

## *Taruc v. Dela Cruz*: Conservatism in Reviewing Decisions of Ecclesiastical Tribunals

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This Commentary critiques the decision of the Supreme Court in *Taruc v. Dela Cruz*, which involves the issue of whether a civil court has jurisdiction to hear a case involving the expulsion or excommunication of members of a religious institution.

The factual background of the case is first presented in this Commentary. A discussion of the legal history of the decision shows that the general rule established in this jurisdiction is that when it comes to matters of discipline, excision, faith, and practice of religion, the Church is supreme and civil authorities should not interfere with the jurisdiction of the Church over such matters.

The Commentary explores such theories as Higher Plane theory and Contract theory which support the doctrine that the Church has cognizance over matters that affect the right of membership of an individual belonging to that Church. The Author therefore agrees with the Court decision that expulsion or excommunication of members of a religious organization is a matter left best to the discretion of Church officials. The Commentary also analyzes the decision of the Court as it hammers the principle of implied consent, which recognizes the specialization of the ecclesiastical tribunals in determining membership disputes.

Notwithstanding the special jurisdiction of the Church over these matters, due process must still be followed. In the end, the Author believes that although the Court rendered the proper decision, it did not fully thresh out issues involving the jurisdiction of ecclesiastical tribunals.