

JOURNAL No. 64

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

EL PRESIDENTE: Léase la lista de Delegados.

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

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

APROBACION DEL ACTA

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

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

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

DISCURSO DEL SR. CANONoy

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

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

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

I need only to add that there is no justification for a second chamber in the Philippines for these reasons: first, because there is no special interest in the Philippines, like the nobility and the clergy of England, to warrant the establishment of a second chamber; second because there are no federal states in the Philippines to make a second chamber necessary to preserve federal principles. What exist in

the Philippines is a unitary government. Third, because in the formative stage of our political development the delay and inefficiency in a bicameral system will be avoided. Fourth, during the transition period we need to be united under a single chamber because there will be another chamber wherein will be the American High Commissioner and his staff. If a second chamber is adopted, it is possible that opposing political parties may control each house, cause division in the ranks of the Philippin participation, and bring disaster to our national cause. We need only to recall the events of 1922 when Osmena and Quezon controlled the House of Representatives and the Senate respectively, and the sorry consequences which followed.

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

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

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

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

Our political development points towards the parliamentary system. There is a strong leaning for the establishment of a responsible government; that is, with a

cabinet directly responsible to the legislature. Nothing will conduce more to bringing into full bloom this plan of political development than the adoption of a unicameral legislature.

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

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

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

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

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

MR. MARAMA: Mr. President, I affirm the statement of the Gentleman from Cebu.

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

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

DISCURSO DEL SR. PELAYO

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

In the American Congress, as well as in the Philippine Legislature, there has been adopted a system, entitled the "committee system." Before a measure is presented to the House for discussion, that bill has to go first to the corresponding committee. The members of the committee are supposed to be trained first on the subject of the bill. This committee holds public sessions. It invites the public so that its members may hear the opinion of men interested in the bill. They invite business men, technical men, experts, in order that they may be enlightened on the question under consideration.

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

eliminated.

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

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

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

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

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

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

MR. VINZONS: I yield two minutes to the Gentleman from Davao to answer the question of the Delegate from Cebu.

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

MR. PELAYO: Mr. President, I prefer not to answer that question.

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

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