

Rights and Status of Common Law Spouses Under Philippine Law and Jurisprudence

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*SUBJECT(S): CIVIL LAW, PERSONS AND FAMILY RELATIONS LAW,
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The Article discusses the rights of common-law spouses in civil law, remedial law and labor law.

In civil law, when common law spouses live together as husband and wife and purchases property, the said property is presumed to have been bought by use of their common funds. Under the same law, the ban on donations between spouses also applies to common law spouses. Moreover, *Matabuena v. Cervantes* provides that a common-law spouse cannot be considered a compulsory heir of the other and that a common-law wife cannot ask for support from a common law husband.

In remedial law, common law spouses cannot avail of the privileges provided in Rule 130, Sections 20(b) and 21(a) of the Revised Rules of Court. Also, a common law wife has no right to intervene in the probate proceedings of the deceased unless she is named as an heir, legatee or devisee or a creditor of the deceased.

In labor law, a common law wife cannot legally succeed a common law husband under Section 9 of the Code of Agrarian Reforms.

From the foregoing, the Author concludes that common law spouses are deprived of the rights and privileges given to those who are validly married.