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Se abre la sesión a las 10:15 a.m., bajo la presidencia del Presidente, Hon. Claro M. Recto.

EL PRESIDENTE: Léase la lista de Delegados.

MR. GRAFILO: I move that roll call be dispensed with.

EL PRESIDENTE: Se ha pedido que se dispense la lectura de la lista. ¿Hay alguna objeción? (Silencio.) La Mesa no oye ninguna. Aprobado. Hay quórum.

APROBACION DEL ACTA
MR. GRAFILO: I move that the reading of the minutes be dispensed with.

EL PRESIDENTE: ¿Hay alguna objeción? (Silencio.) La Mesa no oye ninguna. Aprobado.

MR. ROMERO: Mr. President, I yield ten minutes to the Gentleman from Leyte, Mr. Canonoy.

DISCURSO DEL SR. CANONOY
MR. CANONOY: Mr. President and Gentlemen of the Convention: After debating for four days on thequestion of whether or not we should adopt a bicameral legislature, I venture to say that there is hardly any-thing left for us to discuss this morning. However, I wish to stress a few points in this brief remark.

It has been said by advocates of bicameralism that we should adopt a second chamber because for a con-siderable time almost all modern governments had bica-meral legislatures and that it is hazardous to depart from a practice which is nearly universal. They point to England and the United States as exponents of the bicameral system. This argument, Mr. President, places us in a room lined with mirrors; and observing that everybody around him is bearded, he resolves to keep his beard. Simply because other countries have bicameral legislatures is not sufficient reason why we should adopt and maintain a second chamber.

The thing to be considered is our Senate. It is needless for me to repeat the able arguments adduced by the preceding speakers on the superfluity of our Senate overshadowing completely the House, contrary to the democratic principle that the Lower Chamber should act as the repository of the popular will; hence, it should be the predominating body.

I need only to add that there is no justification for a second chamber in the Philippines for these reasons: first, because there is no special interest in the Philippines, like the nobility and the clergy of England, to warrant the establishment of a second chamber; second because there are no federal states in the Philippines to make a second chamber necessary to preserve federal principles. What exist in the Philippines is a unitary government. Third, because in the formative stage of our political development the delay and inefficiency in a bicameral system will be avoided. Fourth, during the transition period we need to be united under a single chamber because there will be another chamber wherein will be the American High Commissioner and his staff. If a second chamber is adopted, it is possible that opposing political parties may control each house, cause division in the ranks of the Philippin participation, and bring disaster to our national cause. We need only to recall the events of 1922 when Osmena

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and Quezon controlled the House of Representatives and the Senate respectively, and the sorry consequences which followed.

It is also argued by those who favor the bicameral system, that the second chamber will act as a check against hasty and ill-considered legislation by giving greater consideration to proposals. It is said that the second chamber will revise the work of the first chamber so that any errors committed by the latter might be corrected. The idea is certainly strange for it is like the deed of a man who does the same thing twice over. If greater consideration to proposals is desirable, this process should take place in the first and not in the second because the first chamber is the most important place of activity. However, if a check is needed in legislation. this is attainable also in a unicameral body. The Con-stitution may provide that all bills be submitted twice in the same session before they become laws; it may also direct the postponement of the consideration of any bill to next session. A suspensive veto power may be placed in the hands of the Chief Executive. But the best check against haste is the veto of the people to whom the members of the chamber are responsible.

A second chamber is not the product of a rational analysis of its utility; it was born of prejudice, blind authority, and custom-begotten practices. In England it was based on social gratification; other countries fol-lowed her example because England is the best governed country. England and America are successful democra-cies not because of their bicameral legislatures but rather in spite of them.

Contrary to the allegation of the advocates of bicameralism, a second chamber rather than make for efficiency and responsibility in law-making produces instead the contrary result. A second chamber enables lawmakers to evade responsibility and serves to distract public attention. Measures are passed in one chamber for the express purpose of being killed in the other House. Because of mutual jealousies, the country suffers from delay and gagging over legislation. Senator Norris of the United States is authority for the statement that lob-bying flourishes where there are two chambers. The Dele-gate from Ilocos Norte, Mr. Bueno, one of the advocates of bicameralism, testified only yesterday that in the United States the secretaries establish and maintain their staffs of lobbyists in Washington for the passage of favorite measures.

The advocates of the bicameral system also said that because of the long term and higher qualifications for the second chamber, the country will be benefitted be cause specially fitted and experienced men will be induced to fill the posts. The fallacy of special fitness must be evident, for if special fitness is for legislation, then the second chamber should be the first and no other is necessary.

Our political development points towards the parliamentary system. There is a strong leaning for the establishment of a responsible government; that is, with a cabinet directly responsible to the legislature. Nothing will conduce more to bringing into full bloom this plan of political development than the adoption of a unicameral legislature.

For these reasons, Mr. President, I vote against the adoption of a bicameral system in the Philippines.

(Estando en el uso de la palabra el Sr. Canónoy, el Presidente cedió la presidencia al Delegado por Leyte, Sr. Kapunan.)

MR. ARUEGO: Mr. President, I yield ten minutes to the Delegate from Cebu.

SR. SOTTO (V.): Señor Presidente, para una cuestión de privilegio. En el diario "The Tribune" de esta mañana, ha aparecido una informacion que quisiera que se haga constar en el record que es absolutamente falsa. Apelo el record taquigrafico y apelo al testimonio del Delegado Maramara.

Lo que el Señor Maramara me preguntó fue si yo había gastado en mi elección de Representante, y yo le contesté

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que un poco.

MR. MARAMA: Mr. President, I affirm the state-ment of the Gentleman from Cebu.

EL PRESIDENTE INTERINO: Si no hay objecion que se haga constar en el record. (No la hubo.)

SR. ROMERO: Cedo cinco minutos al Delegado por Dávao.

DISCURSO DEL SR. PELAYO

MR. PELAYO: Mr. President and Members of the Convention: In advocating a unicameral system of legislature, I take into account the best interests of the Filipino people. Allow me to refute the pet argument of the proponents of bicameralism to the effect that a unicameral system of legislature will give way to the passage and adoption of ill-considered legislation. This argument is groundless, unfounded and untenable.

In the American Congress, as well as in the Philip-pine Legislature, there has been adopted a system, en-titled the "committee system." Before a measure is pre-sented to the House for discussion, that bill has to go first to the corresponding committee. The members of the committee are supposed to be trained first on the subject of the bill. This committee holds public sessions. It invites the public so that its members may hear the opinion of men interested in the bill. They invite busi-ness men, technical men, experts, in order that they may be enlightened on the question under considera-tion.

Sometimes, Mr. President, the committee appoints a subcommittee to make further study of certain important provisions of the bill. When the bill is reported out to the House for discussion, the committee members are prepared to give their opinion. They have the necessary facts and information regarding the bill, and they are willing to give these to the members of the House in order that the latter will be enlightened and will have the necessary information about the bill. By adopting this method in the making of our laws, the possibility of enacting ill-considered laws is eliminated.

Mr. President, the true question confronting the Filipino people today and this Convention is not whether a bicameral system is better or not than a unicameral system. We note that there are countries in the world that have adopted the unicameral system, and also countries that have adopted the bicameral system. We cannot say that countries which have adopted the bica-meral system are given better opportunities than coun-tries which have adopted the unicameral system. Both systems have their advantages and disadvantages.

The question confronting us today is whether a unicameral system is more appropriate and more suitable to our needs. I say, Mr. President, that a unicameral system is more suitable to the needs of the Filipino people. Upon the advent of independence, we will be confronted by new problems. We will assume graver and more difficult responsibilities. We will have new obligations to meet and new duties to perform. We will have to send diplomatic representatives to foreign coun-tries. We will need a standing army that will keep peace and order. We will need a strong navy that will protect our shores, a navy that will be honored at home and respected abroad. All these things need money, more money. We do not need two chambers only to fill them with legislators. What we need now is to load the chambers of our gun in order that we can maintain the integrity of the Philippine Islands.

Mr. President, I believe in and favor more the establishment of a Department of National Defense than an upper house. In case of emergency, war, or invasion, we do not need the legislators to fight. They will not take to the field to fight. It is the men on the street, the poor men, the laboring class who will fight for us. So let us eliminate all unnecessary expenses. Let us elimi-nate the upper house because it is not necessary at present. If a unicameral system of legislature will serve our purpose, why must we need another chamber, a two-chambered or bicameral system of legislature?

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For all these considerations, I appeal to your sense of justice and responsibility to vote for a unicameral system of legislature.

MR. YBANEZ: Mr. President, will the Gentleman yield?

MR. PELAYO: I am sorry; my time has expired.

MR. VINZONS: I yield two minutes to the Gen-tleman from Davao to answer the question of the Dele-gate from Cebu.

MR. YBAÑEZ: I heard the Gentleman speaking about the army and navy as one of the prime necessi-ties of the Philippine Government. Do we need the army and navy to drive away the Japanese in Davao?

MR. PELAYO: Mr. President, I prefer not to an-swer that question.

MR. ARUEGO: Mr. President, I yield ten minutes to the Gentleman from Nueva Ecija, Mr. Baltao.

EL PRESIDENTE INTERINO: Tiene la palabra el Caballero de Nueva Ecija.

SPEECH OF MR. BALTAO IN FAVOR OF THE BICAMERAL SYSTEM OF LEGISLATURE.
MR. BALTAO: Mr. President and Gentlemen of the Convention: On this fundamental question before us, I favor the bicameral system of legislature on the follow-ing grounds:

(1) Under a bicameral system better legislative measures can be obtained than under a unicameral sys-tem;

(2) the two bodies under a unicameral system cannot be controlled easily or dominated by the Chief Executive who desires to set himself up as a dictator or by persons, societies, or corporations willing to use any means to control the legislative branch of the gov-ernment for their own selfish or personal motives; (3) nearly all the great and small countries of the world after a hundred years of experience, have adopted the bicameral system of legislature.

Mr. President, the way is clear and simple. A leg-islative measure discussed, considered and deliberated upon twice by two legislative bodies should be better than measures considered only once by a single body. The Gentleman from Davao spoke of the committee sys-tem. We have the committee system also in the two branches of the legislature and yet, according to data given by the Gentleman from Pangasinan, Mr. Aruego we still find defects in the legislative measures ap-proved by the two bodies. What can we expect if only a single body with the same committee system passes upon a measure?

In considering this question, we must take into account the idiosyncrasies and temperament of the peo-ple. God has given us this tropical country. It may rain today, but tomorrow the sun will shine in all its splendor. The climate of this country has a great deal to do in the shaping of our character as a people, for this reason, it is absolutely necessary that we have an upper chamber — conservative, semi-permanent body to work as check to a dangerous and extremely radical legislation.

And one more serious defect of the unicameral sys-tem. We have had some experience in our lower body before this time. With a strong bloc, in a unicameral system headed by intelligent and clever leaders, God only knows what good or bad things this bloc which controls the house could do.

I shall now refute some of the fundamental argu-ments presented here by those who uphold the unicameral system. They say it is more economical than the bica-meral system. Mr. President, I deny the argument. The question whether a unicameral is more economical than the other system is purely a mathematical problem. A unicameral system might be more expensive than the bicameral. A unicameral legislature with members re-ceiving seven to eight thousand pesos per annum each might be more expensive than a bicameral legislature

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with members getting only from two to three thousand pesos per annum.

MR. ABELLA: Will the Gentleman yield?

THE PRESIDING OFFICER: The Gentleman from Nueva Ecija may answer if he so desires.

MR. BALTAO: I have decided not to answer any question because of limited time,

(Continuing.) They also point out the simplicity of the unicameral system. That is true, but it is also simple to control and dominate the said unicameral sys-tem. They say also that it is more democratic. The other house is also a democratic body. This is only the difference. In the upper house democracy has brakes in it—conservatism. They also stated, Mr. President, that the Malolos Congress adopted a unicameral system and it is for us to follow this system as our forefathers did. Mr. President, I admire the capacity, vision and patriotism and intelligence of our forefathers in draft-ing the Malolos Constitution. They had the vision to adopt such system that was necessary in those times. It was then necessary to follow a firm, single leader-ship and it was then necessary that such Filipino leader-ship have an easy, full control of Congress.

Mr. President, in attacking the bicameral system, they have attacked also this Convention, by saying that this Convention is a failure. Many others dare attack this Convention on account of the failure of the system and its workings. Being a Member of this Body I can no longer keep silent without offering my services in defense of the system and the workings of this Conven-tion. The self-sacrifice of the Members of this Conven-tion in coming here on call of duty; the hundreds of precepts presented here covering the subject matter which is of utmost importance to the nation; the splendid reports by several committees after long and tedious daily sessions in the committee rooms; and the workings as a whole by this Convention are enough to tell the Delegates and the public that this Convention is not a failure, but a success.

EL PRESIDENTE INTERINO: El tiempo del orador ha expirado.

MR. ARUEGO: Mr. President, I yield two more minutes to the Gentleman.

EL PRESIDENTE INTERINO: Puede seguir el orador.

MR. BALTAO (Continuing.): Mr. President, the success of this Convention should be taken into consideration, after the most bitter fight in the arena of politics dur-ing the American occupation. In solving this problem, I beseech you to use your utmost prudence: your wisest sagacity and true patriotism with nothing in view but the stability, peace and tranquility, progress and happi-ness of our people, of this generation and the generations to come.

MR. VINZONS: Mr. President, I yield ten minutes to the Gentleman from Negros Oriental, Mr. Jumauan

DISCURSO DEL DELEGADO JUMAUAN

MR. JUMAUAN: Mr. President and Gentlemen of the Convention: This august Body is now confronted by a problem of fundamental and paramount importance. Its solution has something to do with the shaping of the destiny of our fatherland as soon as the Common-wealth Government is inaugurated. The problem is clearly defined by the speaker who preceded me and it hinges on whether the bicameral or unicameral system of legislature is to be instituted in our government.

Mr. President, in making a common cause with the unicameralists, I am of the sincere belief that the unicameral legislature is more democratic and more suited to conditions now obtaining in this country than the bicameral legislature. In support of this contention, let me advance the following reasons and rebuttals.

As to why the unicameral system was preferred, Felipe Calderon of the Malolos Revolutionary Congress says:

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> "The reason which impelled me to do this were purely local in character. That in the Philippines there does not exist different interests which have to struggle and be heard in the formation of the laws, like that which is happening in the European monarchies where there is an aristocracy of blood, wealth or of intellect as against the interests of the people, or like that in the United States where the Senate represents the interests of the Federation while the House of Representatives represents the interests of each one of the states. In our country, none of these exists and this is why I did not believe it neces-sary to form two chambers."

It was stated here, among other reasons, by the bicameralists that the upper chamber of a bicameral legislature serves as a check upon the other. This check is not found wanting in the unicameral legislature. The members of the unicameral legislature whose solemn oaths call for honest performance of their sacred duties are a check to each other. For this reason, Mr. Pres-ident, the upper chamber is unnecessary.

It is feared that heat and spirit may pervade in a single branch of legislature which may commit a very improper act, but the second body gives time for reflection and allows the reason of calmness to return. What is the fact with our Senate or Upper Chamber? It has hitherto conducted itself with great prudence and sagacity. The people have been satisfied with its actuations. But give the unicameral legislature the same power that you intend to give the two branches and I believe that it will act with as much propriety and more energy than the latter.

It is also advanced here by the bicameralists that the United States, after tasting the sad experience of a unicameral system of legislature, finally established the Senate. It is true that the United States finally adopted the bicameral system of legislature because of geographical and political reasons; that is, because the U.S. has state sovereignties. The single body will absorb the state sovereignties and leave them as mere corporations. That is not true in the Philippines. We have no state or provincial sovereignties which could be absorbed by the institution of a unicameral legislature.

The bicameralists also brought out without any reservation that the bicameral legislature is the best law-making body in the world because progressive and civil-ized nations like the United States, England, France and Japan have bicameral legislatures. I will answer this assertion by saying that the Philippines Legislature, in calling this Constitutional Convention, would have pro-vided for a two-chamber convention instead of one to formulate the supreme law of the land to which all laws to be enacted by the future legislature of the Philippines must conform, if really the bicameral system is better.

Lastly, those who espoused the cause of the bicameral-ists are unanimous in affirming that unicameralism has been a failure in European countries and in America, and only small nations are now instituting the unicameral system of legislature. Admitting that for the sake of argument, is that not our pride as the only Christian nation in the Far East and was not that the same pride and glory cherished by our forefathers who had fought and died to regain our birthright—freedom—if we could successfully institute here a unicameral legislature? Yes, Mr. President, it is not only the pride of our race, but it will also glorify once more our characteristic genius as a nation tremendously advancing in the science of Government.

LEVANTAMIENTO DE LA SESIÓN
SR. ABELLA: Señor Presidente.

EL PRESIDENTE INTERINO: Señor Delegado.

SR. ABELLA: Pido que se levante la sesión hasta las cuatro de la tarde del próximo lunes.

EL PRESIDENTE INTERINO: Si no hay objeción, se levanta la sesión hasta el lunes, a las cuatro de la tarde. (No la hubo.)

Eran las 11:05 a..m

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