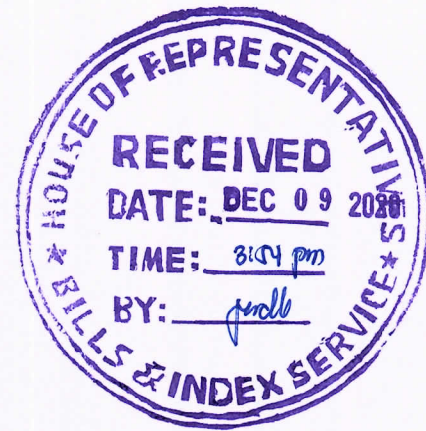


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8177



Introduced by: Congressman BIENVENIDO M. ABANTE, JR.

AN ACT

**DEFINING PARENTAL RIGHTS AND AUTHORITY
OVER MINOR AND UNEMANCIPATED CHILDREN**

EXPLANATORY NOTE

God instituted the family and government. But while God commanded men to obey the law (*1 Peter 2:13*) and to submit to authorities (*Romans 13:1*), He put the Family in a higher level when He said: "Children, obey your parents in the Lord: for this is right". "Honour thy father and thy mother; which is the *first commandment with promise*"; "That it may be well with thee, and thou mayest live long on the earth" (*Ephesians 6:1-3, KJV*). It is not to diminish respect and obedience to the State and the government to impress the truth that it is obedience to parents that is impressed with a Divine promise. By divine declaration, parental authority over children is supreme to government authority which is complementary and a supporting role in nature.

Since the beginning of time, immorality; unrighteousness; hatred; lack of discipline; riotous living; covetousness; corruption; disrespect to law, authority and parents; lust for money, identity, power and influence; poverty, among others, have engulfed the world, wrecking families, destroying relationships, sowing disorder, and even bringing down leaders and governments.

This is very true in our country, despite the Constitutional declarations that: "the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being" (*Sec. 13, Art. II, Constitution*), and "All educational institutions shall teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline" (*Secs. 3(1) and (2), Art. XIV, Constitution*).

These are all issues of character and discipline. And right discipline must start in the heart of a child. "Train up a child in the way he should go: And when he is old, he will not depart from it" (Proverbs 22:6, KJV). So, our Constitution declares that the State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the government (*Sec. 12, Art. II, Constitution*), and that the Filipino family is the foundation of the nation and accordingly the State shall strengthen its solidarity and actively promote its total development (Sec. 1, Art. XV, Constitution).

God gave parents clear instructions towards their children: 1) **teach** them God's principles (*Deuteronomy 6:7*); 2) **Train** them the ways of God (*Proverbs 22:6*); 3) **provide** for their physical needs (*1 Timothy 5:8*); 4) **nurture** them by chastening and admonishing them (*Ephesians 6:4*); 5) **love** them (*Titus 2:4*); and 6) **control** them (*1 Timothy 3:4*). Thus, the development of the moral character, spiritual, intellectual, and social well-being of a child starts right in the home under the watchful eyes of his/her parents.

The rearing of the youth is the primary duty and responsibility of parents and the authority of the government complements the same. This Bill emphasizes that the authority of parents (*Patria Potestas* or power of a father) in rearing their children is superior to the authority of the State (*Parens patriae* or parent of his or her country). It is the parents who have the power and the primary authority to set the direction of their children and the State complements parental authority or acts in a supporting role with the aim and purpose of protecting the rights of a minor when he is placed under unfavorable situation by reason of his age or incapacity.

We must realize that God gave parents, not the State or government, the primary duty and responsibility to rear their children. This Bill, therefore, seeks to emphasize in unequivocal terms, and give meaning to, the primary duty and responsibility of parents in the rearing of the youth in general and their children in particular, and the corresponding obligation of children to submit to and obey their parents.

In the light of the foregoing, the immediate passage of this Bill is earnestly requested.



BIENVENIDO M. ABANTE, Jr.

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DEFINING PARENTAL RIGHTS AND AUTHORITY
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*Be it enacted by the Senate and the House of Representatives of the
Philippines in session assembled:*

SECTION 1. Title. - This Act shall be known as the Parental Rights
Act of 2020.

SEC. 2. Statement of Policy. – Consistent with the Constitutional
declarations that: the State recognizes the sanctity of family life and shall
protect and strengthen the family as a basic autonomous social institution;
the natural and primary right and duty of parents in the rearing of the youth
for civic efficiency and the development of moral character shall receive the
support of the government; the State recognizes the vital role of the youth in
nation-building and shall promote and protect their physical, moral, spiritual,
and social well-being; the State recognizes the Filipino family as the
foundation of the nation, and accordingly, it shall strengthen its solidarity
and actively promote its total development; the State shall defend the right
of spouses to found a family in accordance with their religious convictions
and demands of responsible parenthood and the right of children to
assistance, including proper care and nutrition, and special protection from
all forms of neglect, abuse, cruelty, exploitation, and other conditions
prejudicial to their development, it is hereby declared the policy of the State
to emphasize, promote, protect and uphold the natural parental authority and
superior right of parents in rearing their minor and unemancipated children.

It is likewise the policy of the State to enjoin children to submit to the direction and discipline of their parents especially while living with them and under their care and support.

-page 2-

SEC. 3. *Parental rights and authority of parents over their children.* – Parents have the natural and primary duty and responsibility to rear their children for civic efficiency and the development of their moral character, and to protect them from all forms of abuse, cruelty, exploitation, and other conditions prejudicial to their development. In the exercise of such duty and responsibility, the best interest of the child shall be the paramount consideration. The parental authority of parents as *patria potestas* over their minor and unemancipated children is superior to that of the government. The government, in the exercise of its authority as *parens patriae*, may intervene in a complementary and supportive role when the safety or security of the minor or unemancipated child requires on account of his/her minority or incapacity.

SEC. 4. *Standard and extent of parental discipline over minor and unemancipated children.* The rearing of children being the natural and primary duty and responsibility of their parents, such duty and responsibility shall include the right and authority to teach, train, provide, nurture, love, control and discipline their children, and to decide on the education that their minor or unemancipated children should pursue, as well as the school or institution of learning where they should pursue their education, as they may deem best and with due recognition and respect to their religious beliefs and to biblical principles and/or any religious book and standards they believe in that are pertinent to such duty and responsibility, without interference from the government.

SEC. 5. *Duty of children to submit to parental authority.* – Children who are minors or unemancipated and living with their parents shall obey and submit to their parents in the exercise of their right, duty and responsibility to teach, train, control and discipline them and to provide for their education.

SEC. 6. *Freedom of religion.* - The freedom of religion and the free exercise and enjoyment of religious profession, beliefs and worship, of parents in connection with the rearing of their children shall be recognized, respected, upheld and shall not be abridged.

SEC. 7. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, and other issuances inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 8. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,