

### Title:

Constitutionality of Republic Act No. 10153 and the Appointment of Officers-In-Charge in the ARMM: An Analysis

### Facts:

This case revolves around the constitutionality of Republic Act (RA) No. 10153, which postponed the regional elections in the Autonomous Region in Muslim Mindanao (ARMM) scheduled for the second Monday of August 2011 to the second Monday of May 2013. This Act also recognized the President's power to appoint Officers-in-Charge (OICs) for the ARMM. Various petitioners challenged RA No. 10153 on several grounds, leading to its judicial review by the Supreme Court.

The controversy began when Congress enacted RA No. 10153 to align the ARMM elections with the national and local elections, aiming for synchronization as mandated by the Constitution. Petitioners from various sectors filed motions and petitions challenging the Act on grounds that included the claim that RA 10153 effectively amended the Organic Act (RA No. 9054) governing the ARMM without following the prescribed procedure, such as a plebiscite. They argued that the Act infringed upon the autonomy of the ARMM and violated the constitutionally mandated elective and representative nature of the ARMM's executive and legislative departments.

The petitions led to a temporary restraining order (TRO) issued by the Supreme Court against the implementation of RA No. 10153, which was eventually lifted as the Court upheld the Act's constitutionality in its decision dated October 18, 2011. The petitioners filed motions for reconsideration, prompting the comprehensive review and resolution discussed herein.

### Issues:

1. Does the Constitution mandate the synchronization of ARMM elections with national and local elections?
2. Does RA No. 10153 amend RA No. 9054, and if so, is compliance with the supermajority vote and plebiscite requirements necessary?
3. Is the holdover provision in RA No. 9054 constitutional?
4. Can COMELEC hold special elections in ARMM?
5. Does granting the President the power to appoint OICs violate the elective and representative nature of ARMM regional legislative and executive offices?
6. Does the appointment power granted to the President exceed the President's supervisory

powers over autonomous regions?

### ### Court's Decision:

The Supreme Court denied the motions for reconsideration and upheld the constitutionality of RA No. 10153 in its entirety. The Court ruled that the Constitution does indeed mandate the synchronization of elections, including those of the ARMM. It found that RA No. 10153 did not amend RA No. 9054 but merely filled a gap regarding the scheduling of subsequent ARMM elections. The Court also held that the supermajority requirement in RA No. 9054 made it an irrepealable law, which was unconstitutional. Moreover, the holdover provision conflicted with the Constitution's prescribed term limits, and the COMELEC had no authority to hold special elections not provided for by law. Finally, the Court found that granting the President the power to appoint OICs did not violate the Constitution and was a temporary measure to ensure governance continuity in the ARMM during the transition to synchronized elections.

### ### Doctrine:

The principle that emerged from this case is the constitutionality of synchronizing elections across the national and local levels, including the ARMM, as mandated by the Constitution. The Court also reiterated that Congress cannot pass irrepealable laws by imposing supermajority requirements for amendments, and that the President's appointment powers extend to filling positions in newly created or vacated elective offices as an interim measure.

### ### Class Notes:

- The Constitution mandates the synchronization of national and local elections, including those in the ARMM.
- RA No. 10153, synchronizing ARMM elections with national and local elections, does not amend the Organic Act (RA No. 9054) but fills the scheduling gap for subsequent elections.
- The supermajority and plebiscite requirements in RA No. 9054 are unconstitutional as they attempt to create an irrepealable law.
- Holdover provisions that extend elected officials' terms beyond what the Constitution prescribes are unconstitutional.
- The President's power to appoint OICs for vacant elective positions, as a temporary measure, is within the bounds of the Constitution.

### ### Historical Background:

This case is situated in the broader context of efforts to ensure governance continuity and the rule of law in the politically sensitive and autonomously governed region of the ARMM.

The decision reflects the Court's interpretation of constitutional mandates aiming for the efficient and unified administration of elections across the Philippines, balancing the need for national cohesion with respect for regional autonomy.