

Conjugal Partnership: Rights and Remedies of the Wife

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5 ATENEO L.J. 516 (1956)

KEYWORD(S): CONJUGAL PARTNERSHIP, PROPERTY RIGHTS, REMEDIES

SUBJECT(S): PROPERTY RIGHTS, REMEDIES

Under the conjugal partnership system, the legal administrator of the property is the husband and the wife may only bind the partnership with the consent of the husband; there are, however, exceptions to this rule (e.g., expenses for the day-to-day needs of the family).

In the case of *Borromeo v. Borromeo*, the Supreme Court was faced with the issue of whether or not a person may deprive the spouse of conjugal rights by entering into an agreement; however, the Court did not pass upon this question. This type of agreement runs counter to the nature of a conjugal partnership; thus the Author presents the problem of whether under a conjugal partnership, a spouse may be deprived of his or her rights by an agreement with another person. The Author states that jurisprudence indicates an answer in the negative and points out that a contrary rule would work an injustice against the wife by divesting her of an acquired interest over her share of the property. The remedies of the wife are then outlined and discussed. For example, in the case of fraudulent alienations by the husband, the wife has 10 years from the time the time of the transaction to file for an annulment of such.