

IN THE MATTER OF THE PETITION OF EDISON CHUA E. YOUNG TO BE ADMITTED A CITIZEN OF THE PHILIPPINES.

G.R. No. L-11278. May 19, 1958

Ponente: BAUTISTA ANGELO, J.

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BAUTISTA ANGELO, J.:

This is an appeal from a decision of the Court of First Instance of Manila denying petitioner's application for naturalization as a Filipino citizen.

Petitioner was born in Manila on March 23, 1931. He received his primary and secondary education in a private school recognized by the Government. Because of his birth and education, he was exempt from making a declaration of intention. He was employed as promotional manager of Pacific Electrical Supply with a monthly salary of P300.00. He is registered as an alien with the Bureau of Immigration in accordance with the provisions of Republic Act 562. In 1950, he studied in the United States and holds a degree of Bachelor of science in Economics from the University of Massachusetts.

Petitioner declared that he has all the qualifications and none of the disqualifications prescribed by law, and in support of his petition he presented two witnesses, namely, Antonio Gutierrez and Alfonso T. Lamagna. These witnesses testified that they know petitioner personally and in their opinion he is a person of good repute and morally irreproachable. They further declared that he has all the qualifications and none of the disqualifications provided by law. However, the trial court found them not qualified to testify as character witnesses because, as the court declared, their testimony is "vacillating, incomplete, unsatisfactory, and is based on mere conjectures without sufficient grounds to base their opinions. Their knowledge of the petitioner is casual and not sufficient for a just evaluation of the petitioner's character and real intention. Most of their statements are hearsay, being based on what the petitioner told them."

On the other hand, the law requires that one who applies for Philippine citizenship must know English or Spanish and any of the local dialects. Here there is no question that petitioner speaks the English language sufficiently well, but doubt is entertained as to his knowledge of the Tagalog dialect. His knowledge of this dialect, as evinced during the hearing, was found by the court to be insufficient, for, as the court said: "The said petitioner, while being well versed in English, having been educated here and abroad, has a very limited knowledge of our native dialect and could not even translate into Tagalog the words 'Miss' and 'Mrs.'" For this reason, he was found disqualified to become a Filipino citizen.

Petitioner now contends that the trial court erred not only in disqualifying him for possessing insufficient knowledge of the Tagalog dialect but also in finding that the two witnesses who testified in support of his petition are not fit to act as character witnesses. He claims that the court did not make a proper evaluation of the evidence and, hence, erred in dismissing his petition.

Let us examine the evidence to see if this contention is correct.

With regard to the knowledge of Tagalog dialect of petitioner, the representative of the Government submitted him to the following examination:

"MR. TORRES:

Q. Can you speak Tagalog?

A. Yes, sir.

MR. TORRES:

Your honor, may I address some questions to the witness in Tagalog?

COURT:

Proceed.

MR. TORRES:

Q. sabihin ninyo sa hukuman ang dahilan ibig ninyo magin Pilipino.

A. Gusto maging Pilipino dahil dito ako pinanganak; dito ako umaral; dito ako lumaki; mayroon kung marami kaibigan Pilipino; gusto ang pamumuhay nang Pilipino.

Q. Bukod pa dian, anong kabutihan tatanggapin ninyo kung kayo maging Pilipino?

A. Maari, po, dito matira habang buhay.

Q. Sino-sino ang mga kaibigan mong Pilipino? Maari banggitin ninyo ang pangalan?

A. Mr. Gutierrez, Mr. Lamagna, and mga kapitbahay ko, Mr. Cruz, Mr. Villamor, Mr. Rono." (t.s.n., pp. 35-36)

The trial court in turn examined petitioner on his knowledge of the language as follows:

"COURT:

Q. You said that you have an understanding of the Tagalog language. You try to prove that, I am going to give you a common, simple word, and I want you to give its correct translation. The word in Tagalog is 'Mahal'. There are two significance in English of the word. 'Mahal'. What are they?

A. 'Mahal' could mean that the price is very 'high', and the other means 'love.'

COURT:

Very good.

Q. What is the correct translation in Tagalog of the English word 'Miss', or 'Señorita' in Spanish?

A. Your Honor, I don't know.

Q. What is the correct Tagalog translation of the word 'Mrs.', or 'Señora' in Spanish. What is the correct translation in Tagalog?

A. I think we always use the word 'Mrs.' just the same in Tagalog." (t.s.n., pp. 52-53; Underlining supplied)

Considering the answers petitioner has given to the questions propounded to him not only by Solicitor Torres but also by the trial court to the extent that they elicited from the latter the qualification of very good, we are of the opinion that the knowledge evinced by him of the dialect is more than sufficient to qualify him for the purposes

required by law. His answers showed that he possesses a working knowledge of the dialect sufficient enough to understand and be understood in an ordinary conversation. His knowledge was further tested when he was asked to write down in his own handwriting some dictation in this dialect. The result was that petitioner wrote the dictation accurately well thus showing a fair knowledge to speak and write the dialect.

With regard to the competency of the two character witnesses, we are however of the opinion that the trial court correctly appraised the nature of their testimony. It branded it as vacillating, incomplete, unsatisfactory and based on mere conjectures, and this is supported by the record. Thus, when witness Lamagna was asked why he believed petitioner has all the qualifications necessary to become a Filipino citizen, he stated that he has that belief because he was more than 21 years old, he resided in the Philippines for more than 10 years, and he had his primary and secondary schooling in a school recognized by the Government. But when he was asked why he knew that those were the qualifications that petitioner possesses, he answered that he learned them from his lawyer. On the other hand, Antonio Gutierrez stated that petitioner is American-educated, that he talks like an American, and that his manners are those of an American. And on cross-examination, he said that he never had occasion to talk to petitioner about the constitution, and he merely presumes that he must know something about it since he is a high school graduate. These witnesses did not mention anything about his character nor about his sincere desire to embrace the customs and traditions of the Filipinos .

The law requires that petitioner should conduct himself in a proper and irreproachable manner during the entire period of his residence in the Philippines, and that he has mingled socially with the Filipinos and has evinced a sincere desire to learn and embrace the customs, traditions and ideals of the Filipinos. These are important qualifications that must be proven not only by the testimony of petitioner but by that of two character witnesses. Indeed, it has been held that the witnesses who appear in support of a petition for naturalization are in a way insurers of the conduct and character of the applicant since the court is compelled to rely exclusively on their testimony, and so their qualification is a matter of more than ordinary significance for the court. For this reason, it becomes necessary that their testimony be carefully scrutinized (*Robert Cu v. Republic of the Philippines*, G. R. No. L-3018, July 18, 1951). Following this pattern, we cannot but conclude that they do not know petitioner well to qualify them to testify as to his character and good moral conduct.

Wherefore, the decision appealed from is affirmed, with costs against appellant.

Paras, C.J., Bengzon, Montemayor, Reyes, A., Labrador, Concepcion, Reyes, J.B.L., Endencia, and Felix, JJ., concur.

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