

Title: Casan Macode Maquiling vs. Commission on Elections, Rommel Arnado y Cagoco, and Linog G. Balua

Facts:

Rommel Arnado, a natural-born Filipino, lost his citizenship upon naturalization in the USA. He regained Filipino citizenship under RA 9225 by taking the Oath of Allegiance and renouncing US citizenship before running for mayor in Kauswagan, Lanao del Norte. Despite this, Arnado used his US passport multiple times for international travel. Linog Balua, a mayoral candidate, challenged Arnado's candidacy, asserting Arnado's disqualification due to foreign citizenship and residency issues. The COMELEC First Division initially disqualified Arnado due to his use of a US passport, which they viewed as negating his renunciation of US citizenship. Casan Macode Maquiling, another mayoral candidate who came in second, also intervened, seeking to be declared the election's winner. The COMELEC En Banc, however, reversed the First Division's decision, ruling that Arnado's use of a US passport did not negate his renunciation and remained qualified to run for public office.

Issues:

1. Whether Arnado's intervention in a disqualification case was proper.
2. Whether the use of a foreign passport after renouncing foreign citizenship amounts to undoing the renunciation.
3. Whether the rule on succession in the Local Government Code applies to this case.
4. How doubts in this case should be resolved in light of Arnado's election.
5. Whether the COMELEC committed grave abuse of discretion in its decision.

Court's Decision:

The Supreme Court annulled the COMELEC En Banc resolution and disqualified Arnado from running for public office, citing his use of a US passport as an act that negated his Oath of Renunciation of foreign citizenship. The Court considered Arnado's use of his US passport as effective retention of his dual citizenship status, disqualifying him under Section 40(d) of the Local Government Code. Consequently, Casan Macode Maquiling, as the candidate with the highest number of votes among the qualified candidates, was declared the duly elected Mayor of Kauswagan, Lanao del Norte.

Doctrine:

The use of a foreign passport after renouncing foreign citizenship as part of the requirements to run for public office in the Philippines effectively negates the oath of

renunciation, thus disqualifying the candidate under the Local Government Code.

Class Notes:

- Dual citizenship acquired by birthright does not require an oath of renunciation to run for public office in the Philippines. However, naturalized citizens who later reacquire Filipino citizenship must expressly renounce their foreign citizenship to qualify.
- The act of using a foreign passport after renouncing foreign citizenship is considered a positive act of representation as to one's nationality and citizenship; it can impact the eligibility to run for public office.
- Grave abuse of discretion by a government body is actionable under Rule 64 in conjunction with Rule 65 of the Rules of Court when there is such a capricious and whimsical exercise of judgment as is equivalent to lack of jurisdiction.

Historical Background:

This case highlights the complexities and legal implications of dual citizenship in the context of eligibility for public office in the Philippines. It underscores the legal necessity for naturalized Filipino citizens who reacquire their Philippine citizenship to unequivocally renounce any foreign citizenship if they wish to run for public office, following the mandates of the Citizenship Retention and Re-acquisition Act of 2003 (RA 9225) and relevant local government legislation.