

****Title:**** Tuason v. Register of Deeds of Caloocan City: A Testament to Martial Law's Arbitrary Power

****Facts:**** This case revolves around Roman C. Tuason and Remedios V. Tuason, retired public school teachers who, using their retirement benefits and savings, purchased a plot of land in Caloocan City from Carmel Farms, Inc. (Carmel) on April 6, 1965. The land was part of the Tala Estate, previously government-owned Friar Lands. After the purchase, Carmel's title was canceled, and a new title was issued to the Tuasons, who then took possession of the property.

Eight years later, the Tuasons discovered that their ownership was revoked by Presidential Decree No. 293, issued by then-President Ferdinand Marcos under martial law, which declared their land and others in the subdivision as open for disposition and sale to the Malacanang Homeowners Association, Inc., citing non-fulfillment of payment conditions by Carmel. The decree invalidated Carmel's title and all subsequent titles derived from it, including the Tuasons', rendering their title null and void. This led the Tuasons to petition for certiorari against the Register of Deeds, the Ministry of Justice, and the National Treasurer, arguing the decree was unconstitutional, deprived them of property without due process and just compensation, and violated the indefeasibility of Torrens titles. The case also drew intervention petitions from other affected homeowners.

****Issues:****

1. Whether Presidential Decree No. 293, in canceling the Tuasons' title and declaring their land open for disposition, constituted an unconstitutional exercise of executive power.
2. Whether the decree violated constitutional rights to due process and just compensation.
3. Whether the decree improperly invalidated the indefeasible Torrens title held by the Tuasons.

****Court's Decision:****

The Supreme Court declared Presidential Decree No. 293 unconstitutional, pointing out that it was an exercise of judicative power not vested in the President, thereby done without jurisdiction. Moreover, the decree was found to substantially and procedurally violate the due process clause, as it divested the Tuasons and others of their property without just compensation and proper legal proceedings. The Court highlighted the arbitrary and capricious use of power under martial law, distinguishing this from the legitimate exercise of police power and social justice principles. The decision ordered the re-establishment of the titles' efficacy and prohibited further implementation of the decree.

****Doctrine:****

The case reaffirms the principle that executive actions infringing upon property rights without due process or just compensation are unconstitutional. It also emphasizes the fundamental nature of the indefeasibility of Torrens titles under Philippine law, underscoring the sanctity of property rights against arbitrary state action.

****Class Notes:****

- ****Inviolability of Torrens Title:**** The Torrens system ensures the indefeasibility of a registered title against the government or third parties, except in cases of fraud or error.
- ****Due Process and Just Compensation:**** These constitutional safeguards protect against the arbitrary deprivation of property by the state, requiring fair legal procedures and equitable compensation for affected landowners.
- ****Doctrine of Separation of Powers:**** The executive cannot usurp judicial functions or powers, nor can it enact laws with the effect of a bill of attainder that circumvents judicial processes to penalize individuals or entities.
- ****Constitutional Checks against Martial Law Abuses:**** Martial law does not grant the executive carte blanche to violate constitutional rights, including property rights.

****Historical Background:****

This case is set against the backdrop of the martial law period in the Philippines (1972-1981), a time of significant human rights abuses and suppression of civil liberties under President Ferdinand Marcos. The decree in question exemplifies the rampant misuse of executive powers during this era, targeting not only political dissidents but also ordinary citizens, as evidenced by the arbitrary deprivation of property rights of retired teachers like the Tuasons and other homeowners. The Supreme Court's decision in *Tuason v. Register of Deeds of Caloocan City* serves as a stark reminder of the excesses of the martial law regime and underscores the judiciary's role in upholding constitutional rights and correcting injustices.