

### Title: Mercado vs. Manzano and the Commission on Elections

### Facts:

The case revolves around the Vice Mayoral election in Makati City held on May 11, 1998, involving Ernesto S. Mercado, Eduardo Barrios Manzano, and Gabriel V. Daza III as candidates. Post-election, the proclamation of Manzano, who garnered the highest votes, was halted due to a pending disqualification petition filed by Ernesto Mamaril, alleging Manzano's dual citizenship (Philippine and United States). The COMELEC's Second Division disqualified Manzano citing §40(d) of the Local Government Code, which considers dual citizenship as a ground for disqualification from any elective local position. Manzano filed a motion for reconsideration. Despite the unresolved motion, the COMELEC en banc reversed the Second Division's resolution, recognizing Manzano's actions, including participation in Philippine elections, as renunciation of his US citizenship and declared him qualified to serve as Vice-Mayor of Makati. Consequently, Manzano was proclaimed the winner. Mercado sought to intervene and later filed a petition for certiorari to challenge the COMELEC en banc's decision, questioning Manzano's qualifications based on his dual citizenship.

### Issues:

1. Whether petitioner Mercado has the right to bring the suit considering he was not an original party in the disqualification case.
2. Whether dual citizenship disqualifies Manzano from holding elective local office.
3. If Manzano's participation in Philippine elections and filing of candidacy evidenced renunciation of his US citizenship.
4. Whether actions and affirmations (holding a US passport and being registered in the Bureau of Immigration as an alien) prior to candidacy filing are relevant in determining dual citizenship status and loyalty.

### Court's Decision:

1. **\*\*Right to Bring Suit:\*\*** The Court decided that Mercado had the right to intervene and file the suit, as at the time of his motion for intervention, no winner had been proclaimed. Hence, he had a stake in the outcome.
2. **\*\*Dual Citizenship vs. Dual Allegiance:\*\*** The Court distinguished between dual citizenship (a result of concurrent nationality laws) and dual allegiance (owing allegiance to two or more states), siding with Manzano that the condition of dual citizenship by itself does not amount to disqualification, aligning with §40(d) of the Local Government Code's focus on dual allegiance.

3. **Renunciation of US Citizenship:** The Court held that Manzano's active participation in Philippine elections and the affirmative renunciations made in his certificate of candidacy constituted sufficient renunciation of his US citizenship, thus nullifying any grounds for disqualification based on dual citizenship.

4. **Pre-Candidacy Actions:** The Court found previous actions indicating US citizenship, such as holding a US passport, irrelevant after Manzano formally renounced his US citizenship upon filing his candidacy.

### ### Doctrine:

The Supreme Court elucidated the distinction between dual citizenship and dual allegiance, affirming that dual citizenship resulting from the application of different laws by different states is not a ground for disqualification from holding elective office in the Philippines, provided there is formal renunciation of foreign citizenship.

### ### Class Notes:

- **Dual Citizenship:** Arises when a person is considered a citizen by two countries simultaneously due to their laws and is not a disqualifying condition on its own for elective positions in the Philippines.
- **Dual Allegiance:** Refers to actively maintaining allegiance to more than one country, considered inimical to the national interest.
- **Renunciation of Foreign Citizenship:** For candidates with dual citizenship, formal renunciation of foreign citizenship (through explicit acts like filing a candidacy and swearing allegiance to the Philippines) is necessary and sufficient to negate any disqualification for holding elective office.
- **Legal Framework:** The decision explored the applicability of §40(d) of the Local Government Code and its interpretation, highlighting the legal stance that actions affirming commitment to the Philippines override prior foreign citizenship, especially in the context of candidacy for public office.

### ### Historical Background:

In the broader context, this case reflects the Philippine legal system's approach to dual citizenship and electoral eligibility, marrying constitutional principles with the realities of a global Filipino diaspora subject to varied nationality laws. The ruling underscores a pragmatic approach to citizenship, recognizing the complex identities of Filipinos worldwide while safeguarding electoral integrity and national allegiance.