. Yun house naming dati parents ko din.”*

CASE NO. 5: Popsy as she detailed her experience in moving on, she says that those days she filing the case is a little bit bored but exciting, because the end of her suffering is yet to come, even if she spend a large amount of money. *“I work hard, kahit mahirap sakin, para sa mga anak ko pinagsikapan ko, gusto ko talagang makalaya, pati mga magulang ko tumulong na sakin yan, one time na napapagod na ko, naisip ko, atuloy ko pa ba? Kase, alam mo yun.. basta naka recover ako dun sa stage na yun” Medyo na feeling ko down na down na ko, kase ang daming gastos” “ay hindi ah, never akong nagkautang sa banko or else, ang inuutangan ko lang is sina ina at ama, pero wala nang balikan yun haha” “ay mga kapatid ko? Wala yun, di ako humingi ng tulong sa kanila, akagalitan ako nung mga yun.”*

5. Conclusion :

Based on the research findings, the researcher concluded that the only cause for the nullity of marriage is the psychological incapacity which happens when the wife experienced being battered, she resorts to annulment. When the participants filed for annulment, she experienced problem like the longer process of the procedure and the amount to be considered in a package deal cost for nullity of marriage as the cost for processing the case. When the participants are already free from their marriage they regained their self-concept

and become stronger while in letting go they practiced dramatic techniques to be free from pains.

6. Recommendations :

1. The result of the study may be of great help to the priests and marriage counselors to include a deep sense of marriage counseling to the couple who are getting married.
2. The upshot of this research may be a great contribution to the lawyers that they may enlighten on the problems encountered on the process of annulment.
3. The crafted resolution may be forwarded to the Public Attorneys Office and to the Trial Courts that they may have a deep understanding and offer an expedite process on annulment cases giving consideration on the result that the annulled women gained back their self-esteem after the annulment has been done.
4. The Psychology and Guidance and Counseling students may consider this study on learning about the kind of Psychotherapeutic Interventions and or counseling techniques that could be provided for the VAWC victims.
5. The Political Science and Law students may refer to this research since they are being conscious of the complicated investigation between the description of annulment and the nullity of marriage that these students may impart their knowledge to the victims of abuse as a social support.
6. The output of this study may be conveyed to the Higher Educational Institutions that they may realize that the subject “General Sociology with Family Planning” wherein a topic on the prevalence of domestic violence globally and locally which could alert the college students about this societal problem should really be taught. Also, the topic on “how to make good decisions about mates” can be discussed in any of the academic courses particularly on the discussion about family law so as to provide the youth with better perspective about choosing their future life-time partners.

7. References

- [1] Bergner R. (2010). **Self-Concept and Self-Concept Change: A Status Dynamics Approach.** Retrieved February 10, 2011 from <http://www.sdp.org/sdp/papers/selfconcept.html>.
- [2] Dignitas Connubii (2005). **(Instruction to be Observed by Diocesan and Interdiocesan Tribunals in Handling Cases of the Nullity of Marriage)**, Pontifical Council for Legislative Texts, Libreria Editrice Vaticana, ISBN 88-209-7681-1. **Retrieved PDF**
- [3] Franken R (1994). **Human Motivation (3rd ed.)** Pacific Grove, California: Brooks/Cole Publishing Co.
- [4] Henderson AJ et al. (2005). **When Loving Means Hurting: An Exploration of Attachment and Intimate Abuse in a Community Sample.** *Journal of family violence*, 20, pp 219-230. Doi: 10.1007/s10896-005-5985-y.

- [5] Leary M (2002). **The Self as a Source of Relational Difficulties.** *Journal of Self and identity*,1, pp 137-142. doi:10.1080/5298602317319311.
- [6] Leary M, Tangney JP (2005). **The Self as an Organizing Construct in the Behavioral and Social Sciences.** In: *Handbook of self and identity*. New York. Guilford Press pp 3-13.
- [7] McAdam DP (1993). **Stories We Live By: Personal Myths and the Making of the Self.** New York: Guilford Press
- [8] McAdams DP et al. (1996). **Themes of Agency and Communion in Significant Autobiographical Scenes.** *Journal of Personality*, 64, pp 339-377. Doi:10.1111/j.1467- 6494. 1996. tb00514.x
- [9] Pedone,et.al. (2000). **Roman Replies and CLSA Advisory Opinions 2000 "13. Canon 779 - Juridical Status of an Annulment Granted by a Coptic Orthodox Church"**, Canon Law Society of America, 2000, Pp 39-51. Retrieved PDF
- [10] Ramiro L et al. (2004). **Domestic Violence in Urban Filipino Families.** *Asian Journal for Women's Studies*, 10, pp 97-119.
- [11] Roberts A. (1990) **Classification Typology and Assessment of Files Levels of Woman Battering.** *Journal of Family violence*, 2006, 21:521-7. doi:10.1007/s10896-006-9044-0.
- [12] Robins RW, Norem JK, Cheek JM (1999). **Naturalizing the Self.** In **Pervin, L.A & John O.P. (eds.)**, *handbook of personality: theory and research (2nd ed.)*. New York Guilford Press, pp 443-469
- [13] Schwartz SJ (2008). **Self and Identity in Early Adolescence: Some Reflection and an Introduction to the Special Issue.** *Journal of Early Adolescence*, 28, pp 5-15. doi:10.1177/02722431607308662.
- [14] Sheed et.al. (1959). **Nullity of Marriage, Second Edition**, Deals with the 1917 Code of Canon Law. **Retrieved PDF**
- [15] The Catholic University of America Press (1943). **The Declaration of Nullity of Marriage**, Washington DC, 1943, 1944 Retrieved PDF
- [16] Woodridge (2004); Midwest Theological Forum, **Code of Canon Law Annotated, 2nd Edition** Trans. *The Canon Law Society of Great Britain and Ireland*, p. 1138.

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