

To Be or Not To Be Natural-born: The
Status of Persons Who Retained or
Reacquired Philippine Citizenship Under
the Citizenship Retention and
Reacquisition Act and Its Implication on
the Right of Suffrage

Anna Lyne P. San Juan

49 ATENEO L.J. 180 (2004)

SUBJECT(S): CONSTITUTIONAL LAW

KEYWORD(S): DUAL CITIZENSHIP LAW, ABSENTEE VOTING LAW

The Note discusses the status of persons who retained or reacquired citizenship under the Dual Citizenship Law. It limits its discussion to the kind of Filipino citizenship reacquired or retained under the law and its relation to the right of suffrage and the absentee voting law. The Note provides for a definition of citizenship. It also provides an extensive background on such concept. It then goes on to discuss what dual citizenship and dual allegiance is. The Note then traces the roots of citizenship in the Philippines, ranging from the Treaty of Paris, the Philippine Bill of 1902, the 1935 Constitution, 1973 Constitution, and the 1987 Constitution. It then discusses the pertinent parts of the Citizenship Retention and Reacquisition Act, including the policy behind it, the subjects of the law, the procedural requirements, and the effects of the law. A comparison between natural-born and naturalized citizens follows. The Note then gives the possible implications of the law on the right of suffrage. There is discussion on the right to vote in normal elections, the right to vote under the Absentee Voting Law, and the right to public office. The Article concludes that it is more prudent not to consider Filipinos availing of the benefits of the Citizenship Retention and Reacquisition Act to be natural-born citizens.