

Title: Navarro v. Ermita: A Detailed Examination of the Constitutionality of the Creation of Dinagat Islands Province

Facts:

On October 2, 2006, the President of the Republic approved Republic Act (R.A.) No. 9355, creating the province of Dinagat Islands from Surigao del Norte. Following this, the Commission on Elections (COMELEC) conducted a plebiscite on December 3, 2006, leading to the ratification of Dinagat's creation, affirmed by 69,943 affirmative votes against 63,502 negative votes. The interim officials of Dinagat took office on January 26, 2007, and were succeeded by elected officials following the May 14, 2007 elections.

Petitioners Rodolfo G. Navarro, Victor F. Bernal, and Rene O. Medina, former political leaders and residents of Surigao del Norte, filed a petition for certiorari and prohibition challenging the constitutionality of R.A. No. 9355, alleging it failed to meet the constitutionally and statutory required land area and population for the creation of a new province. The Supreme Court initially dismissed the petition due to technical grounds, but the petitioners persisted and filed another petition.

On February 10, 2010, the Supreme Court ruled R.A. No. 9355 unconstitutional for not complying with the mandated land area and population requirements prescribed for the creation of a province under the Local Government Code (LGC). The decision essentially nullified Dinagat's creation and the election of its officials. Motions for reconsideration were filed and subsequently denied.

Movants-intervention subsequently filed a motion seeking to recall the entry of judgment, arguing that the nullification of R.A. No. 9355 and the creation of Dinagat Islands would adversely affect them, including necessitating a special election for positions in the original province of Surigao del Norte.

Issues:

1. Whether R.A. No. 9355 fulfills the constitutional and statutory requirements for the creation of a province.
2. Whether the exemption from the land area requirement mentioned in the Implementing Rules and Regulations (IRR) is valid and applicable to Dinagat Islands.
3. Whether the motion for intervention filed by movants-intervention is timely and meritorious.

Court's Decision:

The Supreme Court resolved the following:

1. The motion to recall entry of judgment was granted, essentially acknowledging the reconsideration motion of movants-intervenors.
2. It revisited and set aside its previous ruling, declaring that R.A. No. 9355 was constitutional, affirming the validity of the provision in the IRR that exempts island provinces from the minimum land area requirement.
3. Dismissed the initial petition challenging Dinagat Islands' creation, allowing the implementation of R.A. No. 9355 and recognizing the election of its officials.

Doctrine:

The Supreme Court elucidated the doctrine that laws creating provinces must adhere to constitutional and statutory requirements, but also clarified and validated the IRR's provision exempting island provinces from the minimum land area requirement, recognizing the unique geographic configuration of the Philippine archipelago.

Class Notes:

- In creating local government units (LGUs), Congress must adhere to constitutional and statutory requirements regarding population, income, and land area, yet special considerations apply to geographically distinct entities like island provinces.
- Legislative amendments, whether direct or via interpretation of implementing rules, can have profound implications on local governance and the constitutionality of statutes creating LGUs.
- The Court's power to reinterpret previous decisions based on motions for reconsideration can lead to significant shifts in legal doctrine and the application of laws.

Historical Background:

The creation of Dinagat Islands as a province, challenged on constitutional grounds, reflects the complexities of Philippine local governance in the context of its archipelagic nature. The case underscores the balance between strict adherence to statutory requirements and the practical realities of governing island territories, also highlighting the judiciary's role in interpreting and possibly redefining statutory regulations to address unique local circumstances.