

Title:

In the Matter of the Petition of Wilfred Uytengsu to be Admitted a Citizen of the Philippines, Wilfred Uytengsu, Petitioner and Appellee, vs. Republic of the Philippines, Oppositor and Appellant, 95 Phil. 890

Facts:

Wilfred Uytengsu, born to Chinese parents in Dumaguete, Negros Oriental on October 6, 1927, sought to become a naturalized Filipino citizen. Uytengsu completed his primary and secondary education in Dumaguete before attending the Mapua Institute of Technology in Manila for one semester in early 1946. Later in 1946, he traveled to the United States to study at Leland Stanford Junior University in California, where he graduated in 1950 with a Bachelor of Science degree.

Upon his return to the Philippines in April 1950 for a four-month vacation, he filed a petition for naturalization on July 15, 1950. He subsequently returned to the United States to pursue a postgraduate course in chemical engineering at an institution in Fort Wayne, Indiana, which he completed in July 1951. Uytengsu then returned to the Philippines on October 13, 1951. Initially scheduled for hearing on July 12, 1951, the case was postponed due to Uytengsu's absence, requested by his counsel.

Issues:

1. Whether Uytengsu's absence from the Philippines after filing his petition for naturalization and prior to the court hearing invalidates his application under Section 7 of Commonwealth Act No. 473, given the requirement for continuous residence.

Court's Decision:

The Supreme Court reversed the judgment of the Court of First Instance of Cebu, denying Uytengsu's application for naturalization and dismissing the case. The Court held:

1. **Interpretation of "Residence" and "Domicile":**

- The Court emphasized the distinction between "residence" and "domicile," noting that "residence" requires physical presence, whereas "domicile" is a broader term referring to one's permanent legal home.
- Under Commonwealth Act No. 473, Section 7, the continuous residence requirement implies actual physical presence, not merely domicile.

2. **Application of Continuous Residence Requirement:**

- Uytengsu violated the continuous residence requirement by returning to the United States

after filing his petition and remaining there until October 1951.

- The Court reasoned that allowing applicants to be absent from the Philippines for extended periods would impede the government's ability to observe their behavior and compliance with the law.

Doctrine:

The doctrine established by this case includes:

- **Requirement of Actual Residence for Naturalization Applicants:** Applicants for naturalization must maintain actual, continuous residence in the Philippines from the filing of their petition until its determination. This requirement is not satisfied by merely maintaining domicile or legal residence.

Class Notes:

- **Key Concepts:**

- **Residence vs. Domicile:**

- Residence involves physical presence in a place; domicile includes an intention to remain.

- **Naturalization Law (Commonwealth Act No. 473):**

- Section 7 requires applicants to reside continuously in the Philippines from the filing of the petition until the court decides the application.

- **Legal Provisions:**

- Commonwealth Act No. 473, Section 7: Details the requirements for naturalization, including the continuous residence requirement.

- **Relevant Statutes:**

- Section 2 and 3, Commonwealth Act No. 473: Describes the ten-year and, in special cases, five-year residency requirements.

- **Constitutional Provisions:**

- Article VI, Sections 7 and 4: Details the residency requirements for elective positions such as a representative or senator.

Historical Background:

This case emerges from the post-World War II era when issues of citizenship and the legal definitions of residence and domicile were critical for naturalization processes. The distinction between these terms was particularly significant in a country like the Philippines, which experienced substantial foreign presence and migration. The decision reflects the importance of ensuring that applicants for citizenship demonstrate a genuine and sustained connection to the country for proper assessment of their character and intentions.