

Title: CASAN MACODE MACQUILING vs. COMMISSION ON ELECTIONS, ROMMEL ARNADO Y CAGOCO, AND LINOG G. BALUA

Facts: This case revolves around the candidacy and eventual election of Rommel Arnado y Cagoco as Mayor of Kauswagan, Lanao del Norte. Arnado, a natural-born Filipino citizen, subsequently became a naturalized American citizen. However, in 2009, Arnado sought to renounce his US citizenship and re-acquire Filipino citizenship under Republic Act No. (RA) 9225, often referred to as the Citizenship Retention and Re-acquisition Act of 2003. On April 3, 2009, Arnado executed an Affidavit of Renunciation of his American citizenship and took an Oath of Allegiance to the Republic of the Philippines. Despite renouncing his American citizenship, Arnado used his US passport at least six times thereafter.

Issues: The primary legal issue in this case is whether Arnado's use of a US passport after renouncing his American citizenship negated his Affidavit of Renunciation, thus rendering him ineligible to run for public office as a dual citizen under Section 40(d) of the Local Government Code.

Court's Decision: The Supreme Court of the Philippines denied Arnado's motion for reconsideration. It ruled that Arnado's use of a US passport after his renunciation of American citizenship constituted a repudiation of his renunciation, thus he failed to validly renounce his foreign citizenship. Consequently, Arnado was disqualified from running for local elective position in accordance with Section 40(d) of the Local Government Code for having dual citizenship at the time of his candidacy filing.

Doctrine: The Supreme Court established the doctrine that the renunciation of foreign citizenship must be absolute and cannot be undone by subsequent acts that demonstrate allegiance to another country, such as using a passport of said country. This is in line with the requirement that those seeking elective public office must renounce any and all foreign citizenship prior to candidacy, and this renunciation must not be contradicted by subsequent actions. The Court emphasized the solemn duty of a person renouncing foreign citizenship to remain true to that renunciation.

Class Notes:

- Section 5(2) of RA 9225 requires personal and sworn renunciation of any and all foreign citizenship for those with dual citizenship seeking elective public office in the Philippines.
- Section 40(d) of the Local Government Code disqualifies individuals with dual citizenship from running for any elective local positions.

- An Affidavit of Renunciation of foreign citizenship is required to be made unequivocally and must be adhered to strictly; subsequent acts that imply allegiance to a foreign state, such as the use of a foreign passport, can negate the renunciation.

Historical Background: This case must be viewed in light of the political landscape shaped by RA 9225, which sought to accommodate the interests of natural-born Filipinos who have acquired foreign citizenship, permitting them to retain or re-acquire Philippine citizenship. The act represents a recognition by Philippine law of the realities of global migration and the possibility of maintaining ties with the homeland. However, as this case demonstrates, RA 9225 also emphasizes the importance of demonstrating clear, undivided loyalty to the Philippines when running for public office.