

****Title:** Disomangcop v. Secretary of DPWH, G.R. No. 149848 (2001)**

****Facts:****

The case contested the constitutionality of Republic Act No. 8999 (R.A. 8999), which established an engineering district in the First District of Lanao del Sur, and DPWH Department Order No. 119 (D.O. 119), creating the Marawi Sub-District Engineering Office.

1. Following the 1987 Constitution's mandate for regional autonomy, R.A. 6734 established the ARMM in 1989.
2. In 1990, President Corazon C. Aquino issued E.O. 426, placing DPWH functions within the ARMM under the autonomous government.
3. In 1999, DPWH Secretary Vigilar issued D.O. 119, creating the Marawi Sub-District Engineering Office.
4. In 2001, R.A. 8999 was enacted, reinforcing this new district within Lanao del Sur.
5. In 2001, Congress passed R.A. 9054 to amend and expand the ARMM Organic Act.
6. Petitioners, officials from DPWH-ARMM, requested the revocation of D.O. 119 and argued that R.A. 8999 and D.O. 119 undermined ARMM's autonomy.
7. The DPWH Secretary and DBM Secretary defended the order and law, arguing their validity under E.O. 124 and maintaining petitioners lacked standing.
8. The Supreme Court resolved to review the constitutionality of R.A. 8999 and D.O. 119.

****Issues:****

1. Whether R.A. 8999 was constitutional.
2. Whether DPWH D.O. 119 violated regional autonomy under the ARMM Organic Acts.
3. Whether petitioners had the legal standing to challenge these enactments.

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

1. ****Constitutionality of R.A. 8999:****

- The Court did not find it necessary to declare R.A. 8999 unconstitutional as it was repealed by R.A. 9054.
- R.A. 8999 never became operative due to lack of plebiscite as required for amendments to the ARMM Organic Acts.
- R.A. 9054 reaffirmed devolved functions to ARMM, thus nullifying R.A. 8999.

2. ****Validity of DPWH D.O. 119:****

- The Court held that D.O. 119 retracted previously devolved functions to ARMM and conflicted with E.O. 426.

- Reinforced that E.O. 426 took precedence over E.O. 124, the basis for D.O. 119, following the principle of *lex specialis derogat generali* (special laws prevail over general laws).

3. **Legal Standing:**

- The Court recognized the petitioners' standing, as their roles supervising public works in the ARMM would be directly affected by R.A. 8999 and D.O. 119, presenting immediate and direct injury.

Doctrine:

1. **Repeal and Supersession** - An Act (Republic Act No. 8999) is null and void if superseded by subsequent legislation (Republic Act No. 9054) and if it fails to meet procedural requirements like a plebiscite for amendments to the organic acts of an autonomous region.

2. **Regional Autonomy and Devolution** - The Constitution mandates genuine regional autonomy and decentralization of powers, underscoring that departments like DPWH within ARMM should operate under the control of ARMM's autonomous government, as outlined in E.O. 426.

Class Notes:

1. **Autonomy and Decentralization:**

- Constitutional Provisions: Art. X, Sec. 15-21, 1987 Constitution.
- Key Legislations: R.A. 6734, R.A. 9054.
- Devolution of Powers: E.O. 426 vs. General Administrative Orders (E.O. 124).

2. **Locus Standi (Legal Standing):**

- Criteria: Direct, personal interest in the case.
- Concept of Transcendental Importance: Court adopts a liberal stance for issues of significant public interest.

Historical Background:

The case emerges from the broader constitutional reforms in the Philippines aimed at granting meaningful autonomy to regions with distinct histories, particularly Muslim Mindanao. This legal struggle traces back to the historical context of Filipino Muslims' continuous quest for self-determination and equitable development within a decentralized government framework. The 1987 Constitution's provisions on regional autonomy were a response to these long-standing aspirations, and subsequent laws like R.A. 6734 and R.A. 9054 sought to actualize this vision. The case highlights tensions between national

legislative powers and regional autonomy, core to the Philippine state's structure.