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APERTURA DE LA SESION

Se abre la sesion a las 9:47 a.m. bajo la presidencia del Presidente, Hon. Claro M. Recto.

EL PRESIDENTE: Lease la lista de Delegados.

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

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

DISCUSION SOBRE EL PROYECTO DE CONSTITUCION

(Continuation)

EL PRESIDENTE: Quedan todavia algunas enmiendas sobre el sufragio y son las que tienen por objeto insertar el conocimiento del ingles y el espanol como requisito. Son de los Delegados Esliza, Guzman, Balili y Jumawan, en las paginas 9 y 10 de la lista.

MR. ESLIZA: Mr. President, in view of the fact that the amendments are similar, I respectfully request that they be voted on as one and not be a subject of debate, inasmuch as there is a rule to that effect at present. They should be included in our present Election Law unless we adopt it in the Constitution.

EL PRESIDENTE: ¿Pueden votarse estas enmiendas sin debate?

VARIOS DELEGADOS: No, no.

MR. CABILI: Mr. President, before we proceed, I would like to ask a question. Is the Arabic way of writing included? It cannot be considered local because a Maranao may have to write in the Roman way.

THE PRESIDENT: The Chair does not think it is included in the amendment.

MR. CABILI: If it is inserted in the draft, we would like to have a chance to introduce an amendment.

MR. SANTOS: Mr. President, we would like at least two minutes to reason out our amendment.

MR. PRESIDENT: Is the Gentleman one of the authors?

MR. SANTOS: Yes, sir.

MR. GRAGEDA: I move that the amendment be voted on without debate.

THE PRESIDENT: Let us hear the author.

MR. CABILI: I would like to register a turn against the amendment.

SR. MONTANO: Otro turno en contra.

SR. RAFOLS: Otro turno en contra.

SR. YSIP: Bajo esta fraseología “que sepan leer y escribir” ¿no estan incluidos los que sepan el castellano, el ingles o cualquier dialecto del pais?

EL PRESIDENTE: Tal como esta, estan incluidos.

Tiene la palabra el Delegado Santos.

DISCURSO DEL SR. SANTOS

MR. SANTOS: Mr. President and Gentlemen of the Convention: The object of the amendment is to make the language provision definite. We believe it very necessary because in the Philippines we have English, Spanish, and the various dialects. On the other hand. Section 2, page 41, of the draft provides for the development of a national language. While it is true that under the Tydings-McDuffie Law English will be the main language, the time will come when we shall have a national language. It cannot be denied that in such a case many people in the Islands will continue to use the English language. If we do not provide for English in our Constitution, which is intended for many years, we may come to a point where such people will be disenfranchised. In the same way, Mr. President, there is no provision whatsoever in our draft as to making Spanish an official language. There is no doubt that there are many members of the Filipino nation who solely speak Spanish. Of course, there is a law about the language, but that will be superseded by the Constitution. We may then be confronted with the question of whether those people who are solely Spanish-speaking will not be disenfranchised by our Constitution.

On the other hand, we may afterwards develop a national language, and this possibility presupposes the exclusion of the local dialects which will surely subsist in, many parts of the Islands. Mr. President, it is very necessary to make the provision clear so as to avoid being confronted afterwards with the question of the disenfranchisement of those who do not speak the national language. We have to make a reservation for all the local dialects that will naturally persist in spite of the development of the national language.

Mr. President, I believe that to make our Constitution definite and to forestall the future disenfranchisement of those who speak only English or Spanish, or only the national language or any of the local dialects, a provision to this effect is very necessary.

EL PRESIDENTE: Tiene la palabra el Delegado Cabili.

DISCURSO DEL SR. CABILI

MR. CABILI: Mr. President and Gentlemen of the Convention: I am opposed to the proposed amendment for two fundamental reasons: first, because it is unnecessary, and second, because it is discriminatory. It is unnecessary as a consequence of the fact that if one can read and write either English, or Spanish, or any of the local dialects, he will be qualified under the draft. It is discriminatory against a respectable minority of the population of the Philippines, the Mohammedans, for whom I am one of the humble representatives. It is the intention of this Convention, I think, to emancipate, to enfranchise, our backward elements, especially the Mohammedan population, and yet we would curtail their privilege with a provision that only those who can read and write either English or Spanish or any of the local dialects shall be allowed to vote. Under the amendment, the Mohammedans would be precluded because their Arabic writing is not considered as one of the local dialects. When we say “local dialects”, we refer to the system of speaking and not of writing. Writing is either Arabic or Roman, and in

view of this fact, Mr. President, I hope the Convention will be tolerant enough to reject the proposed amendment as unnecessary and discriminatory.

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

THE PRESIDENT: The Gentleman may yield, if to so desires?

MR. CABILI: Willingly.

MR. SANTOS: Does not the Gentleman think that the term "local dialects" includes Maranao or any other Mohammedan dialect?

MR. CABILI: It includes Maranao but not the system of writing, because the system of speaking and the system of writing are two different things.

MR. SANTOS: Is not Maranao written in Arabia included in the amendment?

MR. CABILI: No.

MR. SANTOS: It is a question of opinion, but I think it is included.

EL PRESIDENTE: Los que esten conformes con la enmienda, digan Si. (Una minoria: Si.) Los que esten en contra, digan No. (Una mayoria: No.) Rechazada.

MR. MARAMARA: Mr. President, I have an amendment.

MR. CRUZ (CASTOR): Mr. President, I have a similar amendment.

EL PRESIDENTE: La enmienda de Su Senoria ¿es similar a la del Delegado Pelayo?

MR. CRUZ: Yes, sir.

EL PRESIDENTE: Entonces, se considerara esta enmienda conjuntamente con las de los Delegados Pelayo y Cruz.

Tiene la palabra el Delegado Cruz.

DISCURSO DEL SR. CRUZ

MR. CRUZ (CASTOR): Mr. President and Gentlemen of the Convention: At the outset, I would like to state for the record that I am one of those who are anxious to expedite the work of the Convention. If I rise today to speak in behalf of the amendment I have proposed, I do so because of my sincere and honest belief that the amendment is very important and far-reaching in its consequences.

One of the first and main concerns of the Philippines after attaining independence will be to avoid a revolution. The amendment will prevent in a way, if not to a great extent, the occurrence of such an unhappy incident in the history of our nation. If the Army and Navy, which already have under their control the armed forces of the Government on land and sea, are given the management of civil affairs, the time may come when they will also control the civil forces of the Government and thus establish a successful coup d' etat, which is happening in other countries.

Mr. President, I will state only one more argument, and after that I will close. According to our present system of legislation, the Army and Navy are not under the jurisdiction of the civil authorities or of the civil courts of justice. If a member of the Army or Navy is arrested for a violation of a law, he is turned over to a military court.

It may, therefore, happen that if a soldier or sailor violates the Election Law, the incident will mean conflict of jurisdiction — confusion between civil and military or naval authorities.

Before I close, I will answer the only possible argument that may be adduced against the amendment. Some Delegates may say, in objecting to my proposal, that the matter it embraces can very well be left to the Legislature. But, Mr. President, suffrage has been a subject of legislation during all these years, but up to this time nothing has been done by our Legislature. In the last general elections, members of the Army and Navy were allowed to vote. If I may cite a specific example, Philippine Scouts voted in a municipality of the Province of Rizal, and there was a terrible confusion when army men wanted to vote and went to the extent of threatening an election official with bodily harm. The municipal authorities and the Constabulary would have been entirely helpless had it not been for the timely aid and cooperation of the provost guards.

Mr. President, if we propose the amendment, it is because we desire to avoid any such unhappy incident. With this consideration, I beseech each and every Delegate not to go against the amendment.

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

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

SR. CRUZ (C.): Si, Senor.

SR. RAFOLS: Segun su opinion. un militar no puede ser elegido Presidente de la Republica o para algun otro cargo:

MR. CRUZ (C.): If he is in active service, he should be denied the right of suffrage and therefore being elected.

SR. RAFOLS: Y el motive que le impele a Su Senoria a querer privar del derecho del sufragio a los militares ¿es evitar el abuso que pudieran cometer en las elecciones por portar armas?

SR. CRUZ (C.) : Si, Senor.

SR. RAFOLS: Un policia municipal o un constabulario, ¿puede ser elegido o no?

MR. CRUZ (C.): I am not including policemen and Constabulary soldiers because a different police system may be established by the National Assembly of the future Government.

SR. RAFOLS: Lo que sucedera es que los militares llevaran sus fusiles y canones para amenazar a los electores.

MR. CRUZ (C.): It is not yet certain, Mr. Delegate, if there will be a constabulary under the Commonwealth or under the Republic, and for that reason, we have not included that in our amendment.

SR. RAFOLS: ¿No seria mejor prohibir que todo hombre armado o todo militar ejerza el derecho del voto o ser elegido?

MR. CRUZ (C.): As I said, we are including in our amendment only members of the Army and Navy in actual service.

EL PRESIDENTE: ¿Que dice el Comité?

SR. ROXAS: Senor Presidente, el Comité propone que la discusion de esta parte se transfiera para cuando se discuta la parte referente al servicio civil.

EL PRESIDENTE: Se ha propuesto la mocion de que se aplase la discusion de este asunto hasta cuando se discuta la parte referente al servicio civil. (Varios Delegados: No, no.) Vamos a votar la enmienda.

SR. ENRIQUEZ: Senor Presidente solicito dos minutos para hablar.

EL PRESIDENTE: Tiene la palabra el Delegado por Tayabas.

DISCURSO DEL SR. ENRIQUEZ

SR. ENRIQUEZ: Senor Presidente, estoy en contra de la propuesta enmienda de excluir del parrafo que se refiere a los que tienen derecho a votar a los miembros del Ejercito y de la Marina. Mis fundamentos son los siguientes: Primero, que esta exclusion esta dentro de las palabras “not otherwise disqualified by law,” y creo que la Asamblea Nacional es la que tiene facultad de determinar cuales son los motivos por los que un ciudadano estaria descualificado para votar. Es una materia de legislacion y no de constitucion. Si vamos a ir detallando todas estas condiciones en la Constitucion, esta se convertira en una ley ordinaria. Ademas, creo que eso es discriminatorio. Siempre que un ciudadano reuna las condiciones para votar, no debemos excluirle.

Por todos estos motivos, pido que se rechace la enmienda.

EL PRESIDENTE: Se va a votar la enmienda. Los que esten a favor, digan Si. (Varios Delegados: Si.) Los que esten en contra digan No. (Varios Delegados: No.) Division. Los que estere a favor de la enmienda, que se levanten. (Se levantan 50 Delegados.) Los que esten en contra, que se levanten ahora. (Se levantan 56 Delegados.) Por 56 votos negativos contra 50 afirmativos, se rechaza la enmienda.

SR. ABAYA: Senor Presidente, quisiera saber del Comité si la disposlcion contenida en el Artículo 4, de la Constitucion incluye a log electores de los distritos municipales: quiero decir, si los electores de los distritos municipales tendran los mismos derechos que los electores de los municipios regulares; porque actualmante, segun la ley, los electores de los distritos municipales no pueden elegir a los funcionarios insulates, sino solamente a los funcionarios provinciales y locales.

EL PRESIDENTE: ¿Que dice el Comité?

SR. SINGSON ENCARNACION: No hay ninguna prohibicion aqui en la Constitucion.

SR. ABAYA: Aqui se dice: “Not otherwise disqualified by law”. Segun la ley actual, los electores de los distritos municipales no pueden elegir a los funcionarios insulares.

SR. SINGSON ENCARNACION: Eso lo dejamos a la Legislatures.

SR. ABAYA: Si es asi, quisiera insertar una disposicion aqui.

SR. ROXAS: En el articulo que se refiere a la Legislatura se dice expresamente que todos los Miembros de la Asamblea Nacional seran elegidos por los electores habilitados de las respectivas provincias.

SR. ABAYA: Pero estos electares de los distritos municipales no podran elegir a los funcionarios insulares.

SR. ROXAS: ¿Por que no? Esta disposicion de la Constitucion les da derecho a a votar a los Miembros de la Asamblea. No hay excepcion.

SR. ABAYA: Y estas palabras “not otherwise disqualified by law”, ¿a que se refieren?

SR. ROXAS: Se refieren a la inhabilitacion por haber sido convictos de un delito que envuelva torpeza moral y por las otras descalificaciones.

MR. ABAYA: Am I to understand that the provision amends the existing law?

MR. ROXAS: Yes, sir.

EL PRESIDENTE: Lease la enmienda del Delegado por Cebu, Se?or Maramara.

EL SECRETARIO:

ENMIENDA MARAMARA

En la pahina 7, linea 20, desspues de la palabra “write” insertese la palabran “intelligently”.

SR. MARAMARA: Senor Presidente, quisiera razonar mi esimienda.

EL PRESIDENTE: Tiene la palabra el Delegado por Cebu.

EL SR. MARAMARA RAZONA SU ENMIENDA

MR. MARAMARA: Mr. President and Gentlemen of the Convention: In presenting the amendment, I have in mind to remedy a practice of election inspectors during registration day. We know that the words “to read and write” are very broad. There are persons who know how to read the alphabet but do not know how to read combinations of the letters of the alphabet; also, there are persons who are taught to write only names of candidates. All these persons are allowed to be electors. In this, Mr. President, the election inspectors are right because of the broad term “read and write.” If we put the word “intelligently” after the phrase, there will be at least a yardstick to measure the ability of the individual to read and write. It is true, of course, that the word “intelligently” cannot be defined exactly, but it increases the concept of reading and writing. There used to be a quarrel as to whether an individual’s intelligence can be measured, but modern psychologists are certain that one’s mental ability is measurable. Once, in the United States, there was a hot discussion on what makes a person literate or illiterate, and there is a way now by which that can be ascertained. In this connection, I hope that the Members of the Convention can find a remedy for the present practice.

EL PRESIDENTE: ¿Puede votarse la enmienda del Delegado por Cebu? (Varios Delegados: Si.) Los que esten a favor de la misma, tengan la bondad de decir Si. (Una minona: Si.) Los que esten en contra sirvanse decir No. (Una mayoria: No.) Rechazada.

Lease la enmienda del Delegado por Negros Occidental, Senor Perez (J.).

EL SECRETARIO:

ENMIENDA PEREZ (J.)

En la pagina 7, desde la linea 2 de la pagina 8, suprimanse las palabras “and of the municipality wherein they propose to vote for at lease six months preceding the election.”

SR. PEREZ (J.): Deseo decir algunas palabras para razonar mi enmienda.

EL PRESIDENTE: Tiene la palabra el Delegado por Negros Occidental.

EL SR. PEREZ (J.) RAZONA SU ENMIENDA

MR. PEREZ (J.): Mr. President and Gentlemen of the Convention: I shall be very brief in arguing for my amendment.

MR. ESCAREAL: Mr. President, we would like to know what is the amendment.

MR. PEREZ (J.): The amendment consists in striking out the word “municipality” found on .page 7, line 21, which goes up to page 8, and inserting in lieu thereof the word “province”.

Under the clause as originally proposed by the Committee on Sponsorship, that is, under the clause in the draft, many persons who would otherwise be qualified to vote are deprived of their most precious political right — just

because they have transferred their residence to another municipality a few months preceding the election. To illustrate my argument, let me cite an example. A person, who is a registered voter of Malabon in the Second District of Rizal, transfers his residence to the Municipality of Caloocan, also a town in the Second District of Rizal, three months before the election. The reason for his transfer is business or his means of livelihood. Under the provision in the draft, that person would be deprived of his right to vote in Malabon and also in Caloocan. In one word, he would be deprived of his right of suffrage just because, for purposes of pursuing his means of livelihood, he has transferred his residence to Caloocan. But, with the adoption of ray amendment, that voter could vote in Malabon, whereas, under the draft, he would be deprived of his right because he would be excluded from the voter's list in Malabon, and he could certainly be excluded because he would not have had the required six month's residence in Caloocan.

The only purpose, I think, of inserting the qualification is to allow an elector to have knowledge of local conditions in order to cast his vote intelligently in the choice of local officials. The clause has absolutely nothing to do with the electors' choice of insular and provincial officials, and therefore it deprives an elector of his right to choose his municipal and provincial officials for failure to reside in a certain municipality, although the municipality to which he has transferred his residence is in the same district.

In view of the reasons I have stated, and in view also of the fact that the original provision is contrary to the right of abode, I appeal to the Assembly to adopt the proposed amendment.

EL PRESIDENTE: ¿Que dice el Comité?

SR. ROXAS: Sentimos no poder aceptar la enmienda, porque si no se fija la residencia en el municipio en que se ha de votar habra confusion. ¿Por que se fija la residencia en el municipio en que va a votar? Porque en el caso de que haya una lucha renida en un municipio, habria la tentacion de importar electores de otro municapio.

MR. PEREZ (J.): In answering the contention of the Delegate from Capiz, I wish to say that the Legislature can remedy the situation. Under the provision, we have no alternative; we would deprive the people of the great right of suffrage.

SR. SINGSON ENCARNACION: ¿Cree Su Senoria que la palabra "residencia" que se emplea en el precepto constitucional es la residencia material o la residencia legal?

MR. PEREZ (J.): That is immaterial, Mr. President.

SR. SINGSON ENCARNACION: Porque si es residente de Malabon, en el ejemplo de Su Senoria, y se ha trasladado a Caloocan tres meses antes de la eleccion, tiene aun su residencia en Malabon.

MR. PEREZ (J.): That is a matter of evidence, Mr. President. That is a question of fact, not of law.

EL PRESIDENTE: Los que esten conformes con la enmienda, que digan Si. (Una minoria: Si.) Los que no esten, que digan No. (Una mayoria: No.)

Queda rechazada la enmienda.

MR. CLARIN: Yesterday an amendment of Mr. Gumban was considered without debate. I request that it be read.

THE PRESIDENT: What is the amendment?

MR. CLARIN: On page 7 of the draft, line 18, strike out the words "twenty-one years of age."

THE PRESIDENT: Does the Gentleman want to file a motion for reconsideration?

MR. CLARIN: The sponsor of the amendment is Mr. Gumban.

MR. ESCAREAL: Mr. President.

THE PRESIDENT: Delegate from Samar.

MR. ESCAREAL: We have another amendment on suffrage which was not included in time. It runs like this: "Provided, that they constitute a majority of those who cast their votes". This is an amendment by addition.

EL PRESIDENTE: Esta enmienda del Delegado Lapak ¿es enmienda tambien de Su Senoria?

SR. ESCAREAL: Si, Senor.

EL PRESIDENTE: ¿Quienes desean hablar sobre la enmienda?

MR. GULLAS: I raise a point of order. The amendment proposed by Delegate Lapak was not included in the resolution regarding the question of plebiscite.

THE PRESIDENT: No, because the question decided by the Assembly was limited to the supposition that not less than 300,000 women would vote affirmatively. The amendment of Mr. Escareal is in order.

MR. LAPAK: What is the amendment of Mr. Escareal?

EL PRESIDENTE: La enmienda del Delegado Escareal, si la Mesa no la entendio mal, consiste en que se ha de entender que esas trescientas mil mujeres constituyan la mayoria de las que acudan al plebiscite, de manera que no solo debiera haber trescientas mil mujeres votantes sino que esas trescientas mil mujeres constituyan la mayoria.

SR. LAPAK: No puedo aceptar esa enmienda.

SR. ESCAREAL: Entiendo que la Mesa, al actuar sobre esta cuestion del plebescito, ha autorizado la presentacion de enmiendas.

MR. GULLAS: What is the amendment?

MR. ESCAREAL: That the majority may be three hundred thousand.

MR. ESLIZA: May the amendment of Mr. Escareal be read?

EL PRESIDENTE: Lease la enmienda Escareal.

EL SECRETARIO: En la pagina 8, al final de la linea 7, anadase lo siguiente: "Provided, further, that they constitute a majority of those who cast their votes."

MR. BOCAR: Point of order, Mr. President.

THE PRESIDENT: What is the Gentleman's point of order?

MR. BOCAR: I think the proposed amendment of Mr. Escareal is already covered.

Mr. Osias admitted that 300,000 might be the minority . . .

MR. GULLAS: What is the amendment now proposed by Mr. Escareal?

MR. ESCAREAL: That at least 300,000 women constitute the majority of those who cast their votes.

THE PRESIDENT: The Chair believes that the amendment of Mr. Escareal is hi order.

MR. PEREZ (J.): We just ask that the paragraph, as amended, be read by the Secretary.

EL PRESIDENTE: Lease.

MR. GULLAS: Just for information, Mr. President. Is the amendment proposed by Mr. Escareal found within the four corners of the mimeograph copy. Has the amendment been dated?

MR. ESCAREAL: Yes.

MR. VENTURA: Mr. President, the amendment of MR. Escareal will clearly defeat the question already decided.

MR. SEVILLA: Mr. President, I believe that in order to save time we better vote on the proposed amendment.

THE PRESIDENT: The matter was decided by the Chair yesterday. Does the Gentleman want to appeal to the Chair?

MR. SEVILLA: No, Mr. President.

THE PRESIDENT: The Delegate from Samar, Mr. Escareal, has the floor.

MR. ESCAREAL: Mr. President and Gentlemen of the Convention: The article on suffrage referring to the right of the women is susceptible of various interpretations. In a conversation with several Members of the Convention, after the provision was passed, I was given the impression that the part regarding the plebiscite will give rise to doubts or uncertainties. A colleague interprets it to mean that even if 300,000 women vote in favor, and 500,000 women vote against the concession of woman suffrage, women will be given the right to vote. But other Members of this Convention say that, to their understanding, the 300,000 women must constitute a majority of all the votes cast in favor of woman suffrage. If the first interpretation is correct, then we shall have a situation where a less number will impose its will on a greater number of our inhabitants.

MR. VILLARAMA: Mr. President, for a point of order.

THE PRESIDENT: What is the point of order?

MR. VILLARAMA: I think the matter being discussed has been decided by the Convention.

MR. ESCAREAL: I want to remind the Gentleman that I wanted to present an amendment at that time, but at the suggestion the Chair . . .

MR. VILLARAMA: The question was decided when the Lopez amendment was considered.

MR. ESCAREAL: I want to inform the Gentleman that I wanted to present an amendment at the time the provision was being discussed, but the Chair prevailed upon me to wait until the whole article would be considered.

MR. VILLARAMA: It was decided by the Convention that if 300,000 women should vote affirmatively and constitute a minority, women would still be given the privilege.

THE PRESIDENT: No, the Assembly did not decide that.

MR. INTING: Just a question, Mr. President.

THE PRESIDENT: The Gentleman may formulate his question.

MR. INTING: Has the Gentleman estimated the number of female electors to take part in the plebiscite?

MR. ESCAREAL: The sponsor of the amendment, the Gentleman from Batangas, Mr. Lopez, estimates, and I agree with him because he has studied the matter, that there will be about 1,300,000 women who will vote.

MR. INTING: Is it the purpose of the amendment to make the majority of the women vote so that they can be given the right of suffrage?

MR. ESCAREAL: Yes, there must be a majority of women. The idea, Gentleman, is that we must follow the majority rule in a democracy. It is neither fair nor democratic that a less number of women may impose their will upon the majority of women. For this reason, I beg the indulgence of the Convention.

SR. MONTINOLLA: Para una informacion, Senor Presidente. Yo desearia saber cual es la enmienda.

EL PRESIDENTE: La enmienda consiste en calificar la clausula del voto afirmativo de 300 mil, en el sentido de que constituye la mayoria en el plebiscito.

SR. MONTINOLA: Pues la enmienda dice que, con tal que hayan votado 300 mil, aunque hayan votado en contra 400 mil.

EL PRESIDENTE: Al contrario, tienen que ser 300 mil votos afirmativos.

SR. MONTINOLA: ¿Y si no hay mas que cien mil de mayoria?

EL PRESIDENTE: La Constitucion exige que voten 300 mil afirmativamente.

SR. MONTINOLA: ¿De modo que se requieren 300 mil votos afirmativos de mujeres?

EL PRESIDENTE: Tienen que ser 300 mil votos afirmativos y constituyan mayoria.

SR. MONTINOLA: ¿De manera que se necesitan 300 mil votos de mayoria?

EL PRESIDENTE: Por ejemplo, si votan 700 mil mujeres, 300 mil afirmativamente y 400 mil negativamente, de acuerdo con esta enmienda, no se concedera el sufragio femenino.

MR. SANVICTORES: I have an amendment to the amendment so that the provision will read as follows: "That women shall be authorized to vote if in a plebiscite held for that purpose the majority of women voters shall vote affirmatively." I just want to say two words to explain the amendment.

MR. GRAGEDA: The amendment now proposed was the amendment of Delegate Abella.

EL PRESIDENTE: Por eso la Mesa ha declarado fuera de orden esa enmienda a la enmienda.

SR. CONFESOR: Vamos a considerarla como una apelacion contra la decision de la Mesa.

MR. GULLAS: Gentlemen of the Convention: With due respect to the opinion of the Chair, we respectfully submit to the Members the Convention that we have already discussed the matter very thoroughly.

MR. BUSLON: For a point of order, Mr. President.

THE PRESIDENT: What is the point of order?

MR. BUSLON: There was no appeal to the decision of the Chair. Why was the Gentleman allowed to speak?

THE PRESIDENT: The Gentleman made a preliminary remark.

MR. GULLAS: If we approve the amendment, it will ipso facto kill the amendment we approved last night. Besides, if you cannot be generous, fellow Delegates, at least be fair, for goodness' sake, be just. If you approve the amendment, you will kill the woman suffrage movement with ensanamiento. We respectfully appeal to your sense of justice, fellow Delegates. We understand that all of you who are voting against woman suffrage are doing

so, not because you have something against the women but because you think that it is for their interest. We coincide on that part. Please give the vote to them. Give them a fair chance. For all these considerations, there is no need of raking up what we have already brought out in the debates on the question.

MR. ESCAREAL: One question. What is just, the will of the minority or the will of the majority?

MR. GULLAS: That has been raised a number of times. That is the point now hammered on by Delegate Sanvictores. If you wish that the majority should rule, we have no alternative but to limit the number of 300,000

MR. ESCAREAL: Does not the Delegate think that other Members understand otherwise and that, in order to clear up the matter, the amendment we are presenting is necessary.

MR. GULLAS: The draft provides that at least 300,000 women must vote affirmatively in favor of woman suffrage. That is as clear as you can make it.

MR. NEPOMUCENO (R.): Will the Gentleman yield to a question?

THE PRESIDENT: The Gentleman from Cebu may yield if he so desires.

MR. GULLAS: Gladly, Mr. President.

MR. NEPOMUCENO (R.): Is it not a fact that when we took up woman suffrage for the first time there was an amendment to the effect that if a majority of those who participated in the plebiscite should vote in favor of woman suffrage the right to vote would be considered granted to the women?

MR. GULLAS: There was, in the course of the discussion, an amendment of that sort, if I remember rightly.

MR. NEPOMUCENO (R.): Is it not a fact that the amendment of Delegate Escareal to which the Gentleman is opposed may be considered already included in previous amendment even though it could have been presented only as an amendment to the amendment?

MR. GULLAS: That is precisely what I mean. The amendment of Delegate Escareal should have been introduced as an amendment to the Lopez amendment.

MR. ORTIZ (L.): Will the Gentleman yield to a question?

THE PRESIDENT: The Gentleman from Cebu may yield if he so desires.

MR. GULLAS: Gladly, Mr. President.

MR. ORTIZ (L.): Is the Gentleman scared of the possibility that women voting negatively will constitute a majority?

MR. GULLAS: I am not scared at all. As a matter of fact, the only fear I entertain is of the amendment of Mr. Escareal which is very injurious to the women and those who have voted in favor of the previous amendment

MR. NEPOMUCENO (R.): Mr. President will the Gentleman yield to a question?

THE PRESIDENT: The Gentleman from Cebu may yield if he so desires.

MR. GULLAS: Gladly, Mr. President.

MR. NEPOMUCENO (R.): Is it not a fact that when the question was discussed for the first time the principal reason for the insertion of the provision in the draft was to assure that a sufficient number of women voters would be in favor of suffrage, and it was the consideration that the affirmative vote of 300,000 would be a sufficient

number to show that the women of the Philippine Islands were interested?

MR. GULLAS: I understand that as a point raised by the proponents, in favor and against, and I remember it very well because Delegate Lapak made the remark that a majority of the women voters . . .

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

EL PRESIDENTE: ¿Accede a ellas el orador?

SR. GULLAS: Si. Senor.

SR. CONEJERO: Su Senoria dijo que seria injusto aprobar la enmienda Escareal, ¿No cree Su Senoria que seria mas injusto todavia dejar las cosas como estan y que cuando llegue el momento voten 700 mil mujeres, 400 mil de las cuales en contra; no seria esto injusto para las mujeres mismas?

SR. GULLAS: Es una cuestion aparte que sometemos, porque la resolucion o enmienda aprobada es que haya solamente un numero suficiente de mujeres votantes para que se demuestre que estan interesadas en la aprobacion de la ley.

SR. CONEJERO: ¿No cree Su Senoria que seria absurdo eso aunque haya un numero mayor que 300 mil?

SR. GULLAS: Precisamente es una cuestion aparte. El Delegado Sanvictores quiere presentar una enmienda en el sentido de que una mayoria sea suficiente para conceder el sufragio.

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

THE PRESIDENT: The Gentleman from Cebu may yield to the Gentleman from Bukidnon.

MR. GULLAS: Willingly, Mr. President.

MR. SANVICTORES: I understand from Mr. Escareal that he wants 300,000 women to constitute a majority of those who cast their votes, otherwise women will not be granted the right of suffrage. Would he accept an amendment in the sense that at least 300,000 women shall vote and if the majority cast their vote affirmatively, the right of suffrage shall be granted the women?

MR. ESCAREAL: Mr. President, I cannot accept that.

LA ENMIENDA ESCAREAL ES RECHAZADA

EL PRESIDENTE: ¿Puede votarse la enmienda Escareal? (Una mayoria: Si.)

Los que esten a favor de la misma, que digan Si. (Varios Delegados: Si.) Los que no lo esten, que digan No. (Varios Delegados: No.) Division. Los que esten a favor, que se pongan de pie. (47 Delegados se levantan.) Los que no lo esten, que se levanten ahora. (74 Delegados se levantan.) Por 74 votes negativos contra 47 afirmativos, se rechaza la enmienda.

APROBACION DEL TITULO SOBRE EL SUFRAGIO

¿Podemos votar el titulo sobre el sufragio? (Una mayoria: Si.)

Los que esten conformes con el mismo, que digan Si. (Una mayoria: Si.) Los que esten en contra, que digan No. (Una minoria: No.) Queda aprobado el titulo sobre el sufragio.

LEVANTAMIENTO DE LA SESION

Si no hay objecion, se le levanta la sesion hasta el lunes. (No hubo objecion.)

Eran las 10:48 a.m.

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