

THE MALOLOS CONGRESS



*Cover: Inauguration of the Philippine Republic
on January 23, 1899, Malolos, Bulacan*

COMPLIMENTS
OF THE
NATIONAL HISTORICAL COMMISSION
OF THE PHILIPPINES



A float depicting Mother Philippines during the inauguration of the Philippine Republic on January 23, 1899 in Malolos.



THE COAT OF ARMS OF THE ERSTWHILE
PHILIPPINE REPUBLIC

THE MALOLOS CONGRESS



THE SEAL OF THE
PHILIPPINE REPUBLIC



THE SEAL OF THE
REVOLUTIONARY GOVERNMENT

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DEDICATION

Dedicated to the
Filipino People
in their struggle for
Independence and Nationhood



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THE MALOLOS CONGRESS

*A Centennial publication
on the inauguration of the Philippine Republic
(January 23, 1899-January 23, 1999)*





Republic of the Philippines
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PHILIPPINE CENTENNIAL COMMISSION

Message

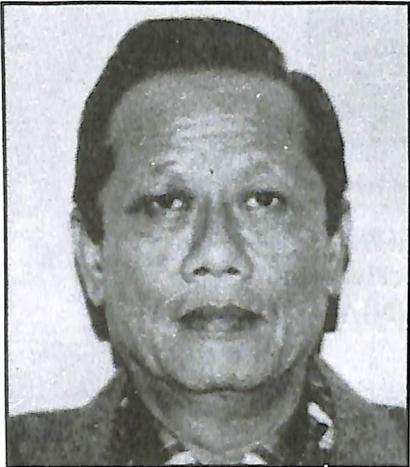
On behalf of the Philippine Centennial Commission, I wish to convey my warmest felicitations and congratulations to the National Historical Institute for publishing a definitive volume on the Malolos Congress and the centennial of the inauguration of the Philippine Republic.

As one of our most active partners in our various endeavors, it is with the great pride that we recognize the NHI's invaluable contribution to the attainment of missions and goals set forth by the Commission. I am confident that this laudable project will become a significant resource material not only for our scholars, historians, researchers, teachers and students but also for the general public as well.

It is our fervent hope that the NHI will continue to evolve as a dynamic organization that will ensure present and future generations of Filipinos of a responsive and dynamic repository of our heritage.

Congratulations and Mabuhay!


SALVADOR H. LAUREL
Chairman



NATIONAL HISTORICAL INSTITUTE

Message

As we look to the historic events that took place in Malolos a hundred years ago, we are awed by the profound significance they have evoked in the Filipino struggle for justice, unity, and freedom. They have continued to inspire the search for meaning in national development and a sense of purpose in national aspirations.

The National Historical Institute whose mandate is anchored on the preservation and promotion of the Filipino historical heritage is firmly committed to the legacy which the Malolos Congress and Republic have bequeathed to the Filipino people. It joins both the government and private sectors in the effort to bring the centennial commemoration of the birth of the Filipino nation and the First Philippine Republic to the highest level of national importance and consciousness it deserves.

Mabuhay ang Republika ng Pilipinas

Mabuhay ang Sambayanang Filipino.

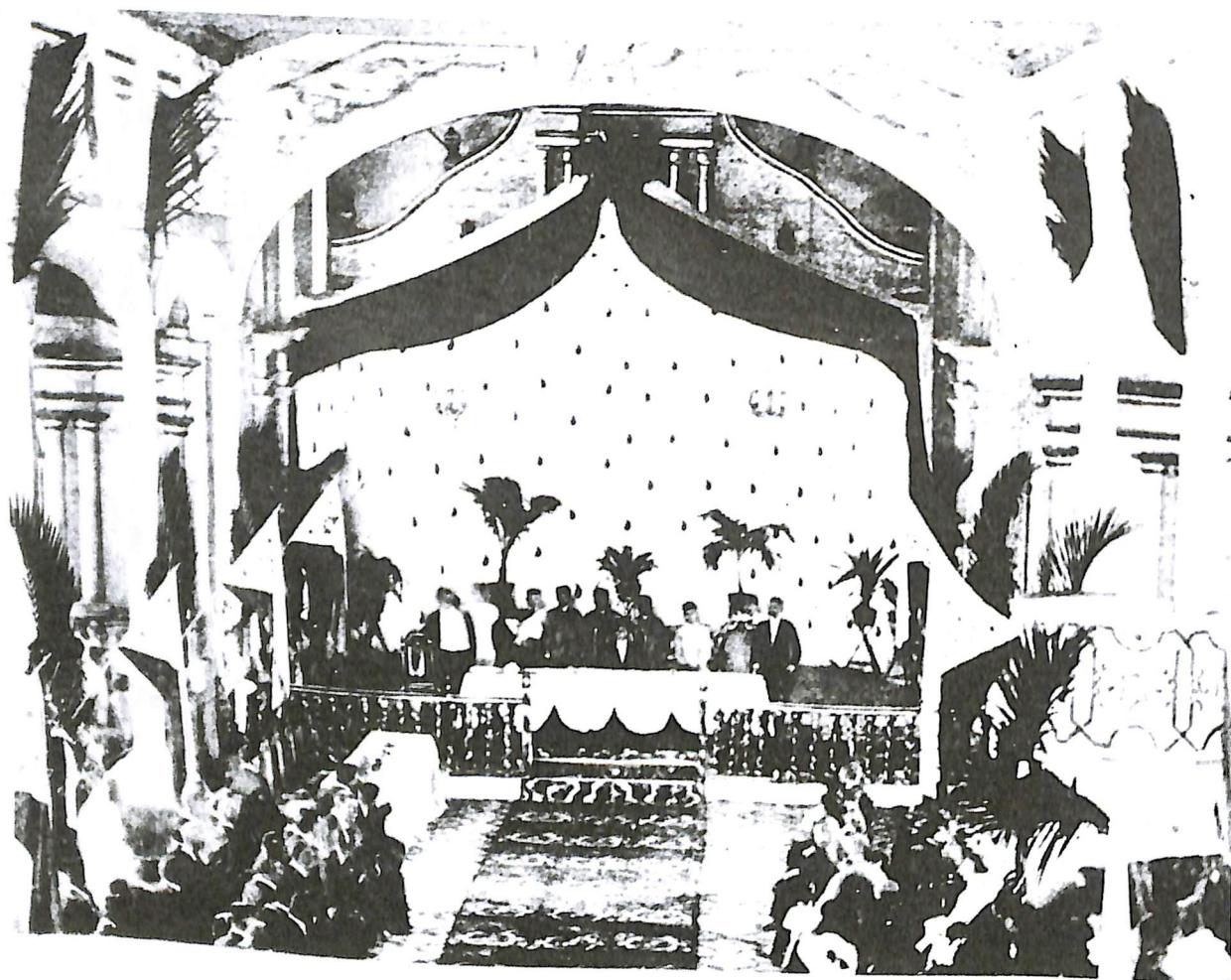

SAMUEL K. TAN
Chairman and Executive Director

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*Opening of the Malolos Congress at the Barasoain Church,
Malolos Bulacan on September 15, 1898.*

The Malolos Congress

By NICOLAS ZAFRA

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The Philippine Revolution, understanding by that term, the struggle waged by the Filipinos in the closing years of the nineteenth century for independence from Spanish rule, passed through two distinct stages. The first covered the period from the outbreak of the Katipunan revolt in the latter part of August, 1896, to the cessation of hostilities following the conclusion of the Pact of Biac-na-bato on December 14, 1897. The second stage lasted from the resumption of the war against Spain shortly after the return of Aguinaldo from Hongkong on May 19, 1898, to the outbreak of the Filipino-American conflict early in February, 1899.

The period covered by the second stage was of short duration lasting less than one year. Nevertheless, this period witnessed some of the most momentous events in the political history of the Philippines. It was during this period that Dewey's naval force, on May 1, 1898, destroyed the Spanish navy in battle in Manila Bay, thereby dealing a mortal blow on Spanish colonial power in the Philippines. This event was followed three months later, August 13, 1898, by the occupation of Manila by American troops. That event marked the virtual termination of the more than three hundred years of Spanish rule over the Philippines. In this period, too, the Filipino people had their first experience of political independence and had occasion to show, through their actuations as a free and independent nation, their capacity to manage their affairs.

It is generally admitted that, of the events and developments of this period of the Revolution, one of the most memorable was the coming into being on September 15, 1898, of the Malolos Congress.¹ The Congress was

the third of the representative assemblies which in the course of the Revolution arose to assume a vital role in the affairs of the Filipino people. The first of these was the assembly of Katipunan leaders which met at Tejeros, San Francisco de Malabon, Cavite, on March 22, 1897. The Tejeros Convention, as that assembly is historically known, set up a revolutionary government, with Emilio Aguinaldo as president, to lead and direct the revolutionary movement against the Spanish forces in the Philippines. The second came into being on November 7, 1897, at Biac-na-bato. That assembly was made up of leaders of the Revolution who were in Biac-na-bato at the time. Its avowed purpose was to modify the constitutional basis of the revolutionary government which had been established at Tejeros on March 22, 1897. Its main accomplishment was the adoption of what is historically known as the "Constitution of Biac-na-bato." The latter created, as governing body of the Philippines, "a Supreme Council, composed of a President, a Vice-President and four Secretaries."²

On May 24, 1898, a few days after his arrival from Hongkong, Aguinaldo set up a government to direct the course of the revolution against Spain which in the meantime had started anew. The

¹Filipino People, September, 1914; Rafael Palma, "Apolinario Mabini - Estudio Biofragico," in A. Mabini, *La Revolucion Filipina* (Manila, 1931), vol. I; Teodoro M. Kalaw, "Felipe Calderon," in *Philippine Review*, June, July, October, 1919; Maximo M. Kalaw, *The Development of Philippine Politics* (Manila, 1926), Chapter IV; Leandro H. Fernandez, *The Philippine Republic*. (New York, 1926), Chapter III.

A later study is that by Jose Lopez del Castillo, formerly Chief of the Division of Bibliography and Historical Investigation of the National Library. Written in Spanish, it appeared in a series of articles in *Nueva Era* during the years, 1948-1950, under the title, "Malolos y Sus Prohombres."

Recent studies on the Malolos Congress are: Teodoro A. Agoncillo's, *The Crisis of the Republic*, Q.C., 1960, Chapter 8, and Cesar Adib Majul, *Mabini and The Philippine Revolution*, Q.C., 1960, Chapter 6 & 7.

²The full text of the Constitution including the names of the signers of the Constitution is in Kalaw, Maximo M., op. cit., "Appendix B."

¹Many excellent studies have been made on the Malolos Congress by Filipino scholars. Among these are: Jorge Bocobo, "Felipe G. Calderon and his Great Work," in *The*

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government was dictatorial in form. The conduct of affairs was to be by decrees set forth under Aguinaldo's sole responsibility. A dictatorship was deemed best suited to the wartime conditions then prevailing in the Philippines. Such a type of government, however, was not intended to continue indefinitely. It was to last only, in the words of Aguinaldo's proclamation, "until the time when these Islands, being under our complete control, may form a constitutional republican assembly and appoint a president and cabinet, into whose hands I shall then resign the command of these islands."³

The government, however, did not wait for the contingency mentioned in Aguinaldo's proclamation, namely, bringing "these Islands under our complete control," before it took steps leading to the eventual formation of the "constitutional republican assembly" envisioned in that proclamation. For it was felt that the interests of the country and the exigencies of the times demanded that such steps be promptly taken. On June 18, 1898, therefore, upon the advice and recommendation of Apolinario Mabini who, in the meantime, had joined Aguinaldo's government and had become Aguinaldo's trusted political adviser, the government issued a decree establishing municipal and provincial governments in towns and provinces which had come under the control of the Philippine revolutionary government. The decree provided not only for the organization of municipal and provincial governments but also for the election of delegates to a national congress.⁴

A few days later, June 23, another decree drafted like that of June 18, by Mabini, was promulgated by Aguinaldo. This decree transformed the Dictatorship into a constitutional government to be known as "Revolutionary Government." The decree made specific and detailed provisions for a national congress. The latter was to be composed of members elected by voters in accordance with the provisions of the decree

of June 18. The Government, however, was empowered to appoint "provisional representatives" in those provinces where, because of war conditions, elections could not be held. Such representatives were to be selected from among "persons most noted for their education and social position who were natives of, or for a long time residents in, those provinces." The decree enumerated the powers and prerogatives of congress. Included among these was the power to summon and interpellate any of the Secretaries of the Government.⁵

The Revolutionary Government achieved marked success in its efforts to extend its authority and control over the Philippines. At the time of the capitulation of Manila on August 13, 1898, it had established itself in power in eight provinces of Central Luzon, with officials of its own choosing exercising authority in those provinces as provincial governors. These provinces were: Manila, outside of the areas occupied by American forces, with Ambrosio Flores as governor; Cavite, except the port which was under American control, with Ladislao Diwa as governor; Bulacan, under the governorship of Segundo Rodrigo; Batangas, under the governorship of Manuel Genato; Laguna, under Escolastico Salandanan; Pampanga, under Tiburcio Hilario; Nueva Ecija, under Felino Cajicom; and Bataan, under Pedro de Leon.⁶

Elsewhere, the Revolutionary Government was equally successful in its efforts to establish its power and authority. Units of the armed forces of the Government, led by Manuel Tinio, occupied the Ilocos provinces. Another force, under Daniel Tirona, brought the entire Cagayan Valley under the authority of the Revolutionary Government. Farther up the headwaters of the Cagayan River, another revolutionary force, under Delfin Esquivel, occupied Bayombong, Nueva Vizcaya. Some time later, Vicente Lukban brought the Bicol provinces under the authority of the Revolutionary Government.⁷

³Full text of the proclamation is in Taylor, *Philippine Insurgent Records*. Quotation is from Fernandez, op. cit.

⁴Text of this decree is in Mabini, A., *La Revolucion Filipina*, Vol. I, p. 169.

⁵Ibid. The provisions of the June 23 decree relating to Congress are in Chapter II of the decree. The Chapter bears the title, "Of the Revolutionary Congress."

⁶Calderon, Felipe G., *Mis Memorias Sobre la Revolution*, Manila, 1907, p. 100.

⁷Fernandez, op. cit., p. 129.

On August 12, 1898, a peace protocol was concluded in Washington which ended hostilities between the United States and Spain. One of the articles of the protocol provided that American forces were to occupy and hold the city and harbor of Manila pending the conclusion of peace which was to determine "the control, disposition and government of the Philippines."

News of this event aroused, as was to be expected, deep apprehensions among the leaders of the Revolution. The latter understood readily enough the significance and implications of that event. There was the possibility that, in the conference which was going to decide the future political status of the Philippines, the interests of the Filipinos might be completely ignored. In such a contingency there was grave danger that the Filipinos might lose their cherished national ideal and aspiration - the independence of the Philippines.

Philippine independence was the supreme purpose and objective of the Philippine Revolution. It had been proclaimed at Kawit, Cavite on June 12, 1898. The independence proclamation was ratified in a meeting of local officials held in Bacoor, Cavite on August 1, 1898. In that meeting, a resolution was adopted calling upon the President of the Philippines to take steps to secure from foreign powers their recognition of the independence of the Philippines. Complying with that resolution, the Revolutionary Government on August 6, 1898, sent diplomatic notes to foreign nations requesting them to accord formal recognition to the Philippines as a free and independent nation.

At about the same time, the Revolutionary Government appointed Felipe Agoncillo, a well known lawyer from Batangas province, then living in Hongkong, as diplomatic representatives of the Philippines abroad. Agoncillo was instructed to proceed to Washington and later to Paris where the peace conference between the United States and Spain was scheduled to meet beginning October 10, 1898.

Uncertain as to what the peace conference would decide regarding the future of the Philippines, the Revolutionary

government proceeded to strengthen its claim for the recognition of Philippine independence by convening a national congress. In two decrees, one promulgated at Bacoor, Cavite, on September 4, 1898, and the other issued from Malolos, Bulacan, on September 10, 1898, Aguinaldo announced the appointment of persons as "provincial representatives" and called upon these persons, together with those duly elected by voters in the provinces already occupied by the Revolutionary Government, to assemble at Malolos, Bulacan, on September 15, 1898.⁸

The body which came into being by virtue of the aforementioned decrees was the one which is historically referred to as the "Malolos Congress." The latter held its inaugural session on the designated date, September 15, 1898, in the church of Barasoain, Malolos. Fifty delegates were present on that historic occasion. Included among them were outstanding representatives of that period of the culture and intelligentsia of the Nation. Ambrosio Rianzares Bautista, one time political adviser of Aguinaldo, was in that honored group. He served as temporary chairman of the Congress. Pedro A. Paterno, the negotiator of the Pact of Biac-na-bato, was also there. He was chosen permanent chairman of the Congress. Other prominent members were Felipe G. Calderon, Pablo Ocampo, Benito Legarda, Gregorio Araneta, Joaquin Gonzales, Arsenio Cruz Herrera, Tomas G. del Rosario, Arcadio del Rosario, Alberto Barretto, Perfecto Gabriel, Pablo Tecson, T.H. Pardo de Tavera, Leon Ma. Guerrero, Antonio Luna, Aguedo Velarde, Jose Alejandrino and Ignacio Villamor.

The first important act of the Congress was the ratification of the independence of the Philippines. On September 29, Congress formally ratified the Declaration of Independence which had been adopted by the assembly of local officials in Bacoor, Cavite, on August 1, 1898. In the course of the deliberation on the ratification measure, Pedro A. Paterno, Chairman of the Congress,

⁸Calderon, Felipe G., *Mis Memorias Sobre la Revolucion* Manila, 1907. Appendix. The names of the delegates listed in the two decrees are given therein.

⁹Fernandez, op. cit.

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delivered an impassioned address which thrilled and electrified, with its eloquence, the members of the Congress. According to Calderon, at the termination of his speech, Paterno received a prolonged ovation. Many of his colleagues, moved by a spontaneous desire to express their gratification and admiration, went to him and embraced him enthusiastically.¹⁰

But the work for which the Malolos Congress is best known was the framing of the Malolos Constitution.

Many prominent men in and out of Congress assumed that the framing of a new constitution for the Philippines was the task of major importance and urgency that lay before Congress. In their view that was, as a matter of fact, the main purpose for which Congress was convened.

There were others, however, who did not share that view. Foremost among them was Apolinario Mabini, Aguinaldo's adviser and counselor. Mabini held that Congress had no authority to adopt a constitution since it was not a constituent assembly. Neither did it possess legislative powers since, under the organic law of the Revolutionary Government, Congress was merely a consultative body whose main duty was to propose ways and means for the carrying out of the activities of the Revolutionary Government and to raise funds for the maintenance of those activities. Mabini further maintained that it was inadvisable to frame a constitution at that time inasmuch as Philippine independence had not yet been recognized officially. Besides, the Philippines with a constitution proclaiming its independence, would be restrained from concluding any agreement except on the basis of the recognition of its independence, for, otherwise, it would violate its fundamental law. In the situation then existing, Mabini believed it was advisable that the Government should retain certain freedom of action which would give it a more

favorable position in dealing with the United States.¹¹

A majority of the members of Congress were not inclined to accept the views of Mabini. Calderon was the spokesman of that group. Calderon pointed out that there was urgent need for the Philippines to adopt a constitution of its own in view of the proximity of the date of meeting of the American and Spanish commissioners. A Philippines duly constituted as a sovereign state would be in a strong position to press its claim for recognition. It could present as a powerful argument in support of its plea for the recognition of its independence, the fact, that, within such a short time, it had succeeded in organizing itself into a state, with a constitution duly adopted and laws regulating its internal affairs.¹²

The existence of two diametrically opposed views on such a matter of vital importance as the framing of a constitution for the country posed, as could well be imagined, a difficult problem for Aguinaldo. He had to choose between two courses of action: first, that pointed out for him by Mabini, his trusted counselor, and, second, that favored by the majority of the members of Congress. Aguinaldo chose to abide by the latter's wishes. It was a difficult choice to make. But it revealed an admirable trait of Aguinaldo - his high regard and respect for Congress as the authoritative spokesman for the Filipino people and the true interpreter of their desires and aspirations. He made known his decision in the message which he read in the inaugural session of the Congress. In that message he expressed his hope that Congress would see fit to write "the immortal book of the 'Constitution of the Philippines' as the supreme expression of the Nation's will."¹³

Following the formal organization of Congress, with the election of Pedro A. Paterno as president, Benito Legarda as vice-president, and Gregorio Araneta and Pablo Ocampo as secretaries, Congress proceeded to the task of preparing a constitution for

¹⁰Palma, Rafael, "Apolinario Mabini - Estudio Biografico," in Mabini, A. La Revolution Filipina. Vol. I, pp. 50, 51.

¹¹Calderon, op. cit.

¹²Ibid.

the Philippines. A committee of nineteen members was created to draft a constitution. Outstanding members of Congress were named to that committee among whom were Joaquin Gonzales, Gregorio Araneta, Pablo Ocampo, Aguedo Velarde, Tomas G. del Rosario, Alberto Barretto, Antonio Luna, Felipe Calderon, Arsenio Cruz Herrera and Felipe Buencamino.¹⁴

To Felipe Calderon, the Committee entrusted the task of preparing a draft of a constitution for the Philippines. Calderon proceeded at once and in earnest to perform the task assigned to him. The story of how he went about this task is told by him in his *Memorias Sobre la Revolucion Filipina* as follows:

Mabini had written a proposed constitution based on the Constitution of the Spanish Republic with slight variations; and, after studying it, I became convinced that it was not suitable to our country. Pedro Paterno, on his part, had given me a constitutional draft of his own which was patterned much after the Spanish Constitution of 1868. Paterno's draft, like Mabini's, proved unsatisfactory to me... I, therefore, decided to write one that would be eclectic... I spent a few days studying the constitutions of other countries... Using as a basis... the constitutions of the South American republics... particularly that of Costa Rica, I prepared my own draft... One day, in the drugstore of Juan Cuadra in Ermita, I wrote down the draft of the constitution, or rather had a clean copy made of the draft by three scriveners, who were Don Mariano Icasiano, Don Hugo Aunario, and another whose name I can not now recall.

Submitted to the committee, the draft was approved with slight changes; but we encountered opposition from Mabini's partisans who wanted Mabini's own plan to be adopted... The draft having been approved by the committee, copies thereof were printed and distributed among the delegates. Thereafter it

was submitted to Congress where it was taken up in debate, from the closing days of October until November when it was approved by Congress.

The proposed constitution which the Committee submitted to Congress had several distinctive features. One of these was its provision for a unicameral legislature. Calderon had his own reasons for proposing a single-house legislature. He explained, in the first place, that there were no distinct interests in the Philippines which demanded representation in the legislature. Secondly, in the formative stage in which the country found itself, a legislature of two houses could cause unnecessary delay in the enactment of urgently needed legislation.¹⁵

But the most significant feature of the proposed constitution was the dominant position which the National Assembly occupied in the government. As pointed out by Calderon, the National Assembly was the embodiment of popular sovereignty. As such, it assumed the supreme prerogative of the people, namely the power of legislation. Apart from its purely legislative functions, the Assembly possessed executive and judicial powers. These powers, however, were clearly defined allegedly in order to preserve the integrity and independence of the Executive and the Judiciary in consonance with Montesquieu's doctrine of the separation of powers. But, as the embodiment of popular sovereignty, the Assembly assumed powers of scrutiny and supervision over the affairs of government. To insure the continuity of this scrutinizing and supervisory power, a Permanent Committee of Congress was created to perform the functions of Congress while that body was not in session, with full power to act in cases of emergency. The National Assembly was thus, in the words of Calderon, "the omnipotent power in the entire nation."¹⁶

¹⁴Ibid.

¹⁵Loc. cit. Calderon says that the idea of a Permanent Committee of Congress was adopted from the Constitution of Costa Rica. The source of that institution may be traced to the Spanish Constitution of 1812. A summary of the provisions of that Constitution is given by Jose O. Rubio, *Historia de Espana*, vol. V, p. 272, ff.

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What impelled Calderon to give to the National Assembly its dominant position in the government was explained by Calderon himself in these words:

Being fully convinced that upon attaining our independence we shall have for a long time a veritable oligarchy in which the military element would predominate, I wanted to see that oligarchy neutralized.

Calderon's ideas found ready acceptance and strong support among the members of the Malolos Congress. Congress approved without much difficulty the provisions of the Constitution relating to the National Assembly and the Executive in the form in which they were presented by Calderon.

The readiness with which Congress approved Calderon's plan of government was quite understandable. It bespoke the Filipino sentiment prevailing at the time in regard to the Spanish colonial system. The members of Congress knew well enough from personal experience and from their knowledge of Philippine history that the Spanish colonial administrative system with a governor and captain general endowed with broad discretionary powers, was inclined to be oppressive and tyrannical. They were fully aware of the fact that, under that system, the rights and interests of the people were not adequately protected. They believed that a pattern of government dominated not by a powerful executive, but by a Congress responsive to the needs and desires of the people, was more conducive to the Nation's welfare. It is not surprising, therefore, that they chose to adopt the scheme of government proposed by Calderon. Their choice was a natural reaction on their part against the administrative system which Spain established in the Philippines.

The constitutional project was taken up for general discussion on October 25th. Being the author of the proposed measure, Calderon had to bear the major part of the burden of defending it and explaining its provisions and peculiar features on the floor of Congress. That responsibility he discharged creditably and well. In the

debates which followed, of which detailed reports appeared in the newspapers published at the time - *La Republica Filipina*, and *El Heraldo de la Revolucion* - he distinguished himself by his eloquence, his learning, and his forceful logic.

In the session held on October 28th, Congress, by a vote of 37 against 7, approved in principle the constitutional project. Immediately thereafter, Congress began the consideration of the same project, this time article by article. In sessions held between October 28 and November 29, it devoted itself almost exclusively to this task.

With one notable exception, the provisions of the constitutional project were approved without much difficulty and, substantially, in the form in which they were submitted. The one exception was that relating to the subject of religion.

The articles in the proposed constitution on this subject set forth three basic principles. The first declared the Catholic religion as the official religion of the Philippines. As such, its ministers were entitled to financial support from the government. The second permitted other forms of worship as long as they were not contrary to morals and good usage or endangered public security. The third principle declared that appointments to positions in the public service as well as the enjoyment of civil and political rights should not depend upon the religious affiliation of the persons concerned.¹⁷

These principles were not in their entirety acceptable to all the members of the committee that drafted the Constitution. Tomas del Rosario for one was not agreeable to the basic idea contained in those principles. In fact he made it known that he was going to prepare an amendment which he intended to submit in substitution to the provisions agreed upon by a majority of the Committee. The text of his proposed amendment read as follows:

The state recognizes the liberty and equality of all forms of worship,

¹⁷Title 3, Articles 5, 6, 7 of the constitutional project.

as well as the separation of Church and State.

The religious question was taken up for consideration on November 22. Tomas del Rosario and Arcadio del Rosario took turns in pleading for religious freedom and for the principle of the separation of Church and State. They stressed the point that the interests and welfare of the country demanded that there be complete separation of Church and State. True religious freedom, they explained, implied that the Government should not favor any form of religion and that the Church should not depend for support upon the State.

Speakers for the original proposition were Manuel Gomez and Felipe Calderon. Gomez spoke on the importance of religion in the life of a nation and advised that the Philippines should adopt the Catholic religion as its official religion, that being the religion in which many Filipinos were born.

Calderon, in his remarks, argued that to establish the principle of separation of Church and State was, in the critical stage through which the Filipinos were passing, undesirable and prejudicial to the interests and welfare of the country. For one thing, he explained, it was offensive to the religious sensibilities of the great portion of the Filipino people. The great need of the time he went on to say, was national unity, but the proposed amendment would create divisions among the people. They would alienate the goodwill of the native priesthood which was an influential element in the Nation.

In the session of November 29, Congress voted on the question. The result was a tie, 25 members voting for the original proposal, and 25 for the amendment submitted by del Rosario. Pedro A. Paterno as Chairman of Congress had the rare privilege and opportunity to decide by his vote the great issue. But he chose to remain neutral. He refrained from casting the vote that would have broken the deadlock. Another voting, therefore, had to be taken. This time Pablo Tecson, who had refrained from voting in the first balloting, voted in favor of the amendment. By a vote of 26 against 25, therefore, Congress approved the

constitutional principle recognizing religious freedom and the separation of Church and State.¹⁸ That principle was incorporated in Article V, Title 3 of the Constitution, the text of which read as follows:

The State recognizes the freedom and equality of all cults, as well as the separation of the Church and the State.

With the solution of the religious question, the main task of Congress was brought to a close. Congress then transmitted the Constitution to Aguinaldo with the recommendation that it be officially promulgated.

Mabini, who from the beginning was opposed to the adoption of a constitution pending the recognition of Philippine independence, advised Aguinaldo to withhold the official promulgation of the Constitution. He advanced two reasons for his action. In the first place, the constitutional guarantees of individual freedom could not be maintained since the urgent need of the times was precisely the predominance of the armed forces of the country. Secondly, it was not advisable to establish completely the principle of separation of Church and State as such a move would alienate the Catholic elements of the nation. Furthermore, Mabini explained, the interests of the nation required that the hand of the Executive be strengthened. The country was faced with grave perils. It was important that the Executive be clothed with the powers needed to give him the strength and the energy to meet contingencies and unforeseen developments.

Following the advice of Mabini, Aguinaldo on January 1, 1899, sent a message drafted by Mabini to Congress recommending the adoption of certain changes or amendments to the Constitution. One proposal would give the President a certain measure of legislative power by authorizing him to promulgate decrees while Congress was not in session. Another sought to emasculate the Permanent Commission by taking away from it important powers

¹⁸Calderon, op. cit.

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and prerogatives. A third proposal authorized the arrest of members of Congress who were caught *in fraganti* committing acts against the security of the State, without previous authorization of Congress. Another sought to strengthen the President's control over legislation by expanding his veto power. Still another would empower the President to dissolve the Congress without the formality of the latter's consent.

Congress was not disposed to accept the proposed changes in so far as the National Assembly's powers and prerogatives were concerned. Calderon and his colleagues were firm in their opposition to Mabini's attempts to strengthen the arm of the Executive at the expense of the powers and prerogatives of Congress. They took their stand on the proposition that Congress, not the Executive, was the true representative of the people.

Interestingly enough, the only proposal which received ready acceptance and approval on the part of Congress was that relating to the religious issue, more specifically the establishment of the principle of religious freedom and the separation of Church and State.

The proposed change was incorporated as article 100 of the Constitution. The text of the article read as follows:

The execution of Article 5, Title 3, is hereby suspended until the meeting of the Constituent Assembly. In the meantime, the municipalities or places which may require the spiritual offices of a Filipino priest shall provide for his maintenance.

The new provision represented a happy compromise between the two rival ideologies that clashed in Congress in the course of the debates over the religious issue. The first of these was embodied in the proposed amendment by substitution which del Rosario submitted to congress and which the latter approved on November 29.

The other was that championed by Felipe G. Calderon. It was an expression of the

sentiments of the Catholic elements of the Nation. Their representatives in the Malolos Congress, and they constituted a major group, according to Calderon, wanted to preserve the status of the Catholic religion in the belief that Catholicism was of vital importance in the social, cultural and spiritual life of the Filipino people.

As embodied in Article 100 of the Constitution, the compromise formula represented a statesmanlike settlement of the religious issue. It impliedly established as a fundamental doctrine of the Constitution the principle of freedom of worship. This principle reflected the liberal spirit and tendencies of the Filipino reform movement. Its implantation in the Philippines was a major goal and aspiration of the leaders of the nationalistic campaign and of the Revolution. At the same time the new provision recognized the justice of the contention of Calderon and many other members of the Malolos Congress that the State should, in the Nation's interest, give financial aid to Filipino priests who were called upon to attend to the religious and spiritual needs of the people.

The settlement of the religious issue in the manner above described speaks well of the good sense and statesmanship of the members of the Malolos Congress. Well could Jose Lopez del Castillo say that the members of the Malolos Congress were men of "political maturity" endowed with a strong sense of responsibility.¹⁹

On January 20, 1899, the Constitution was definitely adopted. The Executive and the Congress on that day reached a satisfactory agreement on all pending issues. The way was thus cleared for the official proclamation of the Constitution. On January 21, 1899, Aguinaldo issued a decree promulgating the newly approved document. He called upon his countrymen to safeguard and obey the Constitution as the fundamental law of the land, the expression of "the sovereign will of the Filipino People." Two days later, January 23, 1899, the Philippine Republic with Aguinaldo as President, was inaugurated at Malolos. The Malolos Congress thenceforth came to be known as "National Assembly", the title assigned to it by the Constitution.

¹⁹Malolos Y Sus Prohombres.

The Philippine Republic did not live long. Within a few days after its inauguration, it had to deal with the problem of survival, being faced by the grim reality of war. On February 5, hostilities broke out between Filipino and American troops around Manila. Hard pressed by superior forces, the government evacuated Malolos and began its odyssey, moving northward from one capital to another, finally going into hiding in the mountain fastnesses of Northern Luzon.

The Malolos Constitution was not vouchsafed the time or the opportunity to show its real worth. Undoubtedly, it had its deficiencies and imperfections. Whatever its defects, however, it had one thing for which its framers could well be proud, namely its democratic spirit and ideal. It proclaimed as a basic principle of government the doctrine that sovereignty resides exclusively in the people.

That the Malolos Constitution faithfully reflected the ideals and aspirations of the Philippine Revolution is the sober judgement

of posterity. This view is well stated by a distinguished American scholar, the late Dr. Joseph R. Hayden. Commenting on the Malolos Constitution, Dr. Hayden wrote:²⁰

This organic law (the Malolos Constitution) was a free expression of the type of state to which the articulate Filipinos aspired at the end of the Spanish regime. This state was democratic and liberal and was pledged to a careful regard for the protection and development of the masses of its citizens. In these important matters there is a remarkable consistency between the Malolos Constitution and the organic law of the Philippines adopted in Manila thirty-six years later.

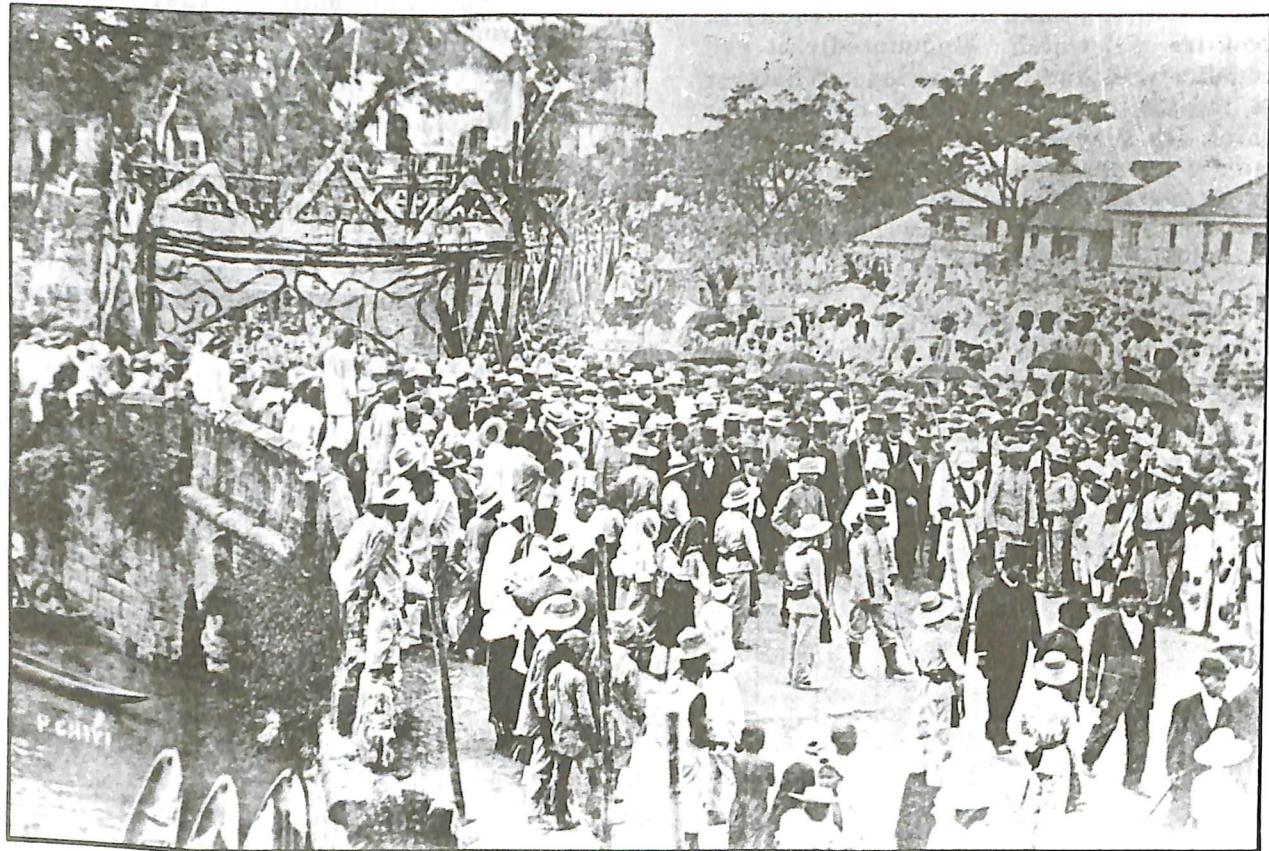
It was with good reason, therefore, that President Aguinaldo could say that the Malolos Constitution was "the most glorious expression of the noble aspirations of the Filipino people, a mirror of their culture and a clear proof before the world of their capacity to govern themselves."²¹

²⁰*The Philippines - A Study in National Development.* N.Y., 1955, p. 32.

²¹"Message to Congress," in Mabini, op. cit.

o la herida que el enemigo nos
dijo que teníamos que sufrir para
que no quedara, más o menos, el ejército.
"Estoy seguro de que nos habrá quedado."

"Así es, señores, y esto es lo que
nos ha llevado a la victoria. Los
que dieron la batalla, a pesar de que
nunca vieron al enemigo, fueron los
que dieron la victoria. Los que
se quedaron en el campo de batalla,
que se quedaron en el campo de batalla,
que se quedaron en el campo de batalla,
que se quedaron en el campo de batalla,



*Arrival of Gen. Emilio Aguinaldo
at Malolos on January 23, 1899.*

**Members
of the
Malolos Congress
of the
First Philippine Republic
and
Framers
of its
Constitution**

(Signers of the Malolos Constitution)





PEDRO A. PATERNO
President of the Malolos Congress

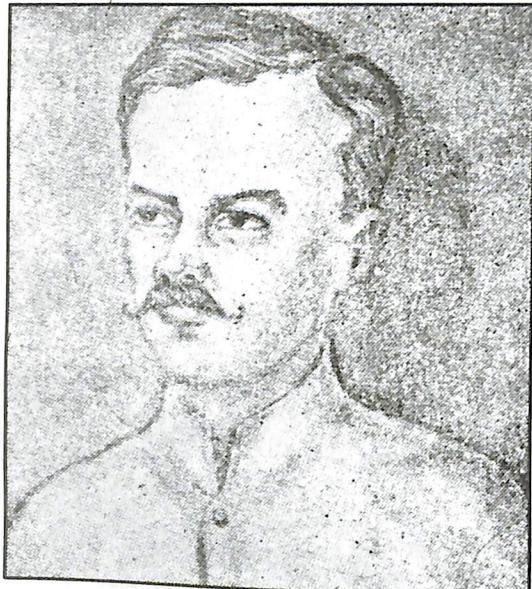


GREGORIO ARANETA
Secretary



PABLO OCAMPO
Secretary

Members with photos



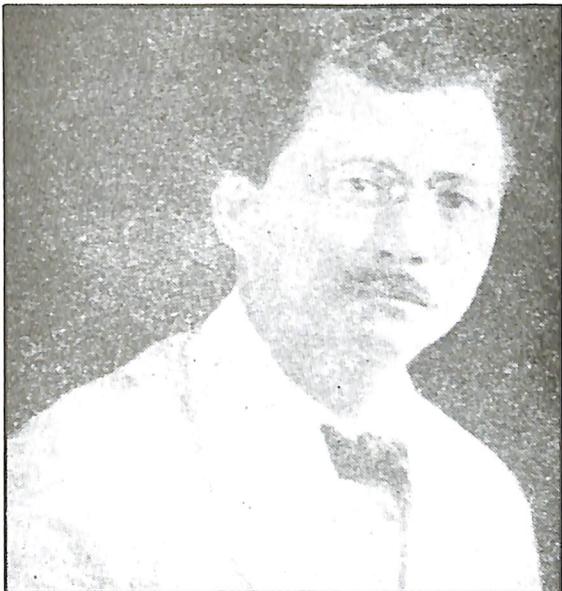
MARIANO ABELLA y ISAAC
Lawyer. Born September 25, 1860 in Nueva Caceres, Ambos Camarines (now part of Camarines Sur). Licentiate in Canon Law, University of Santo Tomas, 1889. Member, Committee on Message; Committee to Draft the Constitution.



GREGORIO AGLIPAY y LABAYAN
Priest. Born on May 5, 1860 in Batac, Ilocos Norte. Obtained Bachiller en Artes, San Juan de Letran. Ordained as Roman Catholic secular priest, December 21, 1889, Manila. Appointed Military Chaplain and Military Vicar General (Vicario General Castrense) by Gen. Emilio Aguinaldo, October 20, 1898. Elected Delegate of Ilocos Norte.



GREGORIO AGUILERA y SOLIS
Propagandist. Born in Lipa, Batangas in 1869. Graduated Bachiller en Artes, Ateneo de Manila, 1889. Edited *Columnas Volantes de la Federacion Malaya* in Lipa, Batangas. Elected delegate of Batangas.



JOSE ALBERT y MAYORALGO

Physician. Born in Binondo, Manila, April 3, 1867. Completed Bachiller en Artes degree, Ateneo de Manila, 1880; Licentiate in Medicine, 1887 and Doctorate in Medicine, 1889 from Universidad Central de Madrid, Spain. Member, Medical Faculty, Universidad Cientifico Literaria de Filipinas. Appointed representative of Dapitan y Lal-lo.



JOSE ALEJANDRINO

Engineer and Chief of Corps of Military Engineers, Philippine Revolutionary Army. Born, Arayat, Pampanga. Graduated with Bachiller en Artes degree from University of Santo Tomas, 1889 and with degree of Chemical Engineer, July 1895, Madrid, Spain and Civil Engineering, University of Ghent, Belgium. Appointed to represent Catanduanes. Member, Budget Committee and Committee to Draft the Constitution.



LEON APACIBLE

Lawyer. Born in Balayan, Batangas, October 25, 1861. Obtained degree of Licenciado en Jurisprudencia from the University of Santo Tomas in 1886. Appointed to represent Lepanto.



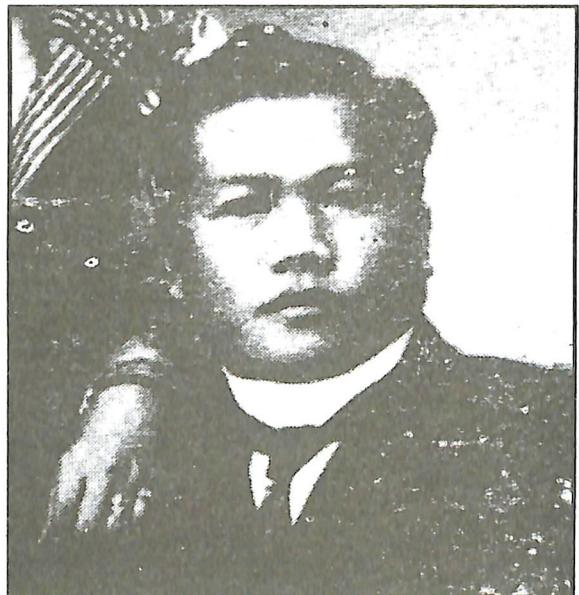
TOMAS AREJOLA

Lawyer. Born in Nueva Caceres (now Naga), Camarines Sur on September 18, 1866. Studied at the Seminario de Nueva Caceres where he obtained his Bachiller en Artes and at the Colegio de San Juan de Letran where he earned the title of Perito Agronomo. Continued study at the University of Santo Tomas where he obtained his Licenciado en Filosofia in 1885. Obtained Law degree from the Universidad Central de Madrid. Elected Delegate of province of Ambos Camarines.



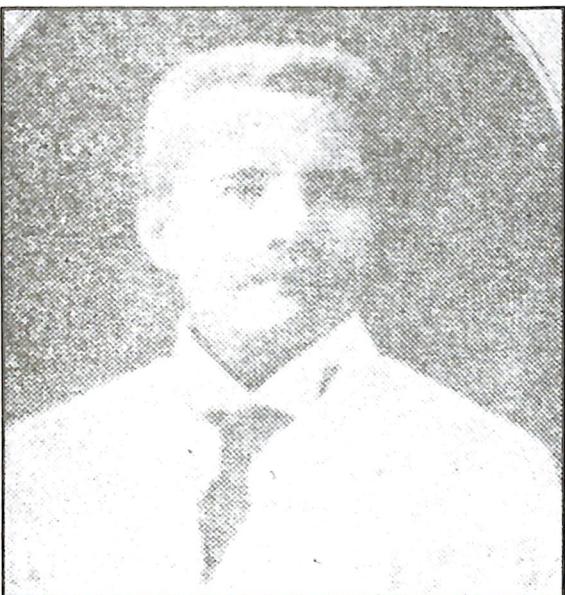
GREGORIO ARANETA

Lawyer. Born in Molo, Iloilo, April 19, 1869. Graduated Bachelor of Arts from Ateneo de Manila, 1884. Obtained Titulo de Agrimensor y Tasador de Tierras in 1886 and degree of Licentiate in Jurisprudence from University of Santo Tomas, 1891. First Secretary of Malolos Congress. Member, Committee to Draft the Constitution.



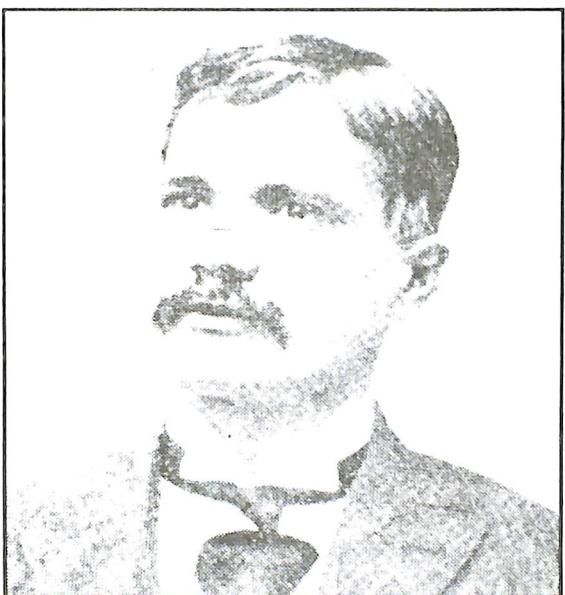
PATRICIO BAILON

Lawyer. Obtained his Titulo de Notario from the University of Santo Tomas in 1889; Licentiate in Canon Law in 1889 and Licentiate in Civil Law in 1890. Appointed delegate of Burias.



SANTIAGO BARCELONA

Physician. Born in Pulilan, Bulacan on May 23, 1863. Studied at the University of Santo Tomas and received the degree of Licentiate in Medicine at the University of Barcelona, Spain in 1891. Appointed Delegate representing Butuan.



ALBERTO BARRETO

Lawyer. Born in Cabangan, Zambales; November 21, 1867. Earned his Bachiller en Artes at the Ateneo Municipal and Licenciado en Jurisprudencia from the University of Santo Tomas in 1893. Member, Law Faculty, Universidad Cientifico-Literaria de Filipinas. Appointed Delegate to represent Masbate and Ticao. Member, Committee on Internal Regulations and Committee to Draft the Constitution.



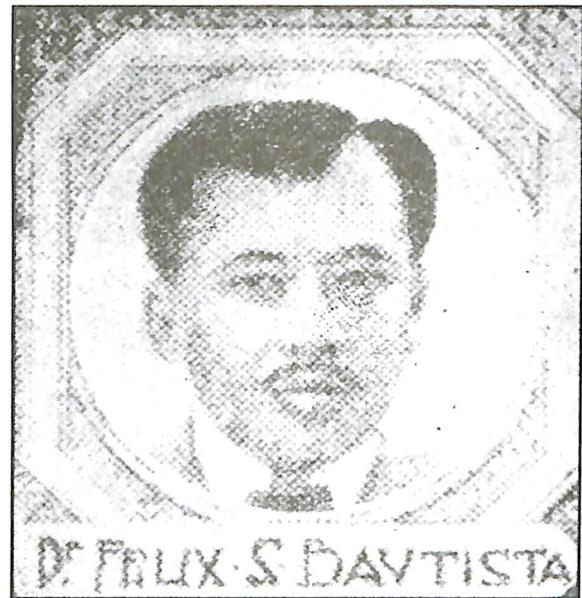
JOSE BASA y ENRIQUEZ

Lawyer. Born in San Roque, Cavite on August 6, 1843. Earned the degree of Bachiller en Filosofia from the University of Santo Tomas in 1866 and Licentiate in Jurisprudence also from the University of Santo Tomas in 1870. Elected Delegate of Cavite. Member, Committee on Message.



ARISTON BAUTISTA LIN

Physician. Born in Santa Cruz, Manila on February 22, 1863. Studied at the University of Santo Tomas where he earned his Licentiate in Medicine in 1885 and completed his medical studies at the Universidad Central de Madrid. Member, Medical Faculty of Universidad Cientifico-Literaria de Filipinas. Appointed Delegate of Cebu. Member, Committee on Internal Regulations.



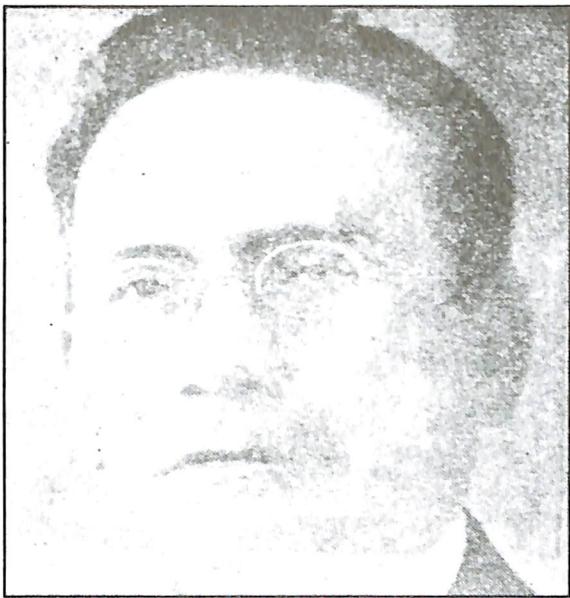
FELIX BAUTISTA

Physician. Born in Malolos Bulacan, May 18, 1863. Obtained Titulo de Agrimensor y Perito Tasador de Tierras in 1885 and Licentiate in Medicine from the University of Santo Tomas, 1888. Appointed Delegate of Zambales. Member, Committee on Felicitation.



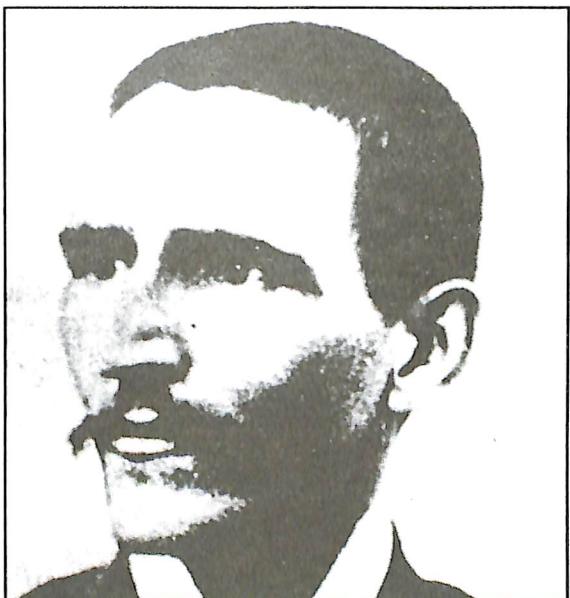
VITO BELARMINO

Military Officer. Born in Silang, Cavite on June 15, 1857. Studied in San Juan de Letran. Appointed Delegate of Batanes.



HIGINIO BENÍTEZ

Lawyer. Born in Manila, on January 11, 1851. Studied Psicología Logica y Filosofía Moral and graduated in 1870 from the University of Santo Tomas. Obtained Licentiate in Jurisprudence from the University of Santo Tomas, 1881. Elected Delegate of Laguna. Member, Committee on Felicitation, Committee on Internal Regulations and Committee to Draft the Constitution.



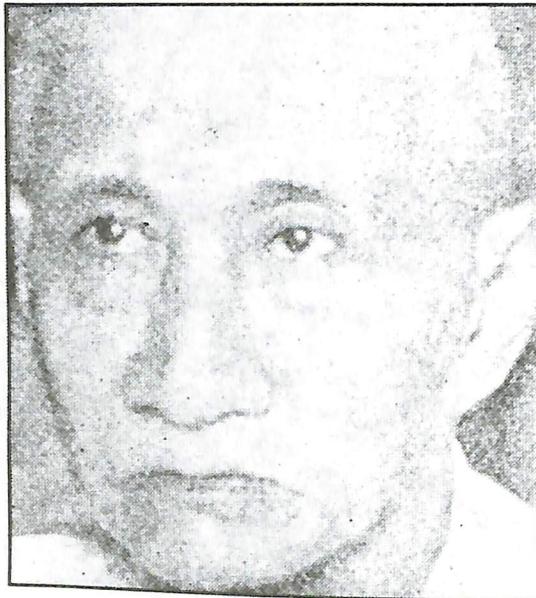
FELIPE CALDERÓN

Lawyer. Born in Santa Cruz de Malabon (now Tanza), Cavite on April 4, 1868. Took his primary course at the Ateneo Municipal de Manila and his Licenciado en Leyes from the University of Santo Tomas, 1894. Member, Law Faculty, Universidad Científico-Literaria de Filipinas. Member, Committee on Internal Regulations, Committee on Style and Committee to Draft the Constitution. Author and Sponsor of the Malolos Constitution. Appointed representative of Paragua.



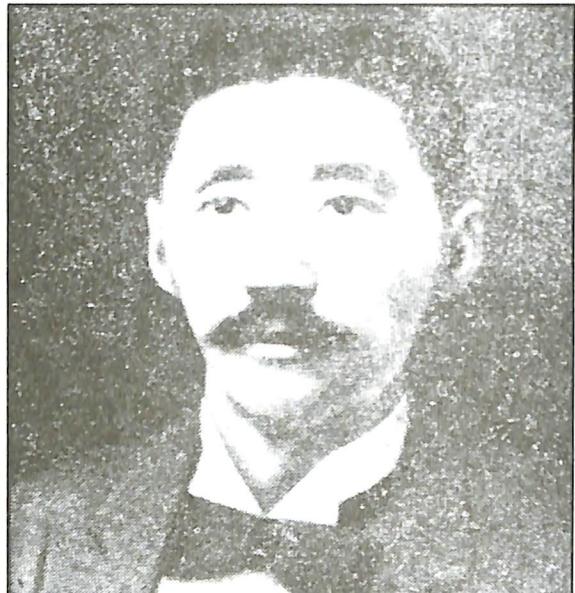
FELIPE BUENCAMINO

Lawyer. Born in San Miguel de Mayumo, Bulacan on August 23, 1848. Took his Bachiller en Artes at the University of Santo Tomas and finished in 1868. Also took Bachiller en Filosofía finished in 1866. Graduated with the degree of Licenciado en Derecho in 1876 and Licenciado en Jurisprudencia in 1884. Obtained law degree from the University of Santo Tomas in 1884. Appointed Secretario de Fomento by Gen. Aguinaldo on September 26, 1898. Became Secretary of Foreign Affairs in the Paterno-Buencamino Cabinet, May 10, 1899. Appointed Delegate of Zamboanga. Member, Committee on Felicitation, Committee to Draft the Constitution and Committee on Internal Regulations.



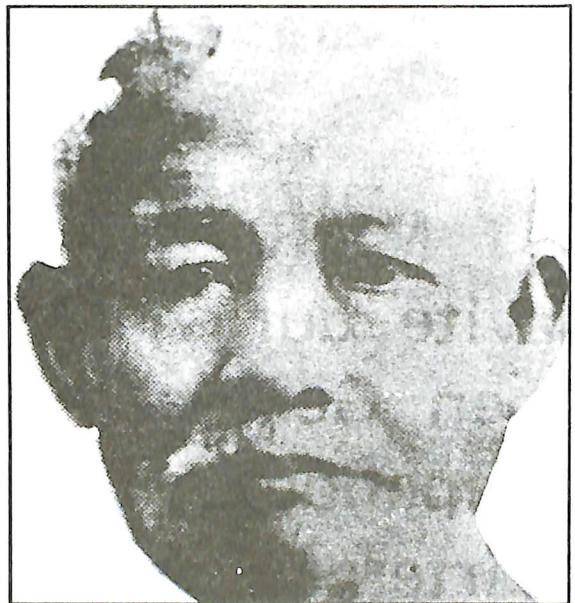
FERNANDO CANON

Engineer. Born in Biñan, Laguna. Graduated Bachelor of Arts, Ateneo de Manila, 1877. Studied Engineering at the Universidad Central de Madrid in Spain. Appointed Delegate of Bontoc. Member, Committee on Style and Committee on Budget.



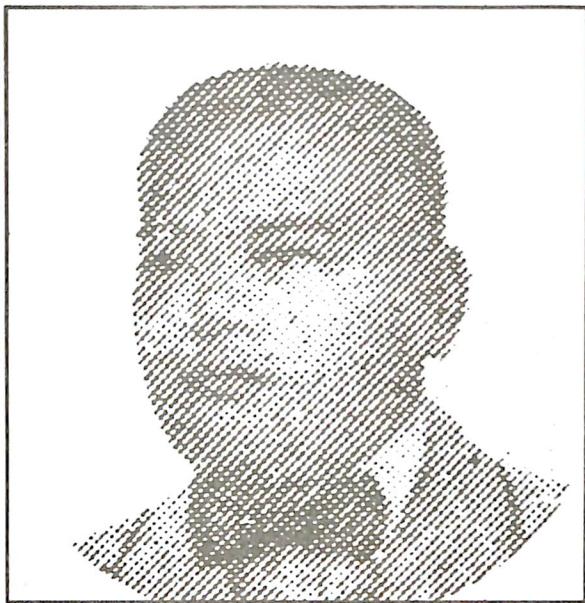
TELESFORO ANTONIO CHUIDIAN

Businessman. Born in Binondo, Manila on January 5, 1855. Studied at Ateneo de Manila for his Bachiller en Artes. Appointed Delegate of Tucuran.



JOSE CORONEL

Farmer, Born in Indang, Cavite. May 7, 1868. Studied at the Colegio de San Juan de Letran and the University of Santo Tomas. Elected delegate of Amburayan.



MARIANO CRISOSTOMO LUGO

Lawyer. Born in Atlag, Malolos, Bulacan. February 3, 1862. Took his secondary education at the Colegio de San Juan de Letran and finished his licenciado en jurisprudencia from the University of Santo Tomas in 1892. Secretary, Universidad Cientifico-Literaria de Filipinas. Elected Delegate of Bulacan.



ARSENIO CRUZ HERRERA

Lawyer. Born in Tondo, Manila December 4, 1863. Obtained his Licentiate in Canon Law from the University of Santo Tomas, 1889; Licentiate in Jurisprudence in 1892. Appointed Director of Education, 1898. Member, Law Faculty, Universidad Cientifico-Literaria de Filipinas. Elected Delegate of Manila. Member, Committee to Draft the Constitution and Committe on Internal Regulations.

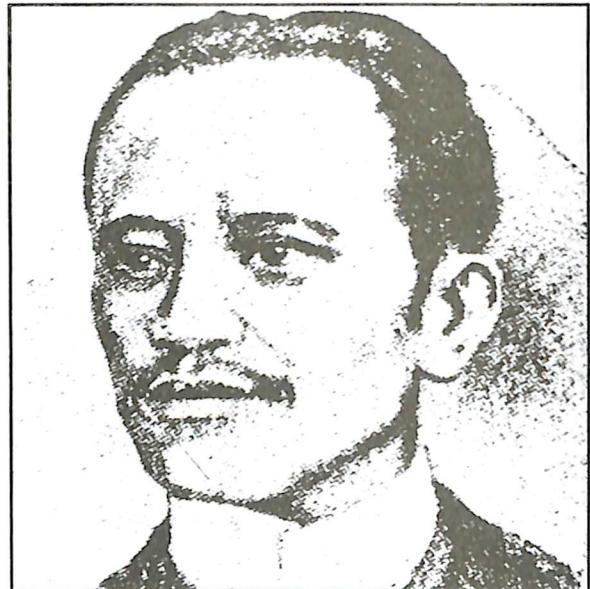


ANTONIO FELICIANO

Physician. Elected delegate of Pangasinan.



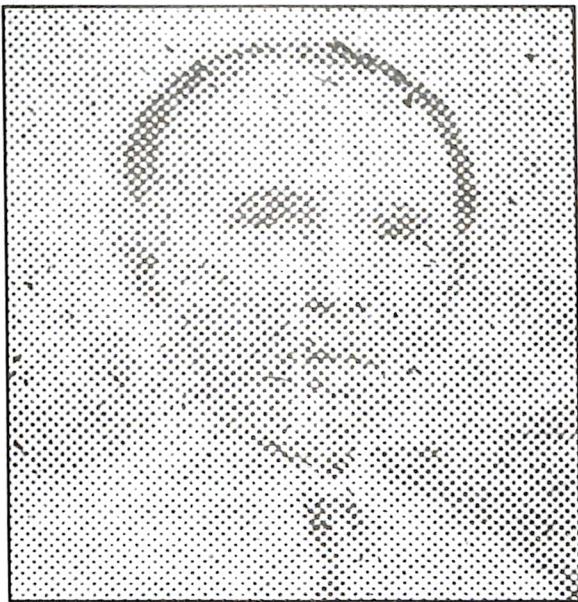
FELIX FERRER PASCUAL
Lawyer. Elected Delegate of Manila. Member,
Committee on Internal Regulations.



MELECIO FIGUEROA
Engraver. Born in Arevalo, Iloilo on May 24,
1842. Studied at the Escuela de Artes y Oficios
and at Academia Superior de Bellas Artes de San
Fernando in Madrid and other art centers in Italy.
Winner of various competitions. Appointed
Delegate of Iloilo.



JOSE FLORENTINO FERNANDEZ
Businessman. Born in San Miguel, Manila on
March 14, 1871. Graduated Perito Mercantil from
Ateneo de Manila in 1887. Appointed Delegate of
Siasi.



ARISTON GELLA

Pharmacist. Born in Pandan, Antique on February 22, 1869. Studied at the Colegio de San Juan de Letran; earned the title of Professor in 1886 and graduated in 1895 with the degree of Licentiate in Pharmacy in 1895. Elected representative of Antique.



TEODORO GONZALES LEOÑO

Lawyer. Born in Navotas, Morong (Rizal Province), September 11, 1865. Elected Delegate of Manila. Member, Committee on Internal Regulations.



JOAQUIN GONZALES

Physician. Born in Baliwag, Bulacan, July 22, 1853. Obtained his Bachiller en Artes from the Colegio de San Juan de Letran in 1872 and studied Medicine at the Universidad de Valladolid and the Universidad Central de Madrid where he obtained the degree of Doctor of Medicine. First President of the Universidad Literaria-Científico de Filipinas. Elected Delegate of Pampanga; Member, Committee to Draft the Constitution; Committee on Style; Reception Committee and Committee on Internal Regulations.



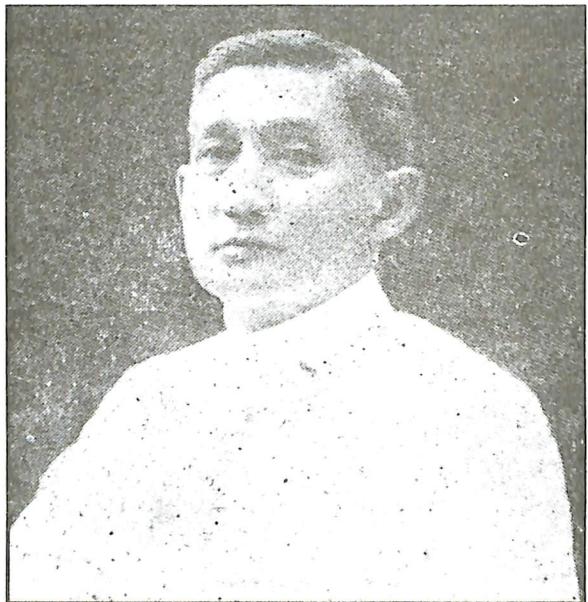
LEON MA. GUERRERO

Pharmacist. Born in Ermita, Manila on January 21, 1853. Finished the degree of Bachelor of Arts at the Ateneo de Manila in 1870 and graduated with a degree of Bachelor of Pharmacy in 1875 and the degree of Licentiate in Pharmacy in 1876. Became second President of the Universidad Cientifico-Literaria de Filipinas. Appointed Secretary of Public Works in Communication in the Paterno-Buencamino Cabinet on May 10, 1899. Appointed to represent Davao.



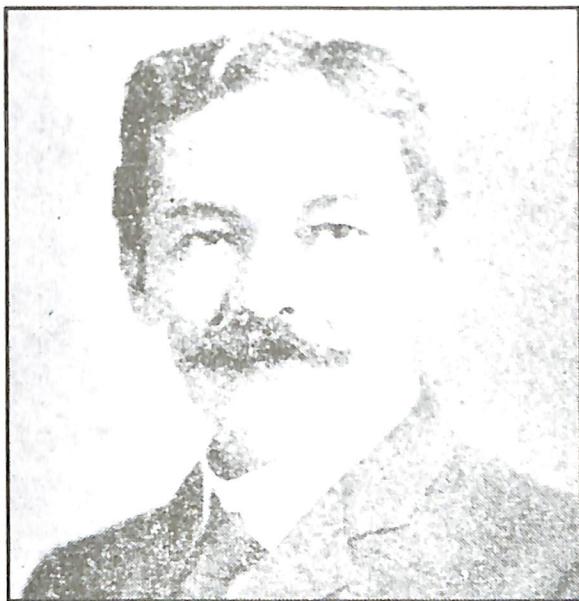
HUGO ILAGAN

Lawyer. Born in Indang, Cavite on April 8, 1844. Obtained his Bachiller en Leyes from the University of Santo Tomas in 1870 and a Licenciado en Derecho Civil in 1874. Appointed Secretary of the Treasury in the Paterno-Buencamino Cabinet on May 10, 1899. Elected delegate of Cavite.



JOSE R. INFANTE

Lawyer. Born in Guagua, Pampanga on November 29, 1864. Completed Bachelor of Arts degree at the Ateneo de Manila in 1880. Member, Committee on Message and Budget Committee. Elected delegate of Pampanga.



BENITO LEGARDA

Lawyer-Businessman. Born on September 27, 1853. Graduated with Bachelor of Arts degree from the University of Santo Tomas in 1870; earned the degree of Bachiller en Derecho Civil in 1875 and the degree of Licenciado en Jurisprudencia in 1879. Appointed delegate representing Jolo.



CEFERINO DE LEON

Lawyer. Born in San Miguel de Mayumo, 1859. Appointed Delegate representing Padre Burgos.



JOSE M. LERMA

Farmer-Businessman. Born in Quiapo, Manila, April 3, 1858. Appointed Delegate representing Cotabato. Member, Committee on Message and Committee on Internal Regulations.



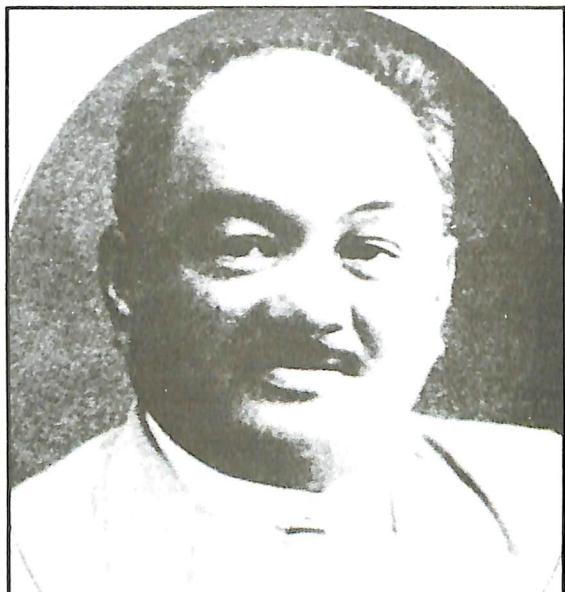
ANTONIO LUNA

Pharmacist and Military Officer. Born in Urbiztondo, Manila, October 29, 1868. Graduated with degree of Bachelor of Arts from Ateneo de Manila, 1881. Studied Pharmacy at the University of Santo Tomas and at the University of Barcelona and the Universidad Central de Madrid, earning the degree of Doctor of Pharmacy. Appointed Brigadier General of the Philippine Army and Director of War in September 1898 by Gen. Emilio Aguinaldo. Member, Faculty of Pharmacy, Universidad Cientifico-Literaria de Filipinas. Member, Committee on Message, Committee on Internal Regulations, Committee on Style and Committee to Draft the Constitution.



JUSTO LUKBAN

Physician. Brother of Gen. Vicente Lukban. Born in Labo, Ambos Camarines (now part of Camarines Norte), May 28, 1863. Earned his Bachiller en Artes from the Colegio de San Juan de Letran in 1889; graduated with degree of Licentiate of Medicine from the University of Santo Tomas, 1888. Member, Medical Faculty, Universidad Cientifico-Literaria de Filipinas. Elected Delegate representing Ambos Camarines.



JOAQUIN LUNA

Businessman. Elder brother of Gen. Antonio Luna. Born in Manila on December 11, 1864. Graduated with degree of Bachelor of Arts from the Ateneo de Manila in 1880. Elected Delegate of La Union.



JOSE LUNA

Physician. Elder brother of Gen. Antonio Luna. Born in Trozo, Manila, June 28, 1861. Graduated with degree of Bachelor of Arts from Ateneo de Manila in 1877 and Licentiate in Medicine from the University of Santo Tomas, 1884. Member, Medical Faculty, Universidad Cientifico-Literaria de Filipinas. Appointed Delegate representing Ilocos Norte. Member, Committee to Draft the Constitution.



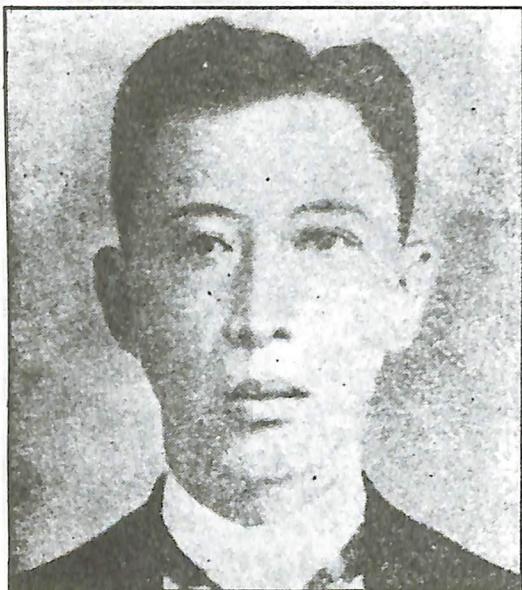
PABLO OCAMPO

Lawyer. Born in Quiapo, Manila, January 25, 1853. Took his secondary schooling at the Colegio de San Juan de Letran and graduated with Licentiate in Jurisprudence from the University of Santo Tomas in 1882. Member, Law Faculty, Universidad Cientifico-Literaria de Filipinas. Appointed to represent Principe and Infanta. Member, Committee to Draft the Constitution.



JOSE F. OLIVEROS

Lawyer. Born in Antipolo, Morong (Rizal) on March 19, 1872. Graduated Bachelor of Arts, Colegio de San Juan de Letran, 1894 and Licentiate in Law from the University of Santo Tomas. Elected Delegate of Morong.



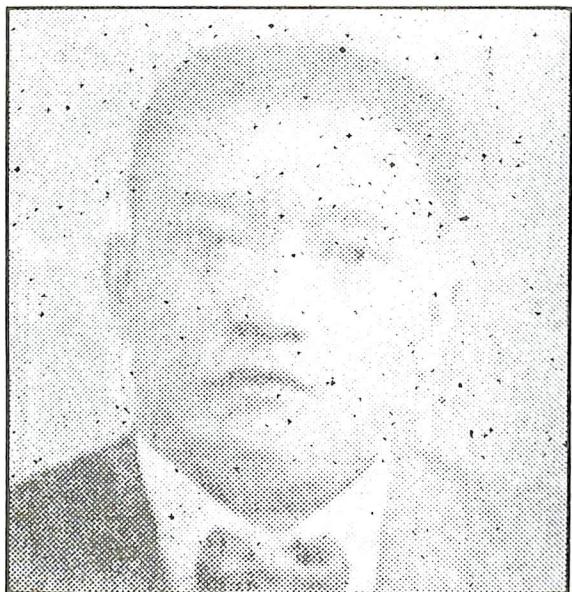
RICARDO PARAS, Sr.

Educator. Born in Calapan, Mindoro on August 12, 1861. Studied in Ateneo de Manila. Elected Delegate of Marinduque.



TRINIDAD H. PARDO DE TAVERA

Physician-Scholar. Born in Manila on April 13, 1857. Studied at the Ateneo de Manila, the University of Santo Tomas and the Sorbonne University where he received the degree of Doctor of Medicine. Member, Medical Faculty, Universidad Científico-Literaria de Filipinas. Appointed Delegate representing Cebú. Member, Committee on Felicitation, Committee on Internal Regulations, Reception Committee and Committee on Style.



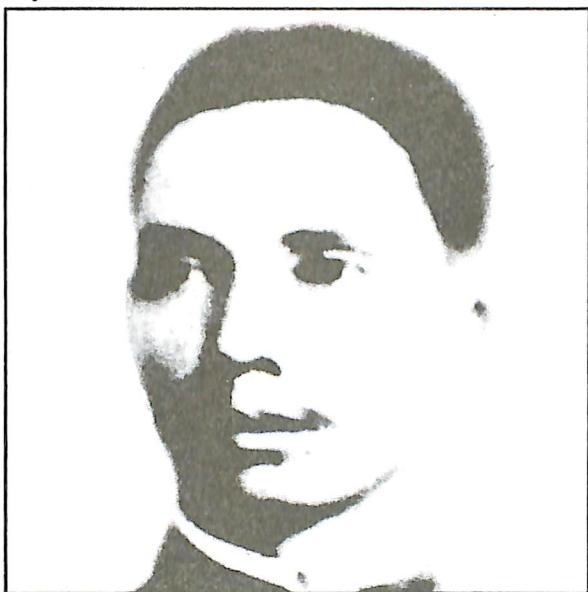
ISIDRO PAREDES

Lawyer. Obtained Law degree at the University of Santo Tomas. Elected Delegate of Abra. Member, Committee on Internal Regulations and Budget Committee.



PEDRO A. PATERNO

Lawyer-writer. Born in Santa Cruz, Manila on February 27, 1857. Obtained Bachelor of Arts degree at the Ateneo de Manila in 1871. Studied Philosophy, Theology and Law at the University of Salamanca, Spain and obtained the degree of Doctor of Laws at the Universidad Central de Madrid in 1880. Negotiator of the Pact of Biak-na-Bato. Elected Permanent Chairman of the Malolos Congress. Appointed Delegate representing Ilocos Norte. Appointed by President Emilio Aguinaldo as President of the Council of Ministers on May 9, 1898.



PIO DEL PILAR CASTAÑEDA

Military Officer. Born in Culi-Culi, Makati on July 11, 1860. Appointed Delegate representing Negros Oriental.



VICENTE DEL PRADO

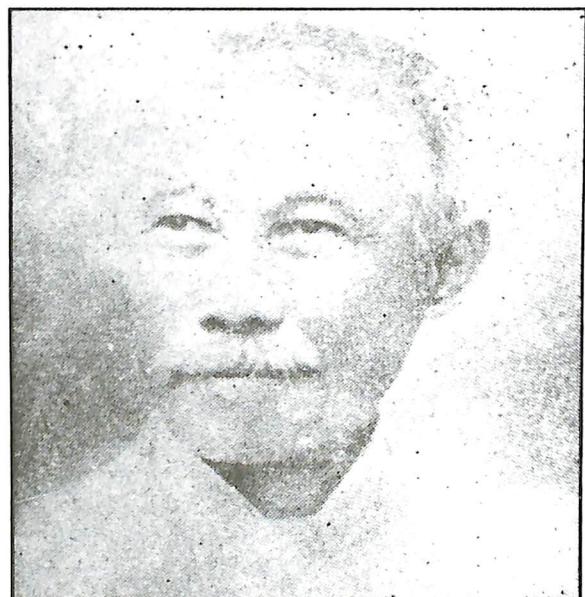
Farmer. Born in San Jacinto, Pangasinan. Obtained Bachelor of Arts degree at the Ateneo de Manila. Elected Delegate of Pangasinan.



ESTEBAN DE LA RAMA
Businessman. Born in Molo, Iloilo on December 26, 1866. Studied in France. Appointed Delegate of Iloilo.



AMBROSIO RIANZARES BAUTISTA
Lawyer. Born in Biñan, Laguna. Took his Bachiller en Leyes from the University of Santo Tomas in 1865. Political adviser of Gen. Aguinaldo, author and reader of the proclamation of Philippine Independence in Kawit, Cavite on June 12, 1898. Also first to officially display the Philippine flag during the occasion. Elected delegate of Bulacan.



ARCADIO DEL ROSARIO
Lawyer. Born in Pandacan, Manila on November 13, 1846. Studied at the Colegio Real de San Jose; obtained the degrees of Bachiller en Derecho Canonigo, 1871 and Bachiller en Derecho Civil, 1875 from the University of Santo Tomas. Member, Law Faculty, Universidad Cientifico-Literaria de Filipinas. Appointed Delegate representing Baras.



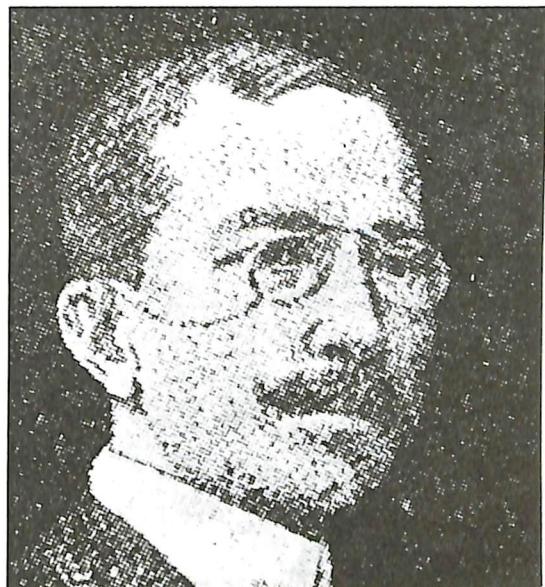
MARIANO V. DEL ROSARIO

Pharmacist-Journalist. Born in Manila in December 1869. Took his Bachelor of Arts from the Colegio de San Juan de Letran and obtained the degrees of Licentiate in Pharmacy in 1890 from the University of Santo Tomas and Doctor of Pharmacy from the Universidad Central de Madrid, Spain in 1893. Member, Faculty of Pharmacy, Universidad Científico-Literaria de Filipinas. Contributor to the newspapers *La República Filipinas* and *La Independencia*. Appointed Delegate representing Concepcion.



MATEO DEL ROSARIO

Born in Tarlac. Appointed delegate representing La Union.



TOMAS G. DEL ROSARIO

Lawyer. Born in Binondo, Manila in 1859. Obtained his Bachiller en Artes from Ateneo Municipal de Manila in 1875 and his Licenciado en Derecho from the University of Santo Tomas in 1886. Appointed Delegate representing Surigao.



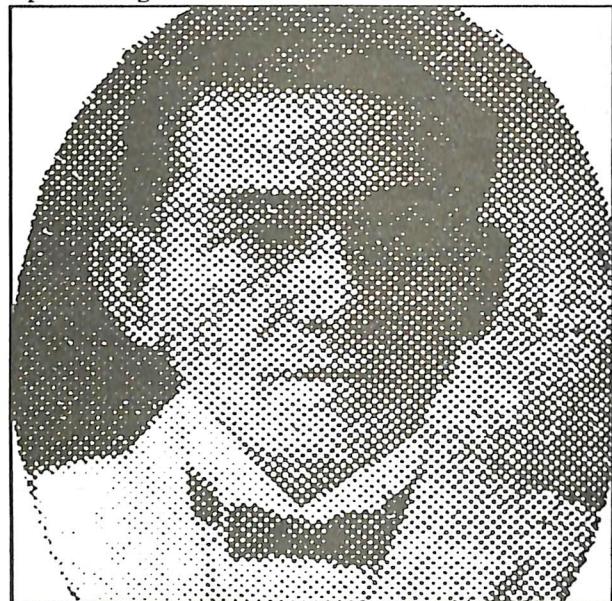
JOSE SALAMANCA

Pharmacist and writer. Born in Cavite, Cavite, on January 21, 1863. Obtained his Licentiate in Pharmacy from the University of Santo Tomas in 1888. Elected Delegate of Tarlac.



TEODORO SANDIKO

Educator and Lawyer. Born in Pandacan, Manila on March 31, 1860. Earned the title of Professor, 1886 and Profesor de Latinidad from the University of Santo Tomas in 1887. Studied law at the University but completed the degree at the Universidad Central de Madrid, Spain. Appointed Secretary of the Interior on January 2, 1899 in the Mabini Cabinet. Appointed Delegate representing Misamis.



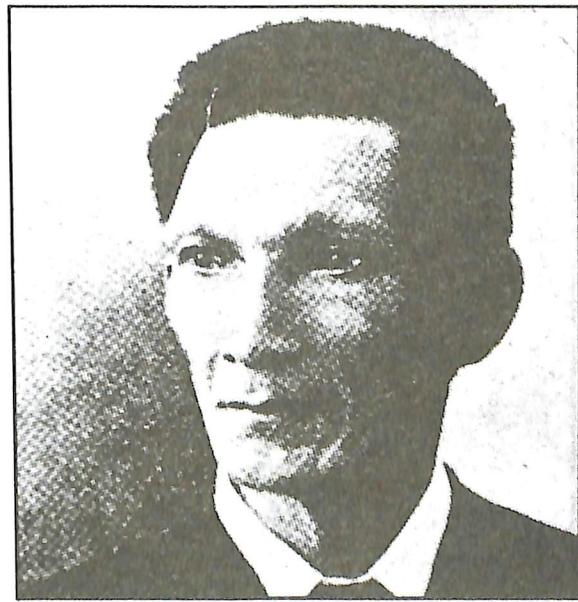
PABLO TECSON ROQUE

Lawyer. Born in San Miguel de Mayumo, Bulacan on July 4, 1859. Appointed Delegate representing Cagayan. Member, Committee on Felicitation. He was one of the Secretaries of the Malolos Congress and it was his vote which broke the deadlock on the issue of the separation of Church and State.



ISIDORO TORRES

Military Officer. Born in Malolos, Bulacan on April 1, 1866. Studied at the Colegio de San Juan de Letran and at the University of Santo Tomas where he graduated with the degree of Bachelor of Arts. Appointed Delegate representing Palaos Islands (Palau).



AGUEDO VELARDE

Lawyer. Born in Sta. Cruz, Manila on February 5, 1857. Obtained Licentiates in Law and Jurisprudence from the University of Santo Tomas in 1855. Member, Law Faculty, Universidad Científico-Literaria de Filipinas. Appointed Delegate representing Albay. Member, Committee on Felicitation.



IGNACIO VILLAMOR

Lawyer. Born in Bangued, Abra on February 1, 1860. Obtained Law degree from the University of Santo Tomas in 1893. Elected Delegate of Ilocos Sur. Member, Committee on Internal Regulations.



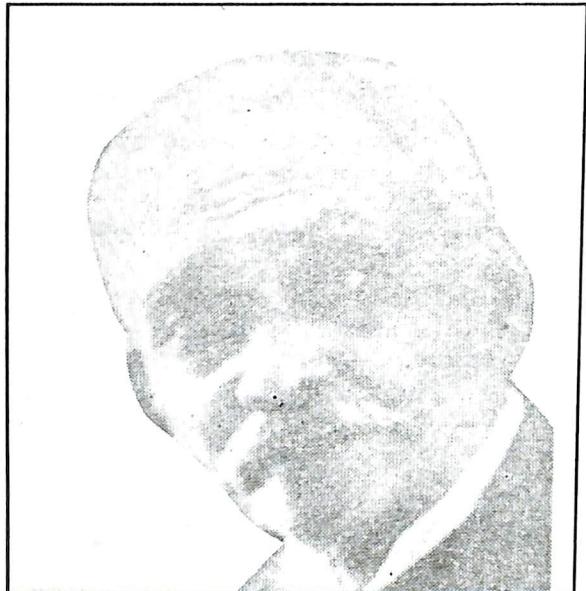
JOSE M. DE LA VIÑA

Physician. Born in Binondo, Manila on March 23, 1856. Studied at the Ateneo Municipal de Manila and obtained Licentiate in Medicine from the University of Santo Tomas on February 25, 1878. Appointed Delegate representing Negros Occidental. Member, Committee on Style and Committee to Draft the Constitution.



MANUEL XEREX BURGOS

Physician. Nephew of Fr. Jose Burgos. Obtained Bachelor of Arts degree from the Ateneo de Manila in 1872 and Licentiate in Medicine from the University of Santo Tomas.



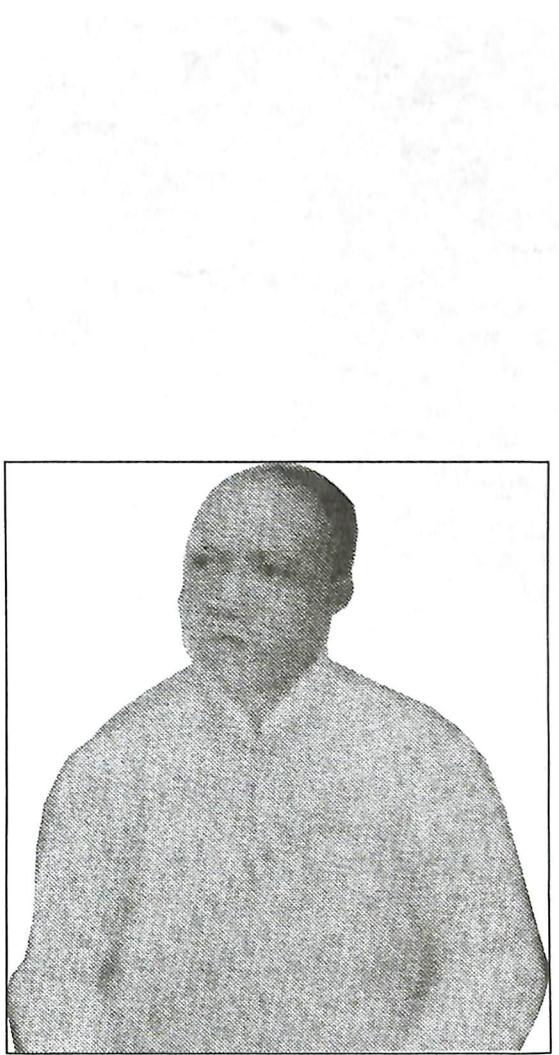
MIGUEL ZARAGOSA

Artist-Art Critic. Born in 1849. Studied art at the Escuela de Dibujo y Pintura and later at the Academia de San Fernando in Madrid. Appointed Delegate representing Capiz. Member, Committee on Style.



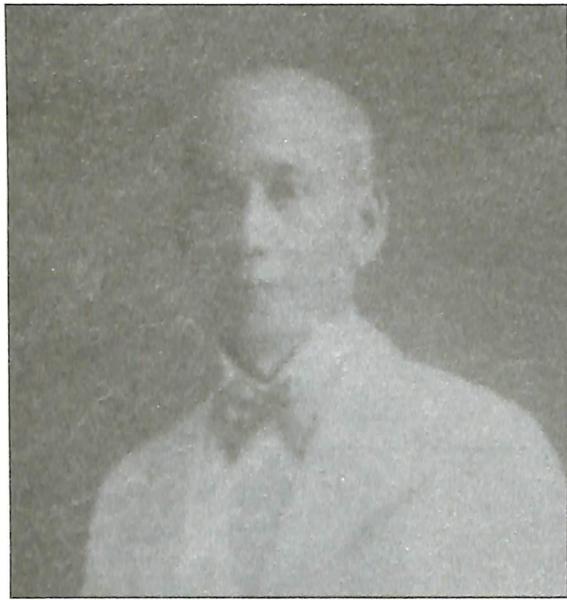
MENA CRISOLOGO

Poet and writer. Born in Vigan, Ilocos Sur on November 11, 1844. Graduated with the degree of Bachiller en Leyes in 1869. Appointed delegate of Ilocos Sur.



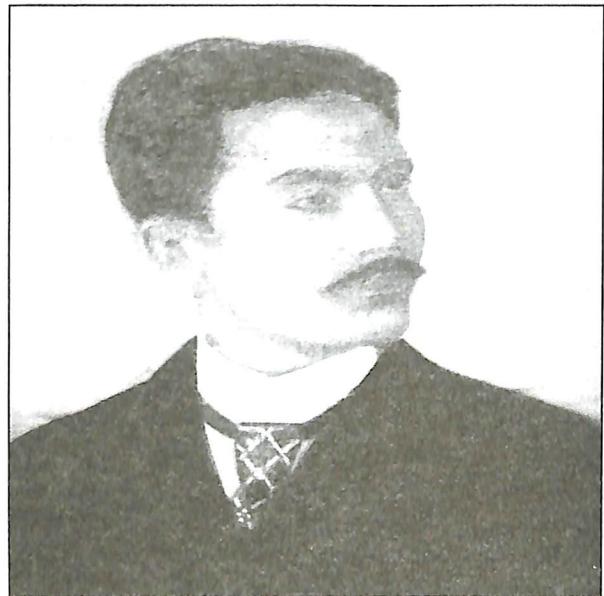
DON MATEO GUTIERREZ UBALDO

Farmer. Elected Delegate of Amburayan



SEBASTIAN DE CASTRO

Physician. Appointed Delegate of Pangasinan.



SANTIAGO ICASIANO

Physician. Appointed Delegate representing
Balabac.

Members (signers) without photos

1. SOFIO ALANDI

(Alandy in E. Arnesio Manuel, Dictionary of Philippine Biography, Vol. 4, p. 35)
Lawyer. Born in Tayabas, Tayabas (now Quezon Province). Obtained Titulo de Agrimensor y Perito Tasador de Tierras from University of Santo Tomas, 1884; Bachiller en Artes, Colegio de San Juan de Letran, 1887 and Licentiate in Jurisprudence from the University of Santo Tomas, 1891. Elected delegate of Tayabas. Member, Committee on Message.

2. RAYMUNDO ALINDADA

Lawyer. Born in Bagabag, Nueva Viscaya. Studied in the Colegio de San Juan de Letran and at the University of Santo Tomas where he obtained the title of Perito Mecanico and Perito Agrimensor in 1888. Also graduated with title of Professor and the degree of Licentiate of Jurisprudence. Appointed to represent Isabel de Luzon (Isabela Province).

3. MARCIAL CALLEJA

Lawyer. Born in Malinao, Albay, on August 22, 1863. Took his Segunda Enseñanza at the Seminario de Nueva Caceres; obtained the title of Perito Agrimensor from the University of Santo Tomas in 1885; completed his Licentiate in Jurisprudence in 1894 and Licentiate in Law in 1895 from the University of Santo Tomas. Elected Delegate of Albay.

4. SEBASTIAN DE CASTRO

Physician. Appointed Delegate of Pangasinan.

5. GRACIANO CORDERO

Educator. Born in Pagsanjan, Laguna. Took and graduated from the course Historia Grat y Particular de Apuna in 1870 and the course, Analim y Traduccion Latina. Studied medicine at the University of Santo Tomas. Elected Delegate of Laguna.

6. VICENTE FOZ

Lawyer. Born in Vigan, Ilocos Sur on September 20, 1834. Took his Bachiller en Artes from the Colegio de San Juan de Letran and Licentiate in Jurisprudence from the University of Santo Tomas in 1896. Member, Law Faculty, Universidad Cientifico-Literaria de Filipinas. Assistant to Alberto Barretto in the course on Roman Law. Appointed Delegate of Mindoro.

7. MARTIN GARCIA

Elected Representative of Ilocos Norte.

8. MANUEL GOMEZ MARTINEZ

Physician. Born in Santa Cruz, Manila on June 27, 1859. Graduated Bachelor of Arts from Ateneo de Manila in 1875 and finished his medical course at the University of Santo Tomas in 1881. Professor of Medicine, Universidad Cientifico-Literaria de Filipinas. Appointed Delegate of Bataan, Member, Committee on Style.

9. LUCAS GONZALES MANINANG

Lawyer. Appointed to represent Romblon.

10. JAVIER GONZALES SALVADOR

Physician. Appointed Delegate representing Samar.

11. VICENTE GUZMAN PAGULAYAN

Lawyer. Obtained the degree of Bachiller en Leyes from the University of Santo Tomas in 1865. Elected Delegate of Cagayan.

12. NARCISO HIDALGO RESURRECCION

Lawyer. Completed elementary and secondary education at the Ateneo de Manila. Obtained law degree in Madrid, Spain. Appointed Delegate representing Calamianes.

13. SOTERO LAUREL

Lawyer. Born in Tanauan, Batangas on April 22, 1849. Obtained Licentiate in Jurisprudence from the University of Santo Tomas. Appointed Delegate representing Bongao.

14. MARIANO LOPEZ

Lawyer. Born in Balayan, Batangas. Brother of Sixto Lopez, Filipino Diplomat and Propagandist and friend of Rizal. Elected Delegate representing Batangas.

15. HIPOLITO B. MAGSALIN

Lawyer. Born in Tondo, Manila. August 13, 1850. Earned from the University of Santo Tomas the following titles and degrees: Titulo de Profesor de Latinidad in 1863; Bachiller en Teologia, 1865; Bachiller en Derecho Canonigo, 1868; Bachiller en Derecho 1871 and Licenciado en Derecho, 1872. Member, Law Faculty, Universidad Cientifico-Literaria de Filipinas. Appointed delegate representing Nueva Vizcaya.

16. JUAN MANDAY GABRIEL

Lawyer. Born in Iba, Zambales. Obtained from the University of Santo Tomas the following degrees: Bachiller en Filosofia, 1868; Derecho Canonigo, 1871; Bachiller en Derecho Civil, 1872 and Licenciado en Jurisprudencia in 1882. Elected representative of Zambales in the Malolos Congress. Member, Law Faculty, Universidad Cientifico- Literaria de Filipinas. Member, Committee to Draft the Constitution.

17. JUAN NEPOMUCENO

Physician. Graduated Bachiller en Leyes in 1868 and Doctor of Medicine from University of Santo Tomas, September 29, 1899. Elected Delegate of Tarlac.

18 . LORENZO DEL ROSARIO

Businessman. Appointed Delegate representing Malabang.

19. SALVADOR V. DEL ROSARIO

Physician. Born in 1864. Graduated Licenciado en Medicina from the University of Santo Tomas in 1886. Elected representative of Albay.

20. SIMPLICIO DEL ROSARIO

Lawyer. Obtained from the University of Santo Tomas the title of Titulo de Agrimensor y Tasador de Tierras, 1885 and Licenciado en Jurisprudencia in 1891. Appointed Delegate representing Leyte.

21. DOMINGO SAMSON

Lawyer. Appointed Delegate representing Paragua.

22. JOSE SANTIAGO

Businessman. Appointed Delegate representing Nueva Ecija.

23. VICENTE SOMOZA

Businessman. Born in Maragondon, Cavite. Appointed Delegate representing Mati. Member, Committee on Felicitation.

24. BASILIO TEODORO

Businessman. Publisher of *Diariong Tagalog*. Appointed Delegate Representing Tayabas. Member Committee to Draft the Constitution.

25. JOSE TUAZON

Lawyer-Writer. Elected Delegate of Bataan.

26. JUAN TUAZON

Businessman and art patron. Appointed Delegate representing Basilan. Member, Committee on Felicitation.

LA CONSTITUCION DE MALOLOS

(Official Text)

Nosotros los Representantes del Pueblo Filipino, convocados legitimamente para establecer la justicia, proveer a la defensa comun, promover el bien general y asegurar los beneficios de la libertad, implorando el auxilio del Soberano Legislador del Universo para alcanzar estos fines, hemos votado, decretado y sancionado la siguiente:

CONSTITUCION POLITICA

Titulo I. — De la Republica

Articulo 1

La asociacion politica de todos los filipinos constituye una Nacion, cuyo Estado se denomina Republica Filipina.

Articulo 2

La Republica Filipina es libre e independiente.

Articulo 3

La soberania reside exclusivamente en el pueblo.

Titulo II. — Del Gobierno

Articulo 4

El Gobierno de la Republica es popular, representativo, alternativo y responsable, y lo ejercen tres poderes distintos, que se denominan legislativo, ejecutivo y judicial.

Nunca podran reunirse dos o mas de estos poderes en una persona o corporacion, ni depositarse el legislativo en un solo individuo.

Titulo III. — De la Religion

Articulo 5

El Estado reconoce la libertad e igualdad de todos los cultos, asi como la separacion de la Iglesia y del Estado.

Titulo IV. — De Los Filipinos y sus Derechos Nacionales e Individuales

Articulo 6

Son Filipinos:

1. Todas las personas nacidas en territorio filipino. Una embarcacion con pabellon filipino es considerada, para este efecto como parte del territorio filipino.

2. Los hijos de padre o madre filipinos, aunque hayan nacido fuera de Filipinas.

3. Los extranjeros que hayan obtenido carta de naturaleza.

4. Los que, sin ella, hayan ganado vecindad en cualquier pueblo del territorio filipino.

Se entiende ganada la vecindad con la permanencia durante dos anos, sin interrupcion, en una localidad del territorio filipino, teniendo casa abierta y modo de vivir conocido y contribuyendo a todas las cargas de la Nacion.

La calidad de filipino se pierde con arreglo a las leyes.

Articulo 7

Ningun filipino ni extranjero podra ser detenido ni preso, sino por causa de delito y con arreglo a las leyes.

Articulo 8

Todo detenido sera puesto en libertad o entregado a la autoridad judicial dentro de las veinticuatro horas siguientes al acto de la detencion.

Toda detencion se dejara sin efecto o se elevara a prision dentro de las setenta y dos horas de haber sido entregado el detenido al Juez competente.

La providencia que se dictare se notificara al interesado dentro del mismo plazo.

Articulo 9

Ningun filipino podra ser preso sino en virtud de mandamiento de Juez competente.

El auto por el cual se haya dictado el mandamiento se ratificara o repondra, oido el presunto reo, dentro de las setenta y dos horas siguientes al acto de la prision.

LA CONSTITUCION...

Articulo 10

Nadie puede entrar en el domicilio de un filipino o extranjero residente en Filipinas sin su consentimiento, excepto en los casos urgentes de incendio, inundacion, terremoto u otro peligro analogo o de agresion ilegitima precedente de adenedo, o para auxiliar a persona que desde alli pida socorro.

Fuera de estos casos, la entrada en domicilio de un filipino o extranjero residente en Filipinas, y el registro de sus papeles o efectos, solo podran decretarse por Juez competente y ejecutarse de dia.

El registro de papeles y efectos se verificará siempre a presencia del interesado o de un individuo de su familia y, en su defecto, de dos testigos vecinos del mismo pueblo.

Sin embargo, cuando un delincuente hallado *in fraganti* y perseguido por la autoridad con sus agentes se refugiare en su domicilio, podran estos penetrar en el, solo para el acto de la aprehension.

Si se refugiare en domicilio ajeno, precedera requerimiento al dueño de este.

Articulo 11

Ningun filipino podra ser compelido a mudar de domicilio o de residencia, sino en virtud de sentencia ejecutoria.

Articulo 12

En ningun caso podra detenerse ni abrirse por la autoridad gubernativa la correspondencia confiada al correo, ni tampoco detenerse la telegrafica o telefonica.

Pero en virtud de auto de Juez competente, podra detenerse cualquiera correspondencia y tambien abrirse en presencia del procesado la que se dirija por el correo.

Articulo 13

Todo auto de prision, de registro de morada o de detencion de la correspondencia escrita, telegrafica o telefonica, sera motivado.

Cuando el auto carezca de este requisito, o cuando los motivos en que se haya fundado se declaren, en juicio, ilegitimos o notoriamente insuficientes, la persona que hubiere sido presa, o cuya prision no se hubiere ratificado dentro del plazo señalado en el articulo 9, o cuyo domicilio hubiere sido

allanado, o cuya correspondencia hubiere sido detenida, tendra derecho a reclamar las responsabilidades consiguientes.

Articulo 14

Ningun filipino podra ser procesado ni sentenciado, sino por el Juez, o Tribunal a quien, en virtud de leyes anteriores al delito completa su conocimiento y en la forma que estas prescriban.

Articulo 15

Toda persona detenida o presa sin las formalidades legales, fuera de los casos previstos en esta Constitucion, sera puesta en libertad a peticion suya o de cualquier filipino.

Las leyes determinaran la forma de proceder sumariamente en este caso, como las penas personales y pecuniarias en que haya de incurrir el que ordenare, ejecutare o hiciere ejecutar la detencion o prisio ilegal.

Articulo 16

Nadie podra ser privado temporal o perpetuamente de sus bienes y derechos, ni turbado en la posesion de ellos, sino en virtud de sentencia judicial.

Los funcionarios que, bajo cualquier pretexto, infrinjan esta prescripcion, seran personalmente responsables del daño causado.

Articulo 17

Nadie podra ser expropiado de sus bienes, sino por causa de necesidad y utilidad comun, previamente justificadas y declaradas por la autoridad correspondiente, mediante indemnizacion al propietario, con anticipacion a la expropiacion.

Articulo 18

Nadie esta obligado a pagar contribucion que no haya sido votada por la Asamblea o por las Corporaciones populares legalmente autorizadas para imponerla y cuya exaccion no se haga en la forma prescrita por la ley.

Articulo 19

Nig nun filipino que se halle en el pleno goce de sus derechos civiles y politicos, podra ser impedido en el libre ejercicio de los mismos.

Articulo 20

Tamposo podra ser privado ningun

filipino:

1. Del derecho de emitir libremente sus ideas y opiniones ya de palabra, ya por escrito, valiéndose de la imprenta o de otro procedimiento semejante,

2. Del derecho de asociarse para todos los fines de la vida humana que no sean contrarios a la moral publica; y por ultimo;

3. Del derecho de dirigir peticiones, individual o colectivamente, a los poderes publicos y a las autoridades.

El derecho de petición no podrá ejercerse por ninguna clase de fuerza armada.

Articulo 21

El ejercicio de los derechos expresados en el artículo anterior, estará sujeto a las disposiciones generales que los regulen.

Articulo 22

Los delitos que se cometan con ocasión del ejercicio de los derechos consignados en este título, serán penados por los tribunales con arreglo a las leyes comunes.

Articulo 23

Todo filipino podrá fundar y mantener establecimientos de instrucción o de educación, con arreglo a las prescripciones que se establezcan.

La enseñanza popular será obligatoria y gratuita en las Escuelas de la Nación.

Articulo 24

Todo extranjero podrá establecerse libremente en territorio filipino, con sujeción a las disposiciones que regulen la materia; ejercer en el su industria, o dedicarse a cualquiera profesión para cuyo desempeño no exijan las leyes títulos de aptitud expedidos por las autoridades nacionales.

Articulo 25

A ningún filipino que esté en el pleno goce de sus derechos políticos y civiles, podrá impedirse salir libremente del territorio, ni trasladar su residencia y haberes a país extranjero, salvo las obligaciones de contribuir al servicio militar y al mantenimiento de las cargas públicas.

Articulo 26

El extranjero que no estuviere naturalizado, no podrá ejercer en Filipinas cargo alguno que tenga aneja autoridad o jurisdicción.

Articulo 27

Todo filipino está obligado a defender la Patria con las armas, cuando sea llamado por la ley, y a contribuir a los gastos del Estado en proporción a sus haberes.

Articulo 28

La enumeración de los derechos consignados en este título no implica la prohibición de ninguna otra no consagrada expresamente.

Articulo 29

No será necesaria la previa autorización para procesar ante los tribunales ordinarios a los funcionarios públicos, cualquiera que sea el delito que cometieren.

El mandato superior no exime de responsabilidad en los casos de infracción manifiesta, clara y terminante de una prescripción constitucional. En los demás, solo exime a los agentes que no ejerzan autoridad.

Articulo 30

Las garantías consignadas en los artículos 7.o, 8.o 9.o 10 y 11, y párrafos 1.o y 2.o del 20 no podrán suspenderse en toda la República ni en parte de ella, sino temporalmente, y por medio de una ley, cuando lo exija la seguridad del Estado en circunstancias extraordinarias.

Promulgada aquella en el territorio a que se aplicare, regirá durante la suspensión de una ley especial, según las circunstancias lo exijan.

Tanto esta como aquella serán votadas en la Asamblea Nacional, y en el caso de que estuviese cerrada, el Gobierno queda facultado para dictarla, de acuerdo con la Comisión permanente, sin perjuicio de convocar a aquella a la mayor brevedad y dar cuenta de lo que hubiera hecho.

Pero ni en una ni en otra ley se podrán suspender más garantías que las consagradas en el primer párrafo de este artículo ni autorizar al Gobierno para extranjar del país ni deportar a ningún filipino.

En ningún caso los Jefes militares o civiles podrán establecer otra penalidad que la prescrita previamente por la ley.

LA CONSTITUCION...

Articulo 31

En la Republica Filipina nadie puede ser juzgado por leyes privativas ni por tribunales especiales. Ninguna persona ni corporacion puede tener fueros ni gozar emulmentos que no sean compensacion de un servicio publico y esten fijados por la ley. Subsiste el fuero de guerra y marina solamente para los delitos y faltas que tengan conexion intima con la disciplina militar y maritima.

Articulo 32

Ningun filipinopodra establecer mayorazgos, ni instituciones vinculadoras de la propiedad, ni aceptar honores, condecoraciones o titulos honorificos y de nobleza de las naciones extranjeras sin autorizacion del Gobierno.

Tampoco podra establecer el Gobierno de la Republica las instituciones señaladas en el parrafo anterior, ni otorgar honores, condecoraciones o titulos honorificos y de nobleza a ningun filipino.

La Nacion, sin embargo, premiara por una ley especial, votada por la Asamblea, los servicios eminentes que presten los ciudadanos a la Patria.

Titulo IV — Del Poder Legislativo

Articulo 33

El poder legislativo se ejercera por una Asamblea de Representantes de la Nacion.

Esta Asamblea estara organizada en la forma y condiciones determinadas por la ley que al efecto se dicte.

Articulo 34

Los miembros de la Asamblea representaran a toda la Nacion no esclusivamente a los electores que les nombraron.

Articulo 35

Ningun Representante podra admitir de sus electores mandato alguno imperativo.

Articulo 36

La Asamblea se reunira todos los años. Corresponde al Presidente de la Republica convocarla, suspender y cerrar sus sesiones

y disolverla, de acuerdo con la misma o con la Comision permanente, en su defecto, y dentro de los plazos legales.

Articulo 37

La Asamblea estara abierta al menos tres meses cada año, sin incluir en este tiempo el que se invierta en su constitucion.

El Presidente de la Republica la convocara, a mas tardar, para el dia 15 de Abril.

Articulo 38

En caso extraordinario, podra convocarla, fuera del periodo legal, de acuerdo con la Comision permanente, y prolongar la legislatura, siempre que el plazo no exceda de un mes, ni se verifique unas de dos veces en la misma legislatura.

Articulo 39

La Asamblea Nacional, en union de los Representantes extraordinarios, formula las Constituyentes para proceder a la reforma de la Constitucion y a la eleccion del nuevo Presidente de la Republica, convocadas con un mes, por lo menos, de anticipacion a la terminacion de los poderes de aquel.

En caso de muerte o de dimision del Presidente de la Republica, la Asamblea se reunira en seguida por derecho propio ya iniciativa de su Presidente, o de la Comision permanente.

Articulo 40

Interin se procede al nombramiento de nuevo Presidente de la Republica, ejercera sus funciones el Presidente de la Corte Suprema de Justicia, que sera sustituido por uno de los miembros de este Tribunal, con arreglo a las leyes.

Articulo 41

Cualquiera reunion de la Asamblea que se verifique fuera del periodo de legislatura ordinaria sera ilicita y nula. Exceptuanse el caso previsto por el articulo 39, y el en que la Asamblea se constituya en Tribunal de Justicia, no pudiendo ejercer en este ultimo caso otras funciones que las judiciales.

Articulo 42

Las sesiones de la Asamblea seran publicas. Sin embargo, podran ser secretas a peticion de cierto numero de sus individuos, fijado por el Reglamento, decidiendose

despues por mayoria absoluta de votos de los miembros presentes si la discusion sobre el mismo objeto ha de continuar en publico.

Articulo 43

El Presidente de la Republica se comunicara con la Asamblea por medio de mensajes, que seran leidos en la tribuna por un Secretario del Gobierno.

Los Secretarios de Gobiernotendranentrada en la Asamblea con drecho a que se les conceda la palabra, siempre que la pidan, y podran hacerse representar en la discusion de un proyecto determinado por comisionados designados por decreto del Presidente de la Republica.

Articulo 44

Podra constituirse la Asamblea en Tribunal de Justicia para juzgar los delitos cometidos contra la seguridad del Estado por el Presidente de la Republica, e individuos del Consejo de Gobierno, por el Presidente de la Corte Suprema de Justicia, y por el Procurador General de la Nacion, por medio de un decreto de la misma, o de la Comision permanente en su defecto, o del Presidente de la Republica, a propuesta del Procurador General o del Consejo de Gobierno.

Las leyes determinaran el modo de proceder para la acusacion, instruccion y remision.

Articulo 45

Ningun miembro de la Asamblea podra ser perseguido ni molestado por las opiniones que espere, ni por los votos que emita en el ejercicio de su cargo.

Articulo 46

Ningun individuo de la Asamblea podra ser procesado en materia criminal sin autorizacion de la misma o de la Comision permanente, a la que se dara cuenta inmediatamente del hecho, para la resolucion que proceda.

La prision, detencion o aprehension de un miembro de la Asamblea no podra llevarse a cabo, sin previa autorizacion de la misma o de la Comision permanente. Pero una vez notificada la Asamblea el auto de prision incurria en responsabilidad si, dentro de dos dias siguientes a la notificacion, no autorizare la prision o manifestre los motivos en que se funde su negativa.

Articulo 47

La Asamblea Nacional tendra, ademas, las facultades siguientes:

1.a Formar el Reglamento para su gobierno interior.

2.a Examinar la legalidad de las elecciones y la aptitud legal de los individuos elegidos.

3.a Nombrar al constituirse su Presidente, Vice-Presidente y Secretarios.

Mientras la Asamblea no sea disuelta, su Presidente, Vice-Presidentes y Secretarios continuaran ejerciendo sus cargos durante las cuatro legislaturas; y

4.a Admitir las dimisiones presentadas por sus individuos y conceder las licencias con sujecion al Reglamento.

Articulo 48

Ningun proyecto podra el llegar a ser ley sin que antes sea votado en la Asamblea.

Para votar las leyes se requiere la presencia en la Asamblea de la cuarta parte, cuando menos del numero total de individuos que tengan aprobadas sus actas y hayan prestado juramento.

Articulo 49

Ningun proyecto de ley puede aprobarse por la Asamblea sino despues de haber sido votado en su totalidad y despues articulo por articulo.

Articulo 50

La Asamblea tiene el derecho de censura y cada uno de sus individuos el de interpellacion.

Articulo 51

La iniciativa de las leyes corresponde al Presidente de la Republica y a la Asamblea.

Articulo 52

El Representante de la Asamblea que acepte del Gobierno pension, empleo o comision con sueldo, se entendera que renuncia a su cargo.

Exceptuanse de esta disposicion el empleo de Secretario de Gobierno de la Republica, y otros cargos señalados en leyes especiales.

Articulo 53

El cargo de Representante dura cuatro anos, y tienen derecho los que lo ejerzan,

(Please turn to next page)

LA CONSTITUCION...

por vía de indemnización, a una suma determinada por la ley, con arreglo a las circunstancias.

No tienen derecho a esta indemnización los que se ausenten durante toda la legislatura; pero recobran el derecho si asisten a las siguientes.

Titulo VI — De la Comisión Permanente

Artículo 54

La Asamblea, antes de cerrar sus sesiones, elegirá siete de sus miembros para que formen la Comisión permanente durante el período en que ésta esté cerrada, debiendo ésta, en su primera sesión, designar Presidente y Secretario.

Artículo 55

Son atribuciones de la Comisión permanente, en defecto de la Asamblea:

1.a Declarar si ha o no lugar a formación de causa contra el Presidente de la República, los Representantes, Secretarios de Gobierno, Presidente de la Corte Suprema de Justicia y Procurador General en los casos previstos por esta Constitución.

2.a Convocar a la Asamblea a una reunión extraordinaria en los casos en que deba constituirse en Tribunal de Justicia.

3.a Dar trámite a los negocios que hubieren quedado pendientes para que puedan tomarse en consideración.

4.a Convocar a la Asamblea a las sesiones extraordinarias, cuando la exigencia del caso lo demande; y

5.a Suplir a la Asamblea en sus facultades con arreglo a la Constitución, excepción hecha de la facultad de hacer y votar las leyes.

La Comisión permanente se reunirá siempre que fuere convocada por el que la presida, con arreglo a esta Constitución.

Titulo VII - Del Poder Ejecutivo

Artículo 56

El poder ejecutivo residirá en el Presidente de la República, que lo ejerce por medio de sus Secretarios.

Artículo 57

La gestión de los intereses peculiares de los pueblos, de las provincias y del Estado

corresponde, respectivamente, a las Asambleas populares, a las Asambleas provinciales y a la Administración activa, con arreglo a las leyes, y sobre la base de la más amplia descentralización y autonomía administrativa.

Titulo VIII — Del Presidente de la República

Artículo 58

El Presidente de la República será elegido, por mayoría absoluta de votos, por la Asamblea y los Representantes especiales reunidos en Cámara constituyente.

Su nombramiento será por cuatro años, y será re-elegible.

Artículo 59

El Presidente de la República tendrá la iniciativa de las leyes, así como los miembros de la Asamblea, y promulgara las leyes cuando hayan sido votadas y aprobadas por ésta, y vigilará y asegurará su ejecución.

Artículo 60

La potestad de hacer ejecutar las leyes se extiende a todo cuanto conduce a la conservación del orden público en el interior, y a la seguridad del Estados en el exterior.

Artículo 61

El Presidente de la República promulgara las leyes dentro de los veinte días siguientes al en que le haya sido transmitida por la Asamblea la aprobación definitiva.

Artículo 62

Si dentro de este plazo de fueren promulgadas, el Presidente las devolverá a la Asamblea con justificación de las causas de su detención, procediéndose en tal caso a su revisión; y no se entenderá que insiste en ellas si no las reproduce por el voto de las dos terceras partes de los miembros presentes de la Asamblea. Reproducida la ley en la forma indicada, el Gobierno la promulgara dentro de diez días, haciendo constar su no conformidad.

A lo mismo quedará obligado el Gobierno si dejare pasar el plazo de veinte días sin devolver la ley a la Asamblea.

Artículo 63

Cuando la promulgación de una ley haya sido declarada urgente por votación expresa,

o mayoria absoluta de votos de la Asamblea, el Presidente de la Republica podra pedir a aquella por un mensaje motivado una nueva deliberacion, la cual no podra ser negada, y aprobada de nuevo la misma ley, sera promulgada dentro del plazo legal, sin perjuicio de que el Presidente queda hacer constar su no conformidad.

Articulo 64

La promulgacion de las leyes se verificará mediante su publicación en el periódico oficial de la República, y tienen fuerza de obligar a los treinta días siguientes al de la publicación.

Articulo 65

El Presidente de la República dispone de las fuerzas de mar y tierra, declara la guerra y hace y ratifica la paz, previo acuerdo de la Asamblea.

Articulo 66

Los tratados de paz no serán definitivos sino después de votados por la Asamblea.

Articulo 67

Además de las facultades necesarias para la ejecución de las leyes, corresponde al Presidente de la República:

1. Conferir los empleos civiles y militares con arreglo a las leyes.
2. Nombrar los Secretarios de Gobierno.
3. Dirigir las relaciones diplomáticas y comerciales con las demás Potencias.
4. Cuidar de que en todo el territorio se administre pronta y cumplida justicia.
5. Indultar a los delincuentes con arreglo a las leyes, salvo lo dispuesto relativamente los Secretarios de Gobierno.
6. Presidir las solemnidades nacionales, y recibir a los enviados y representantes de las Potencias extranjeras, acreditados cerca de él.

Articulo 68

El Presidente de la República necesita estar autorizado por una ley especial:

1. Para enajenar, ceder o permutar cualquiera parte de territorio filipino.
2. Para incorporar cualquier otro territorio al filipino.
3. Para admitir tropas extranjeras en el territorio filipino.
4. Para ratificar los tratados de alianza ofensiva y defensiva, los especiales de

comercio, los que estipulen dar subsidios a una Potencia extranjera, y todos aquellos quedan obligar individualmente a los filipinos.

En ningún caso los artículos secretos de un tratado podrán derogar los públicos.

5. Para conceder amnistías e indultos generales.

6. Para acuñar moneda.

Articulo 69

Al Presidente de la República corresponde la facultad de dictar Reglamentos para el cumplimiento y aplicación de las leyes, previos los requisitos que las mismas señalen.

Articulo 70

El Presidente de la República podrá, previo acuerdo adoptado por mayoría de votos de Representantes, disolver la Asamblea antes de la expiración del plazo legal de su mandato.

En este caso, se convocarán para nuevas elecciones dentro del término de tres meses.

Articulo 71

El Presidente de la República solo será responsable en los casos de alta traición.

Articulo 72

La dotación del Presidente de la República será fijada por una ley especial, que no podrá variarse sino al fin del período presidencial.

Titulo IX.—De los Secretarios de Gobierno

Articulo 73

El Consejo de Gobierno se compone de un Presidente y siete Secretarios, que tendrán ; su cargo las carteras de:

Negocios Extranjeros,
Interior,
Hacienda,
Guerra y Marina,
Instrucción Pública,
Comunicaciones y Obras Públicas, y
Agricultura, Industria y Comercio.

Articulo 74

Todo lo que el Presidente de la República mandare o dispusiere en el ejercicio de su autoridad, será firmado por el Secretario

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a quien corresponda. Ningun funcionario publico dara cumplimiento a lo que carezca de este requisito.

Articulo 75

Los Secretarios de Gobierno son responsables solidariamente ante la Asamblea de la politica general del Gobierno, e individualmente de sus actos personales.

Al Procurador General de la Nacion corresponde acusarlos, y a la Asamblea juzgarlos.

Las leyes determinarian los casos de responsabilidad de los Secretarios de Gobierno, las penas a que estan sujetos y el modo de proceder contra ellos.

Articulo 76

Para el indulto de estos, si fueren condenados por la Asamblea, ha de preceder peticion de la mayoria absoluta de Representantes.

Titulo X. — Del Poder Judicial

Articulo 77

A los tribunales corresponde exclusivamente la potestad de aplicar las leyes, a nombre de la Nacion, en los juicios civiles y criminales.

Unos mismos codigos regiran en toda la Republica, sin perjuicio de las variaciones que por particulares circunstancias determinen las leyes

Articulo 78

Los tribunales no aplicarian los Reglamentos generales y municipale, sino en cuenta esten conformes con las leyes.

Articulo 79

En ellos no se establecera mas que un solo fuero para todos los ciudadanos en los juicios comunes, civiles, y criminales.

Su composicion, organizacion y demas atribuciones se regiran por las leyes organicas que se determinen.

Articulo 80

El Presidente de la Corte Suprema de Justicia y El Procurador General seran nombrados por la Asamblea Nacional en concurrencia con el Presidente de la Republica y Secretarios de Gobierno, y tendra

absoluta independencia de los poderes legislativo y ejecutivo.

Articulo 81

Todo ciudadano podra entablar accion publica contra los individuos todos del Poder judicial por los delitos que cometieren en el ejercicio de su cargo.

Titulo XI. - De las Asambleas Provinciales y Populares

Articulo 82

La organizacion y atribuciones de las asambleas provinciales y populares se regiran por sus respectivas leyes.

Estas se ajustaran a los principios siguientes:

1. Gobierno y direccion de los intereses peculiares de la provincia o del pueblo por las respectivas corporaciones, siendo el principio de eleccion popular y directa el fundamento para la constitucion de las mismas.

2. Publicidad de las sesiones de unas y otras, dentro de los limites señalados por la ley.

3. Publicacion de los presupuestos, cuentas y acuerdos importantes de las mismas.

4. Intervencion del Gobierno y, en su caso, de la Asamblea Nacional para impedir que las provincias y los municipios se extralimiten en sus atribuciones en perjuicio de los intereses generales e individuales.

5. Determinacion de sus facultades en materia de impuestos, a fin de que los provinciales y municipales no se hallen nunca en oposicion con el sistema tributario del Estado.

Titulo XII. — De la Administracion del Estado

Articulo 83

El Gobierno presentara todos los años a la Asamblea los presupuestos de gastos y de ingresos, expresando las alteraciones que haya hecho en lo del año anterior, acompañando al mismo tiempo un balance del ultimo ejercicio con arreglo a la ley.

Cuando la Asamblea se reuna, los presupuestos habran de presentarse a la misma dentro de los diez dias siguientes a su reunion.

Articulo 84

Ningun pago podria hacerse sino con arreglo a la ley de presupuestos u otra especial, en la forma y bajo la responsabilidad que las leyes determinen.

Articulo 85

El Gobierno necesita estar autorizado por una ley para disponer de los bienes y propiedades del Estado, y para tomar caudales a prestamo sobre el credito de la Nacion.

Articulo 86

La deuda publica que se contraiga por el Gobierno de la Republica, con arreglo a esta Constitucion, estara bajo la salvaguardia especial de la Nacion.

No se hara ningun emprestito sin que se voten al mismo tiempo los recursos necesarios para pagarlo.

Articulo 87

Todas las leyes referentes a ingresos, gastos publicos o credito publico se consideraran como parte de las de presupuestos, y se publicaran con este caracter.

Articulo 88

La Asamblea fijara todos los años, a propuesto del Presidente de la Republica, las fuerzas militares de mar y tierra.

Titulo XIII. — De la Reforma de la Constitucion

Articulo 89

La Asamblea, por si o a propuesta del Presidente de la Republica, podra acordar la reforma de la Constitucion señalando al efecto el articulo o articulos que hayan de modificarse.

Articulo 90

Hecha esta declaracion, el Presidente de la Republica disolvera la Asamblea, y convocara la constituyente, que se reunira dentro de los tres meses siguientes. En la convocatoria se insertara la resolucion de que hable el articulo anterior.

Titulo IX. — De la Observancia y Juramento Constitucional y de los Idiomas

Articulo 91

El Presidente de la Republica, el Gobierno, la Asamblea y todos los ciudadanos filipinos guardaran fielmente la Constitucion; y el poder legislativo inmediatamente despues de aprobar la ley de presupuestos, examinara si la Constitucion ha sido exactamente observada y si sus infracciones estan corregidas, proveyendo lo conveniente para que se haga efectiva la responsabilidad de los infractores.

Articulo 92

El Presidente de la Republica y todos los demas funcionarios de la Nacion no podran entrar en el ejercicio de sus funciones sin prestar juramento.

Este juramento se prestara por el Presidente de la Republica ante la Asamblea Nacional.

Los demas funcionarios de la Nacion lo prestaran ante las autoridades que determinen las leyes.

Articulo 93

El empleo de las lenguas usadas en Filipinas es potestativo. No puede regularse sino por ley, y solamente para los actos de la autoridad publica y los asuntos judiciales. Para estos actos se usara por ahora la lengua castellana.

DISPOSICIONES TRANSITORIAS

Articulo 94

Interin y sin perjuicio de lo dispuesto en el articulo 48 y las comisiones que nombre la Asamblea para que redacten y sometan a la misma las leyes organicas para el desenvolvimiento y aplicacion de los derechos otorgados a los ciudadanos filipinos y para el regimen de los poderes publicos en ella determinados, se consideraran leyes de la Republica las que se hallaban vigentes en estas Islas antesde la emancipacion de las mismas.

Igualmente se consideran vigentes las disposiciones del Codigo Civil respecto al matrimonio y registro civil, suspendidas por el Gobierno General de estas Islas; la Instruccion de 26 de abril de 1888 para llevar a ejecucion los articulos 77,78, 79, y 82 de dicho Codigo; la Ley del Registro Civil de 17 de Junio de 1870 a que se refiere el articulo

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332 del mismo, y el Reglamento de 13 de Diciembre siguiente para la ejecucion de esta Ley, sin perjuicio de que los Jefe locales continuen encargados de las inscripciones en el Registro Civil e intervengan en la celebracion del matrimonio de los catolicos.

Articulo 95

Mientras no esten aprobadas y rijan las leyes a que se refiere al articulo anterior podran modificarse por alguna ley especial las disposiciones de las leyes españolas que dicho articulo pone en vigor provisionalmente.

Articulo 96

Promulgadas las leyes que la Asamblea apruebe con arreglo al articulo 9, el Gobierno de la Republica queda facultado para dictar los decretos y Reglamentos necesarios para la inmediata constitucion de todos los organismos del Estado.

Articulo 97

El actual Presidente del Gobierno Revolucionario tomara desde luego el titulo de Presidente de la Republica, y ejercera este cargo hasta que, una ves convocada la Asamblea constituyente, proceda a la eleccion del que ha de ejercer el cargo definitivamente.

Articulo 98

Este Congreso, con los miembros que lo componen y vayan veniendo por sufragio o por decreto, durara cuatro años, o sea, toda la presente legislatura, empezando esta el 15 del Abril proximo ve nidero.

Articulo 99

No obstante la regla general establecida en el parrafo 2.o del articulo 4.o interen tenga el pais que luchar por su independencia, queda facultado el Gobierno para resolver durante la clausura del Congreso las cuestiones y dificultades no previstas por las leyes, que susciten acontecimiento

imprevitos, mediante decretos de que dara conocimiento a la Comision permanente y cuenta a la Asamblea, en la primera reunion que se celebre con arreglo a los preceptos de esta Constitucion.

Articulo 100

Se suspende hasta la reunion de la Asamblea constituyente la ejecucion del articulo 5.o titulo 3.o.

Entretanto los municipios de los pueblos que requieran el ministerio espiritual de algun sacerdote filipino, proveeran a la manutencion necesaria del mismo.

Articulo 101

No obstante lo dispuesto en los articulos 62 y 63, las leyes devueltas por el Presidente de la Republica al Congreso, no podran reproducirse sino en la legislatura del año siguientes, quedando esta suspension bajo la responsabilidad del Presidente y su Consejo de Gobierno. Hecha la reproduccion en estas condiciones, sera obligatoria su promulgacion dentro de diez dias, haciendo constar el Presidente su no conformidad.

Si la reproduccion se hiciera en legislaturas ulteriores se tendra como ley votada por primera vez.

ARTICULO ADICIONAL

Se entienden restituidos al Estado filipino, desde el dia Mayo ultimo que se ha constituido el Gobierno Dictatorial en Cavite, todas las haciendas, edificios y demás bienes que tenian las corporaciones religiosas en estas Islas.

Barasoain, veinte de Enero de mil ochocientos noventa y nueve.

El Presidente del Congreso.
PEDRO A. PATERNO.

Los Secretarios,
PABLO TECSON.
PABLO OCAMPO.

THE MALOLOS CONSTITUTION

(English Text)

TITLE I

THE REPUBLIC

Article 1. The political association of all the Filipinos constitutes a NATION, whose state shall be known as, the Philippine Republic.

Art. 2. The Philippine Republic is free and independent.

Art. 3. Sovereignty resides exclusively in the people.

TITLE II

THE GOVERNMENT

Art. 4. The Government of the Republic is popular, representative, alternative, and responsible, and shall exercise three (3) distinct powers: namely, the legislative, the executive, and the judicial.

Any two or more of these powers shall never be united in one person or corporation, nor the legislative power vested in one single individual.

TITLE III

RELIGION

Art. 5. The State recognizes the freedom and equality of all religions, as well as the separation of the Church and the State.

TITLE IV

THE FILIPINOS AND THEIR NATIONAL AND INDIVIDUAL RIGHTS

Art. 6. The following are Filipinos:

1. All persons born in the Philippine territory. A vessel of Philippine registry is considered, for this purpose, as part of Philippine territory.

2. Children of a Filipino father or mother, although born outside of the Philippines.

3. Foreigners who have obtained certificate of naturalization.

4. Those who, without such certificate, have acquired a domicile in any town within Philippine territory.

It is understood that domicile is acquired by uninterrupted residence for two years in any locality within Philippine territory, with all open abode and known occupation, and contributing to all the taxes imposed by the Nation.

The condition of being a Filipino is lost in accordance with law.

Art. 7. No Filipino or foreigner shall be detained nor imprisoned except for the commission of a crime and in accordance with law.

Art. 8. All persons detained shall be discharged or delivered to the judicial authority within 24 hours following the act of detention.

All detentions shall be without legal effect, unless the arrested person is duly prosecuted within 72 hours after delivery to a competent court.

The accused shall be duly notified of such proceeding within the same period.

Art. 9. No Filipino shall be imprisoned except by virtue of an order by competent court.

The order of imprisonment shall be ratified or confirmed within 72 hours following the said order, after the accused has been heard.

Art. 10. No one shall enter the dwelling house of any Filipino or a foreigner residing in the Philippines without his consent, except in urgent cases of fire, inundation, earthquake or other similar danger, or by reason of unlawful aggression from within, or in order to assist a person therein who cries for help.

Outside of these cases, the entry into the dwelling house of any Filipino or foreigner resident in the Philippines or the search of his papers and effects can only be decreed by a competent court and executed only in the daytime.

The search of papers and effects shall be made always in the presence of the person searched or of a member of his family and, in their absence, of two witnesses resident of the same place.

However, when a criminal caught *in fraganti* should take refuge in his dwelling house, the authorities in pursuit may enter into it, only for the purpose of making an arrest.

If the criminal should take refuge in the dwelling house of a foreigner, the consent of the latter must first be obtained.

Art. 11. No Filipino shall be compelled to change his residence or domicile except by virtue of a final judgment.

Art. 12. In no case may correspondence confided to the post office be detained or opened by government authorities, nor any telegraphic or telephonic message detained.

However, by virtue of an order by a competent court, correspondence may be detained and opened in the presence of the sender.

Art. 13. All orders of imprisonment, of search of a dwelling house, or detention of written correspondence, telegraph or telephone, must be justified.

When an order lacks this requisite, or when the ground on which the act was founded is proven in court to be unlawful or manifestly insufficient, the person to be detained or whose imprisonment has not been ratified within the period prescribed in Art. 9, or whose correspondence has been detained, shall have the right to recover damages.

Art. 14. No Filipino shall be prosecuted or sentenced, except by a judge or court of proper jurisdiction and according to the procedure prescribed by law.

Art. 15. Except in the cases provided by the Constitution, all persons detained or imprisoned not in accordance with legal formalities shall be released upon his own petition or upon petition of another person.

The law shall determine the manner of proceeding summarily in this instance, as well as the personal and pecuniary penalties which shall be imposed upon the person who ordered, executed or cause to be executed the illegal detention or imprisonment.

Art. 16. No one shall be temporarily or permanently deprived of rights or disturbed in his enjoyment thereof, except by virtue of judicial sentence.

The officials who, under any pretext whatsoever, should violate this provision, shall be personally liable for the damages caused.

Art. 17. No one shall be deprived of his property by expropriation except on grounds of public necessity and benefit, previously declared and justified by proper authority, and indemnifying the owner thereof prior to expropriation.

Art. 18. No one shall be obliged to pay any public tax which had not been approved by the National Assembly or by local popular governments legally so authorized, and which is not in the manner prescribed by the law.

Art. 19. No Filipino who is in full enjoyment of his civil and political rights, shall be impeded in the free exercise of said rights.

Art. 20. Neither shall any Filipino be deprived:

1. Of the right to freely express his ideas or opinions, orally or in writing, through the use of the press or other similar means.

2. Of the right of association for purposes of human life and which are not contrary to public morals; and lastly

3. Of the right to send petitions to the authorities, individually or collectively.

The right of petition shall not be exercised through any kind of armed force.

Art. 21. The exercise of the rights provided for in the preceding article shall be subject to general provisions regulating the same.

Art. 22. Crimes committed on the occasion of the exercise of rights provided for in this title, shall be punished by the courts in accordance with the laws.

Art. 23. Any Filipino may establish and maintain institutions of learning, in accordance with the laws authorizing them.

Public education shall be free and obligatory in all schools of the nation.

Art. 24. Foreigners may freely reside in Philippine territory, subject to legal dispositions regulating the matter; may engage in any occupation or profession for the exercise of which no special license is required by law to be issued by the national authorities.

Art. 25. No Filipino who is in full enjoyment of his political and civil rights shall be impeded in his right to travel freely abroad or in his right to transfer his residence or possessions to another country, except as to his obligations to contribute to military service or the maintenance of public taxes.

Art. 26. No foreigner who has not been naturalized may exercise in the Philippines any office which carries with it any authority or jurisdictional powers.

Art. 27. All Filipinos are obliged to defend his country with arms when called upon by law, and to contribute to the expenses of the State in proportion to his means.

Art. 28. The enumeration of the rights provided for in this title does not imply the denial of other rights not expressly mentioned.

Art. 29. The prior authorization to prosecute a public official in the ordinary courts is not necessary, whatever may be the crime committed.

A superior order shall not exempt a public official from liability in the cases which constitute apparent and clear violations of constitutional precepts. In others, the agents of the law shall only be exempted if they did not exercise the authority.

Art. 30. The guaranties provided for in articles 7, 8, 9, 10 and 11 and paragraphs 1 and 2 of Art. 20 shall not be suspended, partially or wholly, in any part of the Republic, except temporarily and by authority of law, when the security of the State in extraordinary circumstances so demands.

When promulgated in any territory where the suspension applies, there shall be a special law which shall govern during the period of the suspension, according to the circumstances prevailing.

The law of suspension as well as the special law to govern shall be approved by the National Assembly, and in case the latter is in recess, the Government shall have the power to decree the same jointly with the Permanent Commission, without prejudice to convoking the Assembly without the least delay and report to it what had been done.

However, any suspension made shall not affect more rights than those mentioned in the first paragraph of this article nor authorize the Government to banish or deport from the Philippines any Filipino.

In no case may the civil or military chiefs promulgate any penalty other than those previously provided by law.

Art. 31. In the Republic of the Philippines, no one shall be judged by a special law nor by special tribunals. No person or corporation may enjoy privileges or emoluments which are not in compensation for public service rendered and authorized by law. War and marine laws shall apply only for crimes or delicts which have intimate relation to military or naval discipline.

Art. 32. No Filipino shall establish laws on primogeniture, nor institutions restrictive of property rights, nor accept honors, decorations or honorific titles or nobility from foreign nations without the consent of the Government.

Neither shall the government establish in the Republic institutions mentioned in the preceding paragraph, nor confer honors, decorations or honorific titles and of nobility to any Filipino.

The Nation, however, may reward by special law approved by the Assembly, conspicuous services rendered by citizens of the country.

TITLE V

THE LEGISLATIVE POWER

Art. 33. Legislative power shall be exercised by an Assembly of Representatives of the nation.

This Assembly shall be organized in the form and manner determined by law.

Art. 34. The Members of the Assembly shall represent the whole nation and not exclusively the electors who elected them.

Art. 35. No representative shall receive from his electors ally imperative mandate whatsoever.

Art. 36. The Assembly shall meet every year. The President of the Republic has the right to convoke it, suspend and close its sessions, and dissolve the same, within the periods prescribed by law enacted by the Assembly or by the Permanent Commission.

Art. 37. The Assembly shall be open at least three months each year, without including in this period the time spent in its organization.

The President of the Republic shall convoke the Assembly, not later than the 15th day of April.

Art. 38. In extraordinary cases, he may convoke the Assembly outside of the period fixed by law, as determined by the Permanent Commission, and prolong its law-making, provided the extended period does not exceed one month and provided further that such extensions do not take place more than twice during the same legislative term.

Art. 39. The National Assembly, jointly with the special Representatives, shall organize committees for the organization of the Assembly and for the election of a new President of the Republic, which shall be formed at least one month before the expiration of the term of office of the Representatives.

In case of death or resignation of the President of the Republic, the Assembly shall meet in session by its own right or by initiative of the President or of the Permanent Commission.

Art. 40. In the meantime that the new President has not been chosen, his functions shall be exercised by the Chief Justice of the Supreme Court whose office shall be taken over by one of the Justices of the Court, in accordance with law.

Art. 41. Any session of the Assembly held outside of the period of ordinary legislature shall be unlawful and void. The case provided for in Art. 30 and in which the Assembly has constituted itself into a Tribunal of

Justice shall be excepted, but in the latter case no other functions shall be exercised except that pertaining to judicial functions.

Art. 42. The sessions of the Assembly shall be public. However, sessions may be held in secret upon petition of a certain number of its members fixed by the Rules, deciding afterwards by an absolute majority of votes of the members present if the discussion on the same subject has to continue in public.

Art. 43. The President of the Republic shall communicate with the Assembly by means of messages, which shall be read by a Department Secretary.

The Department Secretaries shall have the right to be heard in the Assembly, upon their request, and they may be represented in the discussion of certain bills by Commissioners appointed by decrees of the President of the Republic.

Art. 44. The Assembly may constitute itself into a Tribunal of Justice to hear and determine crimes committed against the security of the State by the President of the Republic and members of the Council of Government, by the Chief Justice of the Supreme Court, and by the Solicitor General of the Nation, by means of a decree promulgated by it, or by the Permanent Commission, or by the President of the Republic upon petition of the Solicitor General or Council of Government.

The law shall determine the mode and manner of the accusation, instruction and disposition of the proceedings.

Art. 45. No member of the Assembly shall be prosecuted nor held accountable for the opinions expressed by him, nor by the vote taken by him in the discharge of his office.

Art. 46. No member of the Assembly shall be prosecuted criminally without authority of the Assembly or of the Permanent Commission to which an immediate report of the facts shall be made, for its proper action.

The imprisonment, detention, or apprehension of a member of the Assembly shall not be carried out without the prior authority of the same or by the Permanent Commission. The moment the Assembly is

notified of the order of imprisonment, it shall incur liability if, within two days following the notification, it does not authorize the imprisonment or give sufficient reason upon which the refusal is based.

Art. 47. The National Assembly shall have the following additional powers:

1. To approve Rules for its internal government.

2. To examine the legality of the elections and the legal qualifications of the elected members.

3. To elect its President, Vice-Presidents, and Secretaries.

Until the Assembly has been dissolved, the President, Vice-Presidents and Secretaries shall continue to exercise their office for the period of four legislative terms; and

4. To accept the resignations of its members and grant privileges in accordance with the Rules.

Art. 48. No bill shall become law without having been voted upon by the Assembly.

To approve a bill, the presence in the Assembly of at least one fourth of the total number of the members whose elections have been duly approved and taken the oath of office shall be necessary.

Art. 49. No bill shall be approved by the Assembly until after it has been voted upon as a whole and subsequently article by article.

Art. 50. The Assembly shall have the right of censure, and each of the members the right of interpellation.

Art. 51. The initiative in the presentation of bills belongs to the President of the Republic and to the Assembly.

Art. 52. Any member of the Assembly who accepts from the Government any pension, employment or office with salary, is understood to have renounced his membership.

From this shall be excepted the employment as Secretary of the Government of the Republic and other offices provided for by special laws.

Art. 53. The office of Representatives shall be for a term of four years, and shall

be compensated by a sum fixed by law, according to the circumstances.

Those who absent themselves during the entire period of the legislative sessions shall not be entitled to any compensation; but they may be allowed to recover the right to compensation should they attend subsequently.

TITLE VI THE PERMANENT COMMISSION

Art. 54. The Assembly, before adjournment, shall elect seven of its members to form the Permanent Commission during the period of adjournment, which shall designate at its first session, the President and the Secretary.

Art. 55. The Permanent Commission, during the adjournment of the Assembly, shall have the following attributes:

1. Declare if there is sufficient cause to proceed against the President of the Republic, the Representatives, Department Secretaries, the Chief Justice of the Supreme Court and the Solicitor-General in the cases provided by this Constitution.

2. Convoke the Assembly to a special session in the cases where the latter should constitute itself into a Tribunal of Justice.

3. To act upon pending matters which require proper action.

4. Convoke the Assembly in Special sessions when the exigencies of the situation so demand.

5. Supplement the powers of the Assembly in accordance with the Constitution, excepting the act of voting and approving laws.

The Permanent Commission shall meet in session whenever convoked by the presiding officer, in accordance with this Constitution.

TITLE VII THE EXECUTIVE POWER

Art. 56. The Executive Power shall be vested in the President of the Republic, who shall exercise it through his Department Secretaries.

Art. 57. The administration of the particular interests of towns, provinces, and of the State shall correspond, respectively, to the Popular Assemblies, the Provincial Assemblies, and to the Administration in power, in accordance with the laws, and observing the most liberal policy of decentralization and administrative autonomy.

TITLE VIII

THE PRESIDENT OF THE REPUBLIC

Art. 58. The President of the Republic shall be elected by absolute majority of votes by the Assembly and by the special Representatives, convened in chamber assembled.

His term of office shall be four years, and may be reelected.

Art. 59. The President of the Republic shall have the right to initiate the introduction of bills equally with the members of the Assembly, and promulgate the laws when duly voted and approved by the latter, and shall see to it that the same are duly executed.

Art. 60. The power to execute the laws shall extend to all cases conducive to the preservation of internal public order and to the external security of the State.

Art. 61. The President shall promulgate the laws duly approved by him within 20 days following their transmittal to him by the Assembly.

Art. 62. If within this period, the President should fail to promulgate them, he shall return them to the Assembly with his reasons for the return, in which case the Assembly may reconsider same, and it shall be presumed that it does not insist in reapproving them if not repassed by a vote of at least two-thirds of the members of the Assembly present in a quorum. If repassed in the manner indicated, the Government shall promulgate same within ten days, with a manifestation of its non-conformity.

The same obligation is imposed upon the Government if it allows twenty days to elapse without returning the bill to the Assembly.

Art. 63. When the promulgation of a law has been declared urgent by express will of

an absolute majority of votes of the Assembly, the President of the Republic may require of the Assembly to reapprove same which cannot be refused, and if the same bill is repassed, the President shall promulgate it within the legal period, without prejudice to his making of record his non-conformity with the bill.

Art. 64. The promulgation of laws shall be made by publishing them in the official gazette of the Republic, and shall have the force of law thirty days following such publication.

Art. 65. The President of the Republic shall have at his disposal the army and the navy, and may declare war and make and ratify treaties with the prior consent of the Assembly.

Art. 66. Treaties of peace shall not take effect until voted upon by the Assembly.

Art. 67. The President of the Republic, in addition to his duty to execute the laws, shall:

1. Supervise civil and military employees in accordance with the laws.

2. Appoint the Secretaries of the Government.

3. Direct the diplomatic and commercial relations with foreign powers.

4. See to it that justice is duly and promptly administered throughout the Philippines.

5. Grant pardon to convicted criminals in accordance with the laws, except any special provision relating to the Secretaries of the Government.

6. Preside over all national functions and receive ambassadors and accredited representatives of foreign powers.

Art. 68. The President of the Republic may be authorized by special law:

1. To alienate, transfer or exchange any portion of Philippine territory.

2. To incorporate any other territory to the Philippine territory.

3. To admit the stationing of foreign troops in Philippine territory.

4. To ratify treaties of alliance, defensive as well as offensive, special treaties of

commerce, those which stipulate to grant subsidies to a foreign power, and those which may compel Filipinos to render personal service.

Secret treaties in no case may prevail over the provisions of open treaties or treaties made publicly.

5. To grant general amnesties and pardons.

6. To coin money.

Art. 69. To the President belongs the power to issue regulations for the compliance and application of the laws in accordance with the requisites prescribed in said laws.

Art. 70. The President of the Philippines, with the prior approval by majority vote of the Representatives, may dissolve the Assembly before the expiration of its legislative term.

In this case, new elections shall be called within three months.

Art. 71. The President of the Republic may be held liable only for cases of high treason.

Art. 72. The salary of the President of the Republic shall be fixed by special law which may not be changed except after the presidential term has expired.

TITLE IX THE SECRETARIES OF GOVERNMENT

Art. 73. The Council of Government is composed of one President and seven Secretaries, each of whom shall have under his charge the portfolios of Foreign Relations, Interior, Finance, War and Marine, Public Education, Communications and Public Works, and Agriculture, Industry and Commerce.

Art. 74. All the acts done by the President of the Republic in the discharge of his duties shall be signed by the corresponding Secretary. No public official shall give official recognition to any act unless this requisite is complied with.

Art. 75. The Secretaries of Government are jointly responsible to the Assembly for the general administration of the Government, and individually for their respective personal acts.

Art. 76. In order to exempt them from responsibility, when held guilty by the Assembly, a petition to this effect approved by absolute majority of the Representatives is necessary.

TITLE X THE JUDICIAL POWER

Art. 77. To the Court corresponds exclusively the power to apply the laws, in the name of the Nation, in all civil and criminal trials.

The same codes of laws shall be applied throughout the Republic, without prejudice to certain variations according to circumstances as determined by law.

In all trials, civil, criminal, and administrative, all citizens shall be governed by one code of laws of procedure.

Art. 78. The courts of justice shall not apply general local regulations, except when they conform to the laws.

Art. 79. The exercise of judicial power shall be vested in one Supreme Court and in other courts established by law.

Their composition, organization, and other attributes shall be determined by the laws creating them.

Art. 80. The Chief Justice of the Supreme Court and the Solicitor-General shall be chosen by the National Assembly in concurrence with the President of the Republic and the Secretaries of the Government, and shall be absolutely independent of the Legislative and Executive Powers.

Art. 81. Any citizen may file suit against any member exercising the Judicial Power for any crime committed by them in the discharge of their office.

TITLE XI PROVINCIAL AND POPULAR ASSEMBLIES

Art. 82. The organization and attributes of provincial and popular assemblies shall be governed by their respective laws.

These laws shall conform to the following principles:

1. The government and management of the particular interests of the province or town shall be discharged by their respective corporations, the principle of direct and popular elections being the basis underlying each of them.

2. Publicity of their sessions, within the limits provided by law.

3. Publication of all appropriations, accounts and agreements affecting same.

4. Government interference and, in the absence thereof, by the National Assembly, to prevent provinces and municipalities exceeding their powers and attributes to the prejudice of the interest of individuals and of the nation at large.

5. Power of taxation shall be exercised to the end that provincial and municipal taxation do not come into conflict with the power of taxation of the State.

TITLE XII ADMINISTRATION OF THE STATE

Art. 83. The Government shall submit every year to the Assembly a budget of expenditures and income, indicating the changes made from those of the preceding year, accompanying the same with a balance sheet as of the end of the year, in accordance with law.

This budget shall be submitted to the Assembly within ten days following the commencement of its session.

Art. 84. No disbursement of funds shall be valid unless made in accordance with an appropriation law, or with a special law in the form and manner prescribed by the same.

Art. 85. The Government, in order to dispose of the property and effects of the State, and to borrow money secured by mortgage or credit of the Nation, must be authorized by special law.

Art. 86. Public debts contracted by the Government of the Republic, in accordance with the provisions of this Constitution, shall be under the special guaranty of the Nation.

No debt shall be contracted unless the means of paying the same are also voted upon.

Art. 87. All laws relating to income, public expenses or public credits shall be considered as part of the appropriation and shall be published as such.

Art. 88. The Assembly shall determine every year, upon the recommendation of the President of the Republic, the military forces by land and sea.

TITLE XIII AMENDMENT OF THE CONSTITUTION

Art. 89. The Assembly, on its own initiative or that of the President of the Republic, may propose amendments to the Constitution, indicating what article or articles are to be amended.

Art. 90. This proposal having been made, the President of the Republic shall dissolve the Assembly, and shall convoke a Constituent Assembly which shall meet within three months. In the decree convoking the Constituent Assembly, the resolution mentioned in the preceding article shall be inserted.

TITLE XIV CONSTITUTIONAL OBSERVANCE, OATH, AND LANGUAGE

Art. 91. The President of the Republic, the Government, the Assembly and all Filipino citizens shall faithfully observe the provisions of the Constitution; and the Legislative Power, upon approval of the Appropriations Act, shall examine if the constitution has been strictly complied with and whether violations, if any, have been duly corrected and those responsible for the violations duly held liable.

Art. 92. The President of the Republic and all other officials of the Nation shall not enter into the discharge of their office without having taken the prescribed oath.

The oath of the President of the Republic shall be taken before the National Assembly.

The other officials of the Nation shall take their oath before the authorities determined by law.

Art. 93. The use of languages spoken in the Philippines shall be optional. Their use

cannot be regulated except by virtue of law, and solely for acts of public authority and in the courts. For these acts the Spanish language may be used in the meantime.

TRANSITORY PROVISIONS

Art. 94. Meanwhile and without prejudice to the provisions of Article 48 and to the acts of the commissions designated by the Assembly to translate and submit to the same the organic laws in the development and application of the rights granted to Filipino citizens and for the government of public powers therein mentioned, the laws of the Republic shall be considered those found existing in these Islands before the emancipation of the same.

The provisions of the Civil Code relating to marriage and civil registry, suspended by the Governor General of these islands; the Instructions of April 26, 1888 to carry into effect Articles 77, 78, 79, and 82 of said Code; the law on civil registry of June 17, 1870 which refers to Article 332 of the same, and the Regulation of December 13 following for the enforcement of this law, without prejudice to the Chiefs of towns continuing to be in charge of inscriptions in the civil registry and intervening in the celebration of marriages between catholics, shall also be deemed in force and effect.

Art. 95. In the meantime that the laws referred to in the preceding article have not been approved or enforced, the Spanish laws which said article allows to be enforced provisionally may be amended by a special law.

Art. 96. Once the laws approved by the Assembly have been promulgated in accordance with Article 94, the Government of the Republic shall have the power to issue decrees and regulations necessary for the immediate organization of the various organs of the State.

Art. 97. The present President of the Revolutionary Government shall assume later the title of President of the Republic and shall discharge the duties of this office until the Assembly when convoked proceeds to the election of one who shall definitely exercise the duties of the office.

Art. 98. The present Congress, composed of members by suffrage or by decree, shall

last for four years, or for the duration of the present legislative term commencing the 15th of April of next year.

Art. 99. Notwithstanding the general rule established in paragraph 2 of Article 4, in the meantime that the country is fighting for its independence, the Government is empowered to resolve during the closure of the Congress all questions and difficulties not provided for in the laws, which give rise to unforeseen events, by the issuance of decrees, of which the Permanent Commission shall be duly apprised as well as the Assembly when it meets in accordance with this Constitution.

Art. 100. The execution of article I, Title III shall be suspended until the constituent Assembly meets in session.

In the meantime, municipalities which require spiritual ministry of a Filipino priest may provide for his necessary maintenance.

Art. 101. Notwithstanding the provisions of Articles 62 and 63, bills returned by the President of the Republic to the Congress may not be repassed except in the legislature of the following year, this suspension being under the responsibility of the President and his Council of Government. When these conditions have been fulfilled, the promulgation of said laws shall be obligatory within ten days, without prejudice to the President making of record his non-conformity.

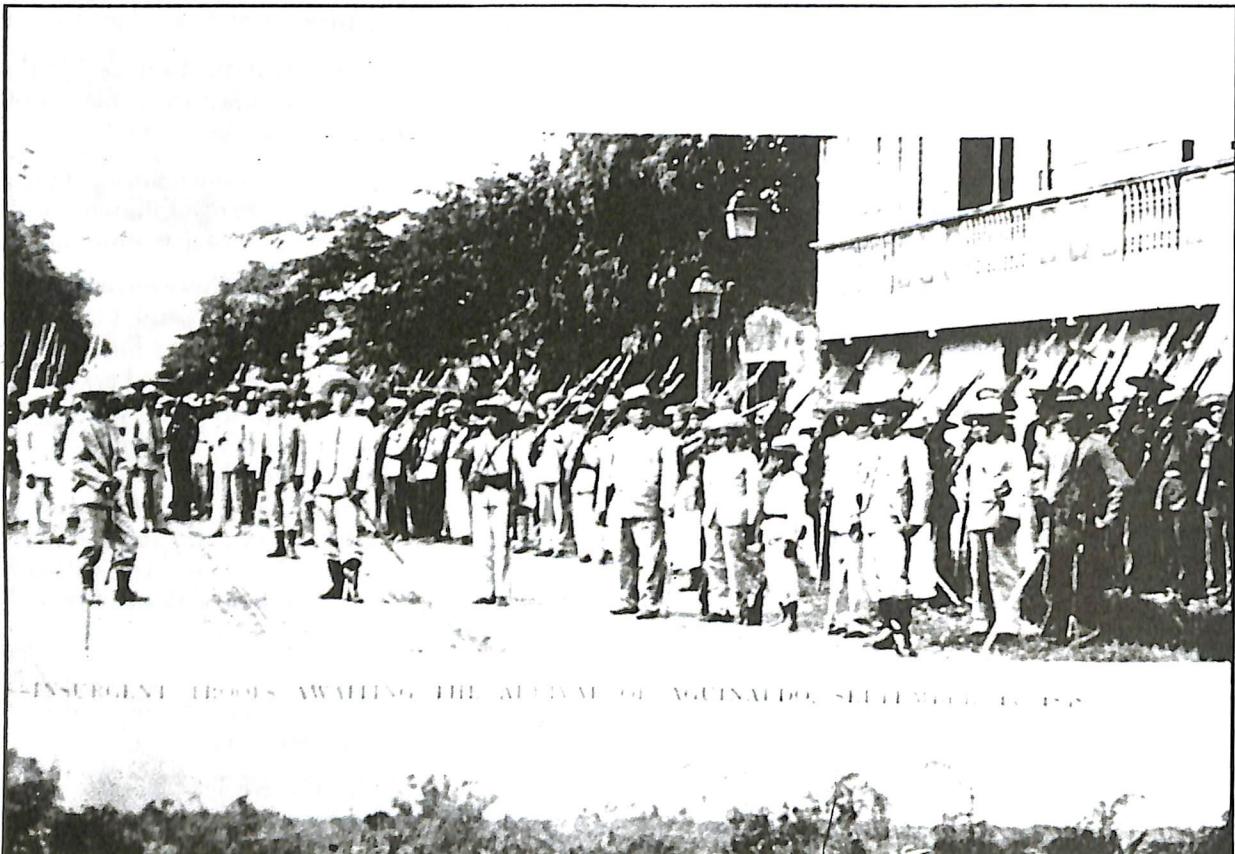
If the reapproval is made in subsequent legislative terms, it shall be deemed law approved for the first time.

ADDITIONAL ARTICLE. All the estates, edifices and other property possessed by the religious corporations in these islands shall be deemed restored to the Philippine State as of May 24, 1898 when the Dictatorial Government has been constituted in Cavite.

BARASOAIN, the 20th day of January, 1899.

The President of the Congress
—PEDRO A. PATERNO

The Secretaries,
PABLO TECSON
PABLO OCAMPO



*Filipino troops awaiting the arrival of
Gen. Emilio Aguinaldo, September 13, 1898.*

Members of the Cabinet



General EMILIO AGUINALDO
President of the First Philippine Republic.



APOLINARIO MABINI
President of the Council of Ministers
and Secretary of Foreign Affairs.



TEODORO SANDIKO
Secretary of Interior



MARIANO TRIAS y CLOSAS
Secretary of Finance



BALDOMERO AGUINALDO
Secretary of War

GRACIO GONZAGA
Secretary of Fomento
(No photograph)



*Arrival of Gen. Emilio Aguinaldo in the
convent courtyard, September 14, 1898.*

Appendix A

Address of General Emilio Aguinaldo, President of the Republic, on the inaugural session of the National Assembly, at the Barasoain Church, Malolos, Bulacan, September 15, 1898. (Tagalog)

Mañga Guinoó:

Tua co'y lubhang malaqui na maihalimbauá sa isang nasa Langit; ngayong namamalas niyaréng mga mata ang daquilang catipunan ng mga bayaning magsasangalang sa capahamacan nang Inang Filipinas; at sa pananalayá ng bumugsong lugod sa abá cong catauhan, ay nauumid yaring dila na sumambit ng catagang salítá.

Gayon may nagpipilit, upang maipatanto sa mga camahalan ninyo ang sa una't magpangayo'y sacbibi sa isip. Nacatulog tila ang nacacatulad co mula ng icatatlong puo't isa ng buan ng Agosto ng taong isang libo ualong daan at siyam na puo at anim hangang sa panahong ito, sa mayuming banig ng malaquing pag ibig sa Inang Filipinas at boong boó cong iniasa sa maauaing Lañgit ang gauang pagliligtas sa nasabing Iná sa pagcacaalipin sa duhaming castila; at ngayong maguising ay aquing namamalas ang daquila nating Kalayaan, na namulaclc nang masaganang bañgo, nag buco at catapustapusa'y namuñga.

Cayo nga't dili iba mga iguinagalang cong capatid na pangulong bayang Filipinas, ang masamiyong bulaclac, buco at bunga na aquing nabanguit; cayo nga't dili iba ang pinili nang matatapang, mahinahon at matiising mga anac nang bayan na inihatid dito na paua ring capatid nila at capatid co; cayo nga't dili iba ang magpipisan at magcacatipon dito't yayari nang ating catipunang panganganlang Sangunian (ó Congreso) na siyang mag bibigay nang lubos na catibayan nang ating calayaang sinabi co na.

Dahil dito'y umaapao sa dibdib ang masimbuyong galac at siyang pinagbubuhatan ng mairog cong batí na ¡salamat na ualang catapusán! ; salamat na inuulit ulit co sa iniyong camahalan at cayo'y nagloalhatting dumating at dumulog ng boong nais sa paquiquilaquip sa Katipunang ito at cayo nga ang lubhang cailangan !

Sa ganitong paraa'y masasabi co na sa panahong ito'y natapus na ang ating panghihimagsic; ibig co bagang isaad, ay sa piling ng ating caquilaquilabot na Hocbo na mapagligtas na ualang caparis ng tapang at mapagtis sa lahat ng cahirapan; ay namamalas na ng iba't ibang nación ang marangal na Katipunan (Congreso) at mapagquiquila nila mula sa panahong ito, na sa bayang Filipinas ay natatatag na ang Hocbo, Katipunan at Pamahalaan, (Ejército, Congreso y Gobierno); tatlong bagay na inadhica nating lahat na pauang cuta ng catibayan; at ito rin naman ang aquing inadhicá mula nang isaisip' ang paglipol at pag-gunao sa capangyarihan nang castila dito sa ating mahalagang bayan.

Alam nga natin at nang sinomang nacababasa nang Historia nang una't sa panahon ngayon, na ualang capuluan ó bayang guising sa dunong na di gumagamit nang nasabi cong tatlong bagay. Siya ngang natatanao ngayong panahong ito sa mga mararangal na nacióng América, Francia at Inglaterra, na pauang nangungulo sa kalayaan, carunungan at cayamanan, dahil sa canilang pagcacaisang loob.

Datapua't nabubusog man ang aquing loob sa galac at catuaan, ay bumabahid din sa isip ang di masauatang panglao, na nangingilalim sa caibuturan ng puso, at ito'y dapat cong ipahayag sa inyong mga camahalan, na siya co ngang ipinanganganib.

Mayroong patriota sa salita lamang: may roon din namang anexionista; ang bagay na ito'y malaquing casiraan sa ating Nacion; caya ipinamamanhic con magisang loob tayo, sa pagca't ang isang mapatiualag ay malaquing caculangan, lalong lalo na ang isang marunong na siya cong iguinagalang at ipinagmamalaqui sa mga extranjero. Mayroong marunong na ang caniyang carunungan ay ayao itulong dito sa Revolución, cun di nagaantay pang tumahimic muna; at ito'y dahil sa carunungan. Maraming umuupasala sa Gobierno ng sabing hindi dapat; nguni't sila

sana'y ucol dumamay dito sa mga mangmang, at huag pulaan: at huag pagpula ang canilang gamitin; sa pagca't ualang ibang magcacapatiid cun di tayo-tayo rin. Mayroong ayao mag lingcod sa ating Gobierno cung ualang macatatapat ang caniyang capagalang; nguni't talastasin ng lahat na ang ating Gobierno'y batang bata pa na di mahahanapan agad ng maraming lacas, dapua't cailan ma'y di malilimutan ng bayan ang mga nag gugol ng pagod sa caniya at tuloy cacamtan nila ang icaliligayang higuit pa sa pinuhunang pagod.

Upang huag sapitin ang icapupulá ng capua, lalong-lalo na ang mga extranjeros: ¡halina cayo iguinagalang cong marurunong! ¡acbayan natin at pag-tiisang pamulatin ang mga nabubulagan, halimbaua ma't ualang cargo oficial na tinataglay; hindi alang-alang cangino pa man, cun di sa mahalagang bayan at ninanasang calayaan!

Ang mga bagay na binanguit sa itaas ay huag isasaquit ng loob ng sino pa man; sinabi co lamang yaon, sa pagca't mayroon dao mangisangisang gumagaui nang gayong bagay mayroon namang nangunguna pa sa ating Gobierno ng paghingi ng anexion, autonomíá at iba pa; pabayaan natin sana ang nais ng bayan at sa canila tayo maquisama upang malubos ang catibayan,

lisanin ang ugaling *orgullo* at *favoritismo* na itinuro sa atin ng castila at ang di pagcacaaisang loob at iba pa.

Mayroong matatacuting labis na di magcasiya sa canilang sarili ang sariling pagcatacot at nanghihiciyat pa sa iba at sinisira ang loob, lalo na ang ilan sa mayaman, dahil nga sa canilang cayamanan na di ibig magambala, nguni't nagcacamali; cung ang canilang guinagaua ay linulubos ang pag-damay sa ating Gobierno, marahil ay macaaagap naman tayo ng lalong icalalacas, gaya nang mga armamentos sa guerra at iba pa, at cung ganito'y matatapus agad ang caguluhang hinaharap: caya ¡halina cayong mayayaman dito sa Filipinas! damayan natin ang caauáauáng caual na nagtangol ng bayan hanggang sa huling tiboc ng caniyang buhay, na di inaalintana ang mapait na camatayan. Caauan na ninyo't cayo nga ang aming inaasahan at cung magcagayon ay di malalaon at mapalalayas nating agad-agad ang lahat na caauay. Lubos cong sinisisi, sa pagca't cun sa unang daco cayo'y dumamay disin, sa mga panahong ito'y nagtatapus na sana sa pulo ng Bisayas at Mindanao, caya tayo'y magcusang magdalidali.

NA UICA CO NA

Appendix B

(Message read by General Aguinaldo at the opening session of the National Assembly on September 15, 1898, held in Malolos, Bulacan.)

M E N S A J E

LEIDO POR EL PRESIDENTE DEL GOBIERNO REVOLUCIONARIO DE FILIPINAS, DON EMILIO AGUINALDO Y FAMY, EN LA APERTURA DE LA ASAMBLEA NACIONAL CELEBRADA EN MALOLOS (BULAKAN) EL DIA 15 DE SETIEMBRE DE 1898.

SEÑORES REPRESENTANTES:

Coronada felizmente la obra de la Revolución y firmemente consolidada la reconquista de nuestro territorio, es llegado el momento de declarar que la misión de las armas, brillantemente realizada por nuestro heróico ejército, pide una tregua para hacer plaza á los consejos que el país pone al servicio del Gobierno, para auxiliar á éste en el desarrollo de su propia libertad y justicia, mensaje divino escrito en las enseñanzas del campo revolucionario.

Tarea grande y gloriosa, siquiera empresa al alcance de toda clase de patriotas, esta de guerrear y romper lanzas con tropas indisciplinadas por la misma injusticia de lo que defienden. Pero no es todo.

Quedan todavía por resolver los graves y trascendentales problemas de la paz, para los que la patria misma que demandó de nosotros el sacrificio de nuestra sangre y de nuestras fuentes de riqueza, reclama también á la hora presente, solemne documento, expresivo de las altas aspiraciones del país rodeado con todos los privilegios y todas las grandezas de la raza filipina, para saludar con el á la majestad de las naciones que conciertan en los altos fines de la civilización y del progreso.

A esas naciones grandes, naciones amigas, cuya libertad gloriosa cantada por la Historia, fue santa evocación que acompañó á nuestra empresa en sus increíbles esfuerzos, á esas naciones dirige cordial salutación de alianza inquebrantable, el pueblo filipino.

Al abrirse para nosostros el templo de la ley, yo bien sé cómo ha de acudir el pueblo filipino, el pueblo sensato por excelencia.

Purgado de sus antiguos errores, con el olvido de tres siglos de afrenta, abierto el corazón a todas las más nobles expansiones, y en el alma la ventura de ser libre;

complacido en sus virtudes, é inflexible con sus propias flaquezas, aquí en la iglesia de Barasoain, santuario un tiempo de plegarias místicas, templo muy augusto y severo del dogma de nuestra independencia, aquí viene á recoger en nombre de la paz, tal vez cercana, los sufragios de nuestros pensadores y de nuestros políticos, de aguerridos defensores del pátrio suelo y de profundos psicólogos del verbo tagalo, de inspirados artistas y poderosas figuras de la alta banca, para escribir con estos votos el libro inmortal de la *Constitución Filipina* como suprema expresión de la voluntad nacional.

Manes ilustres de Rizal, de López Jaena, de [Marcelo] Hilario del Pilar: sombras augustas de Burgos, Peláez y Panganiban: genios guerreros de Aguinaldo y Tirona, de Natividad y Evangelista: surgid un momento de vuestras ignoradas tumbas: ved como el legado histórico que por juro de heredad pasara de vuestras manos á las nuestras; vedlo centuplicado y crecido hasta lo inmenso, hasta lo infinito por el esfuerzo gigante de nuestras armas, y más que por las armas, por la eterna sugestión divina de libertad, prendiendo como llama sagrada en el alma filipina ! Ni Dios, ni la patria nos otorguen el triunfo, sino á condición de compartir con vosotros los laureles de hazañoosa pelea.

Y vosotros los Representantes de la soberanía popular, volved los ojos al alto ejemplo de tan esclarecidos patriotas.

Sea este ejemplo y su venerado recuerdo, á la vez que la generosa sangre derramada en estos campos de batalla, poderoso incentivo que despierte en vosotros noble emulación para dictar con la alta sabiduría que exige vuestro prestigioso mandato, las leyes que en era venturosa de paz han de regir los destinos políticos de nuestra Patria.

HE DICHO.

Appendix C

(Speech of President-elect Pedro A. Paterno of the Malolos Congress, upon declaring open the session on September 17, 1898).

HONORABLE REPRESENTANTES:

Vuestros votos tienen fuerza de ley; y pues que de nada han valido mis excusas físicas y razonamientos de insuficiencia para que los hermanos y amigos retiraran mi candidatura presidencial, deber mío de manifestarlos con sinceridad, que mis fuerzas corporales como espirituales son debilísimas é insuficientes para empresa tan árdua y magna cual la recibida, no ciertamente por merecimientos propios, sino sólo por vuestra excesiva benevolencia. A esta bondad sin límites debeis ajustar la medida correspondiente de mi profundísimo agradecimiento. Sin embargo de lo hecho y dicho y á pesar de mi pequeñez espero serviros con mi mayor buena fé y con toda mi alma, ya que vuestros sufragios me prestan esa autoridad suprema de la soberanía popular.

De la grande calma y serenidad; de la proverbial prudencia y cultura del pueblo filipino hemos de valernos todos para nuestros actos y decisiones. Millares millones de hombres, el mundo civilizado entero nos contempla. Nuestras palabras serán apuntadas y comentadas; nuestras acciones señaladas y criticadas, escudriñando la intención y el remoto pensamiento.

Respeto todas las fuerzas vivas del país; respeto todas las opiniones; más rogando se encaucen al fin supremo de nuestra independencia y unidad que á costa de tanta sangre y lágrimas hemos conquistado.

En este sentido me siento aquí. Ha largo tiempo que en el mundo político he tomado la voz del amor y de la harmonía, de la conciliación y de la paz.

Al elegirme vuestras señorías, colocándome en este altísimo sitio, comprendo que de la diversidad de medios precisos para conseguir el fin, buscad todos la *unidad*. La diversidad debe armonizarse con el fin, así para las naciones como para los individuos.

Cada pueblo tiene una existencia individual, con carácter especial; una civilización particular; pero el desarrollo se enlaza con la marcha general de la humanidad. Las naciones tienen su individualidad y tan sagrada, como es la de los hombres, puesto que una y otra vienen de Dios.

Fueron irremediables la división y la

hostilidad de los pueblos antiguos; porque no se elevaron nunca á la idea de la *unidad del género humano*.

Afortunadamente, todos los filipinos nos creemos *uno en Dios*, así como tenemos un *pueblo con libertad é independencia*.

Saludamos a todas las naciones libres é independientes, declarando que nuestro lema no es de dominación sino de *fraternidad*.

Hay un régimen providencial en las cosas humanas. Los antiguos no conocieron la intervención de la Providencia en la vida de los pueblos. Y sin embargo Dios dirigía los destinos humanos. Creo que los *hombres* como los *pueblos* son autores de sus propios destinos, bajo la mano de Dios.

La acción de la Providencia, bien lejos de destruir nuestra *libertad*, le sirve de auxiliar y todo lo hace menos descargarnos de la *responsabilidad* de nuestros actos.

Común es advertir y ciertamente providencial todo lo que ocurre en la actual revolución filipina; pero el que un hecho sea providencial, no por ello se encuentran justificados los hombres que en él desempeñaron papel más ó menos importante; su *responsabilidad* se determina, no según los designios de Dios, sino según la *ley del deber*.

Cumplamos la misión de reorganizar políticamente nuestro pueblo: sigamos nuestro destino con viva fé y confianza en Dios; llenemos el espacio con actos dignos de la humanidad; inclinemos hacia nosotros con obras generosas el juicio de la conciencia general de las naciones y obtendremos seguramente el favor de la opinión pública universal y el apoyo de la divina Providencia.

Mas Dios solamente apoya á los que á sí mismo se apoyan; es preciso por esto mantener alta y firme nuestra bandera tricolor *una, libre, é independiente*; es necesario luchar en el terreno de la doctrina, como en el de las armas; y aun con más espíritu y energía en el de las ideas: porque al fin y al cabo las ideas deciden y vencen; no la fuerza, sino las ideas son las que gobiernan el mundo.

Gloria al Señor que nos ha conducido por los caminos de la victoria. ¡Ojalá que pronto nos conceda ver y disfrutar el triunfo de nuestros ideales!

HE DICHO.

Appendix D

List of names of the Members of the Malolos Congress certified by President Pedro A. Paterno

PROVINCIAS DE TERMINO

REPRESENTANTES

MANILA	Sr. Teodoro Gonzales Leaño	Por sufragio
— " Felix Ferrer y Pascual		
— " Arsenio Cruz Herrera		
— " Mariano Limjap		
BATANGAS	Sr. Mariano Lopez	Por sufragio
— " Gregorio Aguilera		
— " Eduardo Gutierrez		
— " Ambrosio Flores		
BULACAN	Sr. Ambrosio Rianzares Bautista	Por sufragio
— " Mariano Crisostomo		
— " Pedro Serrano	Tarlac	
— " Trinidad Icasiano	S. Rafael	
CAVITE	Sr. Jose Basa	Por sufragio
— " Hugo Ilagan		
— " Jose Salamanca		
— " Severino de las Alas	Tarlac	
AMBOS CAMARINES	Sr. Justo Lucban	Por sufragio
— " Tomas Arejola		
— " Valeriano Velarde	Tarlac	
— " Mariano (illegible)	Id.	
ILOCOS SUR	Sr. Mariano Fos	Por sufragio
— " Ignacio Villamor		
— " Francisco Tongson		
— " Mario Crisologo		
ILOCOS NORTE	Sr. Gregorio Aglipay	Por sufragio
— " Martin Garcia		
— " Pio Romero		
— " Jose Luna		
— " Primitivo Donato		
— " Pedro A. Paterno		
LAGUNA	Sr. Higinio Benitez	Por sufragio
— " Graciano Cordero		
— " Manuel Sityar.....	Tarlac	
— " Mauricio Ilagan	"	
PAMPANGA	Sr. Joaquin Gonzales	Por sufragio
— " Jose R. Infante		
— " Ramon Henson	Angeles	
— " Enrique Macapinlac	Porac	
PANGASINAN	Sr. Vicente del Prado	Por sufragio
— " Antonio Feliciano		
— " Sebastian de Castro—Tarlac		
— " Adriano Garces—Dagupan		

ILOILO	Sr. Esteban de la Rama — " Melecio Figueroa — " Venancio Concepcion—Tarlac — " Tiburcio Hilario—Concepcion	}	Por decreto
CEBU	Sr. Ariston Bautista — " Trinidad P. de Tavera — " Felix David—Porac — " Francisco Macabulos Soliman	}	Por decreto
LEYTE	Sr. Simplicio del Rosario — " Rafael Guerrero — " Marcial Zamora—Concepcion — " Lucio Navarro	}	Por decreto
ALBAY	Sr. Salvador V. del Rosario — " Marcial Calleja — " Pantaleon Garcia—Tarlac — " Honorato Agrava — Id. — " Aguedo Velarde — Id.	}	Por sufragio
DE ASCENSO			
CAGAYAN	Sr. Vicente Guzman Pagulayan) Por Sufragio — " Pablo Tecson — Tarlac — Por decreto — " Anastacio Francisco — Id.		
BATAAN	Sr. Jose Tuazon — Por sufragio — " Pedro Teopaco — Pampanga — " Hermogenes Marco — Bataan		
ISABELA DE LUZON	Sr. Eustacio del Rosario — " Raymundo Alindada — " Abelardo Guzman	}	Por decreto Por sufragio
UNION	Sr. Joaquin Luna — Por sufragio — " Mateo del Rosario — Tarlac — Por decreto — " Miguel Paterno — Id.		
NUEVA ECIJA	Sr. Jose Santiago — Por sufragio — " Epifanio Santos — " Gregorio Macapinlac — Porac		
TAYABAS	Sr. Sofio Alandy—Por sufragio — " Basilio Teodoro—Por decreto — " Jose Espinosa—Tarlac		
TARLAC	Sr. Juan Nepomuceno—Por sufragio — " Victoriano Tanedo—Tarlac — " Julian Carpio—Camiling		
ZAMBALES	Sr. Juan Manday Gabriel—Por sufragio — " Alejandro Albert—Tarlac — " Felix Bautista—Por decreto		
SORSOGON	Sr. Manuel Xerez Burgos — Por decreto — " Pedro Lipana—Tarlac — " Maximino Hizon—Id.		
NEGROS OCCIDENTAL	Sr. Jose M. de la Vina—Por decreto — " Antonio Montenegro—Dagupan — " Juan Benson—Id.		

NEGROS ORIENTAL	Sr. Pio del Pilar—Por decreto — “ Luciano San Miguel—Zambales — “ Mariano Oirola—Tarlac
SAMAR	Sr. Javier Gonzales Salvador—Por decreto — “ Servillano Aquino — “ Juan Tongco—Rosales
CAPIZ	Sr. Miguel Zaragoza—Por decreto — “ Mariano Bacani—(Pampanga) — “ Juan Baltazar—(Union)
ANTIQUE	Sr. Ariston Gella—Por decreto — “ Vicente Lopez — “ Eusebio Natividad—(Tarlac)
BOHOL	Sr. Pedro Liongson—Por decreto — “ Tranquilino Arroyo— (Candaba) — (Illegible) Labio (?) Pinson
ZAMBOANGA	Sr. Felipe Buencamino—Tarlac—Por decreto — “ Tomas Mascardo—Pampanga — “ Lazaro Tanedo—Gerona
MISAMIS	Sr. Teodoro Sandico—Por decreto — “ Apolonio Mercado — “ Gracio Gonzaga—Cabanatuan, Tarlac

DE ENTRADA

MORONG	Sr. Jose F. Oliveros—Por sufragio — “ Marcelo Mesina—Angeles
LEPANTO	Sr. Raymundo C. Jeciel—Por sufragio — “ Antonio Rebello — “ Leon Aplicable
CALAMIANES	Sr. Narciso Hidalgo Resurreccion—Por decreto — “ Norberto Cruz Herrera—Cabanatuan, S. Isidro
MASBATE Y TICAO	Sr. Alberto Barretto—Por decreto — “ Maximo Cabigting (Arayat)
MINDORO	Sr. Antonino Constantino—Por sufragio — “ Perfecto Gabriel —Por decreto — “ Arturo Dancel
BATANES	Sr. Daniel Tirona —Porsufragio — “ Vito Belarmino —Por decreto
CATANDUANES	Sr. Marcelino Santos—Tarlac — “ Jose Alejandrino—Dagupan
NUEVA VIZCAYA	Sr. Evaristo Panganiban—Por sufragio — “ Hipolito Magsalin —Por decreto
ABRA	Sr. Isidro Paredes—Por sufragio — “ Juan Villamor
BORONGAN	Sr. Juan de Castro — “ Enrique del Rosario

MAASIN	Sr. Juan Arceo—Bayombong
— “	Ladislao Jose
TARLAC VIEJO	Sr. Gabino Calma
— “	Isidro Montoya
ROMBLON	Sr. Lucas Gonzales Maninang
— “	Cirilo Canizares—Nueva Ecija
SURIGAO	Sr. Tomas G. del Rosario—Por decreto
— “	Timoteo Paez—Tarlac
DAVAO	Sr. Leon Guerrero—Por decreto
— “	Ceferino Pantoja—Bayombong
COTABATO	Sr. Jose M. Lerma—Por decreto
— “	Pedro Layug Villaluz—Porac
ISABELA DE BASILAN	Sr. Juan Tuason—Por decreto
— “	Jamiano Bautista—Tarlac
DAPITAN Y LAL-LO	Sr. Jose Albert—Por decreto
— “	Julio Ruiz—Cabanatuan
PARAGUA	Sr. Felipe Calderon—Por decreto
— “	Domingo Colmenar
PADRE BURGOS	Sr. Joaquin Baltazar—Por sufragio
— “	Sixto Zandueta
— “	Ceferino de Leon—Por decreto
AMBURAYAN	Sr. Mateo Gutierrez y Ubaldo—Por sufragio
“	Jose Coronel
TIAGAN	Sr. Lino Abaya—Por sufragio
— “	Fernando Ferrer—Vigan
JOLO	Sr. Benito Legarda—Por decreto
— “	Victor Papa—Tarlac
BALABAC	Sr. Santiago Icasiano—Por decreto
— “	Jose Zulueta—Bayambang
ISLAS PALAOS	Sr. Isidoro Tongco—Por decreto
— “	Alfonso Ramos—Tarlac
LABOC	Sr. Ramon Arriola
— “	Manuel Aldeguera —Tarlac
MATTI	Sr. Vicente Somosa—Por decreto
— “	Urbano Morales—Tarlac
MALABANG	Sr. Lorenzo del Rosario—Por decreto
— “	Agripino Atienza
TUCURAN	Sr. Telesforo Chuidian—Por decreto
— “	Juan Santos—Tarlac
SIASSI	Sr. Jose Hernandez—Por decreto
— “	Alejandro Avecilla—Tarlac
FATOAN (?)	Sr. Manuel Gomez Martinez—Por decreto
— “	Luis Avecilla—Tarlac
BONGAO	Sr. Sotero Laurel—Por decreto
— “	Jacinto Vega—Tarlac

BURIAS	Sr. Maximino Paterno—Por decreto
— “	Sinforoso Vitan—Tarlac
— “	Patricio Baylon
BARAS	Sr. Arcadio del Rosario—Por decreto
— “	Andres Tirona—Tarlac
BUTUAN	Sr. Santiago Barcelona—Por decreto
— “	Alfonso (Illegible)
— “	Ambrosio Delgado
BONTOC	Sr. Fernando Canon—Por decreto
— “	Mariano Nable Jose
PRINCIPE INFANTA	Sr. Pablo Ocampo—Por decreto
— “	Regino Garcia
CONCEPCION ..	Sr. Mariano V. del Rosario—Por decreto
— “	Vicente Genato
MARINDUQUE	Sr. Ricardo Paras—Por sufragio
— “	Julio Ruiz—Cabanatuan

El Congreso Revolucionario, constituido conforme el decreto de fecha 23 de Junio del presente año, tiene el honor de poner en conocimiento del Gobierno Revolucionario que han sido elegidos por sufragio, para formar mesa los señores Representantes que a continuación se expresan:

Presidente: D. Pedro A. Paterno.

Vice-Presidente: D. Benito Legarda

Secretarios: Gregorio Araneta y D. Pablo Ocampo.

Barasoain, a diez y seis de Septiembre de mil ochocientos noventa y ocho.

El Presidente,

(Fdo.) PEDRO A. PATERNO.

HONORABLE SR. PRESIDENTE DEL GOBIERNO REVOLUCIONARIO DE FILIPINAS

Appendix E

Message of General Aguinaldo on the Proclamation of the Republic, January 23, 1899.

MENSAJE DEL HONORABLE PRESIDENTE DE LA REPUBLICA AL CONGRESO EL 23 DE ENERO DE 1899

Señores Representantes:

Felicitó a VV. por haber terminado la obra constitucional. De hoy en adelante Filipinos tienen un Código Nacional, a cuyos justos y sabios preceptos todos, absolutamente todos, debemos cumplida é inescusable obediencia y cuyos liberales y democráticas garantías alcanzan también a todos.

De hoy más Filipinos cuenta con una ley fundamental que enlaza a nuestro pueblo con las demás naciones por medio de la más fuerte de las solidaridades, cual es solidaridad de la justicia, de la ley, y del derecho, verdades eternas, que son la principal base de la dignidad humana.

Felicitóme también por ver premiados mis afanes y esfuerzos de siempre, desde que empujado por impulsos providenciales, me lanzé al campo con mis valientes paisanos los caviteños al igual que hicieron nuestros hermanos en otras partes sin más armas que el bolo para reconquistar nuestra libertad é independencia.

Y felicito en fin, a nuestro amado pueblo, que desde este gran dia dejará de ser anónimo, y puede con legitimo orgullo ostentar ante la faz del Universo el tan codiciado nombre de REPUBLICA FILIPINA.

Ya no somos insurrectos, ya no somos revolucionarios, es decir, somos desde hoy republicanos, esto es, hombres de derecho con quienes hermanar todos los demás pueblos, mediante el mutuo respeto y el reciproco cariño. Nada falta, pues, para que podamos ser reconocidos y admitidos como Nación libre é independiente.

¡Ah señores Representantes! ¡Cuantos dolores y amarguras acusan en la memoria aquellos pasados días de esclavitud española, y cuantos venturas y alegrías despiertan en el alma los presentes momentos de la libertad filipina!

Grande es este dia; gloriosa es esta fecha; y será eternamente memorable el momento este en que se eleva nuestro amado pueblo a la apoteosis de la Independencia. El dia 23 de enero será para Filipinos de hoy en adelante dia de fiesta nacional, como el 4 de

julio lo es para la nación norte-americana. Y así como en el siglo pasado Dios ayudó a la débil America, cuando luchaba contra la poderosa Albion, por reconquistar su libertad é independencia, también nos ayudará hoy en esta nuestra idéntica empresa, porque los derroteros de la justicia Divina son inmutablemente los mismos en rectitud y sabiduría.

Gracias mil, señores Representantes, por vuestra labor parlamentaria, que enaltece y acredita por manera pública y fehaciente que somos un pueblo culto a la par que valiente, digno por tanto de merecer franca entrada en el concierto de las Naciones libres.

Habéis merecido justamente la gratitud de la Pátria y del Gobierno, al demostrar a los ojos de todo el mundo con nuestra sabiduría, sensatez y prudencia, que, en esta remota y hasta hoy mal conocida parte del mundo, los principios de la civilización europea y americana son sabidos y más que sabidos; que aquí hay inteligencias y corazones que se compenetran perfectamente con las inteligencias y los corazones de los pueblos más cultos; y que no obstante la calumniosa voz de nuestros eternos detractores, hay aquí, en fin, alma nacional, que une y fundo todos los corazones filipinos en una sola idea y en una sola aspiración. VIVIR INDEPENDIENTE DE TODO YUGO EXTRANJERO BAJO LA DEMOCRATICA SOMBRA DE LA REPUBLICA FILIPINA.

Por eso yo, al observar consagrados en nuestra obra constitucional los eternos principios de autoridad, de libertad, de orden y de justicia, que se profesan entre si todas las Naciones civilizadas como la más perfecta garantía de su actual solidaridad, me siento fuerte, orgulloso, enaltecido, y sinceramente impulsado para lanzar, señores, desde el fondo de mi alma los gritos de

VIVA LA REPUBLICA FILIPINA.
VIVA LA CONSTITUCION.
VIVAN SUS ILUSTRES AUTORES,
LOS REPRESENTANTES DEL 1.er CONGRESO FILIPINO.

HE DICHO.

Appendix F

Official protest against the Paris Peace Treaty by Felipe Agoncillo, December 12, 1898. (*Spanish text*)

PROTESTA OFICIAL CONTRA EL TRATADO DE PAZ DE PARIS.

PARIS, 12 De Diciembre De 1898.

Excmos. Sres. Presidentes y Delegados de la Comisión Americo-Española de la Paz en Paris, Excmos. Sres.

Muy Señores Mios: —

El muy noble é invicto General Emilio Aguinaldo, Presidente de la República Filipina, y de su Gobierno, se sirvió honrarme con el cargo de su Representante oficial cerca del muy honorable Presidente y del Gobierno de la República de los Estados Unidos de Norte America, confiriéndome, al propio tiempo, el encargo de protestar contra los acuerdos lesivos á la soberanía de aquel pais, que pudiera adoptar la Comisión de la Paz, reunida en Paris.

Esta ha terminado ya su cometido; y sus acuerdos no pueden ser aceptados como obligatorios por mi Gobierno, desde el momento que la Comisión no ha oido y asociado en sus deliberaciones al pueblo filipino, que tenía un derecho incuestionable á intervenir en ellas por lo que pudiesen afectar á su vida futura.

Cumplo, por lo tanto, con mi deber, al protestar, como lo hago en la más solemne forma, en nombre del Presidente y Gobierno Nacional de Filipinas, contra los acuerdos tomados en la Conferencia de la Paz en Paris, en tanto se desconozca con ellos la personalidad jurídica-política-independiente del pueblo filipino, y se pretenda en cualquier forma, imponer á aquellos habitantes soluciones que no han sido sancionadas por sus Poderes Públicos, únicos que pueden legalmente decidir sobre su porvenir en la historia.

España carece absolutamente de personalidad y de facultades para dictar acuerdos de ningún género en el orden mencionado.

La unión de España y Filipinas se fundaba solo en dos hechos históricos, en los que se reconocía implícitamente el derecho exclusivo de los filipinos para resolver sus

destinos:

Primero: el Pacto de Sangre del 12 de Marzo de 1565, celebrado entre el Adelantado Don Miguel Lopez de Legazpi y el Soberano filipino Sikatuna pacto que se ratificó y se confirmó de un lado, por el Rey de España, Felipe II, y del otro por los Monarcas de Mindanao, Bisayas y Luzon y por el Jefe Supremo de aquella confederación, el Sultan Lacandola; proclamándose en su consecuencia la nacionalidad autónoma del "Reyno de Nueva Castilla", que lo formaban las Islas Filipinas, bajo el cetro del Rey de España.

Segundo: la llamada Constitución de Cádiz, en cuya discusión, votación, promulgación y ejecución tomaron parte activa los Diputados y el pueblo filipino; y por cuya Constitución se hizo efectiva la nacionalidad de "Las Españas".

Pero desde el momento en que los Poderes Públicos Peninsulares intentaron imponer á las islas su soberanía absoluta, los filipinos protestaron enérgicos con las armas en la mano; y desde la primera tentativa en 1814, la lucha en defensa de su personalidad política quedó planteada. Al consumarse en 1837 el despojo violento de sus derechos, los filipinos protestaron de nuevo, sosteniendo España contra ellos una lucha fratricida é inhumana que ha durado desde entonces hasta nuestros días.

La falsía, con que procedieron siempre las autoridades peninsulares, ocultó constantemente al mundo aquella situación de fuerza, que ha durado casi un siglo.

Al cabo, en las postrimerías del presente, las fuerzas españolas han sido derrotadas por completo por las de los naturales; y ya no puede alegar España ni siquiera la posesión de las islas, por que no constituyen

tal derecho la permanencia de un puñado de soldados peninsulares (400 próximamente) que viven sitiados en una ó dos fortalezas, en el Sur del Archipiélago.

El Gobierno Español ha cesado en su dominio de hecho y de derecho; y la única autoridad, que allá existe y conserva el orden, es la constituida por los filipinos, con la sanción solemne de sus votos, única fuente legal del derecho positivo moderno.

En tales condicionés, los Comisionados Españoles en Paris no han podido, dentro de los principios del derecho de gentes, ceder ni otorgar lo que, si alguna vez tuvieron, habían perdido totalmente antes de firmarse el Protocolo de Washington, y de fijarse los términos del Tratado de Paz en Paris.

El pueblo filipino que consentió el "Pacto de Sangre" y la Constitución de 1812, por razón de la falta de cumplimiento por parte de España, anuló aquellas convenciones y recuperó su soberanía, con la proclamación solemne de la República Filipina en 1º de Agosto de 1898, y con el establecimiento de un Gobierno y una Administración regular y ordenada, creados por el voto decisivo de sus naturales.

Si algún jurídico puede atribuirse á la acción española en el Tratado de Paz, dentro de los principios del derecho internacional, es la renuncia explícita de toda pretensión futura sobre un suelo, cuyo dominio y cuya posesión tenía perdidos, y por lo tanto solo sirve para hacer efectivo el reconocimiento de la personalidad del pueblo filipino y el del derecho que asiste á este para disponer soberano de sus nuevos destinos.

Los Estados Unidos de Norte America á su vez no pueden alegar mejor derecho para constituirse en árbitros del provenir de las Filipinas.

Por el contrario, las exigencias del honor y de la buena fé les imponen el reconocimiento explícito de la personalidad política del pueblo, que, leal á sus convenciones, fué aliado devoto de sus fuerzas en los momentos del peligro y de la lucha.

El noble General Emilio Aguinaldo y los otros Jefes filipinos fueron solicitados, para que al frente de los hijos sufridos y heróicos de aquel país, luchasen contra España, y secundarán la acción del bravo y hábil Almirante Dewey.

Al pedírselas su cooperación armada, lo mismo el Comandante del "Petrel," que el Capitán Wood en Hong Kong, antes de la declaración de guerra; que los Consules Generales Americanos Mr. Pratt en Singapore, Mr. Wildman en Hong Kong y Mr. Williams en Cavite, obrando como Agentes internacionales de la Gran Nación Americana, en momentos de gran ansiedad, ofrecieron reconocer la independencia de la nación filipina, una vez obtenido el triunfo.

Bajo la fé de tales promesas, se puso á disposición de dichos Jefes un buque de guerra Americano, el "McCulloch," que les llevó á las playas natales; y el mismo Almirante Dewey, al mandar el buque, al no negar al General Aguinaldo y á sus compañeros la exactitud de sus promesas, cuando se le presentaron en su buque insignia en la bahía de Manila; al recibir á dicho General Aguinaldo antes y despues de sus victorias y notables hechos de armas, con los honores debidos al General en Jefe de un Ejercito aliado y Jefe de un Estado independiente; al aceptar la cooperación efectiva de ese Ejercito y de esos Generales; al reconocer la bandera filipina y permitir que se izase en tierra y en mar, consentiendo que sus buques navegasen con dicha bandera dentro de los lugares que tenía bloqueados; al recibir notificación solemne de la proclamación formal de la República Filipina sin protestar contra ella, ni oponerse en manera alguna á su existencia de hecho; al entrar en relaciones con esos Generales y con las autoridades nacionales filipinas, recientemente establecidas, reconoció indiscutiblemente la personalidad y soberanía autónoma del pueblo, que acababa de romper sus cadenas y de emanciparse á impulso de su propio esfuerzo.

Y ese reconocimiento, no puede negarlo hoy el pueblo honrado y serio de los Estados Unidos de Norte America, que no debe desconocer ni discutir la palabra dada por sus oficiales y representantes en aquella región, en momentos tan solemnes por su gravedad para la República Americana.

Pretender poner ahora en tela de juicio las atribuciones de tales funcionarios públicos, despues del peligro, sería un acto de notoria injusticia, que no pueden consentir los que tienen el deber ineludible de conservar incólume la brillante reputación de los hijos de la gran nación que

fundara el inmortal Washington, cuya primer gloria fué, y ha sido siempre, el cumplimiento constante de su palabra de honor.

Procede recordar aqui que los filipinos no peleaban como asalariados ó soldados mercenarios de America. A su arribo recibieron solo un reducido número de armas, de que se les hiciera entrega por orden del Almirante Dewey. Las armas, municiones y provisiones con que los filipinos han sostenido despues de la guerra contra las fuerzas españolas, fueron adquiridas, unas, con su valor, y gestionadas otras con sus recursos propios, proporcionados estos exclusivamente por los patriotas filipinos.

Y no sería noble negar ahora, despues de haberlo utilizado, la alianza, el valor, la lealtad y la nobleza de las fuerzas filipinas, al pelear al lado de las tropas americanas, prestándolas un apoyo decidido, entusiasta y eficaz.

Sin su cooperación y sin el sitio previo; hubiéranse acaso posecionado los americanos tan facilmente, de la ciudad murada de Manila. Pudieron, quien lo duda? destruirla con un bombardeo, pero sin los anteriores hechos de armas sin el cerco rigoroso en que se le encerró al ejercito español, era totalmente irrealizable el simulacro que se verificó de su ataque y rendición.

El General Dewey destruyó gloriosamente la escuadra española; pero carecía de fuerzas de desembarco, y no podía disponer inconsideradamente de sus municiones de guerra y de sus provisiones; y en tales condiciones el apoyo que, como compañeros de armas, le prestaron los Generales y fuerzas filipinas, es de positiva é innegable ventaja. Sin ellos, las tropas del General Anderson y las que luego siguieron desembarcando, no hubieran probablemente podido llegar á Manila, antes de la suspensión de hostilidades y de la firma del Protocolo de Washington. La verdad y la sinceridad en su lugar.

Ahora bien: si los españoles no han podido transmitir á los americanos derechos de que carecían; si estos no han conquistado militarmente posiciones en Filipinas; si la

ocupación de Manila fué un suceso consiguiente y preparado por los filipinos; si los oficiales y representantes internacionales de la República de los Estados Unidos del Norte de America ofrecieron reconocer la independencia y soberanía de Filipinas solicitaron y aceptaron su alianza; como pueden estos constituirse ahora en árbitros del Dominio, Administración y Gobierno futuro de las Islas Filipinas?

Si en ese Tratado de Paris se hubieran simplemente declarado la retirada de los españoles y la cesación de su dominio legal si lo tuvo, sobre el territorio filipino: si America, al aceptar la paz, hubiese firmado el Tratado sin perjuicio de los derechos de Filipinas y de entenderse despues con el Gobierno Nacional Filipino existente, reconociendo asi la soberanía de este, su alianza y los compromisos de honor, con el mismo, claro es que no procedería la protesta contra sus actos. Pero dados los términos del Artículo 3º del Protocolo, dado el proceder de los Comisionados Americanos, y ante la necesidad imperiosa de salvaguardar los derechos nacionales de mi patria, consigno esta protesta, que hago extensiva por las razones espuestas, y con las salvedades de derecho que corresponden, contra la acción y los acuerdos tomados en la Conferencia de la Paz en Paris y en el Tratado firmado por los Comisionados de America y España.

Y al hacer esta protesta, reclamo en nombre del pueblo filipino, del de su Presidente y de su Gobierno, el cumplimiento de la declaración solemne hecha por el muy ilustre William MacKinley, Presidente de la República de los Estados Unidos de Norte America, de que, al ir á la guerra, no le guiaba intento alguno de engrandecimiento y estension del territorio nacional, sino sólo el culto á los principios de humanidad, el deber de libertar á pueblos tiranizados y el deseo de proclamar los derechos inalienables, con la soberanía propia, de los países libertados del yugo de España.

Dios guarde á V.V.E.E. muchos años,
Excmos. Sres.

— FELIPE AGONCILLO

Official protest against the Paris Peace Treaty, December 12, 1898. (English text)

PARIS, 12th of December, 1898.

Their Excellencies, the Presidents and Delegates of the Spanish American Peace Commission, Paris.

The very noble and gallant General Emilio Aguinaldo, President of the Philippine Republic, and his Government have honoured me with the post of Official Representative to the very Honourable President and Government of the United States of America, devolving on me, at the same time, the duty of protesting against any resolutions contrary to the independence of that country which might be passed by the Peace Commission in Paris.

This has already terminated its sessions, and the resolutions passed cannot be accepted as obligatory by my Government, since the Commission has neither heard, nor in any wise admitted to its deliberations, the Philippine nation, who held an unquestionable right to intervene in them, in relations to what might affect their future.

I fulfill, therefore, my duty, when I protest, as I do in the most solemn manner, in the name of the President and the National Government of the Philippines, against any resolutions agreed upon at the Peace Conference in Paris, as long as the juridical, political, independent personality of the Filipino people is entirely unrecognized, and attempts are made in any form to impose on these inhabitants, resolutions which have not been sanctioned by their public powers, the only ones who can legally decide as to their future in history.

Spain is absolutely devoid of a status and power to decide, in any shape or form, the aforementioned matter. The Union of Spain and the Philippines, was founded solely on two historical facts, in which the exclusive right of the Filipinos to decide their own destiny was implicitly recognized..

First:—The "Blood Compact" (Pacto de Sangre) of the 12th of March, 1565, entered into between the General Don Miguel Lopez

de Legazpi and the Filipino sovereign, Sikatuna, a compact which was ratified and confirmed on the one side, by the King of Spain, Philip II, and, on the other side, by the Monarchs of Mindanao, Bisayas and Luzon and by the Supreme Chief of that Confederation, the Sultan Lacandola; proclaiming as a consequence, the autonomous nationality of the Kingdom of "New Castile", formed by the Philippine Islands, under the sceptre of the King of Spain.

Second:—The so-called "Constitution of Cadiz", in the discussion, vote, promulgation and execution of which the Deputies and Filipino people took an active part; and by which Constitution the nationality of "The Spains" was made effective.

But from the very first moment in which the Peninsular Public Powers attempted to impose their absolute sovereignty on the Islands, the Filipinos protested energetically by force of arms, and from the first attempt in 1814, the struggle in defense of their political personality was implanted.

When, in 1837, the violent deprivation of their rights was consummated, the Filipinos again protested Spain sustaining against them a fratricidal and inhuman struggle, which has lasted from that time onwards up to the present day.

Falsehood, which always characterized the actions of the Peninsular authorities, constantly hid from the world the fact of the real situation of force, which has lasted almost a hundred years.

At length, at the end of the present century, the Spanish forces have been completely routed by those of the natives, and Spain cannot now even allege the possession by her of the Islands; because the permanency of a handful of Peninsular soldiers, (approximately 400) who are holding

out, besieged in one or two fortresses in the south of the Archipelago, cannot constitute such a right. The Spanish Government has ceased to hold any dominion by deed and by right; and the only authority which exists there and preserves order, is that constituted by the Filipinos, with the solemn sanction of their votes, the only legal fount of positive modern power.

Under such conditions, the Spanish Commissioners in Paris have not been able, within the principles of the law of nations, to give up or transfer what, if they ever had, they have totally lost before the signing of the Protocol of Washington and the arranging of the terms of the Peace Treaty in Paris.

The Filipino people who consented to the "Blood Compact" and the "Constitution of 1812," annulled those conventions, by reason of Spain not complying with her undertakings, and renewed their sovereignty by the solemn proclamation of the Philippine Republic on the 1st of August, 1898, and by the establishment of a Government and a regular and well-ordered administration, created by the decisive votes of the natives.

If any juridical effect can be attributed to the Spanish action in the Peace Treaty, within the principles of International Law, it is the explicit renunciation of all future pretension over the land, the dominion and possession of which she has lost, and therefore is only of use to make the recognition of the corporate body of the Filipino nation, and that of their rights to rule effectively in respect of their future.

The United States of America, on their part, cannot allege a better right to constitute themselves as arbitrators as to the future of the Philippines.

On the contrary, the demands of honour and good faith impose on them the explicit recognition of the political status of the people, who, loyal to their conventions, were a devoted ally of their forces in the moments of danger and strife. The noble General Emilio Aguinaldo and the other Filipino Chiefs were solicited to place themselves at the head of the suffering and heroic sons of that country, to fight against Spain and to second the action of the brave and skillful Admiral Dewey.

At the time of imploring their armed co-operation, both the Commander of the 'Petrel' and Captain Wood, in Hong Kong, before the declaration of war, the American Consuls General Mr. Pratt, in Singapore, Mr. Wildman, in Hong Kong, and Mr. Williams, in Cavite, acting as international agents of the great American nation, at a moment of great anxiety, offered to recognize the independence of the Filipino nation, as soon as victory was attained.

Under the faith of such promises, an American man-of-war, the 'McCulloch' was placed at the disposal of the said leaders, and which took them to their native shores; and Admiral Dewey himself, by sending the man-of-war; by not denying to General Aguinaldo and his companions the exacting of his promises, when they were presented to him on board his flagship in the Bay of Manila; by receiving the said General Aguinaldo before and after his victories and notable deeds of arms, with the honours due to the Commander-in-Chief of an allied Army, and Chief of an independent State; by accepting the efficacious cooperation of that Army and of those Generals; by recognizing the Filipino flag, and permitting it to be hoisted on sea and land, consenting that their ships should sail with the said flag within the places which were blockaded; by receiving a solemn notification of the formal proclamation of the Philippine nation, without protesting against it, nor opposing in any way its existence; by entering into relations with those Generals and with the national Filipino authorities recently established, recognized without question the corporate body and autonomous sovereignty of the people who had just succeeded in breaking their fetters and freeing themselves by the impulse of their own force.

And that recognition cannot now be denied by the honourable and serious people of the United States of America, who ought not to deny nor discuss the word given by their officials and representatives in those parts, in moments so solemn in gravity for the American Republic.

To pretend to put now in question the attributes of such public functionaries, *after the danger*, would be an act of notorious injustice, which cannot be consented to by

those who have the unavoidable duty of preserving unstained the brilliant reputation of the sons of the great nation founded by the immortal Washington, whose first glory was, and has always been, the constant fulfillment of their word of honour.

It must be remembered here that the Filipinos did not fight as paid troops or mercenaries of America. On their arrival, they only received a reduced number of arms, which were delivered to them by the order of Admiral Dewey. The arms, ammunition and provisions, with which the Filipinos have since sustained the war against the Spanish forces, were acquired, some by their gallantry, and others bought with their own funds, these latter being exclusively provided by the Filipino patriots.

And it would not be noble to deny now, after having used the alliance, the courage, loyalty and nobility of the Filipino forces in fighting at the side of the American troops, lending them a decided support, both enthusiastic and efficacious.

Without their co-operation and without the previous siege, would the Americans have been able so easily to gain possession of the walled city of Manila?

They could, who can deny it? have destroyed it by bombardment, but without the foregoing armed deeds, and without the rigorous circle in which the Spanish army was enclosed, the pretence of the attack and surrender which took place could not absolutely have been realized.

Admiral Dewey gloriously destroyed the Spanish squadron, but he had no disembarking forces, and could not inconsiderately dispose of his ammunition and provisions; and under such conditions, the support, which as companions in arms, was lent to him by the Filipino Generals and their forces, is a positive and undeniable advantage. Without them, General Anderson's troops and those which afterwards were disembarked, probably would not have been able to have arrived at Manila before the suspension of hostilities and the signing of the Protocol of Washington.

Now, if the Spaniards have not been able to transfer to the Americans the rights which they did not possess; if the former have not

militarily conquered positions in the Philippines; if the occupation of Manila was a resulting fact, prepared by the Filipinos; if the international officials and representatives of the Republic of the United States of America offered to recognize the independence and sovereignty of the Philippines, solicited and accepted their alliance, how can they now constitute themselves as arbiters of the control, administration and future government of the Philippine Islands?

If in the Treaty of Paris, there had simply been declared the withdrawal and abandonment by the Spaniards of their dominion — if they ever had on — over the Filipino territory; if America, on accepting peace, had signed the Treaty, without prejudice to the rights of the Philippines, and with the view of coming to a subsequent settlement with the existing Filipino National Government, thus recognizing the sovereignty of the latter, their alliance and the carrying out of their promises of honour to the said Filipinos, it is very evident that no protest against their action would have been made. But in view of the terms of the 3rd Article of the Protocol, the proceedings of the American Commissioners, and the imperative necessity of safeguarding the national rights of my country, I make this protest, which I wish to comprise for the aforementioned reasons, but with the corresponding legal restrictions, as against the whole action taken and the resolutions passed by the Peace Commissioners at Paris, and in the Treaty signed by them. And in making this protest, I claim, in the name of the Filipino nation, in that of their President and Government, the fulfillment of the solemn declaration made by the illustrious William McKinley, President of the Republic of the United States of North America, that, on going to war, he was not guided by any intention of territorial expansion, but only in respect to the principles of humanity, the duty of liberating tyrannized people, and the desire to proclaim the unalienable rights of sovereignty of the countries released from the yoke of Spain.

God keep your Excellencies many years.

— FELIPE AGONCILLO

Appendix G

Official Directory of THE REVOLUTIONARY GOVERNMENT OF THE PHILIPPINES

1898-1899

President: Don Emilio Aguinaldo y Famy

Department of War:

Secretary: Don Baldomero Aguinaldo Baloy

Director: Don Antonio Luna

Generals of Division:

Don Artemio Ricarte

Don Vito Belarmino

Don Emiliano Riego de Dios

Brigadier Generals:

Don Pantaleon Garcia

Don Tomas Mascardo

Don Mariano Llanera

Don Mariano Noriel

Don Isidoro Torres

Don Miguel Malvar

Don Paciano Rizal

Don Pascual Alvarez

Don Jose Ignacio Pawa

Don Pio del Pilar

Don Gregorio del Pilar

Don Francisco Macabulos

Department of the Interior:

Secretary: Don Leandro Ibarra

Director: Don Severino de las Alas

Department of Foreign Affairs:

Secretary: Don Cayetano G. Arellano

Director: Don Trinidad H. Pardo de Tavera

Director of Marine: Don Pascual Ledesma

Director of Commerce: Don Esteban de la Rama

Department of Finance:

Secretary: Don Mariano Trias y Closas
Director: Don Benito Legarda
Treasurer General: Don Silvestre Legaspi

Department of Justice:

Secretary: Don Gregorio Araneta
Director: Don Jose M. Basa Enriquez
Director of Registry: Don Juan Tangco

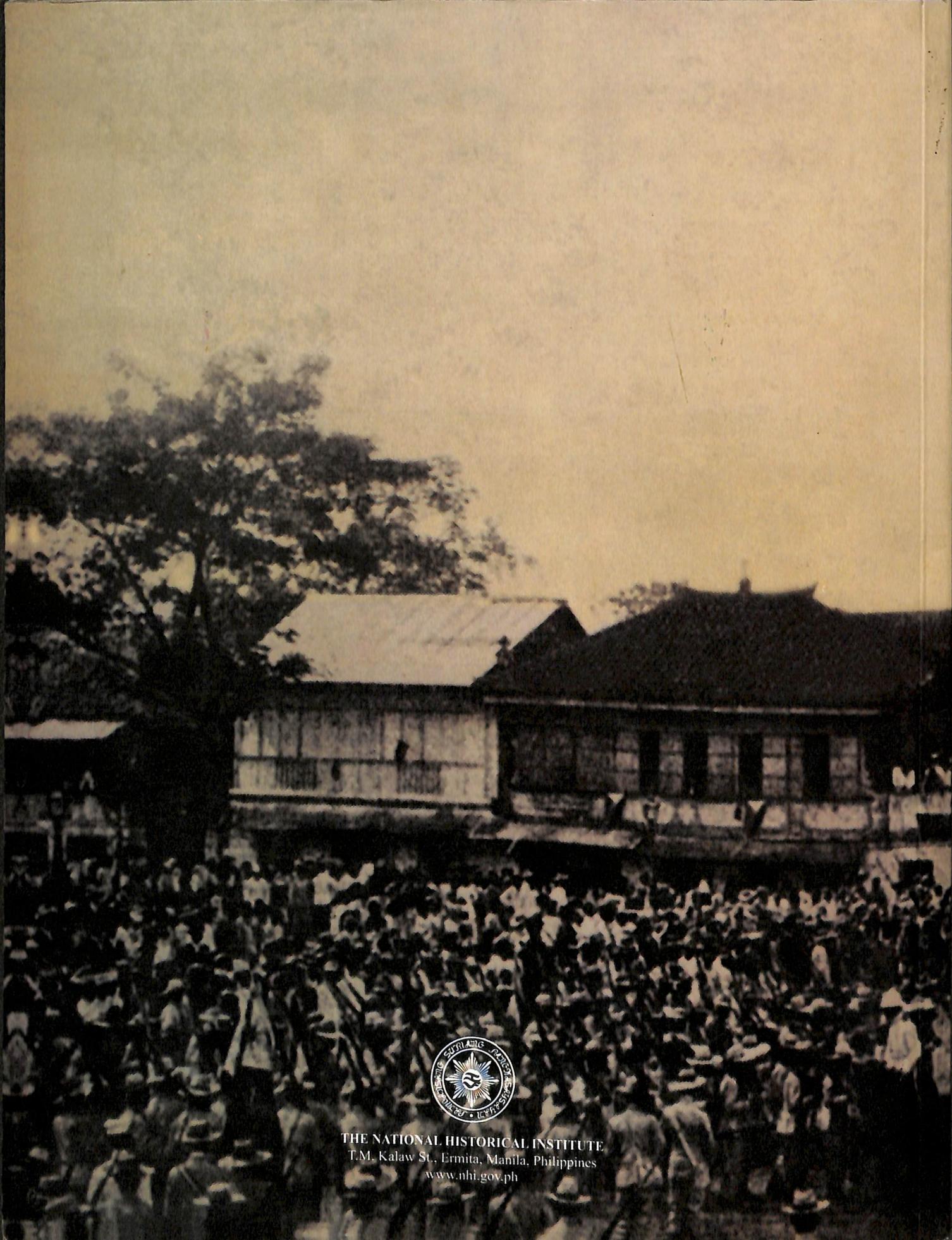
Department of Fomento:

Secretary: Don Felipe Buencamino Sr.
Director of Public Instruction: Don Arsenio Cruz Herrera
Director of Public Works: Don Fernando Canon Faustino
Director of Agriculture & Industry: Don Jose Alejandrino

Chairman of the Council of Government: Apolinario Mabini
(later succeeded by Pedro A. Paterno)

Chief Justice of the Supreme Court: Gracio Gonzaga





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