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APERTURA DE LA SESION

Se abre la sesion a las 5:30 p.m., bajo la presidencia del Presidente, Hon. Claro M. Recto.

DISPENSACION DE LA LECTURA DE LA LISTA.

SR. MARAMARA: Senor Presidente, pido que se dispense la lectura de la lista.

EL PRESIDENTE: ØÿHay alguna objecion? (Silencio.) La Mesa no oye ninguna. Se dispensa la lectura de la lista. Hay quorum. Lease el acta.

APROBACION DEL ACTA

SR. MARAMARA. Senor Presidente, pido igualmente que se dispense la lectura del acta y que la misma se de por aprobada.

EL PRESIDENTE: ØÿHay alguna objecion? (Silencio.) Aprobada.

DESPACHO DE ASUNTOS

EL PRESIDENTE: Leanse los documentos vecibidos.

EL SECRETARIO:

REPORT OF THE COMMITTEE ON

LABOR AND SOCIAL WELFARE

The Honorable President
Constitutional Convention

Mr. President:

Your Committee on Labor and Social Welfare has the honor to report to the Constitutional Convention that, after a careful consideration of the constitutional precepts referred to it and of the propositions submitted to the Committee, and after consulting experts on the subject and some of the constitutions and legislation of other countries, it has, with due consideration of the needs of the time and of social conditions in our country, resolved to submit the attached provisions on labor and social welfare to the Sponsorship Committee, for discussion and consideration by the same and incorporation into the proposed Constitution of the New Government of the Philippines.

Respectfully submitted,

(Sgd.) JOSE MA. DELGADO

Chairman

Committee on Labor and
Social Welfare

Section 1. Labor in all its forms shall receive special protection from the State.

Section 2. The State shall guarantee to all laborers liberty of association for the purpose of furthering their social and economic conditions and for other purposes not contrary to law.

Section 3. The State shall prohibit all immoral and degrading labor and any work involving serious danger to the health of the laborers.

Section 4. The State, by means of laws based on the principles of social justice, may regulate:

- The labor contracts, the maximum hours of daily labor, and the minimum wage compatible with decent living.
- The labor of minors and women, and the proper protection of motherhood.
- The suitable protection of the laborers by insurance against sickness, labor accidents, unemployment, invalidity, and death.
- The employees' and laborers' bonus system in industrial, commercial, and agricultural establishments.
- The immigration and emigration of laborers.
- The strikes, lockouts, and other conflicts between capital and labor, by obligatory arbitration.
- The nationalization of labor.
- The relations between tenants and landowners.
- The conversion of the laborers into owners of property through thrift and liberal homestead provisions.

Section 5. The family, being the organic unit of the nation, is under the protection of the State.

It is the duty of the parents to feed, attend, protect, and educate their children. The State shall protect the young against exploitation and oppression and against spiritual, moral and material neglect, and shall watch over the healthy development of the children.

EL PRESIDENTE. Al Comité de Ponencias.

Tiene la palabra el Delegado por Camarines Norte, Señor Vinzons.

REMARKS BY DELEGATE VINZONS

MR. VINZONS: Mr. President and Gentlemen of the Convention: This is the second time that I have availed myself of the half-hour privilege. I recall quite well my unhappy experience during the first two occasions I spoke on the floor of this Convention; therefore, I now plead at this instance for greater tolerance because the subject that I will take up this afternoon may arouse greater hostility against me, which might mean more unhappy sailing for me.

When I spoke the first time on the subject of the declaration of rights for the Constitutional Convention, I was

charged of having made insinuations against the use of party principles in the deliberations of this Convention. I did my best to explain myself out of the situation because I have always been convinced that in the deliberations of this august Assembly, party consideration has never been invoked.

Today, gentlemen of the Convention, I wish to speak on a subject that lies at the very base of the proceedings of this Convention. The time has come when we must speak with frankness and intellectual honesty. The Convention met on July thirtieth of this year, but this is now the eighth of October and a clamoring public demands that we submit immediately to the people for their consideration a complete draft of the fundamental law of this nation. I think, Mr. President, that the responsibility of drafting a constitution is joint and solidary on each and every member of this Convention. Although I come from the humble ranks of this Assembly, I wish to say that it is my earnest hope—and perhaps I am expressing the sincere desire of many of my colleagues—that we could draft a constitution that shall be enduring and permanent. At the same time, we must systematically proceed towards a definite plan so we can immediately draft that Constitution for submission to the President of the United States of America.

I want to say, Mr. President, that the existing defect of this Convention is not its partisan nature, but something lying deeper in its very roots—the lack of a definite plan, a system that should be followed in the drafting of our Constitution. I still recall the first caucus held in order to organize this Convention. It was presided by the Gentleman from Bataan and therein the first show of indecision was manifested by the members of this Convention. There was a proposal for the youngest member of the Convention to preside at its opening session. Another proposal, that the oldest member should preside. Then the Gentleman from Cavite, the great legal mind, Mr. Francisco, proposed that the Governor-General be invited to preside over the opening ceremonies; while the Gentleman from Lanao proposed the invitation of the President of the Philippine Senate, Hon. Manuel L. Quezon. Sentiment was decidedly against the invitation of outsiders to interfere in the opening ceremonies of this Convention, it was agreed to create a committee that shall decide the order of ceremonies for its opening. But a day after, the announcement was issued, which practically revoked the decision of this caucus and changed the tide of events, resulting in great howl against the interference of outsiders in this Constitutional Assembly.

We come now to the deliberations of this Convention itself. I shall not recall to you the poignant memories of the consideration of the Osias resolution that took more than two weeks on this floor, amended more than two times, only to be shelved or tabled by the good graces of the delegate from Ilocos Sur (Mr. Quirino) after all the fire of discussions.

A second instance, Mr. President, is the discussion of the Preamble of the Constitution when, after eighteen amendments had been presented and after two days of heated debate, the Members of this Assembly never knew what happened with that Preamble.

Another instance is our own experience in the Comité de Ponencias of eighty-seven members, a committee bigger than the seventy-nine members of the Federal Convention in Philadelphia in 1787. At its opening session, the Delegate from Albay proposed that the sessions be held in secret and he was overwhelmingly put down. But at its next session a motion to the same effect was earned, and now the Comité de Ponencias has been holding secret sessions.

A fourth instance, Mr. President, is the proposal presented on the first day of the meeting of the Comité de Ponencias for the creation of a subcommittee that shall draft a Constitution based on the original reports of the committees. The suggestion was brought up for consideration by the eminent Delegate from Ilocos, Mr. Singson Encarnacion, and by the eminent Delegate from Batangas, Mr. Orense. This proposition was voted down, but after three weeks of meetings by the Comité de Ponencias, the necessity for the creation of such committee has become

more clear, and now there is a move to appoint direct from the Convention itself, in its plenary session a committee that shall draft a Constitution for the consideration of the Comité de Ponencias.

It was also recently revealed, Mr. President, that there is a move to oust the present head of the Committee on Sponsorship. Another statement mentioned that the Convention was saved because the Gentleman from Ilocos Sur, Mr. Quirino (E.), has been designated head of a committee that shall draft a Constitution. With all these considerations, Mr. President, I voice my humble sentiment and express the desire that every member of this Convention feel within his heart the great necessity for laying out a system or a plan so that we can proceed with dispatch, not instability.

To speak briefly, and not indulge too much on the hospitality of this Convention, I say that a group of delegates has submitted seventeen propositions for consideration on the floor. The Comité de Ponencias has been granted the power to draft a Constitution for submission to this Convention. There has been a move to limit the power to avoid duplication of work. For instance, the Committee on Legislative Power has submitted a report recommending adoption of a bicameral system of legislature. The Comité de Ponencias takes it up, reverses the decision of the Committee on Legislative Power, and decides to adopt the unicameral system of legislature. The same report is brought to the floor and the Convention decides for bicameral system, reverting to the original report of the Legislative Committee. We have here a possible multiplicity not just duplication, of work that can be prevented by adopting drastic measures. We, therefore, propose that certain fundamental questions be immediately brought up for consideration and that decisions of this Assembly shall guide the deliberations of the Committee on Sponsorship..

I also suggest that in the presentation of a motion to reconsider, a stricter rule be applied; that is. a motion to reconsider should be approved only by two-thirds of the vote of the members of the Comité de Ponencias or by the Members of the Convention on the floor.

We also suggest that the Comité de Ponencias hold longer meetings instead of conducting a meeting from three to five o'clock, oftentimes beginning at 3:30 or 4:00 and meeting only in one hour. We suggest that the Comité de Ponencias meet morning and afternoon to finish the drafting of the Constitution, and that in the drafting and recommendation of a provision by the sponsorship body, the chairman of the committee concerned be consulted. In the case of recommendations by the Committee on Preamble, its chairman is entirely disregarded; therefore his only means of insisting on the adoption of his own suggestion as a substitute amendment is on the floor of the Convention. Therefore, in the consideration of amendments, the following rule must apply: that amendments be considered in the order in which they apply to the constitutional provisions under discussion.

MR. INTING. Will the gentleman yield?

MR. VINZONS. I will yield after I have finished my remarks.

(Continuing.) Second, for this purpose the amendments should be grouped together as applied to certain parts of the provisions under consideration. Third, as has been instituted by the President, the policy should be that amendments relating simply to the use of a phrase or a word in preference of another phrase or word should be referred to a Committee on Phraseology.

Our last suggestion: The Committee that shall draft the Constitution based on the original reports of other committees should have only the following powers: first, to coordinate the different reports in the order and arrangement that they should come in the Constitution; second, to make recommendations to the Comité de Ponencias as to what parts should be suppressed because they are in conflict with other points or because they are duplicated in other parts of the same Constitution.

We have tried, Mr. President, to make an outline of a proposed Constitution based on the reports of the committees; in its first part will appear the Preamble, followed by a territorial delimitation, then the provisions relating to the legislative power, the executive power, the judicial power, and the provincial and municipal governments. As a second part of the Constitution, we suggest the grouping together of reports on citizenship and naturalization, immigration, the duties and citizenship, the bill of rights, labor and social welfare, public instruction, health and hygiene, suffrage, civil service and scientific research. As a third part, we suggest the grouping together of all reports relating to economics and public finance, naturalization and conservation of lands and natural resources, agricultural development and nationalization of public utilities, industry, commerce, franchise, finance, public accounts, currency and banks and tariff.

As separate articles by themselves, we suggest the following: official language, metropolitan and foreign relations, miscellaneous matters, constitutional guarantees, which shall include the provisions regarding impeachment, amendments to the Constitution and transitory provisions. Finally, as an ordinance appended to the Constitution, we suggest the following: mandatory provisions, part of the report of the Committee on Finance suggested for the Appendix, part of the report of the Judiciary Committee suggested for the Appendix, and also that part relating to the election of a resident commissioner to the United States during the Commonwealth.

Our reason for this suggestion, Mr. President, is that upon compilation of the original committee reports in the order that we have suggested, we shall have a birdseye view of the Constitution itself and, therefore, it would be much easier for us to determine what part should be suppressed and what part to be amalgamated.

With these simple explanations, Mr. President, and with due apology to the Members of this Convention, I close my speech. I am now ready to yield to Mr. Delegate Inting.

MR. INTING: May I know if the Gentleman from Camarines Norte is a member of the Sponsorship Committee.

MR. VINZONS: I am a Member of the Sponsorship Committee.

MR. INTING: Has the Gentleman made all these suggestions to that Committee?

MR. VINZONS: I have not brought them up before the Sponsorship Committee, but such suggestions are based on resolutions signed by more than fifty Members headed by Delegate Salumbides of Tayabas. They suggested the consideration by the Convention of fundamental controversial questions relating to the Constitution.

MR. INTING: The Gentleman is aware that the Sponsorship Committee is the one given full authority to make a draft of the Constitution, according to the present plan of the Convention. Why then did he not present the suggestions to the Sponsorship Committee?

MR. VINZONS: My reason is this: The Sponsorship Committee, in its meeting last Saturday, approved the adoption of such a procedure as we have suggested. In the second place, the Committee on Rules itself has drafted the first proposal for consideration on the floor of this Convention. In the third place, we have the decision of the Convention which should be binding on the Members of the Sponsorship Committee.

MR. INTING: Does the Gentleman mean that the Committee on Sponsorship has readily entertained his suggestions? If such is the case, why make the suggestions now before this Convention?

MR. VINZONS: I have said that I brought up the question before the "Comite de Ponencias."

MR. INTING: I thought the Gentleman said that they are following his suggestions?

MR. VINZONS: In the meeting last Saturday, they considered such a proposal.

MR. INTING: Still a proposal.

SR. VENTURA: Senor Presidente, para algunas preguntas.

EL PRESIDENTE: Puede contestar el orador, si le place.

MR. VINZONS: I yield to my professor, the Delegate from Ilocos Norte.

MR. VENTURA: The Gentleman from Camarines Norte proceeded on the assumption that in the drafting of the Constitution, the Convention went on with its work without a definite plan. Does not the Gentleman believe that the creation of thirty-nine committees has something to do directly with the drafting of the different parts of the Constitution? Likewise, there is the Sponsorship Committee which studies the different parts of the Constitution submitted to it before presenting the final draft to the Convention. Does not this plan constitute a definite system, which the Gentleman alleges as not existing?

MR. VINZONS: I admit that the creation of the various committees and of the Sponsorship Committee is a form of organization, but I am emphasizing the fact that we lack a system of procedure, a plan.

MR. VENTURA: Well, the creation of these committees and of the Sponsorship Committee to make the final draft of the Constitution based on the reports, of the different committees, in itself and as admitted by the Gentleman, is a plan. Now, the Gentleman says he wants a definite plan. It is a definite plan.

MR. VINZONS: An organization.

MR. VENTURA: It is an organization.

MR. BALILI: Mr. President, the time of the Gentleman has expired.

MR. VENTURA: Mr. President, I am making it clear to the Gentleman from Camarines Norte that we have a definite plan because I do not want him to make the public believe that the Convention has proceeded in its work without a definite plan. That is a serious charge against the work of the Convention.

THE PRESIDENT: The Chair wishes to inform that two more Gentlemen desire to make use of the half-hour privilege; so it is the privilege of the speaker to decline to answer further questions.

MR. VINZONS: Mr. President, I want to close, so with the permission of the Chair and the Assembly, I refuse to answer further questions.

SR. KAPUNAN: Senor Presidente, para algunas preguntas al orador.

EL PRESIDENTE: El orador puede contestar, si le place.

SR. VINZONS: Si, senor.

SR. KAPUNAN: Si mal no le he entendido, Su Senoria ha afirmado que hay el proposito de parte de algunos Miembros de la Convencion de derrocar al Presidente del Comite de Ponencias. ¿Es verdad eso?

(El Hon. Kapunan repite la pregunta en ingles.)

MR. KAPUNAN: The Gentleman said that some Members of this Convention plan to throw out the President of the "Comite de Ponencias," is that true?

MR. VINZONS: My statement was based on a news item in the "Tribune" of last Saturday.

SR. KAPUNAN: ¿Pero usted no tiene conocimiento propio de eso?

MR. VINZONS: I do not have any knowledge.

SR. KAPUNAN: ØÿY como se ha atrevido Su Senoria a lanzar esa manifestacion aqui?

MR. VINZONS: I said, that I read of a move to oust the Chairman of the "Comite de Ponencias."

SR. KAPUNAN: ØÿCree Su Senoria que eso refleja bien en el seno de la Convencion?

MR. VINZONS: I am against the move myself, for it would adversely affect the reputation of this Convention.

SR. KAPUNAN: ØÿPor que no ha presentado esa sugestion que usted ha propuesto al Comite de Ponencias, en lugar de llevarla aqui a la Convencion?

MR. VINZONS: I presented a plan already, but it was rejected.

SR. KAPUNAN: De todos modos, Øÿusted no sabe de cierto si hay algun Miembro de la Convencion que trate de derrocar al Presidente del Comite de Ponencias?

MR. VINZONS: I do not have any personal knowledge of the matter.

SR. KAPUNAN: He oido esta tarde del Presidente del Comite de Ponencias que Su Senoria es uno de los que firmaron una resolucion.

MR. VINZONS: I have not signed any paper nor made any move to that effect.

SR. KAPUNAN: Pero, Øÿno dijo Su Senoria al Presidente del Comite de Ponencias que es uno de los cincuenta que han firmado la resolucion—no se que resolucion—para derrocar al Presidente del Comite de Ponencias?

MR. VINZONS: No, sir; I have not signed my resolution to that effect.

EL PRESIDENTE: Tiene la palabra el Delegado por Cebu.

REMARKS OF DELEGATE BALILI

MR. BALILI: Mr. President and Gentlemen of the Convention: It is rather unfortunate for me this evening to speak on the same subject about which the Honorable Delegate from Camarines Norte has spoken. But I disagree with him on some points, so I am now making use of this night's half-hour privilege to express my views and to appeal to every one to please hasten our work, because seventy days have already parsed from July 30 to this date, October 8, 1934, and we have not even approved the Preamble of our Constitution.

Gentlemen, our fate, honor and the test of our capacity to govern ourselves hang on the issue or on the results of what we do here. Judging from what we have done and basing our progress on that, it seems to me that we will not be able to see our Constitution drafted even after the year 1936. I appeal to every one to forget selves and only confine our efforts with the thought that we are doing those for the best interests of our country and not for other motives.

Mr. President, as I see it, and in my experience with the meetings of different committees and also here in our Assembly, I noticed that the defect does not lie in our Assembly nor in this system. We have adopted the best system, but unless the defects which I will enumerate are not corrected, then we can adopt any other system and still not see our Constitution drafted.

In the first place, a great number among us are intolerant, selfish and uncompromising. That is the very fact, Mr. President and gentlemen of the Convention. When one presents a constitutional precept he remains unyielding even if the difference lies in a comma only or in some words, for instance, Philippines and Philippine Islands. When a certain delegate happens to place in his constitutional precept, say in the Preamble. Philippine Islands and another delegate puts Philippines, the first will maintain that Philippine Islands is good. Mr. President, what

difference does it make if we put Philippines or Philippine Islands in the Preamble? No difference at all. Our country will not collapse if we put Philippines. There is absolutely no fundamental difference, but we remain unyielding. We have what we call in Spanish too much "amor propio." We always depend on what we believe. If we can only forget ourselves and work for the best interests of the country. then next year we will have our Constitution finally adopted.

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

MR. BALILI: I don't want to yield to any question until I am through.

(Continuing.) Another defect: When the Chairman of the Committee on Sponsorship finished reporting on the Preamble, a delegate sitting near me remarked: "Sotto!" and he asked: "Para un turno en contra, Senor Presidente," because it was Sotto who had presented it. That is personal. Thanks to the intervention of our President, he called the attention of the delegate that we must necessarily have the Preamble in our Constitution and we cannot stand solidly against the Preamble. We may present an amendment, but for a delegate to say "Un turno en contra," goes to show that the delegate has personal hatred against the man who sponsors the Preamble.

POINT OF ORDER

MR. CINCO: Mr. President, the Gentleman is not delivering his speech, but filing charges against the Members of the Convention.

MR. BALILI: The defects cannot be corrected if we do not show them.

THE PRESIDENT: Is the Gentleman raising a point of order?

MR. CINCO: The privilege is not well used by the Gentleman because he is filing charges against Members of the Convention and the charges are on affirmation.

THE PRESIDENT: The Gentleman may proceed.

MR. GRAFILO: Mr. President, I rise on a question of privilege. Under Section 13 of our Rules, "Questions relating to the rights, privileges, reputation, conduct, decorum and dignity of the Convention or of its members are privileged questions, and so are the verifications of a quorum and the motion to adjourn." The utterances of the gentleman who has the floor mention about selfish Members of the Convention, hence they affect the reputation and dignity of the Convention whose membership we comprise. There is also a mention of intolerance and selfishness on the part of the Members of the Convention. I move, Mr. President, that words and phrases expressed against the reputation and dignity of any Member of the Convention be stricken off the Record.

EL PRESIDENTE: La Mesa entiende que el orador no ha personalizado en sus puntos de vista, y, por tanto, puede proseguir.

MR. BALILI (Continuing): Mr. President. I have no desire to attack any delegate personally; I am only exposing the facts with the sincere desire that they can be corrected, because I find that they comprise the main defect in our deliberations here. There are Members forming blocks not to hasten the work on our Constitution, but to block the members of the Sponsorship Committee for personal reasons, especially those who think that they are also able enough to become members of the Committee but were not chosen. They are also finding means to attack the work of the Committee on Sponsorship.

One thing about committee work: In my experience in our committees, there are those members who will not submit to the will of the majority. For instance, the Committee on Suffrage decided that suffrage be granted to men only. Immediately after that report was presented to the Convention, those who were defeated disregarded

the will of the majority of the committee and are now working against it.

MR. ABELLA. Is the Gentleman referring to me? I object to it.

MR. BALILI: I am not referring to the Gentleman; I can refer to anybody.

MR. ABELLA: I think that I am referred to.

MR. BALILI (Continuing): What I have said are the fundamental defects as to why work on our Constitution is delayed.

Before I close, I wish to repeat that our fate and honor as a nation hang on the issue of what we do here. Let us prove to the world that we, the Filipino people, are united; that we forget ourselves for the good and welfare of our country. Let us not work for our own personal glory; instead, let us work hand in hand for the good of our country. When I was on my way to this Assembly, I happened to ride with delegates from the Visayan Islands and all of them promised that they would rise to speak often so they could be considered good timber for representatives.

Mr. President, all these are the outstanding blocks that will delay the progress of our work here; so, I repeat: let us forget ourselves, let us not think of our interests, but see that our Constitution is finally drafted. I, for one, am ready to sacrifice. I know that we have our interests in our own places. We are managing businesses so we lose every day, by being here myself, am losing, Mr. President, but it is sweet to make sacrifices when made with the consciousness that we have done the best for our country, but not to sacrifice by staying here for a longer period without understanding each other. Mr. President, after we finish this Constitution -we will go back to our homes thinking with profound regret of what we have not done, and I hope that will not happen. The time to work is now, now, now.

MR. MARAMARA: Mr. President, I wish to make use of my half-hour privilege.

EL PRESIDENTE: Tiene la palabra el Delegado de Cebu.

SPEECH OF MR. MARAMARA ON COMPULSORY AND FREE PRIMARY EDUCATION

MR. MARAMARA: Mr. President and Gentlemen of the Convention: In addressing this august Body which is shaping the groundwork upon which the structure of the future Philippine Republic shall be built. I have been assailed by serious doubts whether, in thus being privileged to contribute our grain of sand in the magnificent structure, we are sure that every material that goes into it will stand the test of time.

Just as the durability of a house depends upon the material used in its construction, so is the life of a nation dependent upon the kind of individuals composing it. We are here to establish a government built not on the shaky foundation of sand but on solid marble carved by skilled and trained hands. The marble upon which this structure must be erected will be made up of every Filipino enjoying the blessings of civilization and liberty. To insure the existence of strong democracy, we must have an enlightened citizenry. That can only be attained by inserting in the Constitution we are drafting a provision requiring compulsory and free primary education at least in our public schools and, when finances warrant, then complete elementary education.

Under present conditions it is true that we have free primary education, but using the parlance of the street any boy can choose whether "to take it or leave it." Under the constitutional precept I am now sponsoring, the state shall take the initiative for its own good and preservation not only to offer free primary education but also to compel every child of school age to drink from the beneficent fountain of such education.

It is indeed regrettable to state that despite the much-vaunted love of Filipino children for education, and the fact

that twenty-six per cent of the income of our insular and provincial governments is spent in the maintenance of schools, colleges, and universities, only thirty-six per cent of our school population enjoys the benefits of elementary education. Unless a statesmanlike solution and a definite patriotic policy are adopted to solve this lopsided development of the intellectual needs of our people, the day will not be far distant when we shall be witnessing an inverted pyramid where only few have so much education, while the majority are without education at all. Democracies have been likened to pyramids with the masses constituting the foundation or base while the chosen leaders constitute the apex.

I don't want to be misunderstood, however, as being opposed to high school or university education. Such classes of education have a legitimate place in the life of a nation; but elementary education should not be sacrificed for the sake of maintaining the former. To my mind, high school and university education will become a duty of the state only when elementary education is properly provided for. Unless and until a condition exists where all children of school age have been taken care of, the state should not undertake the support of high school and university education. Such a tax-supported institution should receive government assistance only when no private initiative is willing to provide opportunities for higher education.

It is common knowledge that in Manila alone there are no less than six private universities and thirty-five secondary cultural and technical schools. The over-development of higher education not only produces a yearly crop of unemployed, but also supplies a fertile source of the worse type of demagogues and agitators who sponsor Machiavellian doctrines which are the product of idle minds. An ordinary criminal is bad enough, but an intellectual criminal is the embodiment of the highest type of wickedness.

Gentlemen of the Convention, unless we forestall the dangers I have alluded to by providing in our Constitution the compulsory requirement for a minimum of primary education, our tasks and the labors and sacrifices of our heroes and martyrs that went before us would have been wasted. But if we bravely face the problem and answer the patriotic call of duty, the confidence which was reposed in us on that memorable day of July 10, 1934 shall not have been deposited in vain. I thank you.

MR. EZPELETA: Mr. President.

THE PRESIDENT: The gentleman from Iloilo.

MANIFESTACIONES DEL SR. EZPELETA

MR. EZPELETA: Mr. President and Gentlemen of the Convention: Everybody is attacking the system invoked in the Convention. I rise this evening to add my voice to attack, not the system, but the weakness of some of the Members. The greatest defect of this Convention, which has delayed our work, is not in the system, nor in "amor propio," but in the excessive desire of some Members to deliver speeches. We have been hearing all kinds of speeches including mine. I will not commit the same error by delivering a long speech. I will only say that if we stop delivering long speeches and do our work to draft the Constitution as soon as possible, we will be complying with our duties. My earnest hope is that this one-minute speech of mine would be the last speech delivered in this session hall.

Thank you.

MR. ROMERO: Mr. President, in accordance with the resolution of the Convention last Saturday authorizing the Committee on Rules to propound the different propositions to be debated on the floor of this Convention, the Committee on Rules has prepared the first preposition, which we request the Secretary to read:

THE SECRETARY:

RESOLVED that it is the sense of the Convention that the Constitution to be drafted should provide for a bicameral legislature.

MR. ROMERO: Mr. President, this does not mean that the proposition represents the point of view of the Rules Committee. We are only putting it before the Convention so that it will be ready for debate. It does not necessarily mean that the Members of the Committee are in favor of the bicameral system. The Committee on Rules asks for special order to place on the calendar the discussion of this proposition in tomorrow's session, and that the debate be limited to four days, the voting to take place at seven o'clock Friday night. After this, many other subjects will follow, such as the powers of the Legislature. We ask this preliminary proposition to be debated for four days.

MR. JOVEN: Mr. President, will a negative vote on the proposition mean that the unicameral system is to be approved?

MR. ROMERO: That would seem to be the logical deduction.

MR. JOVEN: If we are not in favor of the bicameral system, there may be other systems.

MR. ROMERO: That is for the Convention to decide.

MR. JOVEN: I would like to be informed on the idea of the Committee—whether a negative vote will mean approval of the unicameral system.

MR. ROMERO: The Committee understands it that way.

MR. PEREZ (J.): Is not the proposition of the Rules Committee to submit the question to a vote next Friday evening contrary to the provisions of the Rules respecting the closing debates?

MR. ROMERO: We take it for granted that there shall have been three speaker on each side.

MR. GRAFILO: Do I understand from the Chairman of the Committee on Rules that whatever the decision by the Convention, such fundamental decision will be incorporated in the Constitution?

MR. ROMERO: That was the understanding when this resolution was approved last Saturday, which served as the guide for the Committee.

MR. GRAFILO: The question of whether it is bicameral or unicameral being one which I consider of major importance, do you think that the three days' period for its discussion will be sufficient for the Convention to arrive at a conclusion if this is meritorious?

MR. ROMERO: This is a sort of middle ground; some wanted a longer period than that, others a shorter one. We have decided on four days as a middle ground.

MR. GRAFILO: Will it not be advisable to present the limitation of time when the proper moment comes, rather than make an advance limitation?

MR. ROMERO: In the House and in the Senate the practice is to announce the length of the debate so that the leaders of both sides will know how many speakers they can present.

MR. GRAFILO: As I see it, three hours of discussion every day for four days will mean twelve hours.

MR. ROMERO: That is quite sufficient. Also, it has the advantage that the Members will know when voting will take place and they will all try to be here.

MR. BALILI: I wish to amend the proposition so that voting can take place on Thursday evening at seven o'clock.

EL PRESIDENTE: ¿Que dice el Comite?

MR. ROMERO: That is a middle ground—four days —so we would rather stick by our decision making it four days.

MR. BALILI: I would not insist.

MR. REYES: The Chairman of the Committee on Rules has stated that the purpose of the proposition is to have us know in advance how much time will be devoted to the discussion of the proposition.

MR. ROMERO: More or less.

MR. REYES: How can we know in advance when we do not know how long we will stay in session during the four days we occupy ourselves with the discussion?

MR. ROMERO: That is why I say more or less.

MR. REYES: Would not the Chairman of the Committee think it advisable to put a minimum time limit to prevent adjourning our session within half an hour during the four days of debate?

MR. ROMERO: That will depend upon the Convention. If the delegates feel that they have had enough they may shorten the time. If they feel like listening to more arguments they can prolong the discussion.

MR. REYES: I have observed that the inclination among the members of the Convention to go home after a short stay is rather irresistible and also when we disagree to the speeches we like to go home; but when we agree to the speeches we stay longer on the floor of the Convention. So, it may happen that somebody is delivering a speech and there are members who do not like it. There will be a motion for adjournment. Thus the day's time will be cut down and the total time also shortened.

MR. ROMERO: That will not happen when we begin to discuss fundamental questions. This happens only when the members have become tired listening to speeches that are not of particular importance. But when we begin to discuss fundamental question? affecting the Constitution, I think everybody will be interested.

BALTAO AMENDMENT

MR. BALTAO: Mr. President, I move to amend the motion suppressing the time limit. We spent many hours debating on the Osias resolution; so, on this question I think four days, which represent about seven or eight hours at most, are not enough, considering the number of delegates willing and probably ready to speak in favor or against the bicameral system.

THE PRESIDENT: Is the gentleman presenting an amendment?

MR. BALTAO: Yes, by suppressing the time limit. REYES AMENDMENT TO BALTAO AMENDMENT

MR. REYES: I would like to present, Mr. President, an amendment to the amendment in the sense that we vote on Friday evening at seven o'clock provided we have consumed ten hours of debate at that time. The total time to be consumed in the debate shall be ten hours.

EL PRESIDENTE: ¿Que dice el autor dp la enmienda original?

SR. BALTAO: No puedo aceptar la enmienda. Es muy importante esto, Senor Presidente. No podremos despues cambiarlo.

EL PRESIDENTE : ØÿEsta dispuesta la Asamblea a votar la enmienda a la enmienda, de que se vote la resolucioⁿ el viernes, a las siete, si hasta entonces se hubiesen consumido diez horas?

MR. PEREZ (J.): Mr. President, according to the Rules, the amendment of the Delegate from Sorsogon amounts to a motion to close the debate. According to our Rules, a motion to close the debate can only be presented after three speakers have spoken in favor of the motion.

EL PRESIDENTE: Ese es el objeto precisamente del Comité de Reglamentos al presentar la mocion de que se limite el debate. Es una mocion especial.

MR. PEREZ (J.): Is not the motion of the Delegate from Sorsogon premature as tested by our Rules?

EL PRESIDENTE: La Mesa entiende que el Comité de Reglamentos puede pedir orden especial en cualquier momento. ØÿEsta dispuesta la Asamblea a votar la enmienda a la enmienda? Los que esten conformes con la enmienda a la enmienda presentada por el Delegado por Sorsogon, digan, Si. (Una minoria: Si.) Los que esten en contra, digan. No. (Una mayoria, No.) Rechazada.

Se va a votar la enmienda. Los que esten a favor de la enmienda, en el sentido de que no se limite el tiempo del debate de esta proposicion, sirvanse decir. Si (Varios Delegados: Si) Los que esten en contra, digan, No. (Varios Delegados: No.) Division. Los que esten a favor de la enmienda, sirvanse ponerse de pie. (Se levantan 42 Delegados.) Los que esten en contra, sirvanse ponerse de pie ahora. (Se levantan 55 Delegados.) Por 55 votes negativos contra 42 votos afirmativos queda rechazada la enmienda.

MR. GRAFILO: Just one question, Mr. President, I believe the motion has been presented on the presumption that it shall not violate our Rules. Supposing that time has come and less than three speakers for each side have spoken. Will that mean that we approve this motion amending our Rules?

MR. ROMERO: That would amount to an amendment.

MR. GRAFILO: I am making the question in order not to establish a precedent.

MR. ROMERO: At any rate that would be very remote.

EL PRESIDENTE: ØÿPuede votarse la proposicion original? (Varios delegados: Si.)

Los que esten a favor de la proposicion, tengan la bondad de decir Si. (Una mayoria: Si.) Los que esten en contra, sirvanse decir No. (Una minoria: No.) Aprobada.

MR. SALUMBIDES: We want to have as much time as possible to discuss the proposition. I would like to request the President to call the session at 4:00 o'clock sharp in accordance with the Rules.

EL PRESIDENTE: No depende eso de la Mesa. El Comité de Ponencias esta celebrando sesiones diarias hasta las cinco de la tarde.

MR. SALUMBIDES: They can postpone that. They can begin at 10:00 o'clock in the morning and resume at 1:00 in the afternoon instead of at 3:00 o'clock.

EL PRESIDENTE: La Mesa cree que la Asamblea, al votar esta proposicion, sabia perfectamente que la sesion de la Convencion es a las cinco de la tarde.

MR. SALUMBIDES: But our Rules say 4:00.

MR. MARAMARA: I think it does not require 4:00 o'clock.

EL PRESIDENTE: En los dias en que no celebre sesion el Comité de Ponencias podremos comenzar la sesion de

la Convencion a las cuatro; pero en los dias en que celebre sesion dicho Comit  causariamos estorbo en sus trabajos si lo hicieramos, por esto la Mesa cree que la Asamblea, debe seguir la practica de empezar la sesion a las cinco.

MR. KINTANAR: How many other topics will be discussed after this one?

MR. ROMERO: It will depend on the outcome of this first question. If the Convention comes out in favor of the bicameral system we will have to take other topics, like suffrage; then we will discuss the manner of constituting the two chambers, whether the senators will be elected senators-at-large or one senator for one province. If this Assembly chooses the unicameral system, then we can leave it there and take up other topics.

SR. MELENDRES: Senor Presidente, el Comit  de Gobierno Interior solicita un nuevo plazo, hasta el jueves, para someter su informe.

EL PRESIDENTE: El Comit  de Gobierno Interior pide un nuevo plazo de tres dias para presentar su informe.   Hay objecion a esta peticion? (Silencio.) La Mesa no oye ninguna. Aprobada,

MR. ROMERO: The Committee on Rules suggests that this debate proceed by having the floor leader or one leader to control each side. I suggest Dean Aruego to represent the bicameralistas, and if there is no objection, I will take charge of the unicameralista.

EL PRESIDENTE:   Hay alguna objecion a la proposicion del Caballero de Negros Oriental? (Silencio.) La Mesa no oye ninguna. Aprobada.

LEVANTAMIENTO DE LA SESION

SR. ROMERO: Senor Presidente, pido que se levante la sesion hasta manana, a las cinco.

EL PRESIDENTE: Si no hay objecion, se levanta la sesion hasta manana, a las cinco. (No la hubo.)

Eran las 6:40 p.m.

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