

JOSEPH SOGLOU ALIAS GO SIOK DU ALIAS JOSEPH GO, PETITIONER AND APPELLEE VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.

G.R. No. L-20318. May 19, 1966

Ponente: BAUTISTA ANGELO, J.

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BAUTISTA ANGELO, J.:

Petitioner seeks Philippine citizenship in a petition filed before the Court of First Instance of Cebu.

Petitioner's full name is Joseph Soglou Go which is the name he was authorized to bear in an order issued by the court in a special proceeding instituted for the purpose. Prior to such change, of name, petitioner was known as Go Siok Du, alias Joseph Go, alias Joseph Soglou Go.

Petitioner is a citizen of the Republic of Nationalist China under whose laws Filipinos may become naturalized Chinese citizens. He was born in Amoy, China on March 16, 1930 of Chinese parents. He emigrated to the Philippines as a son of a Chinese merchant having arrived there on March 13, 1938. He resided in Cebu City for one year but later went to Cagayan de Oro where he also resided for one year. Then he returned to Cebu City where, he resided continuously since 1950 up to the present time.

His father was originally considered as a mestizo-Filipino because his mother was a Filipina, but because his citizenship papers were destroyed during the liberation his brother-in-law registered him as a Chinese. And as it is difficult for him to regain his status as a Filipino he applied for naturalization.

He took up his primary course in the Colegio dela Imaculada Concepcion, his intermediate course in the Colegio de Sto. Nino, and his high school course in the Cebu Institute of Technology. These schools were recognized by the Philippine Government where Philippine history, civics, and government were included in their curriculae. He speaks and writes English and the Cebu dialect- And on July 13, 1950 he filed his declaration of intention in the Office of the Solicitor General.

After hearing, wherein the Solicitor General was represented by an Assistant City Fiscal of Cebu, the court a quo rendered judgment granting the petition for naturalization.

The government has appealed.

There is merit in the claim of the government that petitioner is disqualified from becoming a Filipino citizen because of the use made by him of three different names prior to the petition he filed in court wherein he was authorized to finally use the name of Joseph Soglou Go. Thus, it is undisputed that before the filing of said petition petitioner made use of the following names, to wit: Joseph Go, Go Siok Du, and Joseph Soglou Go. These, names he used not only in his transactions but even in his dealings with the public by interchanging one name for another, and it was only in 1959 when he decided to do away with his aliases by filing the petition for change of name in the proper court. Consequently, petitioner violated the provisions of Commonwealth Act 142 which prohibits the use of an alias name unless authorized by the court. This fact alone disqualifies him to become

a Filipino-citizen.

The fact that after a number of years he thought of filing a petition to do away with his alias names cannot serve to mitigate his situation for it may be safely concluded that he decided to do so merely in contemplation of his desire to file a petition for naturalization. For one thing, this change of name cannot cure his previous improper behavior it appearing that for a long period of time he contumaciously and willfully violated an existing statute which he is supposed to know expressly prohibits the use of an alias name without previous authority from the court. Evidently, petitioner cannot in all sincerity claim that he has done anything wrong even with the use of different names in the past for the simple reason that he has not been subjected to any prosecution under Commonwealth Act 142 because the absence of such prosecution cannot erase the fact that his previous behavior is not one that can be expected from a person who deserves to become a Filipino citizen.

There is another factor that belies petitioner's claim that since his arrival in the Philippines he has conducted himself in a proper and irreproachable manner and that his character and integrity are beyond reproach. An examination of the record shows that when he was still a young lad of 14 years he already became involved in a gambling raid for which he was arrested by the police of Cebu City though actually no information was filed against him. His explanation that his involvement was merely due to a mistake cannot be given much weight for that incident cannot erase the suspicion that if he was arrested he was really engaged in a gambling activity. One who desires to be a Filipino citizen must show in a manner that can admit of no doubt that he is a man of integrity and possesses good moral character. This petitioner failed to do.

Wherefore, the decision appealed from is reversed. Petition is denied, with costs against petitioner.

Denzon, C.J., Concepcion, Reyes, J.B.L., Barrera, Dizon, Regala, Makalintal, Bengzon, J.P., Zaldivar and Sanchez, JJ., concur.

Judgment reversed.

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