

REPUBLIC OF THE PHILIPPINES, PETITIONER, VS. LEONOR VALENCIA, AS NATURAL MOTHER AND GUARDIAN OF HER MINOR CHILDREN, BERNARDO GO AND JESSICA GO; AND THE HON. AGAPITO HONTANOSAS, ...

G.R. No. L-32181. March 05, 1986

Ponente: GUTIERREZ, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/d9ca8d2f13fb/>

GUTIERREZ, JR., J.:

This is a petition to review the decision of respondent Judge Agapito Hontanosas of the Court of First Instance of Cebu, Branch XI who ordered the Local Civil Registrar of Cebu to make the necessary cancellation and/or correction in the entries of birth of Bernardo Go and Jessica Go in the Civil Registry of the City of Cebu.

Respondent Leonor Valencia, for and in behalf of her minor children, Bernardo Go and Jessica Go filed with the Court of First Instance of Cebu a petition for the cancellation and/or correction of entries of birth of Bernardo Go and Jessica Go in the Civil Registry of the City of Cebu. The case was docketed as Special Proceedings No. 3043-R.

The Solicitor General filed an opposition to the petition alleging that the petition for correction of entry in the Civil Registry pursuant to Article 412 of the New Civil Code of the Philippines in relation to Rule 108 of the Revised Rules of Court, contemplates a summary proceeding and correction of mere clerical errors, those harmless and innocuous changes such as the correction of a name that is merely misspelled, occupation of parents, etc., and not changes or corrections involving civil status, nationality, or citizenship which are substantial and controversial.

Finding the petition to be sufficient in form and substance, the trial court issued an order directing the publication of the petition and the date of hearing thereof in the Cebu Advocate, a newspaper of general circulation in the city and province of Cebu, once a week for three (3) consecutive weeks, and notice thereof, duly served on the Solicitor General, the Local Civil Registrar of Cebu City and Go Eng.

Respondent Leonor Valencia, filed her reply to the opposition wherein she admitted that the present petition seeks substantial changes involving the civil status and nationality or citizenship of respondents, but alleged that substantial changes in the civil registry records involving the civil status of parents, their nationality or citizenship may be allowed if (1) the proper suit is filed, and (2) evidence is submitted, either to support the allegations of the petition or to disprove the same; that respondents have complied with these requirements by filing the present special proceeding for cancellation or correction of entries in the civil registry pursuant to Rule 108 of the Revised Rules of Court and that they have caused reasonable notice to be given to the persons named in the petition and have also caused the order for the hearings of their petition to be published for three (3) consecutive weeks in a newspaper of general circulation in the province.

Subsequently, the Local Civil Registrar of Cebu City filed a motion to dismiss on the ground that since the

petition seeks to change the nationality or citizenship of Bernardo Go and Jessica Go from "Chinese" to "Filipino" and their status from "Legitimate" to "Illegitimate", and changing also the status of the mother from "married" to "single" the corrections sought are not merely clerical but substantial, involving as they do the citizenship and status of the petitioning minors and the status of their mother.

The lower court denied the motion to dismiss.

After trial on the merits during which the parties were given all the opportunity to present their evidence and refute the evidence and arguments of the other side, the lower court rendered a decision the dispositive portion of which reads:

"WHEREFORE, Judgment is hereby rendered granting the instant petition and ordering the Local Civil Registrar of the City of Cebu to make the necessary cancellation and/or correction on the following entries:

"A. In the Record of Birth of BERNARDO GO, to register said Bernardo Go as 'FILIPINO' instead of 'CHINESE'; as 'ILLEGITIMATE' instead of 'LEGITIMATE', and his father's (GO ENG) and mother's (LEONOR VALENCIA) civil status as 'SINGLE' instead of 'MARRIED';

"B. In the Record of Birth of JESSICA GO to register said Jessica Go as 'FILIPINO' instead of 'CHINESE'; as 'ILLEGITIMATE' instead of 'LEGITIMATE' and father's (GO ENG) and mother's (LEONOR VALENCIA) civil status as 'SINGLE' instead of 'MARRIED'; and

"C. In both Records of Birth of Bernardo Go and Jessica Go to change the entry on Petitioner's Citizenship from 'CHINESE' to 'FILIPINO'.

"Pursuant to section 6, Rule 103 of the Rules of Court, the Clerk of Court is hereby directed to furnish a copy of this decision to the Office of the Local Civil Registrar of Cebu City, who shall forthwith enter the cancellation and/or correction of entries of birth of Bernardo Go and Jessica Go in the Civil Registry as adverted to above."

From the foregoing decision, oppositor-appellant Republic of the Philippines appealed to us by way of this petition for review on certiorari.

The petitioner Republic of the Philippines raises a lone error for the grant of this petition, stating that:

THE LOWER COURT ERRED IN ORDERING THE CORRECTION OF THE PETITIONER'S CITIZENSHIP AND CIVIL STATUS AND THE CITIZENSHIP AND CIVIL STATUS OF HER MINOR CHILDREN BERNARDO GO AND JESSICA GO.

The petitioner premises its case on precedents from the 1954 case of *Ty Kong Tin v. Republic* (94 Phil. 321) to the 1981 case of *Republic v. Caparosso* (107 SCRA 67), that entries which can be corrected under Article 412 of the New Civil Code as implemented by Rule 108 of the Revised Rules of Court refer to those mistakes that are clerical in nature or changes that are harmless and innocuous (*Wong v. Republic*, 115 SCRA 496). In *Republic v. Medina* (119 SCRA 270) citing the case of *Chua Wee, et al. v. Republic* (38 SCRA 409), there was this dicta:

"From the time the New Civil Code took effect on August 30, 1950 until the promulgation of the Revised Rules of Court on January 1, 1964, there was no law nor rule of court prescribing the procedure to secure judicial authorization to effect the desired innocuous rectifications or alterations in the civil register pursuant to Article 412 of the New Civil Code. Rule 108 of the Revised Rules of Court now provides for such a procedure which should be limited solely to the implementation of Article 412, the substantive law on the matter of correcting entries in the civil register. Rule 108, like all the other provisions of the Rules of Court, was promulgated by the Supreme Court pursuant to its rule-making authority under Sec. 13 of Art. VIII of the Constitution, which directs that such rules of court 'shall not diminish or increase or modify substantive rights.'"

If Rule 108 were to be extended beyond innocuous or harmless changes or corrections of errors which are visible to the eye or obvious to the understanding, so as to comprehend substantial and controversial alterations concerning citizenship, legitimacy or paternity or filiation, or legitimacy of marriage, said Rule 108 would thereby become unconstitutional for it would be increasing or modifying substantive rights, which changes are not authorized under Article 412 of the New Civil Code."

XXX XXX XXX

It is undoubtedly true that if the subject matter of a petition is not for the correction of clerical errors of a harmless and innocuous nature, but one involving nationality or citizenship, which is indisputably substantial as well as controverted, affirmative relief cannot be granted in a proceeding summary in nature. However, it is also true that a right in law may be enforced and a wrong may be remedied as long as the appropriate remedy is used. This Court adheres to the principle that even substantial errors in a civil registry may be corrected and the true facts established provided the parties aggrieved by the error avail themselves of the appropriate adversary proceeding. As a matter of fact, the opposition of the Solicitor General dated February 20, 1970 while questioning the use of Article 412 of the Civil Code in relation to Rule 108 of the Revised Rules of Court admits that "the entries sought to be corrected should be threshed out in an appropriate proceeding."

What is meant by "appropriate adversary proceeding?" Black's Law Dictionary defines "adversary proceeding as follows:

"One having opposing parties; contested, as distinguished from an ex parte application, one of which the party seeking relief has given legal warning to the other party, and afforded the latter an opportunity to contest it. Excludes an adoption proceeding." (Platt v. Magagnini, 187 p. 716, 718, 110 Was. 39).

The private respondent distinguishes between summary proceedings contemplated under Article 412 of the Civil Code and fullblown adversary proceedings which are conducted under Rule 108 of the Rules of Court.

She states:

"It will please be considered that the nature of the matters that may be changed or corrected are of two kinds. It may either be mistakes that are clerical in nature or substantial ones. Under the first category are those 'harmless and innocuous changes, such as correction of a name that is clearly misspelled, occupation of the parents, etc.' (Ansaldo v. Republic, No. L-10276, Feb. 14, 1958, 54 O.G. 5886) or 'one' that is visible to the eyes or obvious to the understanding'. (Black v. Republic, No. L-10869, Nov. 28, 1958, 104 Phil. 848).

"To the second category falls those which affect the civil status or citizenship or nationality of a party (Ty Kong Tin v. Republic, No. L-5609, Feb. 5, 1954, 94 Phil. 321; Tan Su v. Republic, No. L-12140, April 29, 1959, 105 Phil. 578; Black v. Republic, No. L-10869, Nov. 28, 1958, 104 Phil. 848; Bantoto Coo v. Republic, No. L-1497 8, May 23, 1961, 2 SCRA 42; Barillo v. Republic, No. L-14823, Dec. 28, 1961, 3 SCRA 725).

"Changes or corrections in the entries in the civil registry were governed, at first, by Act No. 3753 (Civil Registry Law) which placed these matters exclusively upon the sound judgment and discretion of the civil registrars. With the effectivity of the New Civil Code on August 30, 1950, these matters were governed by Article 412 thereof which prescribes judicial order before an entry in a civil register shall be changed or corrected. This requirement was deemed necessary to forestall the commission of fraud or other mischief in these matters.

"But even then, it is not any correction that can be considered under Article 412 of the Civil Code. The nature of the corrections sought has to be considered and if found to refer only to clerical errors the same may be allowed under said article which was construed to contemplate only a summary proceeding.

"And so in the Ty Kong Tin case, this Honorable Court took occasion to draw a distinction between what

entries in the civil register could be corrected under Article 412 of the New Civil Code and what could not. In the process, to our mind, this Honorable Court set down propositions which hold true not only in that case but also in the subsequent cases for the latter merely reiterated the Ty Kong Tin decision. These are:

"First, that proceedings under Article 412 of the New Civil Code are summary;

"Second, that corrections in the entries in the civil register may refer to either mere mistakes that are clerical in nature or substantial ones which affects the civil status or the nationality or citizenship of the persons involved; and

"Third, that if the change or correction sought refers to mere correction of mistakes that are clerical in nature the same may be done under Article 412 of the Civil Code; otherwise, if it refers to a substantial change which affects the civil status or citizenship of a party, the matter should be threshed out in a proper action.

"To our humble estimation, these propositions do not altogether bar or preclude substantial changes or corrections involving such details as the civil status or nationality of a party. As a matter of fact, just three years after the Ty Kong Tin decision, this Honorable Court allowed a party to correct mistakes involving such substantial matters as his birthplace and citizenship in the birth certificates of his two sons. (*Lim v. Republic*, No. L-8932, May 31, 1957, 101 Phil. 1235)

"Only that where the correction pertains to matters which are important and controversial certain conditions sine qua non have to be complied with. Thus it was held:

"If it refers to a substantial change which affects the status or citizenship of a party, the matter should be threshed out in a proper action x x x.' (*Ty Kong Tin v. Republic*, supra)

"x x x for changes involving the civil status of the parents, their nationality or citizenship, those are grave and important matters which may have a bearing and effect on the citizenship and nationality not only of said parents, but of the offsprings, and to seek said changes, it is not only the State, but also all parties concerned and affected should be made parties defendants or respondents, and evidence should be submitted, either to support the allegations of the petition or complaint, or also to disprove the same so that any order or decision in the case may be made in the entry in a civil register that will affect or even determine conclusively the citizenship or nationality of a person therein involved. (*Ansaldo v. Republic*, 54 O.G. 5886; Underscoring ours; Reiterated in the cases of: *Tan Su v. Republic*, supra; *Bantoto Co v. Republic*, supra; *Barillo v. Republic*, supra; *San Luis de Castro v. Republic*, I-17431, April 30, 1963; *Ilu Lin v. Republic*, L-18213, Dec. 24, 1963; *Reyes v. Republic*, No. L-17642, Nov. 27, 1964; *Calicdan Baybayan v. Republic*, L-20707, March 18, 1966; *Tan v. Republic*, L-19847, April 29, 1966).

"If at all what is forbidden is, in the words of Mr. Justice J. B. L. Reyes, 'only the entering of material corrections or amendments in the record of birth by virtue of a judgment in a summary action against the Civil Registrar.' (*Matias v. Republic*, No. L-26982, May 8, 1969).

"It will thus be gleaned from the foregoing that corrections involving such matters as the civil status of the parents, their nationality or citizenship may be allowed provided the proper suit is filed."

The court's role in hearing the petition to correct certain entries in the civil registry is to ascertain the truth about the facts recorded therein. Under our system of administering justice, truth is best ascertained or approximated by trial conducted under the adversary system.

Excerpts from the Report on Professional Responsibility issued jointly by the Association of American Law Schools and the American Bar Association explain why:

"An adversary presentation seems the only effective means for combatting this natural human tendency to judge too swiftly in terms of the familiar that which is not yet fully known. The arguments of counsel hold the case, as it

were, in suspension between two opposing interpretations of it. While the proper classification of the case is thus kept unresolved, there is time to explore all of its peculiarities and nuances.

"These are the contributions made by partisan advocacy during the public hearing of the cause. When we take into account the preparation that must precede the hearing, the essential quality of the advocate's contribution becomes even more apparent. Preceding the hearing inquiries must be instituted to determine what facts can be proved or seem sufficiently established to warrant a formal test of their truth during the hearing. There must also be a preliminary analysis of the issues, so that the hearing may have form and direction. These preparatory measures are indispensable whether or not the parties involved in the controversy are represented by advocates.

"Where that representation is present there is an obvious advantage in the fact that the area of dispute may be greatly reduced by an exchange of written pleadings or by stipulations of counsel. Without the participation of someone who can act responsibly for each of the parties, this essential narrowing of the issues becomes impossible. But here again the true significance of partisan advocacy lies deeper, touching once more the integrity of the adjudicative process itself. It is only through the advocate's participation that the hearing may remain in fact what it purports to be in theory; a public trial of the facts and issues. Each advocate comes to the hearing prepared to present his proofs and arguments, knowing at the same time that his arguments may fail to persuade and that his proofs may be rejected as inadequate. It is a part of his role to absorb these possible disappointments. The deciding tribunal, on the other hand, comes to the hearing uncommitted. It has not represented to the public that any fact can be proved, that any argument is sound, or that any particular way of stating a litigant's case is the most effective expression of its merits."

xxx xxx xxx

"These, then, are the reasons for believing that partisan advocacy plays a vital and essential role in one of the most fundamental procedures of a democratic society. But if we were to put all of these detailed considerations to one side, we should still be confronted by the fact that, in whatever form adjudication may appear, the experienced judge or arbitrator desires and actively seeks to obtain an adversary presentation of the issues. Only when he has had the benefit of intelligent and vigorous advocacy on both sides can he feel fully confident of his decision.

"Viewed in this light, the role of the lawyer as a partisan advocate appears, not as a regrettable necessity, but as an indispensable part of a larger ordering of affairs. The institution of advocacy is not a concession to the frailties of human nature, but an expression of human insight in the design of a social framework within which man's capacity for impartial judgment can attain its fullest realization." (44 American Bar Association Journal 1160-1161, 1958)

Provided the trial court has conducted proceedings where all relevant facts have been fully and properly developed, where opposing counsel have been given opportunity to demolish the opposite party's case, and where the evidence has been thoroughly weighed and considered, the suit or proceeding is "appropriate."

The pertinent sections of Rule 108 provide:

"SEC. 3. Parties - When cancellation or correction of an entry in the civil register is sought, the civil registrar and all persons who have or claim any interest which would be affected thereby shall be made parties to the proceeding.

"SEC. 4. Notice and publication. - Upon the filing of the petition, the court shall, by an order, fix the time and place for the hearing of the same, and cause reasonable notice thereof to be given to the persons named in the petition. The court shall also cause the order to be published once in a week for three (3) consecutive weeks in a newspaper of general circulation in the province.

"SEC. 5. Opposition. - The civil registrar and any person having or claiming any interest under the entry whose cancellation or correction is sought may, within fifteen (15) days from notice of the petition, or from the last

date of publication of such notice, file his opposition thereto."

Thus, the persons who must be made parties to a proceeding concerning the cancellation or correction of an entry in the civil register are - (1) the civil registrar, and (2) all persons who have or claim any interest which would be affected thereby. Upon the filing of the petition, it becomes the duty of the court to - (1) issue an order fixing the time and place for the hearing of the petition, and (2) cause the order for hearing to be published once a week for three (3) consecutive weeks in a newspaper of general circulation in the province. The following are likewise entitled to oppose the petition: - (1) the civil registrar, and (2) any person having or claiming any interest under the entry whose cancellation or correction is sought.

If all these procedural requirements have been followed, a petition for correction and/or cancellation of entries in the record of birth even if filed and conducted under Rule 108 of the Revised Rules of Court can no longer be described as "summary". There can be no doubt that when an opposition to the petition is filed either by the Civil Registrar or any person having or claiming any interest in the entries sought to be cancelled and/or corrected and the opposition is actively prosecuted, the proceedings thereon become adversary proceedings.

In the instant case, a petition for cancellation and/or correction of entries of birth of Bernardo Go and Jessica Go in the Civil Registry of the City of Cebu was filed by respondent Leonor Valencia on January 27, 1970, and pursuant to the order of the trial court dated February 4, 1970, the said petition was published once a week for three (3) consecutive weeks in the Cebu Advocate, a newspaper of general circulation in the City of Cebu. Notice thereof was duly served on the Solicitor General, the Local Civil Registrar and Go Eng. The order likewise set the case for hearing and directed the local civil registrar and the other respondents or any person claiming any interest under the entries whose corrections were sought, to file their opposition to the said petition. An opposition to the petition was consequently filed by the Republic on February 26, 1970. Thereafter a full blown trial followed with respondent Leonor Valencia testifying and presenting her documentary evidence in support of her petition. The Republic on the other hand cross-examined respondent Leonor Valencia.

We are of the opinion that the petition filed by the respondent in the lower court by way of a special proceeding for cancellation and/or correction of entries in the civil register with the requisite notice and publication and the recorded proceedings that actually took place thereafter could very well be regarded as that proper suit or appropriate action.

In *Matias v. Republic* (28 SCRA 31), we held that:

xxx xxx xxx

"x x x In the case of petitioner herein, however, the proceedings were not summary, considering the publication of the petition made by order of the court in order to give notice to any person that might be interested, including direct service on the Solicitor General himself. Considering the peculiar circumstances of this particular case, the fact that no doubt is cast on the truth of petitioner's allegations, or upon her evidence in support thereof, the absence of any showing that prejudice would be caused to any party interested (since petitioner's own father testified in her favor), and the publicity given to the petition, we are of the opinion that the Ty Kong Tin doctrine is not controlling in this case."

Only last year, we had occasion to clarify the Ty Kong Tin doctrine further. In *Republic v. Macli-ing* (135 SCRA 367, 370-371), this Court ruled:

"The principal ground relied upon in this appeal is that Rule 108 of the Rules of Court upon which private respondents anchor their Petition is applicable only to changes contemplated in Article 412 of the Civil Code, which are clerical or innocuous errors, or to corrections that are not controversial and are supported by indubitable evidence. (*Tiong v. Republic*, 15 SCRA 262 [1965])

"It is true that the change from Esteban Sy to Sy Piao would necessarily affect the identify of the father. (Barillo v. Republic, 3 SCRA 725 [1961]) In that sense, it can be said to be substantial. However, we find indubitable evidence to support the correction prayed for. x x x"

xxx xxx xxx

"In the case of Ty Kong Tin v. Republic, 94 Phil. 321 (1954), as well as subsequent cases predicated thereon, we forbade only the entering of material corrections in the record of birth by virtue of a judgment in a summary action. The proceedings below, although filed under Rule 108 of the Rules of Court, were not summary. The Petition was published by order of the lower Court once a week for three consecutive weeks in a newspaper of general circulation in accordance with law. The Solicitor General was served with copy of the Petition as well as with notices of hearings. He filed his Opposition to the Petition. The Local Civil Registrar of the City of Baguio was likewise duly served with copy of the Petition. A Fiscal was always in attendance at the hearings in representation of the Solicitor General. He participated actively in the proceedings, particularly, in the cross-examination of witnesses. And, notwithstanding that all interested persons were cited to appear to show cause why the petition should not be granted, no one appeared to oppose except the State through the Solicitor General. But neither did the State present evidence in support of its Opposition."

To follow the petitioner's argument that Rule 108 is not an appropriate proceeding without in any way intimating what is the correct proceeding or if such a proceeding exists at all, would result in manifest injustice.

Apart from Bernardo Go and Jessica Go, there are four (4) other sisters and one (1) other brother born of the same father and mother. Not only are all five registered as Filipino citizens but they have pursued careers which require Philippine citizenship as a mandatory pre-requisite. To emphasize the strict policy of the government regarding professional examinations, it was the law until recently that to take the board exams for pharmacist, the applicant should possess natural born citizenship. (Sec. 18, Republic Act 5921 and Sec. 1, P.D. 1350)

The sisters and brother are:

1. Sally Go, born on April 29, 1934 was licensed as a Pharmacist after passing the government board examinations in 1956.
2. Fanny Go, born on July 12, 1936 is a Registered Nurse who passed the government board examinations in 1960.
3. Corazon Go, born on June 20, 1939, during the trial of this case in 1970 was a fourth year medical student, qualified to take the government board examinations after successfully completing the requirements for a career in medicine, and presumably is a licensed physician now.
4. Antonio Go, born February 14, 1942 was an engineering student during the 1970 trial of the case and qualified by citizenship to take government board examinations.
5. Remedios Go, born October 4, 1945 was a licensed Optometrist after passing the government board examinations in 1967.

The above facts were developed and proved during trial. The petitioner failed to refute the citizenship of the minors Bernardo and Jessica Go.

In this petition, it limits itself to a procedural reason to overcome substantive findings by arguing that the proper procedure was not followed.

There are other facts on the record. Leonor Valencia is a registered voter and had always exercised her right of suffrage from the time she reached voting age until the national elections immediately preceding the filing of her

petition. The five other sisters and brother are also registered voters and likewise exercised the right of suffrage.

An uncle of the mother's side had held positions in the government having been elected twice as councilor and twice as vice-mayor of Victorias, Negros Occidental. Respondent Leonor Valencia has purchased and registered two (2) parcels of land as per Transfer Certificate of Title No. T-46104 and Transfer Certificate of Title No. T-37275. These allegations are well documented and were never contradicted by the Republic. As correctly observed by the lower court:

"The right of suffrage is one of the important rights of a citizen. This is also true with respect to the acquisition of a real property. The evidence further shows that her children had been allowed to take the Board Examinations given by the Government for Filipino citizens only."

It would be a denial of substantive justice if two children proved by the facts to be Philippine citizens, and whose five sisters and brother born of the same mother and father enjoy all the rights of citizens, are denied the same rights on the simple argument that the "correct procedure" not specified or even intimated has not been followed.

We are, therefore, constrained to deny the petition.

WHEREFORE, the petition is DENIED for lack of merit. The decision of the lower court is AFFIRMED.

SO ORDERED.

Teehankee, Concepcion, Jr., Abad Santos, Melencio-Herrera, Plana, Escolin, De La Fuente, Cuevas, Alampay, and Patajo, JJ., concur.

Aquino, C.J., no part.

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.