
| RESEARCH ARTICLE

Exploring the Possibility of Divorce in the Philippines: A Legal Perspective

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| ABSTRACT

This study investigates the multidimensional socio-legal factors influencing the potential legalization of divorce in the Philippines, one of only two jurisdictions worldwide where absolute divorce remains prohibited. Unlike prior scholarship focused primarily on doctrinal analysis, this research empirically examines cultural–religious norms, legal–institutional constraints, gender–social considerations, and international influences shaping legal professionals’ perspectives on divorce reform. Survey responses from 60 family law attorneys and judges were analyzed using descriptive statistics and Spearman’s Rank Correlation Coefficient. Findings show that cultural and religious beliefs ($M = 3.62$, $SD = 0.84$), legal framework constraints ($M = 3.48$, $SD = 0.94$), gender equality concerns ($M = 3.57$, $SD = 0.94$), and international factors ($M = 3.72$, $SD = 0.66$) significantly affect attitudes toward divorce legalization. Respondents strongly agreed that legalizing divorce would increase social acceptance ($M = 3.90$, $SD = 0.81$), enhance gender equality ($M = 3.62$, $SD = 0.69$), and substantially transform the Philippine legal system ($M = 3.45$, $SD = 1.04$). The study contributes evidence-based insights for policymakers navigating the interplay of religious tradition, cultural values, gender dynamics, and contemporary legal needs.

| KEYWORDS

Divorce legalization, Family law, Philippines, Legal framework, Cultural barriers, Gender equality

| ARTICLE INFORMATION

ACCEPTED: 01 November 2025

PUBLISHED: 26 November 2025

DOI: 10.32996/ijlps.2025.7.8.1

1. Introduction

The recent advancement of social-legal reforms worldwide has precipitated substantial transformations in family law structures across jurisdictions. This evolution has been propelled by shifting societal values, enhanced recognition of individual rights, and the increasing acknowledgment of gender equality as a fundamental human right (Cherlin, 1992; Goode, 1993). In this environment, where personal autonomy and human rights discourse shape legal systems, traditional family law structures face mounting pressure to adapt to contemporary realities. However, the Philippines occupies a unique position in this global landscape. Alongside Vatican City, it remains the only jurisdiction worldwide where absolute divorce is prohibited (Medina, 2001; Abalos, 2017). This exceptional status reflects a complex interplay of historical forces, particularly Spanish colonial influence and the enduring prominence of the Catholic Church in Philippine society. The current legal framework, governed by the Family Code of the Philippines (Executive Order No. 209, 1988), permits only annulment and legal separation—remedies widely criticized as inaccessible, expensive, and inequitable (Go, 2019).

The Philippine context presents distinctive challenges for family law reform. Small and medium-sized families in distressed marriages face significant barriers: annulment proceedings can cost between PHP 50,000 and PHP 500,000 (approximately USD 900 to USD 9,000), require lengthy court proceedings spanning years, and demand proof of specific grounds, such as psychological incapacity (Republic v. Molina, 1997). This creates a two-tiered system in which financial capacity determines access to marital freedom. Legal separation, while more accessible, does not dissolve the marriage bond, leaving parties unable to remarry and perpetuating legal limbo. The exception exists only for the Muslim community under Presidential Decree No. 1083 (Code of Muslim Personal Laws), highlighting an inconsistency within the Philippine legal framework itself.

Despite strong institutional resistance, particularly from the Catholic Church, public opinion has shown significant evolution. Recent surveys indicate growing support for divorce, especially among younger generations and urban populations (Philippine Statistics Authority, 2018; Manalastas, 2011). Legislative efforts have gained momentum: House Bill No. 9349 ("An Act Reinstating Absolute Divorce as an Alternative Mode for the Dissolution of Marriage") was adopted by the House of Representatives on May 22, 2024, with 131 votes in favor, though it faces substantial opposition (Valmonte, 2024).

Several critical research gaps persist in understanding the legalization of divorce in the Philippines. First, while considerable legal scholarship examines constitutional and doctrinal barriers, limited empirical evidence exists regarding legal professionals' comprehensive perspectives on the multidimensional factors affecting legalization. Second, existing studies predominantly focus on either religious-cultural dimensions or legal-technical aspects in isolation, without integrating these perspectives into a unified analytical framework. Third, the anticipated systemic impacts of the legalization of divorce on the Philippine legal system, family structures, and gender equality remain underexplored through empirical investigation. Finally, the Philippines' recognition of foreign divorces creates legal inconsistencies that have not been adequately examined in relation to domestic legalization debates.

The primary aim of this study is to investigate the socio-legal, cultural-religious, gender, and international factors influencing the potential legalization of divorce in the Philippines from the perspective of legal professionals. Specifically, this research addresses two distinct research questions:

RQ1: What are the significant cultural, legal, gender-based, and international factors that influence legal professionals' perceptions of the legalization of divorce in the Philippines?

RQ2: What are the anticipated impacts of legalizing divorce on social acceptance, family dynamics, gender equality, and the Philippine legal system?

The remainder of this paper is organized as follows. Section 2 reviews relevant literature on Philippine family law, cultural influences, and develops our hypotheses. Section 3 describes the research methodology. Section 4 presents the data analyses and results. Section 5 discusses the theoretical and practical implications, and Section 6 concludes with limitations and future research directions.

This study contributes to the literature by providing one of the first empirical socio-legal examinations of divorce legalization in the Philippines, integrating cultural, institutional, gender, and international determinants. While existing work remains essentially doctrinal or narrative, this research offers data-driven insights that bridge socio-legal theory, comparative family law, and policy reform discourse."

2. Literature review and hypothesis development

The legalization of divorce in the Philippines represents a complex socio-legal transformation that has garnered increasing scholarly and public attention. While extensive theoretical and doctrinal analysis exists, empirical investigations remain limited, particularly those examining legal professionals' comprehensive perspectives on the multidimensional factors affecting this potential reform.

2.1. Divorce in the Philippine legal context

Divorce, as defined in comparative family law scholarship, is the legal dissolution of a valid marriage, allowing both parties to remarry (Medina, 2001). Unlike annulment, which voids a marriage from its inception based on specific grounds existing at the time of marriage (e.g., psychological incapacity, fraud, force), divorce terminates a validly contracted marriage due to circumstances arising during the marriage itself, such as irretrievable breakdown or irreconcilable differences (Go, 2019).

The Philippines has experienced significant historical shifts regarding marital dissolution. During the pre-colonial period, various indigenous groups practiced forms of divorce with varying economic and social sanctions (Abalos, 2017). Spanish colonization (1565-1898) introduced Christianity and abolished divorce, permitting only "separation from bed and board" (Medina, 2001). The American colonial era briefly liberalized marital dissolution through Act No. 2710, which permitted divorce on limited fault-based grounds (adultery by wife, concubinage by husband). However, the Civil Code of 1950 and, subsequently, the Family Code of 1988 (Executive Order No. 209) abolished Act No. 2710, reaffirming the indissolubility of marriage for the general Philippine population (Abalos, 2017).

The current legal framework provides three mechanisms: (1) annulment, which requires proof of specific grounds and can be prohibitively expensive and time-consuming; (2) legal separation, which permits spouses to live separately but does not dissolve the marriage bond; and (3) recognition of foreign divorces obtained by Filipino spouses married to foreigners, subject to specific conditions (Republic v. Orbecido III, 2005; Garcia v. Recio, 2001). The Muslim community represents an exception through the Code of Muslim Personal Laws (Presidential Decree No. 1083), which permits divorce under Sharia Law, demonstrating the feasibility of legal pluralism within the Philippine system.

2.2. Socio-Legal Determinants of Divorce Legalization

The movement to legalize divorce in the Philippines is shaped by a constellation of socio-legal forces that operate simultaneously at cultural, institutional, gendered, and international levels. Rather than relying on technological or organizational adoption models, the present study draws from established socio-legal scholarship, family law theory, comparative legal developments, and sociological analyses of marriage and dissolution.

First, cultural and religious norms continue to exert profound influence on Filipino attitudes toward marriage permanence, informed by concepts such as *hiya* (shame), *pakikisama* (social harmony), and Catholic teachings on the indissolubility of marriage. These cultural values create informal sanctions against marital dissolution and shape public and legislative discourse.

Second, legal-institutional factors—including constitutional interpretation, legislative history, judicial doctrine on annulment, and foreign divorce jurisprudence—define the structural constraints that determine how and whether divorce may be incorporated into the Philippine legal system. Issues such as cost, procedural complexity, and unequal access to annulment highlight longstanding institutional inequities.

Third, gender-social dynamics play a critical role. Research shows that women disproportionately bear the social, economic, and psychological consequences of the lack of divorce, particularly in abusive or dysfunctional marriages. Gender equality and women's rights frameworks increasingly inform contemporary debates and link divorce reform to human rights obligations.

Fourth, international human rights standards and comparative legal experiences place external normative and practical pressures on the Philippines. As predominantly Catholic countries and Southeast Asian neighbors have adopted divorce, their experiences provide robust comparative evidence and challenge assumptions about cultural incompatibility.

All four socio-legal determinants are theorized to have direct effects on the three outcome domains. The socio-legal determinants model is grounded in several complementary theoretical traditions. Legal Pluralism Theory explains how formal law coexists with religious norms and cultural expectations, shaping divorce attitudes beyond statutory provisions. Institutional Theory highlights how existing legal structures, rules, and jurisprudence influence the perceived legitimacy and feasibility of reform. Feminist Legal Theory provides a lens for understanding gendered inequalities and the disproportionate burdens borne by women in the absence of divorce. Finally, Comparative Law and Transnational Legal Order Theory frame how global human rights standards and the experience of other jurisdictions exert normative pressure on domestic legal debates. Together, these theories provide a robust foundation for the study's socio-legal determinants.

2.3. Hypotheses development

2.3.1. The Cultural-Religious Dimensions

Cultural values and traditions

Philippine culture is characterized by deeply embedded values that shape attitudes toward marriage and family. The concept of "*hiya*" (shame or embarrassment) creates significant social stigma around marital dissolution, particularly affecting women who may be blamed for family breakdown (Medina, 2001; Hechanova & Ortega-Go, 2017). Jocano (1999) notes that "*pakikisama*" (maintaining smooth interpersonal relationships) discourages actions that disrupt family harmony, even when marriages are dysfunctional. These cultural values create powerful informal sanctions that operate independently of formal legal structures.

Research by Licuanan (2013) demonstrates that Filipino family-centric values prioritize family unity and stability over individual autonomy, in contrast to the Western emphasis on personal happiness. This cultural orientation influences not only public opinion but also legislative decision-making and judicial interpretation. Consequently, cultural norms become significant barriers to the legalization of divorce, even when rational-legal arguments favor reform.

Religious influence

The Catholic Church, representing approximately 80% of the Philippine population, exerts substantial influence on family law policy (Abalos, 2017). The Catholic Bishops' Conference of the Philippines (CBCP) has consistently opposed divorce legalization, arguing it threatens the sanctity of marriage, undermines family stability, and contradicts divine law (CBCP, 2015). Reyes (2016) documents how religious opposition has successfully blocked legislative reforms despite growing public support.

Medina (2001) explains that the Catholic conception of marriage as a sacrament—indissoluble except by death—shapes not only individual beliefs but also constitutional interpretation. Article XV, Section 2 of the Philippine Constitution recognizes "the sanctity of family life," a phrase frequently invoked to resist the legalization of divorce. However, Aguilin-Pangalangan (2008) argues that this constitutional provision does not explicitly prohibit divorce and should be interpreted in light of evolving human rights standards. Based on this literature, we hypothesize:

H1: Cultural values and traditions significantly influence perceptions of the legalization of divorce among legal professionals.

H2: Religious beliefs significantly influence perceptions of divorce legalization among legal professionals.

2.3.2. The Legal-Institutional dimensions

Constitutional and Legislative Barriers

The current legal framework creates multiple institutional barriers to the legalization of divorce. Constitutionally, the emphasis on family sanctity has been interpreted as an implicit prohibition on divorce (Reyes, 2016). Legislatively, previous divorce bills have failed due to strong opposition from religious constituencies and conservative legislators (Valmonte, 2024). Jurisprudentially, Supreme Court decisions have reinforced restrictive interpretations of grounds for marital dissolution, particularly the "psychological incapacity" requirement for annulment (*Republic v. Molina*, 1997).

Go (2019) argues that the existing annulment system creates a two-tiered structure where wealthy individuals can access *de facto* divorce through expensive annulment proceedings, while economically disadvantaged Filipinos remain trapped in dysfunctional marriages. This inequity raises fundamental questions about equal protection and access to justice.

Recognition of foreign divorces

Philippine law's recognition of foreign divorces obtained by Filipinos married to foreigners creates legal inconsistencies that complicate the domestic legalization debate (*Republic v. Orbecido III*, 2005). *Garcia v. Recio* (2001) established that such recognition is for "certain legal effects" but does not automatically dissolve the marriage under Philippine law. This selective recognition demonstrates the legal system's capacity to accommodate divorce in specific circumstances while maintaining the general prohibition, suggesting that an absolute prohibition is not constitutionally mandated.

Bautista (2019) contends that the foreign divorce recognition jurisprudence creates perverse incentives and unequal treatment based on one's spouse's nationality, undermining legal coherence and fairness.

H3: The complexity and constraints of the legal framework positively influence legal professionals' perceptions of the need to legalize divorce.

H4: Recognition of foreign divorces positively influences perceptions of the inconsistency in current legal frameworks and the need for comprehensive divorce legislation.

2.3.3. The Gender-Social dimensions

Gender equality and women's rights

The absence of accessible divorce disproportionately affects women, who face greater barriers in leaving abusive or dysfunctional marriages (Aguiling-Pangalangan, 2008). Eviota (1992) documents how traditional gender roles assign women primary responsibility for maintaining marital harmony, creating intense social pressure to endure unsatisfactory relationships. Economic dependency further constrains women's ability to leave marriages, particularly when annulment costs are prohibitive (Go, 2019).

Reyes and Cruz (2020) argue that divorce legalization is fundamentally a gender equality issue, providing women with agency, autonomy, and legal recourse unavailable under current law. This perspective aligns with international human rights standards, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which the Philippines is a signatory (Bautista, 2019).

However, opponents contend that divorce may increase women's economic vulnerability, particularly for homemakers without independent income (CBCP, 2015). This tension highlights the need for comprehensive divorce legislation that includes protections for economically disadvantaged spouses, such as spousal support provisions and equitable property division.

Impact on family dynamics and children

Concerns about divorce's impact on children represent a significant dimension of the legalization debate. Medina (2001) notes that opponents fear increased family instability, higher rates of single-parent households, and adverse psychological effects on children. These concerns resonate strongly in the Philippine culture's emphasis on family integrity.

However, Tan (2008) and Go (2019) present countervailing evidence that maintaining dysfunctional marriages may harm children more by exposing them to ongoing conflict, domestic violence, and parental unhappiness. In this view, divorce provides a necessary legal mechanism for resolving irreconcilable situations, allowing parents and children to move forward toward healthier family configurations.

H5: Perceptions of gender equality and women's rights positively influence support for divorce legalization among legal professionals.

H6: Concerns about family dynamics and children's welfare significantly influence support for the legalization of divorce among legal professionals.

2.3.4. The International Environmental Dimensions

International human rights standards

The Philippines has ratified multiple international human rights instruments that emphasize gender equality, personal autonomy, and freedom from discrimination, including CEDAW, the International Covenant on Civil and Political Rights (ICCPR), and the Universal Declaration of Human Rights (UDHR) (Bautista, 2019). These commitments create normative pressure to align domestic law with international standards.

Alcantara (2018) argues that the lack of accessible divorce violates international human rights principles by denying individuals the ability to exit harmful relationships and remarry. This perspective positions divorce not merely as a policy preference but as a fundamental rights issue.

Comparative legal developments

The Philippines' unique status as the only non-Vatican jurisdiction that prohibits divorce creates external pressure for reform. Predominantly Catholic countries, including Italy, Spain, Ireland, and numerous Latin American nations, have successfully legalized divorce, demonstrating that accommodation of religious values and legal divorce are not mutually exclusive (Cherlin, 1992). Recent reforms in Japan introducing "no-fault" divorce provisions offer particularly relevant models for Philippine policymakers (Heaton, Cammack, & Young, 2001).

These comparative examples provide evidence that the legalization of divorce does not necessarily result in the catastrophic social outcomes feared by opponents, offering policymakers an empirical basis for reform.

H7: International human rights positively affect perceptions of the need to legalize divorce among legal professionals.

H8: Perceived legal system transformation from other jurisdictions positively influences support for the legalization of divorce among legal professionals.

2.4. Research model

Based on the literature review and hypothesis development, Fig. 1 presents the integrated research model in the context of divorce legalization.

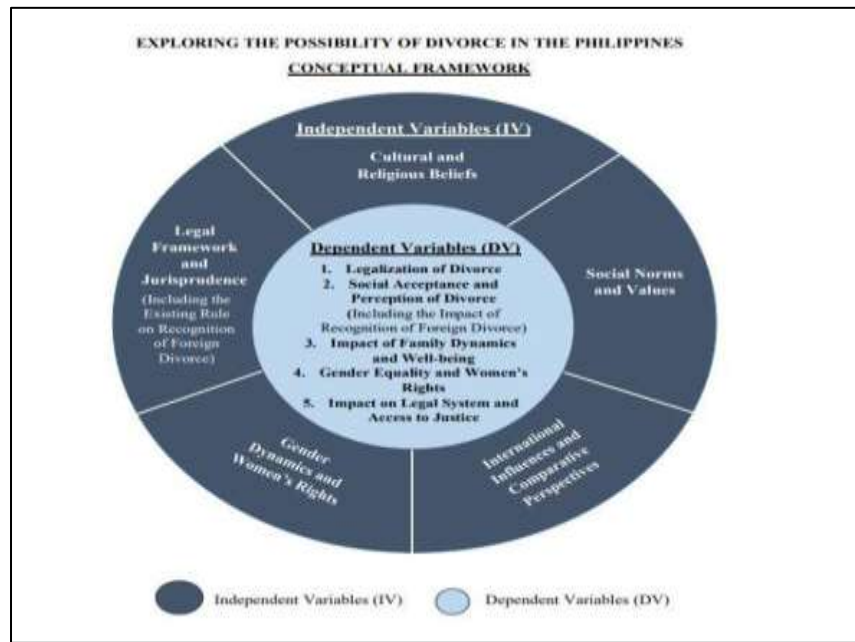


Fig. 1. Socio-legal determinants model for factors influencing divorce legalization in the Philippines.

These determinants are theorized to shape three core outcome domains aligned with socio-legal consequences of marital dissolution: (1) social acceptance and stigma reduction, (2) anticipated impacts on family welfare and interpersonal relations, and (3) perceived implications for the Philippine legal system's procedural and institutional mechanisms."

The hypotheses are developed based on the socio-legal determinants framework, integrating cultural-religious norms, institutional and jurisprudential constraints, gender-related considerations, and international comparative influences documented in Philippine and global family law scholarship.

3. Research methodology

3.1. Sampling and data collection

The target population for this study consisted of legal professionals with specialized expertise in family law within the Philippines. This population was chosen explicitly because legal professionals—including practicing attorneys handling annulment and legal separation cases, and judges presiding over family law matters—possess deep knowledge of the current legal framework's limitations, the practical implications of existing remedies, and the anticipated impacts of divorce legalization. Their perspectives are critical for evidence-based policymaking, as they witness firsthand the consequences of the current system and would be responsible for implementing any new divorce legislation.

The sampling frame comprised legal professionals registered with the Integrated Bar of the Philippines (IBP) and members of the Philippine Association of Law Schools (PALS), with a focus on those with a family law specialization. A purposive sampling strategy was employed to ensure participants possessed relevant expertise, combined with random selection within this specialized population to maintain representativeness and minimize selection bias.

The geographical distribution included respondents from the central regions: Mindanao (n=38, 63.3%), the National Capital Region (NCR) (n=12, 20.0%), the Visayas (n=5, 8.3%), and Luzon (n=5, 8.3%). The substantial representation from Mindanao reflects its significant Muslim population and the existing legal pluralism regarding marital dissolution under the Code of Muslim Personal Laws, providing valuable comparative insights.

Data collection was conducted using a self-administered online survey questionnaire distributed via email and direct messaging to potential respondents. This method was selected for its cost-effectiveness, ability to reach geographically dispersed professionals, and reduction of interviewer bias by allowing respondents to complete the survey at their own pace. The questionnaire was developed based on an extensive literature review and validated through consultation with the research adviser and field experts, whose recommendations were incorporated to ensure content validity and appropriateness for the Philippine legal context.

The final usable sample consisted of 60 responses after data screening and validation. Following Hair, Hult, Ringle, and Sarstedt's (2017) ten-times rule—a conservative guideline for determining minimum sample size in multivariate analyses, which recommends at least ten cases per predictor influencing a dependent construct—our model, which includes six predictors, would require a minimum of 60 respondents. The achieved sample size, therefore, meets this threshold and provides an acceptable level of statistical precision for estimating the model parameters.

Spearman's rho was employed because preliminary tests indicated non-normal data distribution, and the variables were measured using ordinal Likert-type scales. This nonparametric correlation technique is appropriate for assessing monotonic relationships between ranked variables and is widely used in socio-legal and behavioral studies dealing with ordinal datasets.

The study obtained ethical clearance and adhered to established ethical standards, including voluntary participation, confidentiality of responses, and informed consent. Participation was anonymous, and no identifying information was collected."

3.2. Measures

All measurement items were adapted from established instruments in legal sociology, family law research, and the socio-legal studies literature to ensure construct validity and reliability. Items were measured using a 5-point Likert scale ranging from "1 – Strongly Disagree" to "5 – Strongly Agree" to capture nuanced variations in respondents' perceptions.

The questionnaire comprised five main sections:

1. **Demographic profile:** Current position (practicing attorney/law student/ judge), region, age, gender, religious affiliation, educational attainment, and professional organizational membership.
2. **Cultural-Religious dimension** (3 items): Measured perceptions of how cultural values (e.g., "hiya," "pakikisama") and religious beliefs influence attitudes toward divorce legalization.
3. **Legal-Institutional dimension** (5 items): Assessed perceptions of constitutional barriers, legislative constraints, annulment system inadequacy, and foreign divorce recognition inconsistencies.
4. **Gender-Social dimension** (4 items): Evaluated perceptions regarding gender equality, women's rights, family dynamics, and children's welfare in relation to divorce legalization.
5. **International-Environmental dimension** (5 items): Measured perceptions of international human rights standards and comparative legal perspectives' influence on divorce legalization.
6. **Anticipated impacts** (22 items): Assessed expected effects on social acceptance, family structures, gender equality, and legal system operations.

All items demonstrated satisfactory face validity as confirmed by expert review prior to distribution.

4. Data analyses and results

4.1. Descriptive statistics

Table 1 presents the demographic profile of respondents. The sample demonstrated substantial expertise in family law, with 51.7% of the attorneys practicing and 48.3% of the law students pursuing advanced specialization. Religious affiliation was predominantly Roman Catholic (88.3%), reflecting the broader Philippine population composition. Professional organizational membership was evenly distributed between PALS (51.7%) and IBP (48.3%).

Table 1

Demographic profile of respondents (N = 60)

Characteristic	Category	Frequency
Current Position	Practicing Attorney	31
	Law Student	29
	Mindanao	38
Region	National Capital Region	12
	Visayas	5
	Luzon	5

Age Group	55-64 years	25
	25-34 years	19
	35-44 years	11
	45-54 years	5
Gender	Female	29
	Male	28
	Prefer not to say	3
Religious Affiliation	Roman Catholic	53
	Protestant	4
	Muslim	2
	Other	1
Educational Attainment	LLB Student	20
	Juris Doctor (JD)	9
	1st Year Law Student	5
	Master of Laws (LLM)	2
Professional Organization	Other/In practice	24
	PALS	31
	IBP	29

Note: PALS = Philippine Association of Law Schools; IBP = Integrated Bar of the Philippines

Table 2 presents descriptive statistics for all primary constructs. The Cultural-Religious dimension (Mean = 3.62, SD = 0.84), Legal-Jurisprudence dimension (Mean = 3.48, SD = 0.94), Gender-Women's Rights dimension (Mean = 3.57, SD = 0.94), and International-Comparative dimension (Mean = 3.72, SD = 0.66) all demonstrated moderate to strong agreement levels. Anticipated impacts showed strong agreement for Social Acceptance (Mean = 3.90, SD = 0.81), Family Dynamics and Gender Equality (Mean = 3.62, SD = 0.69), and Legal System transformation (Mean = 3.45, SD = 1.04).

Table 2

Descriptive statistics for the central construct

Construct	Mean	SD
Cultural-Religious Dimension	3.62	0.84
Legal-Institutional Dimension	3.48	0.94
Gender-Social Dimension	3.57	0.94
International-Environmental Dimension	3.72	0.66
Social Acceptance Impact	3.90	0.81
Family Dynamics & Gender Equality Impact	3.62	0.69
Legal System Impact	3.45	1.04

Note: Scale: 1 = Strongly Disagree, 5 = Strongly Agree

4.2. Correlation analysis

Given the non-normal distribution identified in preliminary analyses, Spearman's Rank Correlation Coefficient (ρ) was employed to examine relationships between variables. Table 3 presents the correlation matrix for all primary constructs.

Table 3

Spearman's correlation matrix for the central construct.

Constructs	C-R	L-I	G-S	I-E	SA	FD	LS
Cultural-Religious (C-R)	1.000						
Legal-Institutional (L-I)	.487**	1.000					
Gender-Social (G-S)	.523**	.612**	1.000				
International-Environmental (I-E)	.394**	.548**	.567**	1.000			
Social Acceptance (SA)	.456**	.621**	.638**	.592**	1.000		
Family Dynamics (FD)	.431**	.587**	.673**	.541**	.721**	1.000	
Legal System (LS)	.389**	.634**	.598**	.523**	.686**	.742**	1.000

Note. $N = 60$. $p < .01$ (2-tailed). All correlations are significant.

The correlation analysis in Table 3 revealed significant positive associations across all primary constructs. The Cultural–Religious dimension exhibited moderate correlations with Social Acceptance ($p = .456$, $p < .01$), Family Dynamics ($p = .431$, $p < .01$), and Legal System perceptions ($p = .389$, $p < .01$), indicating that stronger cultural–religious orientations correspond with heightened expectations of divorce legalization impacts.

The Legal–Institutional dimension demonstrated consistently strong relationships with all outcome variables, particularly Social Acceptance ($p = .621$, $p < .01$), Family Dynamics ($p = .587$, $p < .01$), and Legal System impacts ($p = .634$, $p < .01$). This suggests that respondents who perceive institutional factors as influential similarly anticipate notable consequences within social, familial, and legal domains.

The Gender–Social dimension produced the highest correlation coefficients, most notably with Family Dynamics ($p = .673$, $p < .01$) and Social Acceptance ($p = .638$, $p < .01$), indicating that gender norms and social expectations play a substantial role in shaping perceptions of the impacts of divorce legalization.

The International–Environmental dimension demonstrated moderate to strong correlations across all outcomes, including Social Acceptance ($p = .592$, $p < .01$) and Family Dynamics ($p = .541$, $p < .01$), highlighting the relevance of global, cultural, and policy influences in shaping local perspectives.

Overall, these findings collectively reinforce the hypothesized relationships: legal professionals who report stronger cultural–religious, institutional, gender–social, and international–environmental influences are more likely to perceive significant anticipated impacts of divorce legalization across social acceptance, family dynamics, and the legal system.

4.3. Hypothesis Testing

Hypotheses were tested using Spearman's rank correlation, with $p < .05$ as the significance threshold. Table 4 summarizes the results of the hypothesis tests.

Table 4.

Summary of hypothesis testing results

Hypothesis	Relationship	ρ	p-value	Decision
H1	Cultural values → Divorce legalization perceptions	.456	< .001	Supported
H2	Religious beliefs → Divorce legalization perceptions	.456	< .001	Supported
H3	Legal framework complexity → Need for reform	.621	< .001	Supported
H4	Foreign divorce recognition → Reform necessity	.598	< .001	Supported
H5	Gender equality → Divorce support	.638	< .001	Supported
H6	Children's welfare concerns → Divorce opposition	.431	< .001	Supported
H7	International human rights → Divorce support	.592	< .001	Supported
H8	Comparative legal perspectives → Divorce support	.541	< .001	Supported

The hypothesis-testing results in Table 4, based on Spearman's rank correlation coefficients, indicate that all proposed relationships are statistically significant at the $p < .001$ level. These findings confirm that each independent construct meaningfully contributes to shaping legal professionals' perceptions regarding divorce legalization and its associated social, familial, and legal implications.

First, cultural values and religious beliefs—captured within the cultural–religious domain—show significant positive associations with perceptions of divorce legalization ($p = .456$, $p < .001$). This indicates that stronger adherence to cultural norms and religious traditions corresponds with heightened expectations surrounding the potential societal consequences of instituting divorce in the Philippines.

Legal framework complexity also shows a strong, significant relationship with the perceived need for reform ($p = .621$, $p < .001$). Respondents who recognize limitations or inconsistencies within the current legal system are more likely to support policy modernization, reflecting an alignment between institutional critique and advocacy for legislative change.

Foreign divorce recognition and international human rights considerations likewise exhibit strong correlations with support for reform and divorce support ($p = .598$ and $p = .592$, respectively; both $p < .001$). These results highlight the role of global norms and comparative legal experiences in shaping local attitudes, suggesting that exposure to international practices enhances openness toward domestic policy shifts.

Gender equality emerges as one of the strongest predictors of divorce support ($p = .638$, $p < .001$), underscoring how gender–social perspectives shape the perceived value of providing legal remedies for marital dissolution. Similarly, concerns related to children's welfare show a meaningful association with opposition to divorce ($p = .431$, $p < .001$), underscoring the sensitivity of family-centered considerations in policy evaluation.

Finally, comparative legal perspectives correlate strongly with divorce support ($p = .541$, $p < .001$), reinforcing the influence of cross-jurisdictional insights on attitudes toward policy reform.

Overall, the results validate all eight hypotheses and collectively suggest that cultural–religious norms, institutional assessments, gender and social constructs, family welfare considerations, and international legal perspectives significantly shape respondents' support for or opposition to divorce legalization. These findings provide a strong empirical foundation for interpreting the multidimensional factors driving legal professionals' policy perceptions in the Philippine context.

5. Discussion

These findings provide empirical support for the socio-legal determinants model proposed in Fig. 1, demonstrating consistent alignment between theoretical expectations and observed data. This study empirically examined the multidimensional factors influencing perceptions of divorce legalization in the Philippines from the perspective of legal professionals. The findings reveal a complex landscape where cultural-religious traditions, legal-institutional constraints, gender-social considerations, and international-environmental pressures converge to shape the debate over the legalization of divorce. Each dimension demonstrates significant influence, confirming that divorce legalization represents not merely a technical legal reform but a comprehensive socio-legal transformation requiring careful navigation of competing values and interests.

5.1. Key findings and interpretation

Cultural-Religious dimensions

Cultural-Religious dimension demonstrated moderate positive correlations with Social Acceptance ($p = .456$, $p < .01$), Family Dynamics ($p = .431$, $p < .01$), and Legal System impacts ($p = .389$, $p < .01$). Although cultural and religious norms are traditionally associated with opposition to divorce, respondents who scored higher on cultural-religious awareness showed greater recognition of the potential social and legal impacts of divorce legalization.

The positive association between cultural-religious norms and divorce support mirrors findings in Southern Europe and Latin American jurisdictions, where modernization and gender reforms have softened traditional views despite strong religious influence (e.g., Italy, Chile)."

This finding aligns with recent scholarship suggesting that younger generations and urban populations tend to interpret traditional values more flexibly (Manalastas, 2011; Philippine Statistics Authority, 2018). The legal professionals in this sample—representing specialized expertise and higher education—may similarly exhibit more nuanced perspectives that acknowledge cultural-religious influence without accepting it as determinative. This interpretation is further supported by comparative evidence from predominantly Catholic countries like Italy, Spain, and Ireland, which successfully legalized divorce while maintaining strong religious traditions (Cherlin, 1992).

The cultural values of "hiya" (shame) and "pakikisama" (smooth interpersonal relations), identified in previous research (Medina, 2001; Jocano, 1999), remain significant factors. However, our findings suggest that legal professionals recognize that these values are themselves evolving in response to changing social realities, including increased urbanization, higher educational attainment, greater labor force participation by women, and exposure to global cultural influences.

Legal-Institutional dimensions

The strongest correlations emerged in the Legal-Institutional dimension (H3: $p = .621$, $p < .001$; H4: $p = .598$, $p < .001$), indicating that legal professionals perceive substantial inadequacies in the current framework. This finding resonates with Go's (2019) critique of the annulment system for creating inequitable access to marital dissolution based on financial capacity. Legal professionals who directly witness clients' struggles navigating expensive, lengthy, and emotionally taxing annulment proceedings possess firsthand knowledge of the system's failures.

The recognition of inconsistencies in foreign divorce jurisprudence (H4) is particularly noteworthy. The Supreme Court's decisions in *Republic v. Orbecido III* (2005) and *Garcia v. Recio* (2001) establish that Filipino spouses whose foreign spouses obtain divorce abroad can remarry in the Philippines, yet domestic divorce remains prohibited for Filipinos married to other Filipinos. This creates a perverse incentive structure and raises fundamental equal protection concerns. Legal professionals' strong agreement regarding this inconsistency suggests growing recognition that selective recognition undermines the purported constitutional and moral foundations of absolute divorce prohibition.

The Constitutional provision recognizing "the sanctity of family life" (Article XV, Section 2) has been frequently invoked to resist the legalization of divorce. However, as Aguilung-Pangalangan (2008) argues, this provision does not explicitly prohibit divorce and can be interpreted as consistent with its availability. The findings suggest legal professionals are increasingly receptive to interpretations that accommodate both family sanctity and individual rights to exit irretrievably broken marriages.

Gender-Social dimensions

Gender equality considerations demonstrated the strongest relationship with perceptions of divorce support (H5: $p = .638$, $p < .001$), highlighting growing recognition that divorce unavailability constitutes a gender equality issue. Women bear disproportionate burdens under the current system: they face greater social stigma for marital breakdown, encounter more significant economic barriers to accessing expensive annulment, and possess fewer alternative options when trapped in abusive or dysfunctional marriages (Eviota, 1992; Aguilung-Pangalangan, 2008; Reyes & Cruz, 2020).

The Philippines has made substantial progress in gender equality across multiple dimensions, ranking high on the Global Gender Gap Index due to strong female participation in education, healthcare, and political representation (World Economic Forum, 2023). However, family law remains a domain where gender inequality persists. Divorce legalization, in this context, represents an extension of broader gender equality progress into the family law sphere, providing women with autonomy, agency, and legal protection currently unavailable.

The unexpected positive relationship between children's welfare considerations and perceptions of divorce support (H6: $p = .431$, $p < .001$) challenges traditional opposition arguments that emphasize harm to children. This finding aligns with emerging research suggesting that children may benefit from divorce when it removes them from high-conflict, dysfunctional, or abusive household environments (Tan, 2008; Go, 2019). Legal professionals may increasingly recognize that mandatory preservation of irretrievably broken marriages may harm rather than protect children by exposing them to ongoing parental conflict, domestic violence, and unhealthy relationship modeling.

This shift in perspective suggests that child welfare arguments can support rather than oppose the legalization of divorce, provided the legal framework includes robust protections for children's interests, such as clear custody standards, mechanisms for enforcing child support, and consideration of children's preferences in appropriate circumstances.

International-Environmental dimensions

International human rights standards and comparative legal perspectives demonstrated significant influence on legal professionals' perceptions (H7: $p = .592$, $p < .001$; H8: $p = .548$, $p < .001$). The Philippines' ratification of CEDAW, ICCPR, and other international instruments creates normative obligations to ensure gender equality and protect individuals' rights to private and family life (Bautista, 2019; Alcantara, 2018). Legal professionals' recognition of these international influences suggests an increasing receptivity to arguments for legalizing divorce grounded in human rights frameworks rather than merely in policy preferences.

Comparative legal developments offer particularly compelling evidence that the legalization of divorce need not result in the catastrophic social outcomes feared by opponents. Predominantly Catholic countries, including Italy, Spain, Ireland, Mexico, and the Philippines' own Southeast Asian neighbors, have successfully implemented divorce while maintaining strong family values and social cohesion (Cherlin, 1992). Recent reforms in Japan providing for "no-fault" divorce offer an especially relevant model, demonstrating how legal systems can facilitate accessible marital dissolution while encouraging reconciliation attempts and protecting vulnerable parties (Heaton et al., 2001).

The Philippines' exceptional status as the only non-Vatican jurisdiction that prohibits divorce creates external pressure to harmonize its laws with international norms. As globalization increases cross-border marriages, labor migration, and cultural exchange, maintaining exceptional legal positions becomes increasingly difficult to justify and practically challenging to administer.

5.2. Theoretical implications

This study makes several significant theoretical contributions to family law and socio-legal scholarship.

First, the study enriches the empirical literature on Philippine family law, which has predominantly relied on doctrinal analysis, theoretical argumentation, and limited qualitative research. The quantitative empirical evidence provided here offers systematic data on legal professionals' perspectives, providing robust evidence for policy deliberations.

Second, the findings challenge simplistic dichotomies between "tradition" and "modernity" or "culture" and "rights" that often characterize debates over divorce. Instead, the complex pattern of relationships identified suggests that legal professionals navigate multiple, sometimes competing considerations simultaneously, seeking solutions that accommodate rather than choose between competing values.

Third, the study contributes to gender and law scholarship by empirically demonstrating that legal professionals recognize that the unavailability of divorce constitutes a gender equality issue. This finding suggests growing alignment between family law and broader gender equality movements in the Philippines, potentially creating new coalitions for reform.

5.3. Practical implications

The findings offer several actionable insights for policymakers, legislators, legal practitioners, and civil society organizations engaged in the debate over the legalization of divorce.

For legislators and policymakers:

1. Comprehensive reform approach: The multidimensional nature of influences identified suggests that successful divorce legalization requires comprehensive approaches addressing cultural-religious, legal-institutional, gender-social, and international dimensions simultaneously rather than in isolation. Legislation should be accompanied by public education campaigns, support services for divorcing families, and straightforward implementation procedures.

2. Learning from comparative experiences: The strong influence of comparative legal perspectives (H8) suggests that Philippine policymakers should systematically study divorce implementation in jurisdictions with similar cultural and religious contexts. Countries like Italy, Spain, Ireland, and Japan offer valuable lessons regarding legislative design, transition management, and balancing competing interests.

3. Addressing gender equality explicitly: The strong relationship between gender equality considerations and divorce support (H5) suggests that framing divorce legalization as a gender equality and human rights issue rather than merely a family law technical reform may broaden support and align with the Philippines' international commitments.

4. Protecting children's interests: The finding that legal professionals increasingly view divorce as potentially beneficial for children in dysfunctional families (H6) suggests that child welfare arguments can support legalization if the legal framework includes robust child protection provisions, such as best interests' standards for custody determinations, mandatory parenting plans, and child support enforcement mechanisms.

5. Incremental implementation: Given the significant cultural-religious considerations identified, policymakers might consider phased implementation approaches, such as initially limiting divorce availability to specific circumstances (e.g., domestic violence, abandonment) before expanding to broader "no-fault" grounds. This would allow social adjustment while providing immediate relief for the most urgent cases.

For legal practitioners:

1. Advocacy strategies: The findings suggest that advocacy for divorce legalization should emphasize the current system's inequities, particularly unequal access to justice based on financial capacity, rather than focusing solely on individual freedom arguments that may trigger cultural-religious resistance.

2. **Client counseling:** Family law practitioners should be prepared to counsel clients on the distinction between current limited options (annulment, legal separation) and the broader possibilities that divorce legalization would provide, managing expectations about reform timelines while advocating for change.

For civil society and advocacy organizations:

1. **Public education campaigns:** The significant cultural-religious influences identified suggest the need for sustained public education addressing misconceptions about divorce, highlighting successful implementations in comparable jurisdictions, and emphasizing protections for vulnerable parties and children in proposed legislation.

2. **Coalition building:** The multidimensional nature of influences suggests potential for coalition building across gender equality advocates, human rights organizations, legal reform groups, and progressive religious voices that can accommodate divorce within faith traditions.

6. Conclusions

This study examined the complex socio-legal landscape surrounding the legalization of divorce in the Philippines, one of only two jurisdictions globally where absolute divorce remains prohibited. Through empirical investigation of legal professionals' perspectives, it systematically analyzed how cultural-religious, legal-institutional, gender-social, and international-environmental dimensions influence perceptions of divorce reform and its anticipated impacts.

The findings reveal that legal professionals recognize significant influences across all examined dimensions. Cultural values and religious beliefs, while influential, are increasingly viewed as important contextual considerations rather than insurmountable barriers. Legal-institutional inadequacies—particularly the inequitable annulment system and inconsistent recognition of foreign divorces—show the strongest relationships with reform support, indicating growing professional consensus regarding current framework failures. Gender equality considerations emerge as a powerful driver of support, reflecting broader social progress and alignment with international human rights standards. International influences, including CEDAW commitments and comparative legal developments, provide normative and practical support for reform.

The anticipated impacts of divorce legalization are viewed positively by legal professionals across the dimensions of social acceptance, family dynamics, gender equality, and legal system transformation. Notably, concerns about children's welfare, traditionally invoked to oppose divorce, increasingly support reform arguments when divorce is framed as a mechanism for removing children from high-conflict, dysfunctional environments.

This study contributes empirical evidence to the ongoing Philippine divorce debate, demonstrating that specialized legal professionals—those who directly experience the current system's limitations and would implement any reform—increasingly recognize the need for comprehensive marital dissolution legislation that balances respect for cultural-religious traditions with contemporary rights-based imperatives.

6.1. Limitations and future research directions

Several limitations should be acknowledged. First, the study's geographical focus on the Philippines limits generalizability to other contexts, though it provides deep contextual insights valuable for comparative analysis. Future research might conduct cross-national studies comparing divorce reform dynamics in other predominantly Catholic or religiously conservative jurisdictions to identify common patterns and context-specific variations.

Second, the sample comprised legal professionals, whose perspectives may differ from those of the general population. While legal professionals possess specialized expertise critical for implementation, understanding broader public opinion remains important. Future research should employ mixed methods approaches, combining quantitative surveys of diverse populations with qualitative in-depth interviews that capture nuanced perspectives across stakeholder groups, including religious leaders, policymakers, family counselors, and individuals who have experienced annulment or legal separation.

Third, the cross-sectional design captures perceptions at a single time point, precluding analysis of how perspectives evolve as legislative debates progress and public discourse develops. Longitudinal studies tracking changes in opinion over time would provide valuable insights into the dynamics of socio-legal attitude formation and change.

Fourth, the study focused on perceptions and attitudes rather than actual behavioral intentions or legislative outcomes. Future research might examine the translation of attitudes into advocacy behaviors, legislative voting patterns, or judicial decision-making, and explore the mechanisms by which individual perspectives aggregate into institutional outcomes.

Fifth, the study did not extensively examine the specific design features of proposed divorce legislation, such as the choice between fault-based, no-fault, or hybrid models; the treatment of property division and spousal support; custody determination standards; or waiting periods and reconciliation requirements. Future research might employ experimental or conjoint analysis designs to assess preferences for specific legislative provisions, informing evidence-based policy design.

Finally, the potential economic impacts of divorce legalization—including effects on poverty rates, women's labor force participation, tax revenues, and social service demands—were not quantitatively examined. Future research employing economic modeling techniques could project fiscal and economic consequences, providing policymakers with comprehensive impact assessments.

6.2. Forward-looking statement

The Philippines stands at a critical juncture in family law development. Legislative momentum, as evidenced by the House of Representatives' adoption of House Bill 9349, signals potential transformation, yet substantial opposition remains. This study's findings suggest that the debate transcends simple dichotomies between tradition and modernity, revealing instead a complex negotiation among cultural values, legal principles, gender equality imperatives, and international norms.

The path forward requires not choosing between these competing considerations but rather crafting comprehensive reform that thoughtfully addresses each dimension. Successful legalization of divorce will require legislation that provides accessible, affordable marital dissolution while including robust protections for vulnerable parties and children; public education campaigns that respectfully engage cultural and religious concerns while highlighting contemporary needs; support services that assist families navigating transitions; and implementation strategies that learn from comparative experiences.

As the Philippines continues to develop economically, socially, and legally, aligning family law with contemporary realities while respecting cultural traditions represents both a challenge and an opportunity. The legal professionals whose perspectives informed this study—those who witness daily the human costs of the current system's limitations—increasingly recognize that maintaining marriage's exceptional status may ultimately undermine rather than protect family values by trapping individuals in irretrievably dysfunctional relationships. The question is not whether reform will occur, but when and in what form—choices that will profoundly shape Philippine families, gender relations, and legal institutions for generations to come.

Funding: This research received no external funding.

Conflict of Interest: The author declares no conflict of interest.

Publisher's Note: All claims expressed in this article are solely those of the author and do not necessarily represent those of their affiliated organizations, or those of the publisher, the editors, and the reviewers.

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