

REPUBLIC OF THE PHILIPPINES PETITIONER, VS. TREVOR JAMES WALL, RESPONDENT.

G.R. No. 260241, April 08, 2026

Ponente: KHO, JR., J.

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KHO, JR., J.:

Before the Court is a Petition for Review on Certiorari[1] under Rule 45 of the Rules of Court, assailing the Decision[2] dated September 27, 2021 and the Resolution[3] dated March 30, 2022 of the Court of Appeals (CA) in CA-G.R. CV No. 114448, which set aside the Decision[4] dated October 1, 2019 of Branch 257, Regional Trial Court, Parañaque City (RTC) in SP PROC No. 2018-014. The assailed CA rulings remanded the case to the court of origin for the reception of evidence on the relevant Australian naturalization laws and for ruling anew on the application for naturalization of respondent Trevor James Wall (Wall) based on the evidence adduced.

The Facts

On February 12, 2018, Wall filed a Petition[5] for naturalization before the RTC, praying that he be naturalized and granted Philippine citizenship in accordance with Commonwealth Act No. 473.[6] The pertinent allegations in the Petition read as follows:

5. He was born on February 2, 1951 in Broken Hill, New South Wales of which country he is a citizen[.]

6. He currently resides at No. 110-B Washington Street, Merville Park Subdivision, [Parañaque City,] Philippines. He has been residing in this address since November 2013.

....

9. His occupation is that of a businessman and construction consultant. He is an incorporator, stockholder, director and officer of the following Philippine corporations that are actively engaged in construction industry in the Philippines specializing in concreting:

a.

Floor Finish Floor Level, Inc.

b.

Spraycrete Corporation

c.

CSA True Blue Tools & Equipment, Inc.

10. He had been married once to Julie Anne Wall, but his marriage ended in divorce in January 1985 in Australia. Since his divorce, he has remained unmarried.

11. He is the father to the following children:

....

12. [Petitioner arrived] in the Philippines on September 18, 1996 on board Qantas Airways flight QF 19 originating from Brisbane, Australia and arriving at the [NAIA][.]

13. On March 11, 2008 his admission status was converted by the Bureau of Immigration to Quota Immigrant under Section 13 of the Philippine Immigration Act of 1940[.]

....

14. Petitioner has all the qualifications required by the Revised Naturalization Law to become a Philippine citizen by naturalization. In particular:

a.

He is 67 years old, and therefore not less than twenty-one years of age on the day of the hearing of the petition;

b.

He has resided in the Philippines for a continuous period of more than twenty-one (21) years, and therefore not less than ten years;

c.

CSA True Blue Tools & Equipment, Inc.

....

e.

He is able to fluently speak and write English and understands a little Tagalog;

15. He has none of the disqualifications provided by the Revised Naturalization Law from becoming a Philippine citizen by naturalization. In particular:

....

f.

During the period of his residence in the Philippines, he has consistently mingled socially with Filipinos and has evinced a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos;

....

h.

Australia grants Filipinos the right to become naturalized Australian citizens.

16. He has complied with Sec. 5 of the Revised Naturalization Law in that, on January 18, 2017, or at least one [year] prior to the filing of this petition, he filed with the Office of the Solicitor General a declaration under oath that it is bona fide his intention to become a citizen of the Philippines setting forth therein his name, age, occupation, personal description, place of birth, last foreign residence and allegiance, the date of arrival, the name of the vessel or aircraft, in which he came to the Philippines, and the place of residence in the Philippines at the time of making the declaration[.]

17. He will reside continuously in the Philippines from the date of the filing of the Petition up to the time of his admission to Philippine citizenship.[7] (Emphases and underscoring supplied)

During trial, Wall presented himself; his friend, Jena Fetalino; his business partner, Maria Concepcion Babao-Co; and his wife, Abigail Guantia Paragas,[8] as his character witnesses.[9]

As summarized by the RTC,[10] Wall's testimony tended to prove that:

[Wall] ... born in Brook Hill, South Wales, Australia on February 2, 1951. He came to the Philippines on September 18, 1996. He has been residing permanently in this country since 1996 and that the Philippines is now his home. His business is in the Philippines and he has a family here now so he wanted to be able to exercise the privileges of a citizen of this country. He is engaged in the construction concreting business as a stockholder, director and Construction Superintendent of ... His current immigration status in the Philippine is that he is a permanent resident. ... His wife, Abigail Guantia Paragas, is a Filipino. He has a son named Alfred P. Wall or "Alfie". ... He has never been arrested, charged or convicted of any crime in the Philippines. He paid taxes to the government of the Republic of the Philippines He mingles with Filipinos and he has always been eager to embrace the customs, traditions, and ideals of the Filipinos. He is not a polygamist, nor a believer of polygamy. He conducted himself in a proper and irreproachable manner. He has not been charged nor convicted of any crime involving moral turpitude[.]

The following documents were proffered in Wall's formal offer of exhibits: (i) Declaration of Intention; (ii) Petition; (iii) General Notice; (iv) Return on Services of Order; (v) Proof of notice to the Office of the President, Office of the Solicitor General (OSG), Department of Justice (DOJ), Bureau of Immigration, Philippine National Police (PNP) Camp Crame, Municipal Trial Court Parañaque, Parañaque City Prosecutor's Office (CPO), Parañaque Police Station; (vi) Official Gazette (OG) Vol. 114, No. 16 dated April 16, 2018; (vii) OG Vol. 114 No. 17 dated April 23, 2018; (viii) OG Vol. 114 No. 18 dated April 30, 2018; (ix) Affidavit of Publication; (x) Metrofocus dated March 14 to 20, 2018; (xi) Metrofocus dated March 21 to 27, 2018; (xii) Metrofocus dated March 28 to April 3, 2018;. (xiii) Clearance issued by the NBI in favor of Jena Fetalino; (xiv) News Articles on Stevie Awards; (xv) Articles of Incorporation of Floor Finish Floor Level, Inc. (FFFL); (xvi) Articles of Incorporation of Spraycrete Corporation; (xvii) Articles of Incorporation of CSA True Blue Tools, Inc.; (xviii) GIS of FFFL; (xix) GIS of Spraycrete; (xx) GIS of CSA Tru Blue Tools, Inc.; (xxi) IPO Letters of Patent; (xxii) Marriage Certificate of Wall and Abigail Guantia Paragas; (xxiii) Birth Certificate of Alfred P. Wall; (xxiv) Barangay Clearance issued by Barangay Merville in favor of Wall; (xxv) Clearance issued by the PNP, NBI, OCP of Parañaque City, MTC of Parañaque City, and RTC of Parañaque City in favor of Wall; (xxvi) Walls' tax returns from 2004 to 2007 and 2013 to 2017; and (xxvii) NBI Clearance in favor of Maria Concepcion Babao Co.[11]

The RTC Ruling

In a Decision[12] dated October 1, 2019, the RTC granted Wall's Petition and accordingly, admitted him as a naturalized citizen of the Philippines, subject to the conditions under Republic Act No. 530, the dispositive portion of which reads:

WHEREFORE, THE INSTANT PETITION IS GRANTED. [P]ETITIONER Trevor James Wall is admitted as naturalized citizen of the Philippines, subject to the conditions under Republic Act No. 530 that during the intervening time of two (2) years from the promulgation of this Decision he shall prove in a hearing with the attendance of a representative from the Office of the Solicitor General that he has not left the Philippines, that he has dedicated himself continuously to a lawful calling or profession, that he has not been convicted of any offense or of violation of any government rules, and that he has not committed any act prejudicial to the interest of the nation or contrary to any Government-announced policies. Upon compliance of those conditions, he will be allowed to take his oath as a citizen of the Philippines, and a Certificate of Naturalization by this Court will be issued to him in accordance with Section 12 of Commonwealth Act No. 473 as amended by Section 2 of Republic Act No. 530.

SO ORDERED.[13]

The RTC found, based on the testimonies of Wall and his witnesses, as well as the documentary evidences presented in support of the petition, that: first, Wall was 68 years old at the time of the filing of the petition for naturalization; second, he has been residing in the Philippines continuously for a period of not less than 10 years and overall for more than 20 years prior to the filing of the petition; third, he has a lucrative business, thus he will not be a burden to the country; fourth, he speaks fluent English and a little of Tagalog; and fifth, he does not possess any ground for disqualification under Section 4, Commonwealth Act No. 473 to become a citizen of the Philippines by naturalization.[14]

Not convinced of Wall's compliance with all the legal requirements for citizenship, the Republic, through the OSG, appealed to the CA. The Republic particularly argued that Wall failed to comply with the criteria: on language; sincere desire to become a Filipino citizen; and, that Australia grants reciprocal naturalization rights to Filipinos. In this regard, the Republic contested Walls' ability to speak and write Tagalog and highlights how his counsel supposedly dodged a cross-examination by the state solicitor in that dialect to prove the latter's point. Moreover, the Republic expressed skepticism that the character witnesses' portrayal of Wall is enough proof that he socially mingled with Filipinos and embraced their customs and traditions. Lastly, the Republic questioned the absence of evidence of Australian law that supposedly allows naturalization of Filipinos.[15]

The CA Ruling

In a Decision[16] dated September 27, 2021, the CA set aside the RTC Decision and remanded the case to the court a quo for "the exclusive purposes of receiving ... Wall's evidence on the relevant Australian naturalization laws and of ruling anew on his application for naturalization based on the evidence so adduced." [17]

Prescinding from the parties' arguments, the CA ruled that: first, Wall complied with the requirement that "he must be able to speak and write English or Spanish and any of the principal Philippine languages," or what the CA termed as the "language" requirement. According to the CA, the law does not state the minimum level of proficiency in speaking and writing English or Spanish and a Philippine dialect for naturalization purposes. Rather, it is enough that in his association with Filipinos, Wall can understand them, and he can be understood by them. Examining the transcript of Wall's testimony and relying on *In re Ong Ho Ping v. Republic*, [18] the CA found that Wall had shown himself to have adequate communication skills in the Filipino language, and therefore, had proven his language qualification.[19]

Second, while Wall's marrying a Filipina does not necessarily show his sincerity to be a Filipino, there are several incidents that establish his active social interaction with Filipinos and his sincere desire to learn and embrace the customs, traditions and ideal of the Filipinos. To the CA, these include: his participation in charitable activities of a non-governmental organization (NGO) for the education of children in the Smokey Mountain; his helping a certain Ellen Atkins, his Filipina friend, when her house was damaged and needed repair; and his supporting Filipino football players of the Nomads Sports Club and from the Philippine Christian Foundation.[20]

Third, however, Wall failed to prove that the laws of his country, Australia, grant Filipinos the right to become naturalized citizens or subjects thereof. According to the CA, it cannot take judicial notice of Australian naturalization law or of any foreign law as the same must be alleged and proved like any other material fact. The CA added that while there is good probability that Australian law allows Filipinos to acquire that country's citizenship, neither the trial court nor it can rely on assumptions on the existence and status of said foreign law. Thus, the CA deemed it proper to remand the case to the RTC for the reception of evidence on reciprocity instead of requiring Wall to file his petition anew.[21]

Undeterred, the Republic moved for reconsideration but was denied in a Resolution[22] dated March 30, 2022. Hence, the present Rule 45 petition.

The Issue Before the Court

The main issue before the Court is whether Wall satisfied all the requirements to acquire Philippine citizenship by naturalization.

Prefatorily, the Republic contends that the petition is exempted from the rule that only questions of law may be raised in a Rule 45 petition since the CA misappreciated the fact that the evidence of Wall's noncompliance with the requirements of Commonwealth Act No. 473 are not disputed by him.[23]

Anent the merits, the Republic insists that Wall failed to discharge his burden of meeting all of the qualifications and having none of the disqualifications provided for in Commonwealth Act No. 473 for naturalization. In particular, the Republic argues that Wall (i) failed to meet the requirement of "must be able to speak and write any one of the principal Philippine languages," and (ii) failed to demonstrate that he mingled socially with the Filipinos and evinces a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos.[24]

In this regard, the Republic points out that when Wall took the witness stand, it was evident that he could not speak Filipino or any other principal languages in the Philippines despite living in the country for over two decades. The Republic adds that Wall admitted in his petition that he is only able to understand—and not speak or write—a little Tagalog. Moreover, while the law does not specify the degree of proficiency in speaking Filipino or any Philippine dialect, as ruled by the CA, citing *In re Ong Ho Ping*, the Republic asserts that the same case in fact qualified that a petitioner for naturalization must have "sufficient knowledge of it so that in [their] association with the Filipinos, [they] can understand them when they speak or write to [them] in a principal dialect, and that [they] can make [themselves] understood by them in that dialect." In Wall's case, the Republic points out that the words and phrases which the trial court directed at him, i.e., "mahal" and "opo" are common phrases or words foreigners usually learn, for fun or curiosity, when they stay or visit the country; they do not evince the ability to engage in reasonably comprehensible conversation in Filipino under ordinary circumstances.[25]

Further, the Republic underscores that during cross-examination, it was revealed that Wall cares less about the situation affecting the Philippines and could not even name the incumbent mayor or vice-mayor of Parañaque City where he resides. Finally, the Republic posits that Wall's charitable works, while laudable, do not prove his sincere desire to become a Filipino, especially in the absence of any other evidence showing that he adopted the Filipino identity, i.e., day-to-day activities demonstrating immersion in Filipino culture.[26]

For his part, Wall primarily argues that the petition does not fall under the exceptions to the rule that Rule 45 petitions are limited to questions of law.[27]

On the merits, Wall asserts that he has complied with the language requirement based on the standard set by jurisprudence. Citing *In re Ong Ho Ping*, Wall points out that the law does not specify the degree of proficiency in speaking and writing the required languages. Rather, the law requires only that the applicant has "sufficient knowledge of it so that in his association with the Filipinos, he can understand them when they speak or write to him in a principal dialect, and that he can make himself understood by them in that dialect." [28]

Moreover, Wall claims that he has sufficiently satisfied the sincerity requirement of the law, arguing that in addition to his charitable works, his day-to-day activities proved that he mingled socially with Filipinos. In this regard, he cites the following: (i) he has been married to a Filipino whom he dated for five years prior to marriage and has visited her hometown in Calapan, Mindoro numerous times; (ii) he is working everyday with masons and other laborers in his construction business for the past 26 years; and (iii) in their testimonies, Jenna Fetalino and

Maria Concepcion Babao-Co showed that he mingled socially and cultivated friendships with Filipinos, spending time with them and even becoming a godfather to the latter's son. Wall adds that while he could not identify the name of the mayor or vice-mayor of Parañaque City, he testified that he knows who the then President of the Philippines was and from where he hailed, as well as identified problems in the agriculture and labor sectors.[29]

Finally, Wall prays for the reversal of the CA Decision granting the Republic's appeal, arguing that the law does not require proof of the naturalization laws of Australia in order to establish that said country allow Filipinos to be naturalized. Rather, he asserts that the matter may be resolved through any of the means allowed by the rules on evidence such as judicial notice.[30]

The Court's Ruling

The Petition is partly meritorious.

I.

At the outset, it bears reiterating that only questions of law are allowed in a Rule 45 petition for review on certiorari. This court is not a trier of facts. "It will not entertain questions of fact as the factual findings of the appellate courts are 'final, binding[,] or conclusive on the parties and upon this [c]ourt' when supported by substantial evidence." [31] A question of law arises when there is doubt as to the applicable law and jurisprudence on a certain set of facts. It must not call for an examination of the probative value of the evidence. [32] "A question of fact requires this court to review the truthfulness or falsity of the allegations of the parties. This review includes assessment of the 'probative value of the evidence presented.' There is also a question of fact when the issue presented before this court is the correctness of the lower courts' appreciation of the evidence presented by the parties." [33]

The foregoing notwithstanding, the rules admit of exceptions. These exceptions include: (1) When the conclusion is a finding grounded entirely on speculation, surmises or conjectures; (2) When the inference made is manifestly mistaken, absurd or impossible; (3) Where there is a grave abuse of discretion; (4) When the judgment is based on a misapprehension of facts; (5) When the findings of fact are conflicting; (6) When the Court of Appeals, in making its findings, went beyond the issues of the case and the same is contrary to the admissions of both appellant and appellee; (7) The findings of the Court of Appeals are contrary to those of the trial court; (8) When the findings of fact are conclusions without citation of specific evidence on which they are based; (9) When the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondents; and (10) The finding of fact of the Court of Appeals is premised on the supposed absence of evidence and is contradicted by the evidence on record. [34]

On the basis of these exceptions, petitioner argues that the CA misappreciated the fact that the evidence of Wall's noncompliance with the requirements of Commonwealth Act No. 473 are not disputed by him. The Court agrees with the OSG, as will be explained hereunder, and hence, proceeds to rule on the factual issues raised as an exception to the rule that only questions of law may be entertained.

II.

Citizenship is personal and more or less a permanent membership in a political community. It denotes possession within that particular political community of full civil and political rights subject to special disqualifications. Reciprocally, it imposes the duty of allegiance to the political community. The core of citizenship is the capacity to enjoy political rights, that is, the right to participate in government principally through the right to vote, the right to hold public office and the right to petition the government for redress of grievance. [35]

Our constitution enumerates who are Filipino citizens. Among those listed are by naturalization, which refers to the legal act of adopting an alien and clothing them with the privilege of a native-born citizen. [36] Under the

present laws, the process of naturalization can be judicial or administrative. Judicial naturalization is governed by Commonwealth Act No. 473, while administrative naturalization is governed by Republic Act No. 9139.

Judicial naturalization under Commonwealth Act No. 473, which governs this case, requires the filing of a petition for naturalization in court alleging that the applicant has all the qualifications and none of the disqualifications required by law. Commonwealth Act No. 473 provides that after hearing the petition for citizenship and receipt of evidence showing that the petitioner has all the qualifications and none of the disqualifications required by law, the competent court may order the issuance of the proper naturalization certificate and the registration thereof in the proper civil registry. The petitioner shall then take an oath of allegiance to the Philippines as a sovereign nation.

It is a well-entrenched rule that Philippine citizenship should not easily be given away. All those seeking to acquire it must prove, to the satisfaction of the Court, that they have fully and completely complied with all the requirements of the law.[37] Indeed, it is settled that naturalization is not a right, but one of privilege of the most discriminating, as well as delicate and exacting nature, affecting, as it does, public interest of the highest order, and which may be enjoyed only under the precise conditions prescribed by law therefor.[38] Thus, in naturalization proceedings, the burden of proof lies on the applicant to show full and complete compliance with the requirements of the law. Corollarily, naturalization laws are strictly construed in favor of the government and against the applicant.[39] Thus, the absence of one jurisdictional requirement is fatal to the petition as this necessarily results in the dismissal or severance of the naturalization process.[40]

Section 2 of Commonwealth Act No. 473 enumerates the qualifications which an applicant for Philippine citizenship must possess, while Section 4 details the disqualifying factors for naturalization, viz.:

Section 2. Qualifications. – Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition;

Second. He must have resided in the Philippines for a continuous period of not less than ten years;

Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living.

Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation;

Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and

Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education¹ of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen.

Section 4. Who are disqualified. – The following cannot be naturalized as Philippine citizens:

a.

Persons opposed to organized government or affiliated with any association or group of persons who uphold and teach doctrines opposing all organized governments;

b.

Persons defending or teaching the necessity or propriety of violence, personal assault, or assassination for the success and predominance of their ideas;

c.

Polygamists or believers in the practice of polygamy;

d.

Persons convicted of crimes involving moral turpitude;

e.

Persons suffering from mental alienation, or incurable contagious diseases;

f.

Persons who, during the period of their residence in the Philippines, have not mingled socially with the Filipinos, or who have not evinced a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos;

g.

Citizens or subjects of nations with whom the United States and the Philippines are at war, during the period of such war;

h.

Citizens or subjects of a foreign country other than the United States whose laws do not grant Filipinos the right to become naturalized citizens or subjects thereof. (Emphasis supplied)

In this case, the Republic contends that Wall failed to prove that he has all the qualifications and none of the disqualifications required by law. Particularly, it argues that Wall failed to show that he is able to speak and write any of the principal Philippine languages. It also argues that Wall is disqualified from becoming a Philippine citizen as he has not shown that he mingled socially with Filipinos or evinced a sincere desire to learn and embrace their customs, traditions, and ideals.

Language

It is settled that the law has not set a specific standard of the required ability to speak and write English or Spanish and any of the principal Philippine languages. Applicants need not be proficient in the use of a principal native dialect. It is not necessary that they write it faultlessly and without effect or that they speak it fluently and idiomatically. Rather, it is enough that they have sufficient knowledge of it that in their association with the Filipinos, they can understand them when they speak or write to them in the principal native dialect.[41]

Here, the Court finds that Wall failed to satisfactorily demonstrate that he is able to speak and write any one of the principal Philippine languages in a manner that sufficiently enables him to understand Filipinos and be understood by them when he speaks or writes to them in the principal native dialect.

Primarily, in his Petition filed before the RTC, he stated in clear and categorical terms that he only "understands a little Tagalog." [42] Understanding is different from speaking and writing, which the law requires. To understand means "to know; to apprehend the meaning; to appreciate; as, to understand the nature and effect of an act." [43] To speak means to utter words or articulate sounds with the ordinary voice, to express thoughts, opinions, or

feelings orally;[44] to say words, to use the voice, or to have a conversation with someone.[45] Meanwhile, to write means to form (characters, symbols, etc.) on a surface with an instrument (such as a pen), to form (words) by inscribing characters or symbols on a surface;[46] to make marks that represent letters, words, numbers on a surface such as paper or computer screen using a pen, pencil, or keyboard, or to use this method to record thoughts, facts, or messages.[47] Verily, the law requires more than mere apprehending the meaning. Rather, it requires that the applicant be able to utter words and express thoughts and opinions as well as form characters and symbols to record thoughts, facts, or messages. In simpler terms, speaking and writing any of the principal Philippine languages require more than "understanding a little Tagalog." It requires Wall to communicate effectively, in spoken and written words, his thoughts in Tagalog or any of the principal Philippine languages.

Secondly, it was not sufficiently demonstrated during his testimony that he could speak and write Tagalog. In fact, other than the common words "opo," "mahal," "magkano," and "mura," as well as the phrase "anong pangalan mo", there is nothing in his testimony that established that he can engage in a reasonably comprehensible conversation in Filipino under ordinary circumstances. Indeed, as aptly argued by the Republic, the words "opo" and "mahal," including the words "mahal," "magkano," and "mura," are generic terms that foreigners usually learn for fun or curiosity, when they stay or visit the country. Verily, having lived in the Philippines for over two decades, more is expected of Wall to demonstrate that he can speak and write Filipino in a manner that sufficiently enables him to understand Filipinos and be understood by them when he speaks or writes to them in Filipino. Notably, during his testimony, he was unable to understand the Court when he was asked, in Filipino, about the age of his wife, Abigail Guantia Paragas. Neither could he sing or recite the lyrics of our National Anthem, the "Lupang Hinirang," viz.:

Atty. Matias:

Your Honor, may I conducted [sic] briefly the cross-examination in Filipino language just to determine the fluency of the petitioner?

Atty. Del Rosario:

Objection, Your Honor because the law does not require the petitioner to know Tagalog. In fact, Commonwealth [Act] No. 473 only requires that the petitioner knows English.

Court:

You can ask him in Tagalog but we will ask him if he understand.

Atty. Matias:

Actually, Your Honor, it is the requirement of the [Commonwealth Act No.] 473 that the petitioner must speak English or Spanish and any of the principal language of the Philippines. That is the requirement, Your Honor and there should be no argument about that.

Court:

He is very conversant with his native language. Since there are many important questions here, I would like him to understand that fully.

Atty. Matias:

Actually, Your Honor, I intend to briefly examine the witness in Filipino.

Court:

Okay, I will rule. I will require you to ask questions in English and I will sometimes allow you to ask questions

in Tagalog but if he will not understand it, we will translate that in English. We are not here to make it incomprehensible for him to...

....

Atty. Matias:

Can you understand Filipino or Tagalog, Mr. Witness?

Court:

Okay, you try. Anong Pangalan mo?

Witness:

Trevor James Wall, Your Honor.

Court:

May asawa ka na?

Witness:

Abegail Paragas-Wall, Your Honor.

Court:

Ilang taon na ang asawa mo?

Witness:

I don't understand, Your Honor.

Court:

How old is your wife?

Witness:

Twenty eight (28) years old, Your Honor.

Atty. Matias:

You were once married to Julie Anne Wall in Australia, correct, Mr. Witness?

Witness:

Yes, sir.

Atty. Matias:

When were you married with Julie Anne wall?

Witness:

1971, sir.

....

Court:

I have a question to [sic] you.

Witness:

Yes, Your Honor.

Court:

Do you understand the word "mahal"?

Witness:

Opo, Your Honor.

Court:

Mahal mo ba ang asawa mo?

Witness:

Opo, Your Honor.

Court:

Anong mas mahal mo Australia or Philippines?

Witness:

Pilipinas, Your Honor.

Court:

You do not love Australia anymore?

Witness:

No, Your Honor, I have lost there a wife.

Atty. Matias:

You were just a laborer and the reason for your divorce is because of financial matters. Is that correct, Mr. Witness?

Witness:

No, not at all, sir.

Court:

Your marriage did not work out?

Witness:

No, Your Honor, I think we just outgrew each other. In the end, we just did not like each other.[48]

....

Court:

Do you know how to sing the Lupang Hinirang?

Witness:

I know the origins of that....

Court:

Can you sing that? I will start and you will follow. Can you sing that from the beginning to the end?

Witness:

No, Your Honor.

Court:

What Tagalog words you are using always?

Witness:

Anong pangalan mo, magkano, mura, mahal. I work with masons. When I first came here, I wasn't the boss. We sleep together on the building sites while waiting for the concrete. A lot of those guys are still with me. They learned English from me and I learned Tagalog from them. I also learned Pampangan. Somebody told me, "Mekeni". I said, That's Pampangan".

Court:

What words from Pampanga do you know?

Witness:

Mekeni – come here or halika, ebon. So if I am to speak to you in Tagalog, you'll probably find Visayan...

Court:

What food in Pampanga do you like to eat?

Witness:

My favorite food, though it's not good for me, is crispy pata. But probably my favorite desert is, I think that's great, pancit canton, not bihon.[49]

(Emphasis supplied)

On this score, it must be stressed that while the applicant for Philippine citizenship need not be proficient in speaking and writing English (or Spanish) and any one of the principal Philippine languages, it is pertinent that they have "sufficient knowledge of it so that in [their] association with the Filipinos, [they] can understand them when they speak or write to [them] in a principal dialect, and that [they] can make [themselves] understood by them in that dialect." Indeed, as demonstrated in the case of *In re Ong Ho Ping*[50] relied on by the CA, Ong Ho Ping was able to sufficiently demonstrate, to the satisfaction of the Court, compliance with said requirement. As the Court noted therein, Ong Ho Ping, when asked the question "What is your reason why you like to become a Filipino citizen?" replied in English "Because I like the people and the government here" which he was able to write down both in English and its Tagalog translation in open court. While he was not able to respond to the other question posed, the Court noted that it was not because of his lack of familiarity with the English language; rather, it was because of the nature of the question which was not only long, complex, and rather involved, but it also called for a philosophical answer which may not be easy for any layman to figure out as well as to formulate. The Court held in *In re Ong Ho Ping*:

The lower court denied the petition on the ground that petitioner's scanty knowledge of English and Tagalog does not justify the conclusion that he is able to speak and write those languages. But this appraisal of petitioner's qualification in that regard hardly squares with the evidence, as may be seen from the following excerpt from his testimony:

"Q.

Do you know how to speak and write the English language?

A.

A little.

Q.

Will you please answer the following question in English: What is your reason why you like to become a Filipino citizen?

A.

Because I like the people and the government here. (Witness answered directly in English)

Q.

You write that in this sheet of paper? (Witness writes.) 'Because I like the people and the government here.'

Q.

Do you know the Tagalog translation for that?

A.

Yes," sir.

Q.

Please write the Tagalog' translation beneath that English you wrote?

A.

Witness does so.'

It is true that petitioner appeared confused or uncommunicative when the Court asked him the following question:

"Q

Suppose you write down in that piece of paper your answer to this question of the Court. 'You said that your children have been baptized in the Catholic Church. Do you have any objection to informing the Court whether or not you are also a Catholic, and if you are state and write down in this piece of paper the reason why you are a Catholic?'

But his confusion or inability to give a prompt reply may have been due merely to the nature of the question and not to lack of familiarity with the English language. For not only is the question long, complex and rather involved, but it also calls for a philosophical answer which may not be easy for any layman to figure out as well as to formulate.

Again it may be true that in some portions of his testimony petitioner did not show a high degree of proficiency in the use of either Tagalog or English. But as this Court said in *Zuellig vs. Republic of the Philippines*, 83 Phil., 768, 46 Off. Gaz., [Supp. 11] 220 the law does not specify the degree of proficiency in speaking and writing the required languages, so that an applicant for naturalization "need not be proficient." Continuing, this Court there said:

'* *' It is not necessary that lie writes a native dialect faultlessly and without effort and that lie speak it fluently

and idiomatically. It is enough that he has sufficient knowledge of it so that in his association with the Filipinos he can understand them when they speak or write to him in a principal dialect, and that he can make himself understood by them in said dialect.'

On the whole we are persuaded that, with the knowledge of Tagalog and English which petitioner has shown himself to possess, he can understand and be understood by the Filipinos through the medium of those languages. His years of residence in Manila where he has been doing business and has mingled socially with Filipinos for a long time, cannot but lend weight to this conclusion.[51]

The foregoing circumstances in *In re Ong Ho Ping* are markedly absent in Wall's case. To stress, other than the common words "opo," "mahal," "magkano," and "mura," as well as the phrase "anong pangalan mo," there is nothing in his testimony that established that he can engage in a reasonably comprehensible conversation in Filipino under ordinary circumstances. In fact, he was unable to respond to the simple question, when asked in Filipino, regarding the age of his wife. As the applicant for Philippine citizenship, it behooved Wall to prove to the satisfaction of the Court, that he has fully and completely complied with all the requirements of the law failing in which warrants the denial of his application.

All told, the evidence on record do not sufficiently show that Wall can speak and write any one of the principal Philippine languages to qualify him for Philippine citizenship. Consequently, absent one of the qualifications for Philippine citizenship, Wall's Petition for Naturalization must be denied. Case law settles that a petition for naturalization must be denied when full and complete compliance with the requirements of Commonwealth Act No. 473, or the Revised Naturalization Law, is not shown, as in this case.

Mingled socially and evinced a sincere desire to be a Filipino

The foregoing notwithstanding, and if only to settle the issue, the Court is convinced that Wall sufficiently demonstrated that he mingled socially with Filipinos and has evinced a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos.

In particular, the Court recognizes that Wall, in his more than 20 years of residence in the Philippines, has formed close friendships with Filipinos and has mingled with the workers in his construction businesses on a daily basis. In fact, records show that he is the godfather of the son of his friend, Maria Concepcion Babao-Co. Too, he married a Filipina, whom he dated for five years prior to their marriage, and has visited her hometown in Calapan, Mindoro on numerous occasions. Moreover, record shows that he knows who the then President of the Philippines was and from where he hailed, as well as identified problems in the agriculture and labor sectors.[52] Further, he participated in charitable activities of an NGO for the education of children in the Smokey Mountain and had supported Filipino football players of the Nomads Sports Club and from the Philippine Christian Foundation. Finally, he helped his friend, Ellen Atkins, when her house was damaged and needed repair.

Together, the foregoing circumstances sufficiently demonstrate not only that Wall mingled socially with Filipinos on a regular basis, they likewise establish his sincere desire to embrace the customs, traditions, and ideals of the Filipinos. His charitable works and assistance to Ellen Atkins evince the spirit of "bayanihan" or the cordial virtues of "pakikisama" and "pagbibigayan" that pervades and animates the Filipino culture. Too, his becoming a godfather to his friend's son, while not exclusive to Filipinos, is nonetheless a characteristic of Filipino culture, and demonstrate a desire to embody the Filipino trait of serving as spiritual and moral guardian to the child. In all, the Court agrees with the CA that Wall sufficiently established active social interaction with Filipinos and his sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos.

III.

In fine, the Court agrees with the CA that Wall sufficiently demonstrated that he mingled socially with Filipinos and has evinced a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos. Unfortunately for Wall, and contrary to the findings of the CA, the Court is unconvinced that he sufficiently showed that he can speak and write any one of the principal Philippine languages to qualify him for Philippine citizenship. Consequently, absent one of the qualifications for Philippine citizenship, Wall's petition for naturalization must be dismissed.

On this score, it is relevant to point out that Wall's inability to speak and write any one of the principal Philippine languages does not necessarily attach to his person or character such as to permanent bar him from acquiring Philippine citizenship. Rather, it is a qualification that can be acquired by Wall and be proven by him in due course. As such, his failure to speak and write any of the principal Philippine languages may be remedied by him to eventually qualify him for Philippine citizenship. Accordingly, the dismissal of his petition for naturalization is without prejudice to the refiling thereof.

ACCORDINGLY, the instant Petition is PARTLY GRANTED. The Decision dated September 27, 2021 and the Resolution dated March 30, 2022 of the Court of Appeals in CA-G.R. CV No. 114448 are hereby MODIFIED. The Petition for Naturalization of Trevor James Wall is DISMISSED without prejudice to the refiling thereof.

SO ORDERED.

Gesmundo, C.J., Leonen, S.J., Hernando, Lazaro-Javier, Inting, Zalameda, Gaerlan, Rosario, Lopez, Dimaampao, Marquez, and Villanueva, JJ., concur.

Caguioa, J., see dissenting opinion.

Singh,[*] J., on leave.

[*]On leave.

[1] Rollo pp. 26-45.

[2] Id. at 46-58. Penned by Associate Justice Gabriel T. Robeniol, with Associate Justices Manuel M. Barrios and Bonifacio S. Pascua concurring.

[3] Id. at 59-60.

[4] Rollo, pp. 61-67. Penned by Judge Rolando G. How.

[5] Records, pp. 4-9.

[6] Revised Naturalization Lae; rollo, p. 28.

[7] Records, pp. 5-7.

[8] "Abegail Paragas-Wall" in some part of the records.

[9] Rollo, p. 47.

[10] Id. at 47, 65-66.

[11] See Formal Offer of Evidence, records, pp. 167-177.

[12] Rollo, pp. 61-67.

- [13] Id. at 67.
- [14] Id. at 66-67.
- [15] Id. at 49.
- [16] Id. at 46-58.
- [17] Id. at 57.
- [18] 101 Phil. 219 (1957) [Per J. A. Reyes, En Banc].
- [19] Rollo, pp. 51-53.
- [20] Id. at 54.
- [21] Id. at 55-56.
- [22] Id. at 59-60.
- [23] Id. at 32-34.
- [24] Id. at 34-35.
- [25] Id. at 35-39.
- [26] Id. at 39-41.
- [27] Id. at 150.
- [28] Id. at 150-151.
- [29] Id. at 151-154.
- [30] Id. at 154-155.
- [31] Pascual v. Burgos, 776 Phil. 167, 182 (2016) [Per J. Leonen, Second Division].
- [32] Sugar Regulatory Administration v. Central Azucarera de Bais Inc., 937 Phil. 541, 547 (2023) [Per J. M. Lopez, Second Division].
- [33] Pascual v. Burgos, 776 Phil. 167, 183 (2016) [Per J. Leonen, Second Division].
- [34] Id. at 182-183, citing Medina v. Mayor Asistio, Jr., 269 Phil. 225, 232 (1990) (Per J. Bidin, Third Division).
- [35] See Republic v. Karbasi, 765 Phil. 275, 292 (2015) [Per J. Mendoza, Second Division]. See also Go v. Republic, 738 Phil. 358, 368 (2014) [Per J. Mendoza, Third Division].
- [36] Go v. Republic, 738 Phil. 358, 368 (2014) [Per J. Mendoza, Third Division].
- [37] In The Matter of the Petition for Naturalization as a Citizen of the Philippines, Chua Eng Hok v. Republic of the Philippines, 122 Phil. 579, 582 (1965) [Per J. Regala, En Banc].
- [38] Go v. Republic, 738 Phil. 358, 369 (2014) [Per J. Mendoza, Third Division].
- [39] Mohamed v. Republic, 917 Phil. 315, 320 (2021) [Per J. M. Lopez, First Division].
- [40] Republic v. Go Pei Hung, 829 Phil. 211, 227 (2018) [Per J. Del Castillo, First Division].
- [41] In the Matter of the Petition for Naturalization of Francisco Ang Veloso v. Republic, 93 Phil. 52, 57-61

(1953) [Per J. Tuason, En Banc]. See also *Lao Teck Sing v. Republic*, 115 Phil. 675, 676-680 (1962) [Per J. Padilla, En Banc]; In *The Matter of the Petition for Philippine Citizenship Luis Tan Alias Uy Guat v. Republic*, 94 Phil. 176, 177-179 (1953) [Per J. Reyes, En Banc].

[42] Records, p. 6.

[43] See *Black's Law Dictionary*, Revised Fourth Edition, 1968, p. 1696.

[44] <https://www.merriam-webster.com/dictionary/speak> (last accessed March 18, 2026).

[45] <https://dictionary.cambridge.org/us/dictionary/english/speak> (last accessed March 18, 2026).

[46] <https://www.merriam-webster.com/dictionary/write> (last accessed March 18, 2026).

[47]

<https://dictionary.cambridge.org/us/dictionary/english/write><https://dictionary.cambridge.org/us/dictionary/english/write> (last accessed March 18, 2026).

[48] TSN, February 27, 2019, p. 565.

[49] TSN, February 27, 2019, pp. 560-579.

[50] 101 Phil. 219 (1957) [Per J. A. Reyes, En Banc].

[51] *Id.* at 221-222.

[52] See rollo, pp. 151-154. See also TSN, February 27, 2019, pp. 580-581.

Atty. Matias:

Do you turn on to current events in the Philippines?

Witness:

Yes, sir.

Atty. Matias:

Do you know who the Mayor in Parañaque is?

Witness:

No, sir.

Atty. Matias:

How about the Vice-Mayor?

Witness:

No, sir.

Atty. Matias:

How about the Philippine President, Mr. Witness, do you know him?

Witness:

President Duterte, sir.

Atty. Matias:

From where did the President come from?

Witness:

Davao, sir.

Atty. Matias:

Do you know who the Vice-President is, Mr. Witness?

Witness:

No, sir.

Atty. Matias:

Do you know the current problems involving the agricultural sector, Mr. Witness?

Witness:

No, sir. For me, the importation of rice is a whole range of problem.

Atty. Matias:

How about in the Labor Sector, Mr. Witness, do you know any problems there?

Witness:

Inconsistency, sir.

Atty. Matias:

What do you mean, Mr. Witness?

Witness:

The plan and the field might not be levelled, sir.

Atty. Matias:

How about in political issues, Mr. Witness, do you know any political issues?

Atty. Del Rosario:

Your Honor, I would like to object on the line of questioning.

Court:

What is your opinion about the allegation that there is EJK in the Philippines? Do you understand "EJK"?

Witness:

No, Your Honor.

Court:

Extra-Judicial Killings. Do you have any comment to that?

Witness:

No, Your Honor.

Atty. Matias:

Your Honor, may I just make a comment on the line of my questioning, just to put it on record. I asked those questions, Your Honor, because an applicant for naturalization must interact to Filipinos, must immerse in the Filipino culture and the political issues. That's the requirements, Your Honor.

....

DISSENTING OPINION CAGUIOA, J.:

The ponencia partly grants the Petition, modifying the Decision dated September 27, 2021 and the Resolution dated March 30, 2022 of the Court of Appeals (CA) in CA-G.R. CV No. 114448 and dismissing the petition for naturalization of respondent Trevor James Wall (Wall) without prejudice to the refiling thereof.[1] The ponencia affirms the finding of the CA that Wall has sufficiently demonstrated that he mingled socially with Filipinos and has evinced a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos. However, the ponencia disagrees with the CA that Wall has sufficiently shown that he can speak and write any one of the principal Philippine languages to qualify him for Philippine citizenship.[2]

I dissent from the foregoing finding of the ponencia. I do not agree that Wall has indeed failed to satisfactorily demonstrate that he is able to speak and write any one of the principal Philippine languages in a manner that sufficiently enables him to understand Filipinos and be understood by them when he speaks or writes to them in the principal native dialect.[3]

At the outset, it bears noting that both the trial court and the CA have ruled otherwise on the above issue. The trial court concluded that Wall "speaks fluent English and a little of Tagalog,"[4] while the CA, as recounted by the ponencia, ruled in this wise:

Wall complied with the requirement that "he must be able to speak and write English or Spanish and any of the principal Philippine languages," or what the CA termed as the "language" requirement. According to the CA, the law does not state the minimum level of proficiency in speaking and writing English or Spanish and a Philippine dialect for naturalization purposes. Rather, it is enough that in his association with Filipinos, Wall can understand them, and he can be understood by them. Examining the transcript of Wall's testimony and relying on *In re Ong Ho Ping v. Republic*, the CA found that Wall had shown himself to have adequate communication skills in the Filipino language, and therefore, had proven his language qualification.[5] (Citations omitted)

To be sure, case law instructs that the law does not specify the degree of proficiency in speaking and writing the required languages, so that an applicant for naturalization "need not be proficient." [6] It is not necessary that the applicant writes a native dialect faultlessly and without effort and that he or she speaks it fluently and idiomatically. It is enough that the applicant has sufficient knowledge of it so that in his or her association with the Filipinos, he or she can understand them when they speak or write to him or her in a principal native dialect, and that he or she can make himself or herself understood by them in said dialect.[7]

Fluency, in other words, is not a be-all and end-all criterion, and is outweighed by the ability to understand the language and be understood by Filipinos. This latter ability, to my mind, is far more crucial as it actually ties in with another requirement under the law that the applicant, during the period of his or her residence in the Philippines, has consistently mingled socially with Filipinos and has evinced a sincere desire to learn and embrace

the customs, traditions, and ideals of the Filipinos. Certainly, someone who does not have a workable grasp of any of the principal languages of the Philippines cannot effectively fulfill this other requirement. A person's meaningful roots and relationships in the Philippines and with Filipinos that have obviously taken time and efforts to form would not have been so without the ability to understand any of the country's principal languages and be understood by Filipinos.

Accordingly, I submit that there is an incongruity in the conclusion that while Wall has failed to satisfactorily demonstrate that he is able to speak and write any one of the principal Philippine languages in a manner that sufficiently enables him to understand Filipinos and be understood by them when he speaks or writes to them in the principal native dialect, he has nonetheless sufficiently demonstrated that he has mingled socially with Filipinos and has evinced a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos. The findings of the ponencia are grounded on the fact that Wall, in his more than 20 years of residence in the Philippines, has formed close friendships with Filipinos and has mingled with the workers in his construction businesses on a daily basis. Again, as I have earlier espoused, Wall would not have stayed in the Philippines for decades and would not have had formed close friendships and relationships with Filipinos if he did not sufficiently possess the ability to understand any of the country's principal languages and be understood by Filipinos. The facts of the case even show that Wall married a Filipina, whom he dated for five years prior to their marriage, and has visited her hometown in Calapan, Mindoro on numerous occasions.[8] Wall likewise testified that when he first came to the country and started working with masons, they would sleep together on the building sites and he remained friends with a lot of them to this day. Wall recounted that these masons learned English from him and he learned Tagalog from them.[9] These close relationships would not have flourished over the years had Wall truly been unable to speak and write any one of the principal Philippine languages in a manner that sufficiently enables him to understand Filipinos and be understood by them when he speaks or writes to them in the principal native dialect.

In sum, I submit that Wall has satisfied both the requirements on language, as well as of having mingled socially and of having evinced a sincere desire to be a Filipino.

ACCORDINGLY, I vote to DISMISS the Petition.

[1] Ponencia, p. 20.

[2] Id. at 6, 18.

[3] Id. at 12.

[4] Id. at 5.

[5] Id. at 6.

[6] *In re Ong Ho Ping v. Republic*, 101 Phil. 219, 222 (1957) [Per J. A. Reyes, En Banc].

[7] *In re Zuellig v. Republic*, 83 Phil. 768, 733 (1949) [Per J. Montemayor, En Banc].

[8] Ponencia, p. 18.

[9] Id. at 15.

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