

Title: Bai Sandra S. A. Sema, petitioner, vs. Commission on Elections and Didagen P. Dilangalen, respondents.

Facts:

The case stems from the controversy over the inclusion of Cotabato City in the legislative district of the newly created Province of Shariff Kabunsuan, as decided by the Commission on Elections (COMELEC) through Resolution No. 7902. Bai Sandra S. A. Sema, a candidate in the 2007 elections for the legislative district covering Shariff Kabunsuan and Cotabato City, filed a petition challenging the COMELEC's resolution. Sema contended that Shariff Kabunsuan, having been created by the Autonomous Region in Muslim Mindanao (ARMM) Regional Assembly through Muslim Mindanao Autonomy Act No. 201 (MMA Act 201), is entitled to one representative in Congress, and that Cotabato City, not being part of Shariff Kabunsuan, should not be included in its legislative district. The COMELEC, through various resolutions, maintained the inclusion of Cotabato City in the legislative district of Shariff Kabunsuan, leading to the filing of the consolidated petitions before the Supreme Court.

Issues:

1. Whether the ARMM Regional Assembly has the power to create provinces and by extension, legislative districts.
2. Whether COMELEC Resolution No. 7902, which maintained the status quo of Cotabato City as part of the first legislative district of Maguindanao despite the creation of Shariff Kabunsuan, is valid.

Court's Decision:

The Supreme Court held that:

1. Section 19, Article VI of RA 9054, which grants the ARMM Regional Assembly the power to create provinces and cities, is unconstitutional due to the inherent power of Congress to create legislative districts—a power that cannot be delegated to regional legislative bodies.
2. The creation of Shariff Kabunsuan by the ARMM Regional Assembly without a legislative district is void because the Constitution mandatorily requires that each province shall have at least one representative.
3. The COMELEC did not usurp Congress's power in maintaining the status quo regarding the legislative district because the ARMM Regional Assembly's creation of Shariff Kabunsuan, without or with an incompatible legislative district, is void.
4. COMELEC Resolution No. 7902 is valid as it merely complied with constitutional provisions and existing laws.

Doctrine:

The creation of provinces and cities inherently involves the creation of legislative districts, and such power is vested exclusively in Congress. The ARMM Regional Assembly cannot create legislative districts, and any law empowering such body to create provinces is unconstitutional if it entails the creation of legislative districts.

Class Notes:

- **Delegation of Legislative Powers**: Legislative powers, including the creation of provinces and cities which inherently involve the creation of legislative districts, are vested exclusively in Congress and cannot be delegated to regional or local legislative bodies.
- **Creation of Legislative Districts**: The creation or reapportionment of legislative districts is an exclusive power of Congress, guided by constitutional provisions, and cannot occur through regional legislative enactments.
- **Role of COMELEC**: The COMELEC's administrative power regarding the determination of legislative districts is subordinate to the constitutional mandate and laws enacted by Congress.

Historical Background:

The case illustrates the complexities surrounding the autonomy granted to the ARMM, the delineation of powers between national and regional legislative bodies, and the intricate process of creating legislative districts in the Philippines. It underscores the constitutional boundaries set for regional autonomy and highlights the exclusive prerogative of Congress in legislative reapportionment.