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paramount importance second to none, it is imperative that all of the freedoms enshrined in the constitution should have the ampliest recognition for those who are minded to actively battle for them and any attempt to curtail them would endanger the very purposes for which a new constitutional convention has been conceived.

Consistently with my separate opinion in the case of Gonzales and Cabigao *vs.* Comelec, G.R. No. L-27833, April 18, 1969 and for the reasons therein stated, I maintain that the right of suffrage which is the cornerstone of any democracy like ours is meaningless when the right to campaign in any election therein is unreasonably and unnecessarily curtailed, restrained or hampered, as is being done under the statute in dispute.

It is, of course, understood that this opinion is based on my considered view, contrary to that of the majority, that as Section 8(a) stands and taking into account its genesis, the ban against political parties is separable from that against other associations within the contemplation of Section 21 of the Act which expressly refers to the separability of the application thereof to any "persons, *groups* or circumstances."

I reserve my right to expand this explanation of my vote in the next few days.

(Adm. Case No. 960. September 24, 1970)

IN RE ATTY. ARTURO N. ARAFILES.

SYLLABUS

1. **ATTORNEYS; DISBARMENT AND SUSPENSION; PROFESSIONAL MISCONDUCT; INSTANT CASE.**— Where the respondent in his letter to "Mr. and Mrs. Jao Guan Suy," deliberately misrepresented to them that he had been working on their case in the Bureau of Immigration, that there was too much red tape in said office and that the people there were demanding money from him; and the said statement was an

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excuse for him to be able to get from the spouses the sum of P1,000.00, or even P800.00 in the meantime, his acts constitute professional misconduct, for which he deserves to be disciplined.

2. **ID.; ID.; ID.; MITIGATION OF PENALTY.**— Considering, however, the respondent's voluntary admission of the charges against him and his plea for leniency and promise to reform, this Court hereby imposes upon him the relatively light penalty of suspension from the practice of law for a period of three months.

D E C I S I O N

MAKALINTAL, *J.:*

This administrative case came about as a consequence of a letter addressed to the President of the Philippines by one Melchora Pulan, of Gingoog City, asking his assistance in behalf of her common-law husband, Jao Guan Suy, a Chinese national, in connection with the question of his desire to acquire Filipino citizenship. The letter dated August 29, 1969 made reference to an enclosed letter of respondent Attorney A. N. Arafiles to "Mr. and Mrs. Jao Guan Suy," dated August 20, 1969, the pertinent portion of which read as follows:

"I have started working on your papers and have already gone to the various offices in Manila. Everything is going fine except that in the office of the Bureau of Immigration. Too much red tape and it will take a short while for me to get all the required documents. I have approached the people at the Bureau of Immigration and they are demanding so much money from me before your papers are released. The amount you gave me was insufficient to satisfy the government people. They want me to give them something substantial, and I wonder if you would be willing to give me some more. As you know in the government, nothing works without a "LAGAY." Perhaps, if you could give me about P1,000.00, all would be finished soon. However, if you do not have that much, about P800.00 will do in the meantime. I promise you that results will be fast. You can send it to me by certified check or by telegraphic transfer at the above-mentioned address.

Everything is being done under the sun to expedite your papers, and I hope that you will send me the necessary cash to keep the ball rolling."

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The matter was indorsed by the Acting Assistant Executive Secretary to the Bureau of Immigration, requesting appropriate action, and on March 23, 1970, Attorney A.B. Faustino of the said Bureau formally investigated the respondent. In his sworn statement given at that investigation the respondent stated that he had not filed any application with the Bureau of Immigration relative to the desire of Jao Guan Suy to become a Filipino citizen; that he had not even taken any steps to secure his client's certificate of arrival in the Philippines; that he had not had any transaction with the said Bureau concerning the case; and that in fact he had gone there only once before, and that was in 1962 regarding another matter. Asked about the statement in his letter of August 20, 1969, to "Mr. and Mrs. Jao Guan Suy" to the effect that there was so much red tape in the Bureau of Immigration and that the people there demanded money from him, the respondent at first declined to answer on constitutional grounds, but when the same questions were put to him in a different form he answered that his statement about the demand for money was untrue and that if he made reference to it in his letter of August 20, 1969, it was to obtain money from his clients for legal and miscellaneous expenses.

The respondent was required by this Court to answer the complaint against him; and under date of September 8, 1970, he wrote a letter to this Court, which reads:

"In answer to the complaint filed against me, all I can say is that I cannot prove anything that I stated in my letter of Aug. 20, 1969 to Mr. and Mrs. Jao Guan Suy of Gingoog City. I therefore plead guilty to the charge therein and will meekly accept the punishment which the Honorable Supreme Court will impose upon me. I guess there is no use fighting for a cause which has no basis at all and I leave it to your hands to exact the penalty on me whatever it might be.

As a man who is about to receive the Honorable Supreme Court's verdict, I have nothing to request but to hope that the Honorable Justices will see their way clear into meting justice tempered with understanding and leniency on a poor lawyer who openly acknowledges guilt and who promises to reform, if given another chance."

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From the foregoing it is clear that the respondent, in his letter, to "Mr. and Mrs. Jao Guan Suy," deliberately misrepresented to them that he had been working on their case in the Bureau of Immigration; that he made a false statement when he said that there was too much red tape in said office and that the people there were demanding money from him; and that the said statement was an excuse for him to be able to get the sum of P1,000.00, or even P800.00 in the meantime. The respondent's acts constitute professional misconduct, for which he deserves to be disciplined.

Considering, however, the respondent's voluntary admission of the charges against him and his plea for leniency and promise to reform, this Court hereby imposes upon him the relatively light penalty of suspension from the practice of law for a period of three months from notice of this decision.

Let copies hereof be furnished to the Offices of the Secretary of Justice and of the Executive Secretary for their information.

Reyes, J.B.L., Acting C.J., Dizon, Zaldivar, Ruiz Castro, Fernando, Teehankee, Barredo, Villamor and *Makasiar, JJ.*, concur.

[G.R. No. L-21958. September 28, 1970]

IN THE MATTER OF THE PETITION OF FELIPE DE JESUS DY TO BE ADMITTED A CITIZEN OF THE PHILIPPINES, FELIPE DE JESUS DY, *petitioner-appellee,* *vs.* REPUBLIC OF THE PHILIPPINES, *oppositor-appellant.*

SYLLABUS

1. POLITICAL LAW; NATURALIZATION; PUBLICATION AND POSTING OF ENTIRE PETITION IS JURISDICTIONAL REQUIREMENT.— Where only the notice of the petition for Philippine citizenship, not the petition itself,