

Title: Register of Deeds of Rizal v. Ung Siu Si Temple, 97 Phil. 58 (1955)

Facts:

1. On January 22, 1953, Jesus Dy, a Filipino citizen, executed a deed of donation conveying a parcel of residential land in Caloocan, Rizal, known as Lot No. 2, Block 48-D, PSD-4212, G.L.R.O. Record No. 11267, to the Ung Siu Si Temple, an unregistered religious organization.
2. The Ung Siu Si Temple is operated through three trustees, all of whom are of Chinese nationality.
3. The donation was duly accepted on behalf of the Temple by Yu Juan, a Chinese national and the founder and deaconess of the Temple.
4. The Register of Deeds for Rizal refused to accept the deed for recordation due to the foreign nationality of the Temple's trustees.
5. The case was elevated en consulta to the Fourth Branch of the Court of First Instance of Manila, which upheld the Register of Deeds' decision on March 14, 1953.
6. The Court of First Instance cited sections 1 and 5 of Article XIII of the Philippine Constitution, limiting land acquisition to Filipino citizens or entities with at least 60% Filipino ownership.
7. The decision was based on the Supreme Court's ruling in *Krivenko v. Register of Deeds of Manila*.
8. Unsatisfied, the Ung Siu Si Temple, through its counsel, appealed to the Supreme Court, arguing that Act No. 271 of the old Philippine Commission authorized such acquisition for religious purposes and that the refusal violated the freedom of religion clause of the Philippine Constitution.

Issues:

1. Whether Act No. 271 of the old Philippine Commission permits the acquisition of land by foreign-controlled religious organizations.
2. Whether preventing the registration of the deed of donation violates the freedom of religion guaranteed by the Constitution of the Philippines.

Court's Decision:

1. Compatibility of Act No. 271 and the Constitution:
  - The Supreme Court held that the provisions of Act No. 271 must be deemed repealed by the Constitution insofar as they are incompatible.
  - Section 5 of Article XIII of the Constitution expressly prohibits the transfer or assignment of agricultural land to those not qualified to hold public land, without exception for religious

organizations.

- Sections 1 and 2 of Article XIII further limit the acquisition of agricultural lands and natural resources to entities with at least 60% Filipino ownership.
- Since the Ung Siu Si Temple's trustees are all of foreign nationality, it fails to meet the constitutional requirements.

## 2. Violation of Freedom of Religion:

- The Court was not persuaded that owning land is essential to the free exercise of religious worship.
- The prohibition on land ownership does not prevent religious practice; hence, there is no violation of the freedom of religion clause.
- The Court referenced historical issues, emphasizing that allowing alien-controlled religious organizations to own land could revive problematic land holdings.

## Doctrine:

- The Constitution of the Philippines, specifically Article XIII, sections 1, 2, and 5, limits land ownership and acquisition to Filipino citizens or entities with at least 60% Filipino ownership, without exception for religious organizations.
- Historical precedence and national interests necessitate ensuring that control over land remains primarily with Filipino citizens.

## Class Notes:

- Article XIII, Section 5 (Constitution of the Philippines): No private agricultural land shall be transferred or assigned except to qualified individuals, corporations, or associations.
- Article XIII, Sections 1 and 2 (Constitution of the Philippines): Restrict acquisition of public agricultural lands and natural resources to corporations or associations with at least 60% Filipino ownership.
- Act No. 271: Allowed religious associations to own land for religious purposes; deemed repealed by the Constitution where incompatible.
- *Krivenko v. Register of Deeds of Manila*: Case reinforcing the constitutional restrictions on land ownership by foreign nationals.
- Key principle: Ownership restrictions ensure control of land remains predominantly with Filipino citizens, acknowledging national historical context.

## Historical Background:

- The case touches upon historical grievances related to foreign land holdings in the Philippines, which contributed to the 1896 revolution.

- Nationalistic provisions in the Constitution were designed to prevent the re-emergence of such foreign-dominated land holdings.
- Act No. 271 was created during the American colonial period and predates the current constitutional framework, thus its provisions must align with constitutional mandates.