

Ethico-Moral and Legal Implications of Legalizing Same-Sex Marriage in the Philippines

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ABSTRACT

Marriage, as a fundamental personal right granted to men and women, bears a special function. Under the Philippine law, family law is based on the policy that marriage is not a mere contract, but a social institution in which the State is vitally interested. However, these statutory provisions which gave high regard and value, and therefore highlights the importance of marriage as a social institution is only true in marriages contracted between a man and a woman. These fancies are not true with the same-sex couples which also hope and dream to become married. Same sex relationship has recently been criticized by many not only on grounds of being immoral but also as a practice that erodes certain values attached to marriage and procreation. In this study, the researcher ascertained the respondents' level of agreement on the possibility of legalizing same-sex marriage. The same study also discussed the proposed bills legal implications including several provisions which contradicts the provisions of the already existing Family Code of the Philippines. The moral implications of the proposed law would revolve on the already existing and conceived concept of marriage by the catholic church. There will be clash between the moral standard of the society regarding marriage to the new idea of marriage which includes marriage between the same sex. The findings suggests that the best remedy for this same-sex marriage issue is to look at it on a legal and not on a moral sense.

Keywords: Same-Sex Marriage, Legal Implication, Moral Implication, Legal Concept, Moral Standard

INTRODUCTION

Marriage itself does not only signify the union of two individuals, but also the fusion of two families, and the unification of two clans. There are several legal requirements that must be met in order to marry in the Philippines. Specific requirements for marriage are detailed in Title I of the Family Code of the Philippines. These includes legal capacity of the contracting parties who must be a male and a female; and consent freely given in the presence of the solemnizing officer as an essential requisite for a marriage to be considered valid. Further, an authority of the solemnizing officer; a valid marriage license except in some cases provided for by the law; and a marriage ceremony which takes place with the appearance of the contracting parties before the solemnizing officer and their personal declaration that they take each other as husband and wife in the presence of not less than two witnesses of legal age serves as the formal requisites of marriage. In cases where parental consent or parental advice is needed marriage statutes in the Philippines also necessitates and requires couples to attend a session on family planning before the wedding day to acquaint them and become accountable for family life and parenthood. Familial laws are involved in marriages between both parties. When they are younger than 25, advice is often required from parents before the relationship progresses to a wedding. These practices are beneficial in preventing one party from continuing with the contractual agreement to become a wife or husband due to manipulation or coercion. If one of the two is confused about what to do, it is best to ask the advice of a professional or a loved one. Manipulation

due to money, power or influence could cause the contract to become void once it has been discovered. This wipes the relationship from legal records because it is considered to have never been legitimate. Marriage, as a fundamental personal right granted to men and women, bears a special function. Presumably, it gives rise to the family – the most basic unit of society and vital to civilizations’ continued existence. In English common law tradition, a marriage was a contract based upon a voluntary private agreement by a man and a woman to become husband and wife. Philippine law regards marriage as a special contract of permanent union between a man and a woman entered into in accordance with law for the establishment of conjugal and family life. It is the foundation of family and an inviolable social institution. Thus, the marriage status once coming into existence remains in force until it is dissolved by the courts in accordance with law or by death of a spouse. In other words, the status of marriage ordinarily continues during the joint lives of the parties or until annulment or declaration of nullity of such marriage.

No less than the Supreme Court in the case of *Jimenez v. Republic*, underscores the importance of marriage as a social institution under the Philippine Law, saying:

“Marriage in this country is an institution in which the community is deeply interested. The state has surrounded it with safeguards to maintain its purity, continuity and permanence. The security and stability of the state are largely dependent upon it. It is the interest and duty of each and every member of the community to prevent the bringing about a condition that would shake its foundation and ultimately lead to its destruction.”

In the Philippines, family law is based on the policy that marriage is not a mere contract, but a social institution in which the State is vitally interested. Marriage in this jurisdiction is not only a civil contract, but it is a new relation, an institution in the maintenance of which the public is interested. This interest proceeds from the constitutional mandate that the State recognizes the sanctity of family life and of affording protection to the family as a basic “autonomous social institution.” Specifically, the Constitution considers marriage as an “inviolable social institution,” and is “the foundation of family life which shall be protected by the State.” The Philippine Constitution is so committed to the policy of strengthening the family as a basic social institution because the State can find no better and stronger anchor than good, solid, and happy families. The break-up of families weakens the social and moral fabric and, hence, their preservation is not the concern alone of the family members.

However, these statutory provisions which gave high regard and value, and therefore highlights the importance of marriage as a social institution is only true in marriages contracted between a man and a woman. These fancies are not true with the same-sex couples which also hope and dream to become married. Members of the LGBT community in the Philippines frequently experience obstacles and struggle to get equal rights within the country. They face legal challenges not faced by non-LGBT people, with numerous anti-discrimination legislations, bills and laws that are struggling to be passed on a national level to protect and upheld the already existing rights of the LGBT community. Supporters of same-sex relationships have been pushing for a long time the passage a law allowing same-sex couples to be married and enjoy family life. However, there are a lot of debates and arguments regarding this matter, as the said proposed law, according to its critiques, posts some ethical and moral issues.

The question with regards to the morality of same-sex marriage has become quite predominant in the 21st century. Other cultures believe that same-sex marriage is morally defensible and therefore can be legalized. Using the human right fad and political might, they have engineered the globalization of this phenomenon. This move has been strongly opposed mostly by ‘developing’ nations and select religious denominations. The counter argument of these groups is that same-sex marriage is immoral, unnatural, and ungodly. Same-sex marriage in the Philippines remains a highly contentious issue due to the influence of religion in this predominantly Catholic country, where it is often framed as an issue of morality. However, the psychological framework and underpinnings of this religious influence still merit further exploration. In the

classical era of the islands, prior to Spanish occupation, homosexual individuals usually (but not always) became babaylan, which are traditionally feminine shamans of the animistic religions. These shamans, however, were persecuted during the conversion of most Philippine ethnic groups into Christianity and Islam, resulting in the discrimination faced by the LGBT community in the present-day.

Under the law, the Philippines does not legally recognize same-sex unions, either in the form of marriage or civil unions. Article 1 of Executive Order No. 209 otherwise known as the Family Code of the Philippines provides that:

“Marriage is a special contract of permanent union between a man and a woman entered into in accordance with law for the establishment of conjugal and family life. It is the foundation of the family and an inviolable social institution whose nature, consequences, and incidents are governed by law and not subject to stipulation, except that marriage settlements may fix the property relations during the marriage within the limits provided by this Code.”

This provision of the law hinders members of the third sex or the same-sex couples in contracting marriage here in the Philippines. In the entire panoply of the fundamental law, no provision explicitly prohibits the marriage between two persons of the same sex, rather only a statutory provision as stated in the above-cited code which explicitly limits the marriage between a man and a woman. Same sex relationship has recently been criticized by many not only on grounds of being immoral but also as a practice that erodes certain values attached to marriage and procreation in the Philippine culture. As a member of the United Nations, the Philippines is signatory to various international covenants promoting human rights including LGBT rights. As of the 19th Congress, there are two proposals to introduce same sex unions in the Philippines. These are House Bill 1015, the Civil Partnership Act, of Bagong Henerasyon representative Bernadette Herrera and Senate Bill 449, the Civil Unions Act of Muslim Senator Robin Padilla.

In this present study, the researcher aims to ascertain the respondents’ knowledge about the provisions of the bill seeking to legalize same-sex marriage including its legal implications, the perception about legalizing same-sex marriage which also includes its moral implications, the intent to engage in same-sex marriage and the feasibility of legalizing same-sex marriage.

Statement of the Problem

The purpose of this research is to provide a comprehensive analysis of the feasibility of legalizing same-sex marriage in the Philippines. Specifically, this study aims to answer the following questions:

1. What is/are the ethico-moral implication/s of legalizing same sex marriage?
2. What is/are the legal implication/s of legalizing same sex marriage?
3. What is the level of agreement of the *Albayanos* on the possibility of legalizing same-sex marriage in the Philippines?

Research Objectives

Same-sex marriage is a phenomenon that has engendered moral, religious, and legal debates all over the world. Its moral status and justification have been hotly debated. Critics of same-sex marriage say it is immoral and unnatural, while supporters say there is nothing immoral about it, as far as it is covered by human right’s doctrine. Yet, many people do not even know that same-sex marriage is not a recent phenomenon and can be traced back from early period of civilization. Many also believe that same-sex marriage is exclusively a western phenomenon and so are ignorant of the fact that it is practiced and accepted across different countries and cultures. With the above-stated premises, the researcher aims to know the different ethico-moral as well as the legal implication/s of legalizing the same-sex marriage in the

Philippines. Consequently, the researcher aims to further understand the level of agreement of the *Albayanos* on the possibility of legalizing same-sex marriage across the country.

Scope and Delimitation

The study encompasses the currently proposed law allowing same-sex marriage in the Philippines and its legal justifications which are either local or international laws, research, customs, generally accepted principles of international law etc., that provides its foundation or the basic structure of the proposed law itself. This study will only revolve around the basic legal implications within the Filipino families and not on a national level. It will also limit the research on the newly proposed same-sex marriage bill in the Philippines and will not include international same-sex marriage laws and other customary same-sex marriage rules involving religion or ethnic or cultural practices. This also includes basic legal implications, such as the legal effects on the spouses, the children, on property and on the family.

This will involve comprehensive analysis and scrutiny of the proposed same-sex marriage laws and its legal implications across family laws in the Philippines using Descriptive Method to define answerable problems and use the information gathered as a part of its legal basis for the interpretation of the collected data. Also, the researcher will be using the Analytical Method based on the questionnaires that will be given to the respondents as a part of data gathering to come up with the conclusions of this research.

Conceptual Framework

The researcher began the study by examining the provisions of the currently proposed same-sex marriage bill filed both at the House of Representatives and the Senate through online research on their respective websites. The researcher also identifies the legal basis of such a bill, as well as the possible legal implications of the bill. Afterwards, the researcher has identified the possible legal problems that may arise in the process of its legalization, which may affect certain provisions of different laws in the Philippines. Lastly, the problems have been analyzed to come up with the possible recommendations presented in the study. The insights of the respondents through an online survey and face to face interview and collated by the researcher had been of great help in the accomplishment of this research. The respective data was analyzed by the researcher to come up with proper conclusion and recommendations for the present study and on matters which need further research in relation to the subject matter.

METHOD

Research Design

The researcher used Qualitative method to collect, analyze, and interpret nonnumeric data to understand the feasibility of legalizing same-sex marriage in the Philippines. The researcher also used such a method to gather in-depth insights on the possible ethico-moral as well as legal implications and generate new ideas and offer possible recommendations. It has used this method since the data are meant to be described and reflected in the instrument sample. The survey utilizing the researcher-made questionnaire was employed as the main instrument. The collected data was subjected to proper statistical procedures for analysis and interpretation. Since documentary analysis was employed to examine the responses' substance, it was also included.

The Sample

The sample of the study was composed of 34 people who are either single or married but are limited to those who are natural born Filipino citizens and are currently living within the Philippines. The respondents were randomly chosen, and their answers were based on their own knowledge about the above-mentioned topic.

Research Instrument

The primary instrument that had been used in data gathering was a survey questionnaire crafted by the researcher. The uppermost part contains a letter to the respondent asking permission to be a part of the group sample. The respondents have the option whether to write their name on the survey questionnaire or just leave it blank. Further, no other personal information will be asked aside from the respondents' age and gender. The expected answer of the respondents is based on their own level of understanding about the presented topic.

Data Collection

To formally start the data-collection process the researcher proceeded to conduct extensive online research for the legal implications as well as comprehensive analysis of the topic to gather needed data for the preparation of the survey questionnaire. Thereafter, the researcher started conducting the survey through google form which was given to randomly selected people that the researcher had known through various personal connections and seek their permission and aid in the accomplishment of the survey-questionnaire. After the survey-questionnaire was distributed and answered, the researcher tabulated and summarized the collected data.

Data Analysis Procedure

The data were collected, and the degree of agreement with the legalization of same-sex marriage was ascertained by utilizing Google forms and statistical techniques appropriate for each question. It was also utilized for the favorability of both the ethico-moral and legal implications as well as the problems encountered and the recommendations. Nonetheless, the issues raised, and the recommendations made were evaluated considering their applicability to the research as well as the explanations or justifications provided for the respondents' selections of options.

RESULTS

Marriage is described as “a special contract of permanent union between a man and a woman” in the Family Code of the Philippines, which President Corazon Aquino signed into law in 1987. Mention of marriage as being between a man and a woman is also made in Republic Act No. 386 of 1949, also known as the Civil Code of the Philippines. Several attempts have been made to add more specific prohibitions to the Family Code to outlaw any de facto same-sex partnerships. Ethico-Moral implications include the following: Equal Rights and Non-Discrimination; Personal Autonomy; Family and Community Values; Religious Beliefs; Cultural Traditions; and Children's Well-being among others.

Based on the researchers analysis of the proposed bill, the legal implications inferred are as follows: (1) constitutionality of the proposed same-sex marriage (2) the inconsistency with respect to the definition of marriage by the proposed bill and the Family Code (3) The requisites of same-sex marriage under the currently proposed bill; (4) The legal effects to the spouses and their property regime; (5) The legal effects to the children of the family with regard to their status, future inheritance, and parental authority; and (6) The provisions on the dissolution of the civil union;

As regards the level of agreement of the *Albayanos* on the possibility of legalizing same-sex marriage in the Philippines, respondents of the conducted survey, answer on the affirmative. Majority of the respondents agree that same-sex marriage should be legalized in the country. Only a few of the respondents disagree on the proposition, with several reasons.

DISCUSSION

Ethico-Moral Implications

The role of religion and morality in influencing the legal definition of marriage has come under increasing scrutiny as a result of developments in the same-sex marriage issue. The belief in “men and women created in the image and likeness of God” which primary purpose is for intimacy and procreation is a bedrock Catholic teaching. Consequently, Philippines as a predominantly catholic country, same-sex marriage will most probably be hardly to be accepted. Many arguments against same-sex marriage are rooted in religious moral beliefs. Some religious groups in the Philippines have strong objections to same-sex unions, viewing them as contrary to their teachings. Legalizing same-sex marriage can be seen as challenging these moral convictions. Moral arguments may also be based on cultural traditions and norms. In some cultures, marriage is deeply rooted in traditional definitions and gender roles. Legalizing same-sex marriage may be seen as a departure from these established moral standards.

The idea of monogamy in marriage would suffer if homosexual marriage became legal. Advocates for homosexuality dispute the idea that allowing marriage will persuade gays and lesbians to engage in committed partnerships with conventional monogamy. Opening marriage to gays is more likely to enable them to legalize polygamy, civil unions that are not based on sexual or romantic connections, and non-monogamy (sexual relationships among more than two people). Marriage will no longer offer a secure and healthy environment for couples, and especially children, to thrive without monogamy as its guiding principle. The institution of marriage will lose monogamy and any sense of permanency if homosexual marriage is permitted. Some argue that recognizing same-sex marriage supports diverse family structures and promotes inclusivity within society. Moral debates may touch upon concerns about the well-being of children raised by same-sex couples. Some argue that children may be better off in traditional heterosexual households, while others contend that love and support are the most critical factors in child-rearing.

Marriage is one of the most significant and contentious public topics of the day, and religion and morality play a significant role in this nation’s public life. It is neither shocking nor disturbing if parties on opposing sides of the marriage question try to utilize moral reasoning and recruit the aid of religious leaders and institutions. Legalizing same-sex marriage is often seen as an ethical imperative, promoting equal rights and non-discrimination. Denying same-sex couples the right to marry may be perceived as a violation of their basic human rights. Ethical considerations include respecting individuals’ autonomy and their ability to make decisions about their own lives. Allowing same-sex couples to marry recognizes their capacity to make choices regarding their relationships and families. Ethical debates also involve questions about the nature of family and community values. It is important to rebuff any efforts to restrict the free expression of diverse opinions on the topic of marriage.

Legal Implications

One of the key and general legal implications is whether a ban on same-sex marriage is constitutional. Legal arguments revolve around the principles of equal protection under the law, due process, and privacy rights. Courts may need to decide whether denying same-sex couples the right to marry is unconstitutional. Legalizing same-sex marriage entails granting same-sex couples the legal rights and benefits that come with marriage, such as inheritance rights, tax benefits, and access to healthcare. Ensuring these rights is a key legal consideration. Legalizing same-sex marriage also involves creating and implementing regulations to ensure a smooth transition and to address potential challenges, such as adoption and divorce proceedings for same-sex couples. The Philippines is a signatory to various international agreements and conventions that promote human rights and non-discrimination. Legalizing same-sex marriage may be seen as aligning

domestic law with international obligations. A major legal implication of legalizing same-sex marriage will be on the legal definition of marriage as provided in Article 1 of the Family Code of the Philippines which limits marriage to a man and a woman. Some of the specific legal implications of the proposed same-sex marriage bill are as follows:

Section 4 and 5 of Senate Bill No. 449 otherwise known as the Civil Union Act provides that:

Section 4. Recognition of Civil Unions. Any person who complies with the requirements herein provided, shall be allowed to register and enter into a civil union, and shall be bound by the obligations and responsibilities and enjoy the protections and benefits afforded by this act.

Section 5. Requisites of Civil Union. No civil union shall be valid unless the following requirements are present:

- 1. Legal capacity of the contracting parties. For purposes of this Act, there is legal capacity if the parties are:*
- 2. At least eighteen (18) years of age;*
- 3. Not prohibited to enter into civil union by reason of public policy, based on the grounds enumerated under Articles 37 and 38 of Executive Order No. 209, as amended, otherwise known as the " Family Code of the Philippines; and*
- 4. Free from any previous bond of marriage or civil union.*
- 5. Consent freely given in the presence of the administering officer;*
- 6. Authority of the administering officer;*
- 7. A valid license to contract or enter into a civil union issued by and obtained from the local civil registrar of the city or municipality where either party habitually resides; and*
- 8. A civil union ceremony which takes place with the personal appearance of the contracting parties before the administering officer and their personal declaration, that they take each other as legal partners In the presence of not less than two (2) witnesses of legal age. No specific religious rite or form shall be required for purposes of this requirement.*

The absence of any of the requisites mentioned in this section shall render the civil union void ab initio. A defect in the requirements provided under paragraphs (1) and (2) shall be grounds for the annulment of the civil union. However, a defect in paragraphs (3), (4) and (5) shall be deemed a mere Irregularity, which shall not affect the validity of the civil union but the persons responsible for the commission of the irregularity shall be civilly, criminally, and administratively liable.

As to the legal effect to the property regime of the spouses, Section 8, Section 9, and Section 11 of the same proposed bill provides that:

Section 8. Property Regime. The property relationship between civil union couples shall be governed in the following order:

- 1. By the pre-civil union agreement executed before the civil union ceremony; and*
- 2. By the provisions of this Act*

Section. 9. Pre-Civil Union Agreement. Couples may, within the limits provided for by this Act, fix their property relations by executing a pre-civil union agreement which shall be in writing, signed by both parties, and contained in a public instrument.

The parties may choose between the system of absolute community of property, conjugal partnership of gains, separation of property, whether total or partial, or any other regime, as provided for in the Family

Code of the Philippines, as amended. Such regimes shall govern their right to own, dispose of, possess, administer, and enjoy properties, subject to modifications, which are not contrary to law, morals, good custom, public order, or public policy, given the nature of their union.

Any stipulation or agreement that is inimical to the interest of the civil union relative to sustenance and support for medical treatment, dwelling, food, clothing, and other needs of the couple, or adversely affects the right of children to receive support, shall automatically be declared void. Stipulations which are not contrary to law, morals, good custom, public order, or public policy shall not be invalidated and shall remain effective. A pre-civil union agreement becomes effective upon the establishment of a civil union.

Section. 11. Default Property Regime. In the absence of a pre-civil union agreement or when the regime agreed upon is void, the default property regime shall be conjugal partnership of gains as provided for and defined under the Family Code.

As to the legal effects to the children of the family with regard to their status, future inheritance, adoption rights and parental authority, Section 15 and 16 of the proposed bill provides that:

Section. 15. Right to Inherit. For purposes of inheritance rights, a partner in a civil union shall be considered a compulsory heir of the other, who shall have the same rights and benefits accorded to a husband or wife in Republic Act No. 386, otherwise known as the "Civil Code of the Philippines," as amended, the Family Code of the Philippines, as amended, and Republic Act No. 8552, also known as the "Domestic Adoption Act of 1998."

Section. 16. Adoption Rights. Civil union couples residing in the Philippines who have the qualifications and none of the disqualifications may adopt if the requirements for a valid adoption, as provided under existing laws, are complied with.

The fact that the adopting couple is of the same sex shall not be considered as proof of bad moral character. The best interest and welfare of the child shall always be the paramount consideration in deciding matters concerning the adoption of a child by civil union couples.

As to the Dissolution of Civil Union and Protection of Children in Case of Dissolution of Civil Union, Section 18 and 19 of the same proposed bill provides that:

Section 18. Dissolution of Civil Union. The grounds, procedures and effects, whenever applicable, for legal separation, annulment and declaration of nullity of marriages under the Family Code of the Philippines, as amended, shall be applicable in civil unions.

Section. 19. Protection of Children in Case of Dissolution of Civil Union. To protect the rights and interests of children in the event of dissolution of the civil union, the court shall consider the following factors in so far as support for children, if applicable, is concerned:

- 1. Needs of the child;*
- 2. Standard of living and economic circumstances of each parent;*
- 3. All sources of income and assets of each parent;*
- 4. Earning ability of each parent, including education background, training, employment skills, work experience, custodial responsibility for children including the cost of providing childcare and the length of time and cost of each parent to obtain training or experience for appropriate employment;*
- 5. Need and capacity of the child for education, including higher education;*
- 6. Age and health of the child and each parent;*
- 7. Income, assets and earning ability of the child;*

8. *Responsibility of the parents for the court-ordered support of others;*
9. *Reasonable debts and liabilities of each child and parent; and*
10. *Any other factors the court may deem relevant.*

The obligation to give support to a child who is not a minor shall not terminate solely based on the child's age if the child suffers from a severe mental or physical incapacity that causes the child to be financially dependent on a parent. The obligation to give support for that child shall continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent.

Level of Agreement of the Albayano's on the Possibility of Legalizing Same-Sex Marriage in the Philippines

A survey was conducted for the researcher to know the level of agreement of the *Albayanos* on the possibility of legalizing same-sex marriage in the Philippines. The survey has a total of thirty-four (34) respondents selected randomly. Based on the results of the survey, 79.4% or 27 individuals of the total respondents agreed that same-sex marriage should be legalized in the Philippines. On the other hand, only 20.6% or 7 respondents disagree with the proposal.

Some reasons raised by the respondents in support to their agreement to the legalization of same-sex marriage is that everyone should be given the freedom to choose who to love and spend their life with. They argued that as long as the homosexual couple genuinely love each other and that they do not cause harm to others then they must be equally accepted. Furthermore, the respondents posited that love has no limits and no boundaries, and that love is universal, thus people should not impede their rights and hinder their happiness. Consequently, the respondents contended that in the observance of the principle of fairness and equality to all, homosexual couples must and should enjoy the same rights given to heterosexual couples. The respondents believe that it's time for this country, the Philippines, to have a progressive mindset and be more open to possibilities, thus legalizing same-sex marriage should be permitted.

However, as the result of the survey shows, there are respondents who disagree to the legalization of same-sex marriage for several reasons. One reason provided is rooted in a religious perspective. It provides that marriage is a holy sacrament, and the church believes that such holy ceremony should only be limited for to a man and a woman, thus same-sex marriage should not be permitted for it is unbiblical. Another reason cited was that same-sex marriage contradicts the very purpose of marriage which is procreation. Lastly, respondents posited that same-sex marriage extremely goes against the well-established teachings of their religion.

ADDITIONAL JUSTIFICATION FOR LEGALIZING SAME-SEX MARRIAGE IN THE PHILIPPINES

Apart from the angle of human rights, the researcher infers several additional justifications for the legalization of same-sex marriage in the Philippines to wit:

1. **Social Cohesion and Inclusion:** Legalizing same-sex marriage acknowledges and validates the existence of diverse sexual orientations and gender identities within society. By granting equal marriage rights to LGBTQ+ individuals, it sends a powerful message that all forms of love and commitment are valued and respected. It can be noted that historically, LGBTQ+ individuals have faced significant stigma and discrimination based on their sexual orientation or gender identity. Legalizing same-sex marriage helps to challenge these prejudices by normalizing same-sex relationships and families. This normalization can contribute to reducing negative stereotypes and fostering greater acceptance. Further, marriage as a fundamental institution in society, traditionally

associated with stability and commitment. Opening this institution to same-sex couples demonstrates a commitment to inclusivity and equal treatment under the law. It signals that LGBTQ+ individuals are full and equal members of society, deserving of the same rights and opportunities.

2. **Health and Well-being:** Marriage offers legal and social benefits that can contribute to the health and well-being of individuals. Legal marriage grants same-sex couples' access to important healthcare benefits, including the ability to be covered under a spouse's health insurance plan. Prior to marriage equality, many LGBTQ+ individuals faced challenges in obtaining affordable healthcare coverage, which can significantly impact their physical and mental well-being. Access to healthcare through marriage promotes preventive care, timely treatments, and overall better health outcomes. Consequently, marriage provides essential legal protections for same-sex couples, such as inheritance rights and decision-making authority in medical emergencies. Without legal recognition of their relationships, LGBTQ+ individuals may face challenges during critical life events, such as end-of-life care or property distribution, which can affect their emotional and financial stability.
3. **Family Protection:** Legal recognition of same-sex marriages ensures protection for families that include LGBTQ+ individuals, particularly in terms of parental rights and responsibilities. Their marriage ensures that both parents in a same-sex couple have recognized parental rights over their children. This includes rights related to decision-making, custody, and visitation in case of separation or divorce. Prior to marriage equality, LGBTQ+ parents often faced legal uncertainties and barriers, which could impact their ability to care for their children. Additionally, children raised by same-sex couples benefit from the legal protections associated with marriage. They have access to benefits such as health insurance, inheritance rights, and social security benefits through their parents. Legal marriage contributes to the financial and emotional stability of these families, enhancing the well-being of the children.
4. **Religious Freedom:** Legalizing same-sex marriage supports the principle of religious freedom by separating civil marriage from religious marriage. Legalizing same-sex marriage underscores the separation of civil marriage, which is a legal institution regulated by the state, from religious marriage, which is a sacrament or ceremony performed within a religious context. This separation ensures that religious institutions retain autonomy in defining marriage according to their beliefs and teachings. Arguably, legalizing same-sex marriage respects the diversity of religious beliefs within society. It acknowledges that different religious traditions have varying perspectives on marriage and relationships. By separating civil marriage from religious marriage, the state upholds the right of religious communities to uphold their teachings and practices regarding marriage.
5. **Personal Freedom and Autonomy:** The freedom to marry the person of one's choice is a fundamental aspect of personal autonomy and individual liberty. Marriage is a deeply personal choice that reflects individuals' desires for companionship, commitment, and mutual support. By legalizing same-sex marriage, the state acknowledges and respects the autonomy of LGBTQ+ individuals to make decisions about their relationships and families without facing discrimination or societal stigma. Legalizing same-sex marriage further validates the identities and experiences of LGBTQ+ individuals. It sends a powerful message that their relationships are equally valid and deserving of recognition within society. This affirmation contributes to positive self-esteem and well-being among LGBTQ+ individuals and their families. Moreover, legalizing same-sex marriage expands the scope of personal rights and freedoms guaranteed to all individuals. It reinforces the idea that everyone should have the opportunity to pursue happiness and fulfillment in their personal lives, including through the institution of marriage.
6. **Conservative Values:** For those who value conservative principles such as commitment, stability, and family values, supporting same-sex marriage can be seen as strengthening these ideals. Legalizing same-sex marriage reinforces the values of commitment and stability within relationships. Marriage is a public declaration of commitment between two individuals, signifying their dedication to building a life together. Allowing same-sex couples to marry encourages and strengthens this sense of commitment, fostering stable and enduring relationships. This will provide a supportive framework

for personal growth and development. Allowing same-sex couples to marry fosters an environment where individuals can flourish emotionally, socially, and economically within the context of a committed relationship. This encouragement of personal growth aligns with conservative ideals of self-improvement and fulfillment. Supporting same-sex marriage can be viewed to conserve and uphold traditional values of love, fidelity, and companionship within the context of modern relationships. It recognizes that these values transcend gender and sexual orientation, emphasizing the universal principles of human connection and partnership.

These justifications underscore the diverse societal benefits and values that come with legalizing same-sex marriage beyond the essential human rights considerations. They highlight the importance of recognizing and respecting the diversity of relationships and families in modern societies, ultimately contributing to a more equitable and harmonious world.

CONCLUSIONS

From the Findings mentioned in Chapter 4 of the study, the following conclusions were drawn:

1. There would be some legal implications if same-sex marriage would be legalized here in the Philippines. Some amendments to the provisions of the Family Code need to be made in order that there would be no contradictions between the proposed law and the already existing code.
2. The moral implications of the proposed law would revolve on the already existing and conceived concept of marriage by the catholic church. There will be clash between the moral standard of the society regarding marriage to the new idea of marriage which includes marriage between the same sex.
3. The idea of procreation which according to the catholic church is the very purpose of marriage would likewise be affected.
4. That the major problem of legalizing same-sex marriage her in the country is the arduous task of our respected legislators on the process of creating solutions on the conflicting laws that the bill created.
5. That the best remedy for the main problem of the same-sex marriage issue is to look at it on a legal and not on a moral sense. Make some necessary adjustments to its provisions in a way that it won't be contrary to public morals and public policy.

RECOMMENDATIONS

Based on the above findings and conclusions, the following recommendations are given:

1. To achieve synchronization with the definition of marriage under the law, there is a need to revise pertinent provisions of the Family Code to ensure that it is in consonance with the proposed bill.
2. Future researchers should be more open and therefore explore further on the moral aspects surrounding the issue of same-sex marriage. Include in the analysis thoughts and sentiments of some prominent church leaders. Do not limit the research on the catholic church only but rather include other religions as well.
3. Future researchers should include in their future study the sentiments of a same-sex couple who either have their own or adopted child. It is much better to interview a child under the parental authority of a same-sex couple. This will help future researchers to effectively assess if there is a significant effect not only on the moral but also on the holistic development of the child.
4. Future researchers must also look deeper into the perception of the *Albayanos* on the legalization of same-sex marriage in the Philippines.

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