

Title: Board of Immigration Commissioners and Commissioner of Immigration vs. Beato Go Callano, Manuel Go Callano, Gonzalo Go Callano, and Julio Go Callano

Facts:

- On July 13, 1962, the Department of Foreign Affairs notified the Commissioner of Immigration that certain documents, including cable authorization No. 2230-V, were found to be forged.
- The Department declared these documents void and canceled the documentation of Beato Go Callano and his brothers (Manuel, Gonzalo, and Julio).
- The Board of Immigration Commissioners disallowed the entry of the Callano brothers as citizens and issued an exclusion order on August 21, 1962, without prior notice or a hearing.
- The Commissioner of Immigration issued a warrant of exclusion for their deportation.
- The Callano brothers filed an action for injunction in the Court of First Instance of Manila on November 16, 1962.
- The Court of First Instance ruled that the Callano brothers were Filipino citizens by birth, but dismissed the case, asserting they lost citizenship by prolonged stay in China and recognition by their Chinese father.
- The Callano brothers appealed to the Court of Appeals, which reversed the lower court's decision, declaring them Filipino citizens.

Issues:

1. Whether the Callano brothers were Filipino citizens or had lost their citizenship by their prolonged stay in China and recognition by their Chinese father.
2. Whether the cable authorization was forged and its effect on the proceedings.
3. Whether the initial proceedings deprived the Callano brothers of due process.
4. Whether the Callano brothers' failure to appeal the exclusion order to the Secretary of Justice barred them from questioning it.

Court's Decision:

1. **Citizenship:**

- The Supreme Court upheld the Court of Appeals' decision, stating that the Callano brothers did not lose their Filipino citizenship. The Philippines law governs their citizenship status, and they had not performed any acts listed in Commonwealth Act No. 63 for losing Philippine citizenship.

2. **Forgery of Cable Authorization:**

- The Supreme Court agreed with the Court of Appeals that even assuming the cablegram

was forged, it did not automatically void the proceedings of the Philippine Consulate and the Board of Special Inquiry. The Court noted sufficient findings supporting the Callanos' Filipino citizenship.

3. **Due Process:**

- The Supreme Court affirmed that both the exclusion order and the warrant of exclusion were issued without notice and hearing, violating the principles of due process.

4. **Requirement of Appeal to the Secretary of Justice:**

- The Supreme Court ruled that appeals were not required due to the lack of notice and hearing. Moreover, administrative rulings do not constitute res judicata and can be reviewed.

Doctrine:

- **Citizenship:** Philippine citizenship laws apply and govern the status of nationals regardless of their location.

- **Due Process:** Administrative actions must observe due process; issuance of decisions without notice and hearing is a violation.

- **Judicial Review:** Administrative decisions can be reviewed by courts if there is an abuse of power or violation of due process.

Class Notes:

1. **Provisions on Loss of Citizenship (Commonwealth Act No. 63):**

- Naturalization in a foreign country.

- Express renunciation of citizenship.

- Taking an oath of allegiance to a foreign country.

2. **Due Process in Administrative Action:**

- Requires notice and opportunity to be heard.

3. **Judicial Review:**

- Courts can review administrative decisions if there are errors, power abuse, or due process violations.

4. **Significance of Birth Status in Citizenship:**

- Citizenship by birth is not easily nullified; requires specific actions to lose.

Historical Background:

- This case occurred in the early '60s during a period when post-colonial Philippines was solidifying its nationality and citizenship laws.

- It highlights the importance placed on procedural due process and the consistency in enforcing citizenship laws amidst concerns about forged documents and proper documentation for entry into the country.