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APERTURA DE LA SESION

Se abre la sesion a las 4:40 p.m., ocupando el estrado el Presidente Hon. Claro M. Recto.

EL PRESIDENTE: Se abre la sesion.

DISPENSACION DE LA LECTURA DE LA LISTA Y DEL ACTA

SR. DE GUZMAN (Al.): Senor Presidente.

EL PRESIDENTE: Senor Delegado por La Union.

SR. DE GUZMAN (Al.): Pido que se dispense la lectura de la lista de Delegados y del acta y que se de esta por aprobada.

EL PRESIDENTE: ¿Tiene la Asamblea alguna objecion a la mocion? **(Silencio.)** La Mesa no oye ninguna. Queda aprobada.

DESPACHO DE LOS ASUNTOS QUE ESTAN SOERE LA MESA DEL PRESIDENTE

EL PRESIDENTE: Leanse los documentos recibidos.

EL SECRETARIO los lee.

CONTINUACION DE LA DISCUSION SOBRE EL SISTEMA BICAMERAL O UNICAMERAL

EL PRESIDENTE: Esta en orden la continuacion de la discusion sobre la proposicion relativa al sistema legislativo bicameral o unicameral.

MR. ARUEGO: Mr. President.

EL PRESIPENTE: Senor Delegado.

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

(El Sr. Recto abandona el estrado en este momento y to cede al Vicepresidente, Sr. Sandiko.)

EL VICEPRESIDENTE: Tiene la palabra el Delegado por Cebu.

DISCURSO DEL SR. MONCADO A FAVOR DE LA LEGISLATURA BICAMERAL

MR. MONCADO: Mr. President and Gentlemen of the Convention. We are now confronting the most important question of the Convention. I was amazed by the profound arguments both pro and con of the discussions. Certain Delegates maintain that the bicameral system of legislature is timely and proper at this time

and even during the ten-year transitory period of the Commonwealth of the Philippine Islands because it will be constructive, efficient, fundamental and ideal. On the other hand, the unicameral system of legislature is to me, as an advocate of the bicameral system of legislature, not proper nor logical at this time nor good for the transitory period of the Government of the Commonwealth of the Philippine Islands, because political events signify that the majority of the governments of the world are adopting the bicameral system of legislature. Because of that trend, we are forcing ourselves to the rocks. It takes an army or navy, both or otherwise, to support such a new plan, the unicameral system of legislature.

Reviewing from the era of the Malolos Convention, you will agree with me that the framers of the Malolos Constitution had in mind a unicameral system of legislature because they were organizing a **de facto** government. It is necessary for a **de facto** government to have one chamber. Why? Because immediate action was imperative. For that reason, it was not advisable to organize a bicameral system of legislature. They had no time for one chamber checking the other. And a bicameral system of legislature came to the Philippines in 1898 under the banner of the stars and stripes of the American Government because with two and one against one and one, or two forces against one force alone, the unicameral system of legislature of the Philippine Republic was overthrown by the American Government. Again, the intention of America was to formulate a government republican in form, so the Philippine Assembly was organized, the members therein elected by the people, but the American Government was not satisfied with this organization. The Americans had to create the Philippine Commission, the members therein appointed by the President with the consent of the American Congress,

We have had a bicameral system of legislature from the beginning of American occupation in the Philippines. In 1916, the Jones Law was passed, thereby creating a House of Representatives and a Senate both to take the place of the Philippine Assembly. The members of the House of Representatives were to be elected by the people. And the members of the Senate, unlike the members of the Philippine Commission, were also to be elected by the people. So the difference. The Federal Government of the United States is bicameral, and the 48 states of the Union have the bicameral system of government. Now the American Congress in 1934 passed the McDuffie-Tydings Law. This law provides that a republican form of government be organized in the Philippines during the ten-year transitory period of the Commonwealth of the Philippine Islands. What is the meaning of that? A unicameral system of legislature? No. Why? Because, from the Federal Government to the 48 states of the Union, the United States has a bicameral system of legislature. Now, then, are we to adopt a unicameral system of legislature and overthrow the bicameral system of the American Government? If so, it is tantamount to organizing a **de facto** government similar to the one called for in the Malolos Constitution. Assuming that we adopt a unicameral system of legislature, what will happen? The President of the United States will look over our Constitution, find out what kind of legislature we have adopted in the Philippines. It is a unicameral system of legislature. Yes, republican in form. Yes, but in the petition of the same is dictatorial power. Dictatorial power, meaning one-man power. Dictatorial power is derived from a monarchical government, one-man power. In a dictatorship, the dictator may rise from the poor classes, not from the upper classes; in a monarchy, he must rise from the Government. So in that case, Hitler, Mussolini, and Stalin Organized the so-called unicameral system of legislature. Why? Because they wanted one-man power.

May I ask the unicameralists whether or not they have prepared a man to dictate in the Government? Who is he, or who are they? We, the bicameralists, would like to know whether or not you can carry the business affairs of the Commonwealth of the Philippine Islands. Whether you have an army and navy, whether you can command the trend of the political events of the world. America alone has forty-nine bicameral legislatures. The entire world, most of it, has adopted the bicameral system of legislature. Now, supposing you have the unicameral system of legislature and you go to America for some help, or otherwise, how can America help you? If America has established a bicameral system of legislature through a republican form of government, it is unwise for you to adopt another system, Mr. President and Gentlemen of the Convention. Why? We are not organizing a republic right now. We are not organizing a transitory form of government. Have you a right to change the provisions of the Tydings-McDuffie Law, though the provisions do not specify either the bicameral nor the unicameral system of legislature? America knows you have common sense. You are wise, you are the people who love wisdom, and, therefore, it is not necessary for America to provide what you want in the Tydings-McDuffie Law. Why? You have the means, the ability to climb even to heaven. And, speaking of economy, the advocates of the unicameral system of legislature say that the reason they are going to eliminate the upper chamber is that this body spends one million pesos every year. It is so. It takes money to spend for the experimenting of the thing. We have not been able to accomplish our experiment. Now we are going to transfer our thoughts to a new experiment. How much should be spent for this new experiment? It will cost triple in the lower chamber, in the legislature.

In conclusion, I maintain that the bicameral system of legislature is proper at present to be adopted by the Delegates of this Constitutional Convention because it is ideal, fundamental and sound; because America has a bicameral system of legislature from the federal to the forty-eight states of the Union; because the majority of the countries of the world have the bicameral system of legislature. Now the Philippines is nothing but an isolated group of islands in the Far East. We are not organizing a de facto government but government provided for in the Tydings-McDuffie Law, a republican form of government, meaning a bicameral system of legislature. Therefore, I appeal to you, Mr. President and Gentlemen of the Convention, to forget for a moment the very good system that you are advocating, the unicameral system of legislature, preserve that idea until we have completed the task we have to do under the Tydings-McDuffie Law, meaning the ten-year transitory period, if you please. I thank you, Mr. President and Gentlemen of the Convention.

MR. ROMERO: Mr. President

EL VICEPRESIDENTE: El Senor Delegado.

SR. ROMERO: Senor Presidente, cedo diez minutos de nuestro tiempo al Caballero de Leyte, senor Alkuino.

EL VICEPRESIDENTE: Tiene la palabra el Caballero de Leyte.

DISCURSO DEL SR. ALKUINO

SR. ALKUINO: Senor Presidente y Caballeros de la Convencion: No hay duda que