

JOURNAL No. 46

APERTURA DE LA SESION

Se abre la sesion a las 10:20 a.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. PERFECTO: Senor Presidente.

EL PRESIDENTE: Senor Delegado por Manila.

SR. PERFECTO: Pido que se dispense la lectura de la lista y del acta, dandose esta por aprobada y por presente un quorum.

EL PRESIDENTE: Si no hay objecion, asi se acuerda. **(No hubo objecion).**

MOCION DE EXTENSION DE PLAZO

SR. MELENDRES: Senor Presidente.

EL PRESIDENTE: Senor Delegado por Rizal.

SR. MELENDRES: Presento la mocion de que se conceda al Comite de Gobierno Interior un plazo de tres dias mas, desde el lunes que viene, para rendir su intorme sobre la Resolucion numero 80 de esta Asamblea.

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

MR. GULLAS: Mr. President, I rise for a point of personal privilege. Some friends of this side seriously or jokingly expressed to me that I have been too rabidly passionate last night in my speech against the injection of politics in our work. Mr. President, I wish to make just a brief explanation. I did not mean to hurt anybody at all. All I wanted to drive at was to discourage the injection of politics in the deliberation of this Assembly. But the murmurs of protests and the grumbings and wranglings in response to my speech showed that they are not also in favor of injecting politics in our task here. That is the reaction I wanted and I got it, and the incident is closed. I have no reason to hurt anybody here because I consider all men in this Assembly .as my brothers, colleagues and friends. **(Applause)**

MR. CONOL: Mr. President, I would like to make use of my half-hour privilege.

THE PRESIDENT: The Gentleman from Misamis Occidental has the floor.

SPEECH OF MR. CONOL ON JUSTICE OF
MINDANAO

MR. CONOL: Mr. President and Gentlemen of the Convention. I rise, the humblest among the Delegates, to ask your benevolence in listening to the humble voice of a southerner, a voice from the wonderland of the South, so to speak, since Mindanao whence I come is the least known, the least developed, and the least explored region of the entire Philippine archipelago. I rise without the least intention of attempting to deliver an address for vain display, for I confess I am not an expert in the subtle and difficult art of oratory, like others who are favored with this divine gift. Masters and experts of this art of beautiful expression, endowed with silver tongues, have been and will still be heard on the floor of this Convention.

If I rise, Mr. President, to claim the privilege of addressing the highest intellectual representatives of the land ever assembled, it is because I have a message to deliver and problems to lay before you which demand your highest consideration in the framing of the Constitution, for they tend to do justice to Mindanao. I have been sent here, just as every Delegate is presumed to be, with clear and unequivocal mandates of my constituents. I came also with an open mind, imbued with the noblest spirit in contributing all that is within the powers that God has given me towards drafting that Constitution which will stand the test of time and, as Judge Cooley says, "suited to the circumstances, desires, and aspirations of the people, and contains within itself the elements of stability, permanence and security against disorder and revolution."

The combined efforts of the best Filipino talents, genius and sages, not a few of whom are assembled in this august Body with national reputation, and with divine guidance from the Almighty, cannot fail to produce an immortal document. Without in the least pretending to be grouped among the highest intellectuals of the nation, although it is my fortune to be privileged to work with them, I rise to apprise the Gentlemen of the Convention of the most delicate and outstanding problems of Mindanao which are of transcendental importance.

Now that we find ourselves in the threshold of a new life, preparatory to the advent of our cherished and long dreamed absolute and complete independence, as provided for in the Tydings-McDuffie Law, which will be our privilege to enjoy and love, and also our solemn duty to defend and preserve for the future generations, the critical hour for sound statesmanship has arrived. The time is indeed propitious for the immediate and effective solution of all the fundamental problems affecting the entire nation and confronting this Convention, never forgetting to place in the machinery of the Constitution all the pieces absolutely necessary for its proper and efficient functioning.

In the early days of our peaceful struggle for the emancipation of our country, it was Congressman Bacon of the United States who advocated a bill providing for the immediate independence of the Philippines but retaining for the United States the Island of Mindanao. A storm of protest arose all over the Philippines against the bill, which confirmed the national and eminently patriotic thought and feeling of all liberty-loving Filipinos that should we succeed in our persistent struggle for independence, said priceless boon would be enjoyed by and for the entire Philippine

territory, and not an inch of our soil or a bit of our population less; likewise should we succumb and perish in the fight, that all united should perish.

Behold our flag, the undying symbol of our nationality born in the din of battle, the priceless heritage handed down to us from our predecessors who fought and died in the dead of night. It has become our sacred duty to preserve and love, nay, our solemn obligation to revere and die for this flag. Behold the three stars shining on that flag,—one proudly stands for the Island of Luzon, the other for the Visayan Islands, and still another for the Island of Mindanao. It simply cannot mean otherwise, and though Mindanao does not exactly constitute one-third of the entire Philippine territory, yet that star is a solemn, just and unmistakable recognition that Mindanao is a vital part of the Philippines. Without it, the name Philippine Islands will be a misnomer; without it the history of the Philippines will be sadly incomplete; and without it, one star will eclipse forever from the Philippine firmament, not to say tearing down that portion of the flag where that third star shines, to our disgrace and ignominy as Filipinos and of our posterity.

Yes, Mr. President, the Island of Mindanao is accorded historical importance, a place of distinction and honor in the Philippine flag. The entire population of Mindanao joined in the chorus with the brothers of the North and in the cry for freedom and patriotically responded to the call of duty. Even the non-Christians, our Mohammedan brothers, joined in the ranks. But we ask, what has been done so far to develop Mindanao and solve, at least, its outstanding major problems? True it is that in the past, investigators after investigators—legislative, administrative or otherwise—were commissioned and sent there to study its economic, social and political problems. But those official investigators, after spending a couple of hours in superficial observation, returned to Manila and wrote voluminous reports containing this and that recommendation, which only slept the sleep of the just and were heard no more.

Now that we are committed to the colossal task, and not unmindful of the heaviest burden and responsibility of drafting the supreme law of the land that we willingly shoulder, the Delegates coming from the more fortunate parts of the Philippines can never remain passive and indifferent, without disgracing their nationality as Filipinos, to the just and proper appreciation and solution of the outstanding problems of Mindanao.

Before discussing only two of these problems, permit me to give you a skeleton idea of Mindanao. It is an island in the southern part of the Philippines, almost as big as the Island of Luzon. Vast tracts of virgin forests and plains lie uncultivated, the immense natural resources are still undeveloped, and the fertility of the soil generally admitted to be second to none—all tending to demonstrate without fear of successful contradiction that Mindanao in the future will be the granary and depository of untold wealth of the Philippines. The Island of Luzon has quite a number of provinces; but Mindanao has only 9 provinces, 6 of them specially organized and only 3 regularly organized.

The three regularly organized provinces are Occidental Misamis—of which I am a humble member of the Provincial Board and Delegate to this Convention— Oriental Misamis and Surigao, these three located in the northern part thereof. The specially organized provinces are Agusan, Bukidnon, Cottabato, Davao, Lanao and Zamboanga. Four of the latter have considerable Mohammedan population.

The first problem of national, nay, international importance, is the so-called "yellow peril." Silently but effectively, our Japanese neighbors are penetrating into the heart of Mindanao, particularly in the province of Davao, appropriating to themselves the most fertile valleys and plains and the richest regions, extracting therefrom the wealth of her natural resources by the introduction of modern and scientific methods of farming and making the Filipinos virtually tenants, if not slaves, instead of masters of their own land. The Japanese population is increasing alarmingly in Davao, and time may come when the Japanese delicate problem may become so complicated as, God forbid, to endanger the very existence and security of the future Philippine Republic.

The hour for effective, decisive and well-directed action, therefore, is now. A check should be made at once on the further acquisition of land of the public domain, directly or indirectly, by foreigners. If the present living Filipinos cannot possibly bring under cultivation and fruition the virgin lands of Mindanao, let them wait for future industrious Filipino hands to cultivate and exploit them! Let us all, therefore, be committed to the nationalistic policy of preserving the lands of Filipinos for the Filipinos. Let us preserve and guard this wealth for our posterity.

A constitutional precept is, therefore, recommended prohibiting foreigners, directly or indirectly, from owning or leasing any land under the public domain and private lands for more than, say, three or five years. On the other hand, since ours is essentially an agricultural country, laws must be enacted by the Legislature providing for the easy and practicable distribution of public agricultural land to deserving and needy Filipinos, or modifying the present cumbersome modes of distribution in which the applicants are made to wait for months and even years for the approval of their prospective applications. Let agricultural public lands be divided into lots of 10 hectares each and distribute them without cost to deserving applicants, giving them valid titles thereto at once and protecting them from the trouble and expense of going to court to defend their ownership. Distributing equitably the fertile lands of the Philippines to the poor will solve the unemployment problem and make them small landowners. It will undoubtedly detain the tentacles of the communistic octopus now beginning to spread and gain foothold in this beloved land of ours, if our poor become contented, prosperous and happy.

The second problem of equal magnitude is the legitimate desire of the natives for a corresponding if not an equal representation in the legislative halls and other departments of the Government. I sincerely advocate for the extension of the right of suffrage to our non-Christian brothers. For the sake of justice, equality and fraternity, Mindanao should be given more representative districts and at least two senatorial districts in the event the present bicameral system of Legislature is adopted by the Convention. With this just and reasonable petition for whose due consideration I sincerely appeal to the sense of justice of my fellow-Delegates, it is obvious that four resident senators and an increased number of resident representatives for Mindanao, wholly identified with the local problems, feeling their own necessities, will make themselves heard authoritatively in the halls of the Legislature and convey thereto, from time to time, such immediate and pressing local problems as only natives understand and feel, and thereby promote the general welfare and happiness of the islanders.

Under present arrangement as provided for in the Jones Law, the entire Island of

Luzon has six senatorial districts and the Visayan Islands about five, but poor Mindanao does not have even one which she can proudly and exclusively call her own. The three regular provinces of Occidental Misamis, Oriental Misamis and Surigao were made to form a part of the Island of Bohol in the eleventh senatorial district. Bohol, being very far away in the north and separated by a big body of water from Mindanao, has problems exclusively her own, distinct and independent of, and absolutely of no relation with, the three provinces of Mindanao; hence, the union has no foundation whatsoever, geographic or otherwise, and no valid reason can be adduced in favor of its further continuance.

The six specially organized provinces—Agusan, Bukidnon, Cotabato, Davao, Lanao, and Zamboanga—were annexed to Sulu, and, with Baguio, Mountain Province and Nueva Viscaya, all of Luzon, constitute the twelfth appointive senatorial district. Perhaps the present arrangement might have been justifiable under the circumstances then prevailing at the time the Jones Law was passed on August 29, 1916. But certainly today, after the lapse of 18 years and with the rapid progress in education, science, industry, and agriculture, the special provinces of Mindanao should not only be converted into regular provinces, but also a just, fair and reasonable treatment for them and the rest of Mindanao in the apportionment of the senatorial districts should be seriously considered in the Constitution.

It is a paradox, Mr. President, that while the provinces in Luzon and the Visayan Islands are far more advanced and progressive—especially in educational facilities, means of communications and transportation, hygiene, and so on—than those in Mindanao, the former are amply represented in the Senate by men of their respective districts; but Mindanao, whose problems are varied, complicated and of far reaching consequences, is inadequately and poorly represented, if at all. I came across an article published in the *La Vanguardia* on July 4, 1934, and other papers advocating a plan, supposed to originate from the Department of the Interior, providing for the redivision of the Philippine territory into 28 provinces, and giving five senatorial districts to Luzon, three to Visayan Islands, and two to Mindanao. This idea, which gives Mindanao two senate districts, although manifestly less than those assigned to Luzon and the Visayan Islands, is nevertheless a just recognition, although quite late, of the importance of said Island. It is an eloquent tribute to reason and justice. A Constitutional precept, is, therefore, earnestly recommended that in the event we adopt the actual bicameral system of Legislature, Mindanao should be divided into two senate districts: the first, to consist of the northern provinces of Surigao, Agusan, Oriental Misamis, Lanao, Occidental Misamis, and the northern portion of Zamboanga comprising the towns of Dipolog, Dapitan and Katipunan; and the second district to consist of the southern provinces namely, the present territory of Zamboanga minus the two northern towns already named, Bukidnon, Cotabato, Davao, and Sum.

In closing, Mr. President, it is the fervent hope and ardent desire of this humble southerner that, in giving the final touches to the sacred document that we are about to write for our dear Philippines and for posterity, the injustices, inequalities and discriminations of the past be entirely eliminated, so that upon its completion not a voice of murmur and discontent would be raised from any section of the country. Instead, we rightfully expect that the same would be acclaimed throughout the length and breadth of the Philippines by the Christians and non-Christians, men and women, old and young, rich and poor alike irrespective of party and religion. Then and only then can we go back home to our respective districts happy in the