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APERTURA DE LA SESIÓN

Se abre la sesión a las 4:45 p.m., bajo la presidencia del Presidente, Hon. Claro M. Recto.

EL PRESIDENTE: Léase la lista de los Delegados.

EL SECRETARIO, lee la lista de los Delegados.

EL PRESIDENTE: Hay quorum.

APROBACIÓN DEL ACTA

EL SECRETARIO, lee el Acta del jueves, 23 de agosto de 1934, que es aprobada sin emmienda.

INFORME SOMETIDO FOR EL COMITÉ SOBRE DECLARACIÓN DE PRINCIPIOS

EL PRESIDENTE: Léase el informe del Comité de Declaración de Principios.

EL SECRETARIO, leyendo:

To the Honorable,
The President of the Constitutional Convention.

Your Committee on Declaration of Principles has the honor to report to the Convention that after a careful and thorough consideration of the constitutional precepts referred to it and of the propositions submitted to the Committee itself, it has resolved to adopt the attached general declaration of principles, to be submitted to the Committee on Submission with the recommendation that the same be incorporated in the Constitution.

Respectfully submitted,

(Sgd.) RAFAEL PALMA
Chairman
Committee on Declaration of Principles

DECLARATION OF PRINCIPLES

The Philippine nation is hereby organized under a republican government denominated the "Commonwealth of the Philippine Islands."

The Commonwealth is one and indivisible.

All authority of the State is delegated and exercised for and in the name of the people.

All Filipinos are free and equal before the law. The State may, however, impose upon all citizens, by legislation,

limitations, charges, and obligations in the interest of the existence, security and defense of the nation.

The Government of the Commonwealth shall not recognize any title of nobility nor any privilege derived from birth, lineage or origin.

The flag of the Commonwealth shall be the flag now existing.

The Government of the Commonwealth holds that all war is unlawful and will resort to arms only when the security of the State requires it.

The Government does not favor large landed estates but will foster the development of small landholdings.

Nor does the Government favor the concentration of the capital in the hands of a few, but favors instead the formation of the largest number possible of persons of independent means.

In all educational establishments, public as well as private, the Government shall endeavor to develop respect for the constituted government, the sentiment of national unity, international goodwill, tolerance for the ideas and beliefs of others, moral and civic education, and personal and professional efficiency.

The Government shall see to it that land ownership in the Philippine Islands and the natural resources thereof shall remain in the hands of the Filipinos.

The function of the Government of the Commonwealth shall be exercised by the Legislative, Executive, and Judicial Powers which shall be coordinated and at the same time equal and independent from each other.

MR. OSIAS: Mr. President.

THE PRESIDENT: The Gentleman from La Union has the floor.

SPEECH OF MR. OSIAS ON THE FUNDAMENTALS OF CONSTITUTION-MAKING

MR. OSIAS: Mr. President and Gentlemen of the Convention: The Filipino people, after years of struggle for their manumission, secured a law which enables them to adopt a constitution and to become free and independent. The Government and people of America, through Congressional enactment and with a liberality unparalleled in the annals of colonization, have given the Filipinos the opportunity to attain independence. It is the challenging task of the people of the Philippine Islands to achieve their independence and make it real, enduring and effective.

As a great forward step toward national liberation this Constitutional Convention has been convoked to draft and formulate a constitution. It is a grave and serious duty to frame so priceless a document as a constitution for it is to be the supreme law of the land. It is to be the fountain source of subsequent legislation approved by the lawmaking body which it creates. It is to be at once the authority and the limitation of powers to be exercised by the Executive. It is to be the yardstick by which the courts will determine whether or not legislative enactments are valid. Laws violative of the provisions of the Constitution or repugnant to its letter and spirit shall be null and void.

A constitution is more than a political document. It is the basic foundation of progress. It is the instrument by which the nation orients its course. It is a means for the realization of the purposes and objectives for which democratic institutions exist.

The Philippine Constitution must embody those basic ideals and principles which custom cannot stale nor time wither. It must be a crystallization of elemental concepts popularized by tradition and sanctioned by reason. It must be a recapitulation of individual and human rights held sacred and to be forever kept inviolate. It must derive its life from the soul of the throbbing throng and draw its breath from enlightened public opinion. It must express

the will, the wisdom, the philosophy of our race. May it indeed portray the very zeal of our people.

It is, I am sure, the common expectation that this Convention will devise a constitution which shall bring into being a government under which it will be a joy to work, a virtue to think, and a delight to serve; that it shall be an instrument with sufficient flexibility to be useful and usable in a changing and advancing civilization; that it shall make possible the establishment of institutions for which the inhabitants of these benighted isles are willing to live or die; and that it shall be a charter loved by the citizen and respected by the foreigner.

This important and delicate task is entrusted to the Delegates of this Convention. They, chosen of and by the people, are the makers of the constitution. Battle scarred as it were, they are victors in the most national general election ever held in these Islands. Coming from districts relatively small they have the trust and the confidence of the people who best know the Delegates their careers, and their services. The Members are a veritable cross section of the people; they form this deliberative body. This Constitutional Convention not being an adjunct of, or an auxiliary to, any other body or entity is supreme in its own field of action.

I desire now to address myself to certain fundamental problems awaiting satisfactory action for the success of the Convention. One of the problems of immediate concern is the adoption of rules of procedure. I am particularly solicitous with respect to the rules governing debates.

All must realize that rules are necessary and that they are adopted to facilitate, not to impede, deliberative action.

I am not advocating unlimited debate, as practiced in the Senate of the United States. I am against the previous question rule as it obtains in the Congress or in the Rules of our own House of Representatives. I have been an observer and a witness of the abuse of both practices. Some who favor the "previous question" entertain the fear that there may be an abuse of a minority. To them I would say that between the supposed abuse of a minority and the possible tyranny of a majority, the latter is more dangerous and more subversive of the ends which this deliberative unicameral body is called upon to realize.

I am for striking a happy balance between unlimited debate which could result in paralysis of action and the summary stoppage of debate preventing mature deliberation.

Constitution for what?—The next important question that must be settled even now at least in the minds of the Members of the Convention is the scope of the Constitution. I had prepared a draft of the constitution which was submitted to this Body on August 2nd. In its preparation I had to settle the question in my mind of whether it should be a constitution only for the Commonwealth or for both the Commonwealth and the Republic that is to succeed it.

It is my considered judgment that this Convention should make a constitution not only for the Philippine Commonwealth that is to be semi-sovereign and semi-independent but for a Philippine Republic that is to be sovereign and independent.

If this is not done now what will be our constitution upon the advent of independence following the expiration of the period of transition? Will another election be held to choose delegates for another constitutional convention? What express authority is there for such action?

Whether the Members of the Convention agree with the position I take or not, all of us must be one in recognizing the necessity of deciding the kind of constitution we are to frame. It is hoped that considerations of economy, efficiency, foresight, and statesmanship will incline the Convention to the idea of making not only a constitution of the Commonwealth but a constitution of the Philippine Republic.

The difficulties that may suggest themselves may be obviated by including transitory provisions and by placing

the mandatory provisions "in an ordinance appended" to the constitution as the Independence Act authorizes. Unicameral or bicameral legislative body.—Another fundamental problem that confronts the Convention is the highly contentious question as to the kind of law-making body we should have. Shall it be unicameral or bicameral? On this issue there is room for honest differences of opinion.

The Convention is undoubtedly divided into two camps on the subject. What the outcome will be no one will know until after vote has been taken.

I have had a modest service in a bicameral legislature in our country and a bicameral Congress in the United States. The points of excellence and weakness of a bicameral body are not entirely unfamiliar to me. With all due respect to all who hold opinions at variance with mine there are various weighty considerations that incline me to favor a unicameral legislative body for our country. Among these are the demands of simplification of the government structure and of economy. Then there is the fact that in the Malolos Constitution a unicameral body was created known as the National Assembly.

Besides these and others that could be mentioned there is the argument that a unicameral body is more responsive to the temper and will of the people. Under a bicameral body it is possible to have the people's will expressed at the polls defeated or nullified. Let me illustrate. Suppose that at an election all or nearly all of the members of the Lower House belong to one party. In the Upper House one half of its members who continue belong to another party. In the same election, suppose all of the members elected except one belong to the same party as those of the Lower House. Now, the people's will is clear and yet because of the election of one member for the Upper House, who is of another political complexion, that popular will can be absolutely frustrated. Such a contingency is not possible in a unicameral lawmaking body.

Equality of provinces.— Another important problem that we must solve is the removal of the present inequality of status of the provinces. In principle there must be unanimity of opinion as to the desirability of doing away with the present division of the provinces into regular and specially-organized provinces. One of the most important reasons why I supported the Independence Act from the beginning is that it enabled the people of the Philippines to regard and consider the proper place of the specially-organized provinces and municipalities. This Convention would be remiss in its obligation if it did not provide for an orderly procedure for the conversion of the present specially-organized provinces and municipalities into regular provinces and municipalities. This must be done in order to strengthen the solidarity of the nation.

Centralization and local autonomy.—The constitution should provide for a proper compromise between the powers that should be lodged in the central government on the one hand and the autonomous powers that should be enjoyed by the provincial and municipal governments on the other. It is easy enough to say that we should have a central government clothed with adequate freedom or an independent judiciary—there would be unanimity in that—and yet it is not so easy to translate a principle into reality in the form of written constitutional provisions.

Nationalism and internationalism.—The Convention is faced with another difficult problem. It is common knowledge that dependent peoples fight strenuously for nationalism and internationalism. Our people properly have fought and will fight for these ideals because they are an assertion of their personality. Yet, paradoxical as it may seem, now that the Filipino people are on the eve of entering upon a full nationhood they must concern themselves more and more with internationalism and nationalism. Our outlook must be broadened. We must shape our life as a nation belonging to a family of nations. We are not to be content with the thought of independence; it is necessary that we think of interdependence. The interests of individuals and nations are interrelated and interbound.

It behooves this nation to steer its course between the Scylla of chauvinistic nationalism and the Charybdis of

utopic internationalism.

Peace.—The thought of our relations with the rest of the world leads us ostensibly to one of the greatest, if not the greatest, of humanity's needs—peace. War, the antithesis of peace, is the worst enemy of every nation. The present depression which has enveloped the entire world is directly traceable to the World War. That world cataclysm entailed millions in wounded, maimed and dead, besides millions more, grieving and dispossessed. In terms of material losses, it occasioned a loss estimated conservatively at four hundred billion pesos (P400,000,000,000). Think of the magnitude of the loss: distributed to the population of the world in this hour of distress, that amount is enough to supply more than two hundred pesos to each man, woman or child.

War, we now know, means want, poverty, ruin. We must learn that peace is good economics.

The primary necessity in any scheme of nationaleconomy is peace.

Peace gives stability of values. Peace is prosperity itself.

May I express the hope that when we undertake to reorganize our government we shall provide for a Department of Peace and National Defense?

Such a step would be a contribution to the science of politics. It would be welcomed by the nations of the earth all of which are anxious not only to prevent war but to establish peace. It would be in keeping with the new conscience of mankind.

The safety of the Philippines, the safety of all nations, especially those that are small and weak, is in peace. We are fortunate that we are to become a self-governing nation precisely at a time when there is a growing conviction that in the future there must be a lessening and, if possible, an abandonment of the instrument of carnage and destruction ashore, afloat, and aloft.

I have sought briefly to present certain fundamental principles and discuss certain fundamental problems which the Constitutional Convention has to deal with in its task of making the constitution for the Philippines. I have previously submitted in concrete form my modest views on our constitution. We are now organized, and the committees to work out the details are functioning. Without my solicitation or even expectation, I have been chosen chairman of one committee and member of four other committees. In a spirit of nonpartisanship I entered the Convention and in that spirit I shall serve.

Like other Members, I have been elected to perform a duty for the entire nation. My hands are free and unfettered. I shall zealously learn from my fellow-Delegates and conscientiously seek to know the facts. With no personal interests to advance and in all loyalty to the people's wellbeing and happiness, it will be an earnest endeavor to work with others in the hope that we may succeed in making a living constitution, one that shall be the real magna carta of our liberties and the chart and compass of the progress of the country of our hopes and dreams throughout the countless and unending years.

MR. VENTENILLA: Mr. President.

EL PRESIDENTE: Tiene la palabra el Caballero de Pangasinan.

REMARKS OF DELEGATE VENTENILLA

MR. VENTENILLA: Mr. President and Gentlemen of the Convention: We are now beginning the greatest task entrusted to us by the common vote of our people. The destinies of our millions, as well as our place in the estimate of the world, lie in our hands for us to fashion in accordance with our conscience and reason. Today is our day. Tomorrow we shall be no more, and history will pass judgment on the work we shall have accomplished

in this Hall. In this transcendental task let us pray that we may not miscarry the will of God nor disappoint the hope of our people.

In this era of written constitutions, when our library shelves are crowded with these documents, one may think that our work is easy. We may think that ours is merely to borrow from the existing documents the provisions that suit our fancy. Gentlemen, I am sure you will all agree with me that our conscience, our reason, our high regard for the welfare of our people and our children will revolt at such an idea. I believe that in the bosom of each Delegate here there is a burning desire, a ripe anxiety, for this Convention to produce a constitution which shall effectively interpret the genius, and faithfully reflect the soul, of our people—a constitution which can effectively meet the present problems and yet take care of those of the future—in short, a constitution that will shed joy and happiness to our people now and for all times.

Gentlemen: If we are to turn out such a constitution it shall be well for us to start in the right direction. Constitutions are the crystallization of man's political tenets on which men have placed their most cherished hopes for the realization of the highest purpose of their existence. So that as men's outlook of life varies, their constitution changes accordingly in spirit and form. Our concern is to identify, to know, to examine this spirit of the constitution.

The written constitution had its beginning at a time when men found themselves engulfed in the rising sea of despotism that once flooded the world. There was a time in the course of human relations when the institution of kingship arose in answer to men's natural need for leadership in their political society. Enjoying the full powers and authority of government, at first the kings exercised them for the good of their subjects. But like any other human institution, this benevolent despotism gradually suffered decay. Slowly but surely, the kings encroached upon the rights and liberties of their subjects. So began the long struggle between kings and subjects, culminating in the final overthrow of despotism.

The birth of the Magna Carta of England marks the commencement of this long and hideous struggle. This document is significant to us because its birth sounded the death knell of the old order and presaged the advent of the new in political philosophy. Although it did not provide for the structure of government, nevertheless it is remarkable in constitutional history because it planted the first seeds of liberty destined to revolutionize the political philosophy of the time and develop into the beautiful structure now known as the Constitution. In the long and laborious struggle of the people to gain recognition and leadership in their government, the Magna Carta was their constant inspiration, goading them to ceaseless action till tyranny was dethroned.

Then came the adoption of the American Constitution. This event opened the present period of the written constitution. By that time the theory of popular sovereignty evolved from the spirit of the Magna Carta had already taken roots in Europe and America and the divine right theory was already on the threshold of death. The American colonists had just driven away despotism by force of arms, and in their calmer moments of deliberation were contriving to make an outlaw of it.

Drawing their chief inspiration from the doctrine of Montesquieu, they set about to write a constitution that would forever banish despotism from their land. The proscription of despotism being their chief concern, the instrument they produced naturally lacked a certain sense of proportion indispensable in a good government. Almost literally they breathed into their constitution Montesquieu's separation of powers, and by the system of checks and balances, set up an executive supposedly weak—an executive who might not arrogate unto himself the powers of government and become a despot.

Time and natural circumstances, however, were not slow in showing them their mistake, for almost as soon as the American Constitution was put into effect the narrow executive limits set by the system of checks and balances

trembled, vacillated, and finally broke. Like water seeking its own level, the natural forces of leadership immediately gravitated toward the President. So, far from being a mere figurehead, as the Fathers had intended him to be, the President became the leader of the government. Far from being a mere agent of the Congress, he became the chief legislator of the nation. But the checks and balances are still in the Constitution. So the leadership which the President attracted toward himself by natural necessity has to be confined within the narrow limits set for him by the system. It has to move only within the narrow confines of the conventions of the Constitution. Where it meets concrete legal obstacles, it has to stop.

This is the anomaly in the American system, for while the President is looked upon as the virtual leader, while the whole nation awaits with breathless anxiety his inaugural address and messages, and while his rise or fall is made to depend on his success or failure to put through the Congress the legislation desired by the people, yet his leadership is not free to move as it ought to. The success of his administration, therefore depends in large measure upon his individual genius and ability. That is the reason why America has to wait for the appearance of the "strong" man in the White House in order to obtain real leadership. Responsibility without the commensurate constitutional authority is indeed the main characteristic of the American executive office.

Mr. President, I submit that such leadership is weak, too weak to meet with vigor and dispatch the new problems of government. Farsighted as the Fathers were, yet they failed to visualize the future in connection with their Constitution. Primarily interested as they were in outlawing despotism and in securing to the people the peaceful enjoyment of life and happiness, they narrowed their Constitution accordingly.

But times have changed. Since then new problems have arisen. The spiritual mission of government has descended to the level of the material. Its function then was primarily to soothe the aching spirit; now, it appears that it must also appease hunger. Now that we may read history backwards, we know for instance that the old theory of "laissez faire" has degenerated into "big business affairs" which are gradually devouring the rights of the people—the same rights intended to be guarded and protected by the system of constitutional guarantees.

Oh! if only the Fathers were now alive to see the changes that the centuries have wrought in our life! They might contemplate the sad spectacle of organized exploitation greedily devouring the precious rights of the individual. They might also behold the gradual disintegration of society, the fast disappearance of the *bourgeoisie*—the middle class, the backbone of the nation— and the consequent drifting of the classes toward the opposite extremes: the very rich on the very poor. Then, to give them an inkling of what the future holds for us, take them down to the arena and let them witness for a moment the death-daring struggle now being waged by the masses for equal opportunity.

These, Mr. President, are the new problems which demand strong, responsible executive leadership, unhampered and unencumbered by the checks of the Constitution. The Executive set up by the Fathers has been a failure in this regard. It might have been different if his was an office of responsible, unfettered leadership.

Mr. President, Gentlemen, we cannot afford to avoid the issue. The handwriting on the wall is now fairly visible. The new problems of government and political society are here. The model of written constitutions seems inadequate to cope with them. At least, that is what contemporary history has shown. Shall we close our eyes to the stark realities around us? Despotism, the nightmare of the Fathers, is now a thing of the past. It is now a misfit in our political environment. Then what reason is there for us to fear strong, responsible leadership? If leadership is the soul of government, as history has shown, then why vacillate about it?

Gentlemen, let me say this: When we shall have written our constitution and breathed into its lines the true spirit of untrammelled leadership, then we shall have written the most brilliant page of our history; we shall have erected an everlasting monument to our active genius; and we shall have produced our most beautiful contribution

to civilization, our glorious legacy to posterity. May God, in His infinite care, watch over us through the eternal blue of time.

MR. MELENDRES: Mr. President.

EL PRESIDENTE: Caballero de Bukidnon.

SPEECH OF DELEGATE MELENDRES

MR. MELENDRES: Mr. President and Gentlemen of the Convention: I rise to speak before this Honorable Body as a humble Member coming from the hills of Mindanao and from a people considered as non-Christians —the Bukidnons. Although the problems of Mindanao and Mountain Province have been presented by other Delegates, I wish to speak further in the interest of our non-Christian tribes. I do not pretend to know much about our non-Christian population and their problems, but as one who has experienced their difficulties and shared their longings and desires, I have felt the compelling urge to make vocal what I believe to be a fundamental need of our backward people—a need which merits consideration in the making of our constitution.

It seems natural for men to group themselves according to peculiar circumstances. As the saying goes, "Birds of the same feather flock together." Nations are formed by people bound by the ties of common customs, ideals and traditions. Students of social science tell us that the Filipinos come from the same racial stock, the Malay race. Yet we find in our country distinctions which are not unnatural but have necessarily been encouraged by our system of civilization. For example, we take as a matter of course the distinction between the Christian and the non-Christian Filipinos.

During the Spanish regime, the government recognized the non-Christians as a distinct element when it sought to civilize them by ordering their concentration in "reducciones" in an effort to improve their condition. The Americans have always had a peculiar sense of responsibility towards the non-Christians. Shortly after the inauguration of the American government in the Islands, President McKinley enjoined the Philippine Commission to adopt in dealing with the uncivilized tribes of the Islands the same course followed by the U.S. Congress in dealing with the North American Indians; that is, respecting their tribal organization and government. The Philippine Assembly expressly reserved to the Philippine Commission the exclusive power to legislate for the backward people. In 1916 the Jones Law created the Bureau of Non-Christian Tribes to supervise the public affairs of the inhabitants represented in the Philippines Legislature by appointive senators and representatives.

Not only do our organic laws draw the demarcation line but statutory laws calculated to promote the well-being of the non-Christians were enacted. While those measures have always been regarded as temporary expedients, pending the achievement of greater competence, yet they serve to distinguish such minority group from the rest of the Filipinos.

Before I proceed, I wish to state that the term "non-Christians" is misleading. There are many among our so-called non-Christians {and I claim to be one of them) who have been converted into Christianity. It is not surprising that many mistake its meaning. Our Supreme Court has defined the word "non-Christians" as having reference not to religious belief, but in a way to geographical area, and more directly to natives of the Philippine Islands who are of a low grade of civilization. It is therefore intended to relate to degrees of civilization and not to religion.

To better appreciate the extent of our non-Christian situation, let me state certain facts and figures. According to the Census of 1912, there were 932,958 non-Christians, Bagobos, Manobos, Mangyans, and others— also including the Mohammedans, Igorots, and Bukidnons or a ratio of about one non-Christian to every 11 Christian Filipinos. The bulk of these non-Christians is found in the territory comprising the 12th Senatorial District — Mountain Province and Nueva Vizcaya in Luzon and the provinces of Agusan, Bukidnon, Cotabato, Davao,

Lanao, Sulu and Zamboanga in Mindanao-Sulu. They cover a combined area of 45,152 square miles out of the 114,400 square miles or about 30% of the total land area of the whole Archipelago which is bigger than that of Cuba, Holland, Belgium, Denmark or Greece.

You will note that our non-Christian territory can constitute a kingdom by itself. The importance of conserving our non-Christian regions cannot be under-estimated. It is imperative that we develop not only the vast untapped natural resources therein but the human elements as well. The greater portion of our non-Christian population is still in a state of dependence and will remain so for some time. Whether we like it or not, the non-Christians form part and parcel of our nation and they can either accelerate or impede our national progress.

As a chain is no stronger than its weakest link, so our country cannot truly be strong and progressive if the backward inhabitants ever remain a drag upon our onward march. We can ill-afford to let the non-Christians continue as a mere spot in our system, which circumstance had in the past been used as an argument against independence by the enemies of our freedom. Western visitors who come to our shores, attracted to the unusual, wittingly or unwittingly, thru their conversations, writings or photographs, convey to the outside world a false impression of a state of savagery in our country. Troubles in Moroland are magnified and held up to show that life in Mindanao is unsafe. In disapproving the Hare-Hawes-Cutting Law, President Hoover expressed the following:

"Not alone do these difficulties from the intermediate situation we create, but the non-Christian population who are as yet bitterly opposed to the controlling group, constituted at the last Philippine census a majority of the combined population of nine provinces, occupying about 40 per cent of the total land area of the Philippine Islands. The maintenance of order in this considerable element has presented many difficulties to us in the past and it is not reasonable to assume that the intermediate government will be as well qualified to handle the situation as the present regime for a long time."

In these words, Mr. President and Gentlemen of the Convention, are crystallized the efforts of American imperialists who for selfish reasons created and fostered discord and dissension among our people in order to keep Mindanao from the rest of the Archipelago. Our capacity to take care of our non-Christian brothers, to give them justice and square deal, has been doubted and is being doubted. But I have faith in the wisdom, patriotism and statesmanship of our leaders. I do not believe that the picture of disaster so portrayed will come to pass. It may be said, however, that among certain non-Christians there has been engendered by such kind of propaganda a feeling that in an autonomous Philippines, they will meet with little or no consideration for their peculiar needs. They are, therefore, fearful of the consequences of the independence movement in the form of neglect, exploitation, a breakdown of government, disorder and a consequent policy of extermination.

I do not want to be understood as doubting the interest of the government in the welfare of our backward people. If there have been cases of exploitation and neglect on the part of officials and other more enlightened citizens in their dealing with our non-Christian brothers, they are not due to a fault in the system of government but rather in the inherent temptation for the strong to prey upon the weak. As a recipient of the benefits and opportunities afforded by our government, I am very grateful and I am sure the other non-Christians, inarticulate as they are, feel deep down in their hearts a sincere appreciation for the solicitude which the government has given the special provinces in the form of Insular subsidies for the administration of their local governments, for the schools, hospitals, public roads and other improvements. But I should like to invite your attention to one thing which stands in the way of mutual understanding and the early assimilation of our non-Christians into our body politic.

The Spaniards, we are told, taught us to despise the things that were our own and called the Filipinos "indios" in derision. Many Americans in the Philippines and in their homeland, with their sense of racial superiority, have their prejudices against us deeply ingrained. This attitude, I understand, was a major factor in producing the sense of fervent Filipino nationalism, the desire for separation at any cost. To a lesser extent, this lack of sympathetic

understanding and tolerance for the customs, practices and idiosyncrasies of our backward people endanger both public order and harmonious relations between our different elements.

As one writer said, "We are likely to think of the savage as a freakish creature of moods— at one moment a friend, at the next moment an enemy. So he might be were it not for the social drill imposed by his customs. So he is, if you destroy his customs, and expect him nevertheless to behave as an educated and reason-able being." I venture to say that the non-Christians are intensely aware that the average Christian Filipino, in his dealings with the non-Christians, cannot help but look down upon the latter with superiority and patronage, even if not displaying open contempt. The spirit of arrogance has been a cause of resentment and is decidedly an obstacle in the path of all forward movement and local cooperation.

As in the struggle for our independence there has been the desire to rid the Islands of outside control, there is being reenacted today in the special provinces in miniature that phenomenon which is manifested in the desire for suffrage among them in the hope of placing men in position of leadership and responsibility only those who enjoy their confidence and those who are identified with the will and interest of the community, in a similar manner but in a much lesser degree, that we desire to have the "Philippines for the Filipinos." Under the Jones Law the Governor-General is given the exclusive power to appoint senators and representatives for the territory embraced in the 12th senatorial district, without regard to residence. Under the law, theoretically, there is nothing to prevent the Chief Executive from appointing a man from New York to represent any of the special provinces whose residents, more than any-body else, can keenly perceive the anomaly of the situation. This Convention can remedy this unfair and undemocratic arrangement by allowing the special provinces to elect their spokesmen in the Legislature.

In dealing with non-Christians, we have the alternative of either letting them alone or guiding them along the path of civilization. A study of the history of the Philippines with reference to our backward inhabitants will reveal that from the earliest days the government always had an anxious regard for their advancement and has consistently followed a policy—that of unifying the people of the Islands so that we may reach the highest concept of nationality. I do not believe that the time has come for us to let down such policy. The bulk of our non-Christians still needs special stewardship and will need it at least during the lifetime of the Commonwealth.

For the sake of humanity and to be true to our national conscience, let us give the non-Christians a chance to develop. I feel that this Convention can help much to allay the fears and misgivings of those who doubt our real concern for the uplift of our backward elements by providing in the fundamental law of the land a precept that will pledge the Commonwealth to the task of promoting friendly relations between our Christian and non-Christian elements and fostering the political, social and economic development of the non-Christians throughout the Archipelago, with the end in view of assimilating them into our body politic.

There are those who would question the wisdom of incorporating such provision into our organic law, preferring to leave it to the Commonwealth Legislature. But, Mr. President and Gentlemen of the Convention, we are face to face with a grave challenge: to demonstrate to the Americans and our wards that we do care for the least among the inhabitants of our country. It has been said that one of the severe tests of cultured advancement of a people is their treatment of less civilized minority groups. If we are to pass that test, this Convention cannot remain indifferent but will accept the challenge.

Let us write into our constitution the spirit of Christian charity towards our dependent, backward people so that we may soon see the day when our Christian and non-Christian inhabitants shall be marching hand in hand under one banner, proudly calling themselves Filipinos truly united, happy, free and independent. I thank you.

LEVANTAMIENTO DE LA SESIÓN

SR. MELENDRES: Pido, Sr. Presidente, que se levante la sesion.

EL PRESIDENTE: Si no hay objecion, se levanta la sesion hasta manana a las 9 de la manana. (No hubo objecion.)

Eran las 6:05 p.m.

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