

ERNESTO GO, PETITIONER-APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR-APPELLANT.

G.R. No. L-12101. January 24, 1959

Ponente: BAUTISTA ANGELO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/160bddc4e330/>

BAUTISTA ANGELO, J.:

On December 3, 1955, Ernesto Go filed in the Court of First Instance of Ilocos Norte a petition praying that he be declared a Filipino citizen. After hearing, the petition was granted, whereupon the Government appealed.

Petitioner was born on November 6, 1931 at Currimao, Ilocos Norte of a Chinese father named Go Peng and a Chinese mother named Chua Guat. He enrolled at the Currimao Elementary School from which he graduated on April 21, 1948. He took up his secondary education at the St. William College from which he graduated on April 15, 1952. He continued attending the same institution and on April 5, 1954 he graduated with the Degree of Associate in Business Administration. He also obtained from the same institution a diploma of Bachelor of Science in Commerce on March 23, 1956. On May 6, 1956, he married Rosario Chua of Badoc, Ilocos Norte, and at the time he filed the present petition he was earning an average of P2,400.00 per annum as his father's helper in the latter's store. Speaking further of his qualifications, the trial court stated;

"The evidence shows further that petitioner, though son of an alien, had shown that he can easily get along with Filipinos. As a boy, he had been trustworthy, so much so that the principal of the Currimao Elementary School had made him the trusted boy of the said school. Later, as a student in St. William College, because of his abilities, he had been voted member of the Central Board of Students, as an Auditor. As a youngman, he had evinced a sincere desire to identify himself with the people of his town by mixing with them. Perhaps, because of his friendliness and therefore well liked, he was invariably requested to be sponsor of wedding and baptisms. Though he does not know how to dance if invited, he would also attend dances or any social affairs of the youngmen and youngwomen of the town. According to Mr. Nemesio Judalena, one of the two witnesses presented, the petitioner is civic-spirited. During fiestas he is a liberal contributor and sometimes participates as one of the dramatis personae of dramas staged by the youngmen and youngwomen of the town. Mr. Toribio Lazo, another witness presented by the petitioner, testified that he is the adviser of the Currimao Civic and Social Promoters and personally knows the petitioner because he is also a member of the said organization. As a member of the said organization, the petitioner is very active, so much so that he had been voted as its Business Manager. In the Barrio of Pias, Currimao, Ilocos Norte, where the organization had put up a rural clinic, the petitioner donated the paints for the said rural clinic.

"The petitioner too has taken an interest in local politics. Believing that it is in the wise selection of good, honest and upright men to govern our country is imperative in a democracy, he usually attend political rallies of any party for any candidate. Sometimes he used the family trucks to bring people to the places where the political rallies are held. Mr. Nemesio Judalena, present Mayor of Currimao, Ilocos Norte, and Mr. Toribio Lazo, a prominent citizen and resident of the same town stated that they have known the petitioner since his birth and they know him to be a man of good moral character, civic-spirited and law-abiding. These two respectable residents of Currimao, Ilocos Norte, honestly and sincerely believed that the petitioner is highly qualified to be a Filipino citizen and who will not be a liability to the Philippine Government, Exh. 'H'."

It appears however that during the trial one of petitioner's witnesses, Nemesio Judalena, Municipal Mayor of Currimao, Ilocos Norte, declared, among other things, as follows:

"Q

By his actuations, does he show that he acts like a Filipino?

A.

Yes, sir.

Q.

So that during elections he shows his interest also?

A.

Yes, sir.

Q.

He helps campaign?

A.

He also voted, sir.

Q.

And he helps particular candidates?

A.

He also voted.

Q.

As a matter of fact, he helps also by financial means certain candidates in elections?

A.

He also comes and hears political meetings.

x x x" (p. 24, t.s.n.).

And because of the above statement which appears uncontradicted and shows that petitioner had taken an active participation or interest in the local elections either by attending political rallies or by voting despite the fact that he is a foreigner, the Government now contends that the trial court erred in considering him as 'qualified to be a Filipino citizen for such behavior constitutes a violation of Section 56 of the Revised Election Code which provides: "No foreigner shall aid any candidate, directly or indirectly, or take part in or influence in any manner any election."

There is merit in this contention. A foreigner is indeed prohibited by law from taking part in any local elections directly or indirectly so much so that the same is considered a serious offense which is penalized, if proven not only by imprisonment but also by deportation (Sections 183, 185, Revised Election Code). That petitioner must have taken part in the local elections, even if he now avers the contrary must be true for the same is borne out by no less than the testimony of the Mayor of Currimao where he is a resident. This is a circumstance which disqualifies him for naturalization.

Thus, in a similar case, this Court made the following pronouncement:

"x x x These provisions of the Revised Election Code may not be taken lightly, much less ignored. They were intended to discourage foreigners from taking active part in or otherwise interfering with our elections, under penalty not only of imprisonment but also deportation. It might well be that as already stated, the evidence about this violation of the election law was given by his own witness who in all likelihood gave it in good faith and in all friendship to the applicant to bolster the latter's application for naturalization, without realizing that by said declaration he was forever closing the door to Benluy's ever becoming a Filipino citizen. But the law must be applied and enforced. It is merely a piece of bad luck for him. From the standpoint of the Government however, it was fortunate that said evidence was brought up, thereby preventing the granting of Philippine citizenship to a foreigner who tho even in his ignorance of the law and at the instance of his Filipino friends, violated one of the important provisions of our election law. x x x" (Benluy v. Republic of the Philippines, G.R. No. L-5522, December 21, 1953)

Wherefore, the decision appealed from is reversed, without pronouncement as to costs.

Paras, C.J., Bengzon, Padilla, Montemayor, Reyes, J.B.L., and Endencia, JJ., concur.
Reyes, A., J., on leave.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.