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## **Philippine Independence and the Last Lame-Duck Congress**

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# Philippine Independence and the Last Lame-Duck Congress\*

THEODORE W. FRIEND

**B**Y AUGUST OF 1932, economic conditions in the United States were so bad, Frank McIntyre wrote to Manuel Quezon that "unless radically improved before December [they] will insure the quick passage by Congress of pending Philippine legislation." Foreign trade was at its lowest level in twenty-five years, aliens departing outnumbered aliens arriving for the first time within living memory, and bonus marchers had camped near the capital until General Douglas MacArthur, assisted by Major Dwight D. Eisenhower, drove them out with bayonets and tear gas. "It is so easy," wrote McIntyre, "to exaggerate the cost of the Philippines to the United States and the injury which Philippine competition may be doing to the American farmers that I hardly think a reasonable view of those questions will be taken."<sup>1</sup>

\* This is the third in a series of articles examining the circumstances surrounding and the motives behind passage of the Hare-Hawes-Cutting Act in January, 1933. Previous installments examined the American interests and the Philippine interests involved. The author is Assistant Professor of History in the State University of New York at Buffalo. He has a book soon forthcoming, entitled *The Philippines Between Two Empires*. Incidentally, Dr. Friend's middle initial is "W", not, as we had it in his two earlier articles, "A". Our apologies to Dr. Friend.—THE EDITORS.

<sup>1</sup> McIntyre (Former Chief, Bureau of Insular Affairs, now Philippine Trade Commissioner) to Quezon, Aug. 20, 1932. (Quezon Mss.)

McIntyre was right. Conditions worsened, and the Philippine question was viewed in a distorted manner. Between the electoral defeat of Herbert Hoover and the inauguration of Franklin Roosevelt, the index of industrial production dropped from 64 to an all time low of 56, and twenty-three states suspended or drastically reduced banking operations. For agriculture the trend was even worse: in 1932, the wholesale price index of farm products had reached its lowest point since 1899, and farm wages were the lowest in thirty years. Forced sales of farm property had quadrupled since 1921-24, and in January 1933, it was calculated that the farm sales dollar was worth only half the buying dollar.<sup>2</sup> In this atmosphere, the last lame-duck President fought against the last lame-duck Congress. Amid economic frustration and political futility, the question of Philippine independence finally came to a head.

## 1

Although the range of proposed solutions to the question was broad, the debate had by December of 1932 eliminated extreme solutions and non-solutions. Almost no one in the Senate took the radical position of certain Filipinos, who continued to demand immediate, absolute, and complete independence, nor of Senator King, whose bill would nearly have provided the same. No one bore with Senator Royal Copeland in his legalistic disquisition on the inability of Congress to alienate territory without a constitutional amendment.<sup>3</sup> The War Department's bill, providing for increased autonomy under the Jones Act, was a conservative solution without a following.<sup>4</sup> Discussion had narrowed chiefly to the Hare Bill

<sup>2</sup> *Wall Street Journal*, Jan. 2, 1933; Richard Morris, ed., *Encyclopedia of American History*, 1st ed., pp. 341, 482.

<sup>3</sup> Julius Pratt lucidly summarizes the "doctrine of territorial incorporation," which actually left Sen. Copeland very little ground to stand on; *America's Colonial Experiment*, pp. 160-64.

<sup>4</sup> Cameron Forbes was disappointed in the lack of initiative and constructive intelligence shown by the War Department. Hurley, whom he had thought "strong and sound" on first meeting, he later described, three times, as a "blatherskite." After talking with General Pershing about Frank LeJeune Parker, Chief of the BIA, Forbes concluded that the latter's ineffectiveness came from a fierce but misplaced loyalty to Secretary Hurley. "It was extremely difficult to be loyal

from the House and the Hawes-Cutting Bill in the Senate, both of which provided for a constitutional convention to be held immediately, and a plebiscite on independence to be held at the end of a transitional period. The major difference in the bills was the length of the transition; the House bill provided for eight years, but the Senate version asked for seventeen to nineteen.<sup>5</sup>

Senator Arthur Vandenberg, whose following was too weak and too wholly Republican to succeed, proposed still another bill, with some logic to it. There were only two sensible courses for America to pursue, Vandenberg said—first, to grant the Philippines unequivocal independence at the earliest possible date, or, second, to create an effective period of economic preparation for independence, in which the United States retained authority proportionate to her responsibility. As for the first alternative, it “would mean immediate and absolute collapse.” As for the second alternative, the Hawes-Cutting Bill tried to approach it, Vandenberg said, but the bill suffered from the “chief vice” of having “reached out too assiduously for [a] meeting of minds,” thereby losing “some of its own logic and continuity.”

Vandenberg's own bill pursued the second alternative uncompromisingly—a twenty-year period of trade adjustment followed by, rather than preceded by, a constitutional conven-

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and follow him all around the lot; so he'd pulled into his shell and shut up.” *Forbes Journals, Second Series*, III, 492, 492n; IV, 361-64, 506-07. (Library of Congress, Manuscripts Division).

<sup>5</sup> The Senate bill envisioned a basic fifteen-year era of Commonwealth government, followed by a plebiscite on independence “within two years,” followed in turn by American Presidential recognition of Philippine independence, again “within two years.”

Hawes, at the beginning of his alliance with the Filipinos, had suggested that they settle for a 15-20 year transition (Lichauco, *Roxas*, pp. 62-63). They persuaded him instead to work for a 5-year period (first Hawes-Cutting Bill, 1930), but deeper study of the question decided him finally on the more conservative plan. He took the latter position despite the confidence of Jacob Gould Schurman, President of the first Philippine Commission, that three or four years would suffice. Schurman to Osmeña, Mar. 19, 1932; Hawes to Schurman, June 3, 1932; (Eduardo de la Rosa Mss.)

tion. Only at the end of a period of transition could the Filipinos realistically draft themselves a charter for independence; while during that period the United States should retain the power, as she would the prerogative, to guide Philippine foreign affairs. "It is difficult enough," Vandenberg said, "for the United States to steer her course in these Far Eastern problems even when she is complete master of her own and Philippine destiny. How much more difficult might it not be," he imagined, "...for nearly twenty years...to maintain responsibility for the foreign contacts of a Philippine commonwealth...although shorn of adequate administrative control...over the forces which might easily precipitate hazardous external relations."<sup>6</sup>

The Senate did not work on Vandenberg's bill, but rather the Hawes-Cutting bill, against which he had voted in committee. The committee measure, already much compromised, was now further trimmed to please. The farm organizations had been asking for immediate protection, but the Hawes-Cutting bill gave no protection at all for ten years, and no protection in full for as many as nineteen. The farmers could not wait, "not...even four years," some declared, "and remain solvent." The consensus of the farm lobbies was for annual tariff step-ups of 20%, beginning at once, and after five years reaching 100%, simultaneous with complete independence. The provision for a plebiscite, which left the question of independence to the final disposition of the Filipinos, should be stricken.<sup>7</sup>

The farm bloc in the Senate responded to these entreaties at once by slicing down the duty-free quotas on Philippine agricultural products. Then the members addressed themselves to their major task, cutting down the transitional period as the lobbyists desired. Senator Dickinson of Iowa in-

<sup>6</sup> *Cong. Rec.* 72:1, 12828-30; 72-2, 312-14.

<sup>7</sup> Letter from eight farm and dairy organizations to Sen. Arthur Capper of Kansas, Dec. 9, 1932; letter from twelve national farm and dairy organizations, several state branches, and four national farm newspapers to Sen. Joseph Dickinson of Iowa, Dec. 14; letter from various dairy, livestock, and newspaper interests to Sen. Reed Smoot of Utah, Dec. 14; *Cong. Rec.* 72:2, 387, 426-27, 550.

troduced an amendment reducing it from nineteen years to five, upsetting the sponsors of the bill, Hawes, Bronson Cutting of New Mexico, and Key Pittman of Nevada. These three moved from desk to desk, and collared colleagues in the cloak-room, urging them to save what remained of the logic of the bill and the sponsors' strategy. They had set the transition much longer than the Hare Bill's eight years in order to strengthen their bargaining position in conference, but the Dickinson motion would make bargaining impossible. Before Hawes and his fellow managers could work out a compromise, a roll call vote nearly passed the five-year amendment: 37 voted for and 38 against it. Before they could shape support for a twelve-year compromise, Senator Edwin Broussard of Louisiana obtained a vote on an amendment of his own: an eight-year transition with no plebiscite. The amendment passed, 40 to 38.<sup>8</sup>

Amid a babble of parliamentary inquiries, Hawes exclaimed, "The entire philosophy of the Senate bill is destroyed."<sup>9</sup> His colleagues sought a reconsideration of the vote, but only an "aye" voter could make such a motion, and none of them would do so until Huey Long bargained with Hawes. If the Committee on Territories, Long drawled, would recognize the quota reductions and "reduce the time limit more or less in tune with the way the Senate feels," then he might permit reconsideration.<sup>10</sup> "The whole day," one critic remarked, "was decidedly upsetting to the Senatorial *illuminati*, who, like the ancient augurs, are in the habit of laughing in one another's faces."<sup>11</sup>

After a day's delay the Senate agreed to reconsider Broussard's eight-year, no-plebiscite amendment, and thereupon defeated it, 45-31. The managers of the committee bill, how-

<sup>8</sup> *Cong. Rec.* 72:2, 326-35, 379, 389, 392, 435-37.

<sup>9</sup> The War Department philosophy had of course long since been rejected. Patrick Hurley had used Christopher Columbus as a specious example: "They did not tell him when to turn back, or how many days to stay out... It is a question not of time, but of accomplishment." But the committee chose to set a specific date for independence. *Sen. Terr.* 72:1, 37.

<sup>10</sup> *Cong. Rec.* 72:2, 437-41.

<sup>11</sup> Editorial, probably by Nicholas Roosevelt, *New York Herald Tribune*, Dec. 15, 1932.

ever, had still another tussle to face with the farm bloc. The latter would accept a twelve-year bill, but not one which permitted any opportunity for the Filipinos to prolong their dependency and protect themselves against an eventual agricultural tariff. James Byrnes of South Carolina therefore proposed an amendment striking out the plebiscite. Hiram Bingham, once a staunch opponent of any independence bill, but now a seeker of a usable compromise, warned that the Byrnes amendment would probably make Hurley and Stimson advocate a veto to Hoover, on the grounds that such a step would mean ignoring the will of the Filipino people and overlooking future contingencies in the Orient. The Senate, in another shift of the wind, crased the plebiscite anyway, 35-33.<sup>12</sup>

One man still was not satisfied. Huey Long called for recognition, and changed his vote from aye to nay, tying the count at 34-34. Why deadlock the vote when his side had won? Long said he had been cheated. "I understood I was to get a few votes on this side for striking out this plebiscite, which votes I did not get." The Committee compromise would not go through, Long intimated, unless things were done as he had been promised. He was ready to talk for sixty days until things were done his way.

He launched out upon a mock history of the Louisiana Purchase. At the parody of Senatorial legalism, the gallery rocked with laughter. Long then turned to lampooning Hoover, and next to a declamation against the "Wall Street imperialists" and the "god of greed" which, he said, America served. Save the Filipinos from the same fate, Long cried: "We do not need to worry about freeing the Filipinos too quickly. I am for freeing them tonight." America today, Long continued, was worse than the Cannibal Islands, where hungry men ate the flesh of others; in America "we allow a million people to starve because one or two men have got so much to eat and so much to wear [that they] enjoy the starvation and thirst of a million." "God help the poor Filipinos," Long continued, "I will help to keep them from getting in the hands of the imperialists of America."<sup>13</sup>

<sup>12</sup> *Cong. Rec.* 72:2, 489-502, 538-40, 549-55.

<sup>13</sup> *Ibid.*, 556-63.

Long was doubtless closer to victory than to God. By agreement with the Committee on Territories, Byrnes next day changed his amendment to make ratification of the Philippine constitution "an expression of the will of the people... in favor of independence." His motion passed, 44-29. Thus the plebiscite was stricken, and in its place was substituted a mangled measure that confused validity of a frame of government with the viability of a form of government. This measure would furthermore require a popular decision on both frame and form even before the premonitory burdens of nationhood could be truly felt, and fully ten years before independence could be achieved.

In the face of this confusion Arthur Vandenberg made a last stand: recommit the bill, he asked, and rewrite it, placing adoption of the constitution at the end of the transition period instead of at the beginning. "Keep our flag up or take it down. But do not half-mast it." His motion lost, 54-19. Huey Long had not needed sixty days in which to achieve his purpose, but only one, in which he had unbottled all the evil genii of the Great Depression. They still suffused the Senate chamber when the now much amended Hawes-Cutting bill was passed without a record vote.<sup>14</sup>

## 2

As the winter holidays approached, House and Senate conferees met to work out differences in the independence bills passed by the two chambers. Before New Year's Day, the resulting conference compromise passed the Senate without a record vote, and then the House without even a quorum, 171-16. In the latter chamber, Charles Underhill, who in April had misquoted Christ, now misquoted Madame Roland. "O Liberty!" he mourned, "how many crimes are committed in thy name!"<sup>15</sup>

Underhill exaggerated. The bill had passed during the bleakest Christmas season of the century, but the Philippine mission obtained most of its remaining desires in conference

<sup>14</sup> *Ibid.*, 612-36.

<sup>15</sup> *Cong. Rec.* 72:2, 885, 1082.



bargaining.<sup>16</sup> Of the provisions, political, economic, and military, which would most affect future Philippine-American relations, they lobbied successfully for much in the first two categories, and left the third category unchallenged.

First, political provisions:<sup>17</sup> the Filipinos had asked for the lesser of the two transition periods (eight, rather than twelve, years), but the conference split the difference and made it ten. The House bill contained provision for a plebiscite, but their conferees yielded to the Senate's version without one. Various critics have lamented this change, assuming that the Filipinos wanted a plebiscite, but Quezon, Osmeña, and Roxas were all actually opposed to one.<sup>18</sup> They argued, presumably, that it would be a superfluous gesture for an obviously nationalistic people, but they also felt, perhaps, that it was dangerous in a still politically under-educated people. There had never yet been a national vote in the Philippines, and the leaders preferred the inaugural one to be on a less inflammable issue.

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<sup>16</sup> Senator Benigno Aquino, who had been serving as Vice-President of the Philippine Senate in Osmeña's place, arrived as Quezon's envoy on December 12, 1932. The requests he submitted to the conference committee (letter of Dec. 21, *Cong. Rec.* 72:2, 1098-99) differed only slightly in content and emphasis from those desired by the Philippine Mission (OsRox Report, pp. 8-9).

Cameron Forbes thought that the Filipinos lobbied more adroitly for their interests than any single group concerned with the bill (letter to Ellery Sedgwick, Jan. 6, 1933, *Journals*, IV, 352), and the mission itself felt that the conference committee went as far as it could to yield to Philippine interests (OsRox Report). Of that committee's eight members, only one, Harold Knutson, was an out-and-out farm block representative. Other members included the two House managers of the bill, Hare and Guinn Williams, and the three Senate managers, Hawes, Cutting, and Pittman, all of whom were disposed to act as "friends of the Filipinos." The remaining two were Senators Hiram Bingham of Connecticut, interested in business, and Hiram Johnson of California, interested in immigration.

<sup>17</sup> The particulars in this and succeeding paragraphs on the contents of the bill are drawn, except when otherwise specified, from the conference report, *Cong. Rec.* 72:2, 880 ff., 1079 ff. Among the Stimson papers is preserved a copy of Conference Committee Print No. 21, Dec. 22, 1932, HR 7233. (Stimson Mss., IF-2789).

<sup>18</sup> Quezon to Osias, Feb. 15, 1932, (Quezon Mss.; OsRox Report).

Most complicated of the political questions still up in the air was that of the "Forbes amendments," devised by Cameron Forbes in May at Harry Hawes' invitation. By bringing a Hoover supporter, old Philippine hand, and ex-ambassador to Japan into the drafting of the bill, Hawes had hoped to soften opposition from the Hoover cabinet and other articulate internationalists. Hawes said that Forbes' support proved that the Philippines was in no danger from Japan, but Forbes required him to repudiate that statement. Forbes only intended to strengthen the powers obtained by America during the transition period, along lines previously contemplated by insular officials.<sup>19</sup>

The question at issue was the relative power of the Philippine President and of the American High Commissioner. To weaken the former and strengthen the latter, the Forbes amendments (1) made more explicit the right of American presidential intervention, through the High Commissioner, to insure proper discharge of government functions; (2) designate a financial expert on the staff of the High Commissioner to hear appeals from the decisions of the Insular Auditor; (3) required the approval of the American President to Supreme Court appointments made by the Philippine President. At Hawes' request, and Osmeña's intercession, Forbes had early permitted the last amendment to be withdrawn. The mission succeeded in having Forbes' remaining provisions softened in conference.<sup>20</sup>

They had already obtained, through Hawes, an amendment of great symbolic, and hence real, value to their countrymen. Malacañan Palace, the historic executive mansion of

<sup>19</sup> See the earlier plan drafted by Frank Carpenter, discussed in Carpenter to Frank McCoy, June 4, 1931, and McCoy to Carpenter, June 5; (McCoy Mss., Box 41, Library of Congress Manuscripts Division).

<sup>20</sup> Forbes to Sen. Walcott, May 7, 31, 1932; to Bruce, May 9; to Hawes, May 27, June 6; to Theodore Roosevelt Jr., June 3; Hawes to Forbes, June 2, (*Journals*, IV, 261-63, 273-74, 276). Also *Cong. Rec.* 72:2, 11275, 11492; OsRox to Quaqual, May 26, 28, and Quaqual to OsRox, May 28 (Quezon Mss.); OsRox Report; Teodoro M. Kalaw, Mss. Autobiography, p. 324; Outline History of Forbes Amendments, BIA 364-a-936.

Spanish and American governors general, was awarded to the President of the Philippine Commonwealth, and the High Commissioner was relegated to what had been the headquarters of the Commanding General of the Philippine Department. With a hurried voice vote, the Senate had agreed to a move that would make the future Philippine President, whatever the constitutional limitations upon him, the supreme figure of the islands in his own and in his people's eyes.<sup>21</sup>

The second major category of provisions was economic. With respect to these, Cameron Forbes was somewhat more satisfied, and the Philippine mission somewhat less. To protect what he frequently referred to as the "200-million-dollar-a-year trade" between the United States and the Philippines, Forbes had cooperated with Ned Bruce, the lobbyist for the West Coast Chambers of Commerce.<sup>22</sup> From the point of view of American manufacturers and exporters, at least, the results were satisfactory: no limits or tariffs were to apply to American products entering the Philippines until independence.<sup>23</sup>

The Philippine mission complained about the lack of reciprocity involved. Their own agricultural exports were to undergo five years of five percent annual step-ups in duty, followed by full tariff upon independence.<sup>24</sup> Quota limits were to go into effect immediately, but in these at least, the higher figures of the House bill, 850,000 tons of sugar and 200,000 tons of coconut oil prevailed over the lower figures adopted by the Senate.<sup>25</sup> Both figures were considerably under current

<sup>21</sup> *Cong. Rec.* 72:2, 179; OsRox Report.

<sup>22</sup> Forbes diary, Jan. 15, 1933; Bruce to Forbes, Jan. 15, 20; (*Journals*, IV, 361-64).

<sup>23</sup> The dairy and farm lobbies had neglected the fact that the Philippines was the best external market for American dairy products and cotton textiles. It was also a significant market for American cigarettes, machinery, automobiles, fruit, vegetables, and fish. Pratt, *America's Colonial Experiment*, p. 303, and BIA files, *passim*.

<sup>24</sup> The duties were to be in the form of Philippine export taxes, proceeds of which were to go towards retiring the bonded indebtedness of the insular government.

<sup>25</sup> The Philippine Sugar Association, through Quezon, had come down in its demands from 20% of American consumption, to 20% of American imports, then to 1.5 million long tons, and finally to 1.2

Philippine production, which was reaching its peak. The settlement was nevertheless a great deal more generous than the demands of the farm bloc.

At the end, furthermore, Hiram Johnson of California relented in the matter of excluding Filipino immigration during the Commonwealth period. Rewriting that clause, he at least spared the Filipinos the indignity of being treated like the Japanese and Chinese, while still under the American flag. They were permitted a token annual entrance quota of 50 into the continental United States during the Commonwealth period. The Department of Labor was to regulate the quite different question of Filipino migration to Hawaii, where they were still welcome.<sup>26</sup>

A third major area consisted of military and diplomatic provisions. Upon those sections that dealt with retention of American bases, and with a neutralization agreement, the Filipinos took a passive attitude, and no changes were made. "Two-thirds, if not more" of the Senate Committee on Territories, one of its member later recalled, were at all times in favor of surrendering on the date of independence all American military and naval reservations in the Philippines. The original bill therefore had no retention clause; nor did the army or navy recommend such a clause. Yet one had nevertheless been inserted in order to allay administration criticism of the bill on grounds of "balance of power."<sup>27</sup>

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million tons. The Senate bill had originally set the quota at 850,000 tons, but when Herbert Hoover proposed 600,000 in a Denver campaign speech (*Cong. Rec.* 72:2, 1912; *Forbes Journals*, IV, 347, 504-06), he paved the way for an amendment by Huey Long cutting it to 615,000. The conference restored it to the original figure of 850,000. Philippine coconut oil also suffered by a Long amendment, which cut its quota from 200,000 to 150,000 tons, but the first figure was likewise restored in conference. The cordage quota, 3 million pounds, remained unchanged from the early stages of legislation in February 1932.

<sup>26</sup> OsRox Report.

<sup>27</sup> Quotation from Sen. Key Pittman, *Cong. Rec.* 73:2, 5118; also memo of Chief of Staff, Gen. MacArthur, to Ass't. Chief of Staff, War Plans Divisions, Gen. Kilbourne, Feb. 26, 1934, WPD 3389-6. The effect of the clause was to reserve "to the United States, upon

One of the same Republican senators favoring bases, David Reed of Pennsylvania, managed also to insert a quite contradictory provision in the bill shortly before passage, requesting the president, when independence was achieved, to enter negotiations with foreign powers to conclude a treaty of perpetual neutralization of the Philippines.<sup>28</sup> This clash of policies can be explained either as short-sighted confusion, or as long-range intention of providing America with an option when independence was consummated. For American military power might either withdraw, in which event international paper was all that could protect the Philippines, or it might remain. In the latter event no international agreement was feasible. As one pundit said, "You cannot neutralize a fort."<sup>29</sup>

No Filipino leader tried to define the strategic possibilities more sharply. The Filipinos accepted the idea of neutralization as potentially protective, and tolerated the provision for bases as not necessarily obnoxious. After Quezon, in November, had conveyed some criticism on the latter score rising out of the legislature, Osmeña and Roxas with truth replied that it would be difficult to begin questioning bases now, in view of the legislature's failure to oppose them since the beginning of the independence movement.<sup>30</sup> Quezon dropped the subject, not to raise it again until, in 1933, he began looking for issues with which to fight Osmeña and Roxas.

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final withdrawal of... sovereignty... from the Philippine Islands, such land or other property which has heretofore been designated for military and other purposes or as may be redesignated by the President of the United States within two years after the date of independence." *Cong. Rec.* 72:2, 1080.

<sup>28</sup> *Cong. Rec.* 72:2, 264. Up to that time all efforts at inserting neutralization provisions had failed: a staff proposal in the State Department quashed by Stimson (memo to Hornbeck, Jan. 21, 1932, SD 811B.01/159); an amendment by Sen. Broussard to the tariff bill in 1929 (*Cong. Rec.* 71:1, 4426 et. prec.), rejected, 63-19, not on its merits, but on its faulty timing; and a series of other projects going back to the 60th Congress (Historical Memo, BIA 364-740K).

<sup>29</sup> Raymond Leslie Buell, quoted, *New York Times*, Apr. 15, 1932.

<sup>30</sup> Quaqual to OsRox, Nov. 2, 1932; OsRox to Quaqual, Nov. 5; (Quezon Mss.).

## 3

To understand the effect of the Hare-Hawes-Cutting Bill on Philippine domestic politics, one must cast back a little in time. In July, 1932, Frank McIntyre had written Osmeña, quoting Cardinal Newman: "It is no principle with sensible men... to do always what is abstractedly best. Where no direct duty forbids, we may be obliged to do, as being best under circumstances, what we murmur and rise against, while we do it. We see that to attempt more is to effect less; that we must accept so much or gain nothing; and so perforce we reconcile ourselves to what we would have far otherwise, if we could." The application of Newman's wisdom to the Philippines independence bill was obvious, McIntyre thought. "Clearly there is, in the bill, a great deal of unnecessary detail, surplusage, and some things that are obviously evil. The part of wisdom of those seeking this legislation is obviously not to endanger it by struggling after perfection, so much as to eliminate what of evil may be eliminated without delay or risk, and to accept, with its infirmities on it, the best Bill that can be secured."<sup>31</sup>

If Osmeña was not by exhortation persuaded, he was by temperament inclined to exactly that course of action; and by ambition as well. But other temperaments, and other Filipino interests, were involved in the same legislation, and they had brought about, since March of 1932, less and less enthusiastic support of the mission's work as it approached closer and closer to the only kind of success open to it—a success of discriminating compromise. As the Hare and Hawes-Cutting bills had begun to take shape, the Nacionalista party refrained from endorsing them. When the Hare Bill passed, Quezon was muttering about a dominion plan, and when Hawes inserted Forbes' amendments in the Senate bill, Quezon broke out in vigorous and vivid opposition to them. The mission answered that they too opposed the changes, but had been counselled by senatorial "friends of the Filipinos" to wait until conference to change details. Quezon softened, and aided the exchange by admitting that except for himself and a few persons con-

<sup>31</sup> McIntyre to Osmeña, July 8, 1932; (Eduardo de la Rosa Mss.).

fidentially influenced by him, "the country does not seem to be very much against the Forbes amendments."<sup>32</sup>

In July a legislative joint committee refused to express confidence in the mission, or to authorize it to remain in Washington. The mission was not obliged to return home, but it could only be aware of a diminishing mandate for its activities. Quezon supported them to the extent of permitting neither specific resolutions by the legislature on the pending legislation, nor published recommendations from the joint committee holding hearings on the subjects.<sup>33</sup> In this manner to grant the mission the free hand which it requested, Quezon had had both to master a rambunctious legislature and to control his own rising disquiet.

By early November Quezon could or would no longer master himself. Roosevelt's electoral victory over Hoover brought about the change in him: he still remembered Wilson's last words on the Philippines in 1921: "It is now our liberty and our duty to keep our promise... by granting them the independence which they so honorably covet."<sup>34</sup> Out would go the Republicans in March 1933, and in would come the Democrats. Franklin Roosevelt, Quezon expected, would be a new Wilson, who in principle and detail would accommodate himself and his party to Filipino interests.

Six days before the American election, Quezon and his lieutenants, nearing the end of a Philippine legislative session, had cabled the mission what they described as "not instructions, but an expression of the sense of the Legislature." The requisites for an acceptable bill, they said, were that it fix a definite date for independence, eliminate Forbes' amendments, allow a minimum sugar quota of 1.2 million tons, and except the

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<sup>32</sup> Manila *Bulletin*, Mar. 5, 1932, BIA 364-a-w-873, part 5; OsRox to Quaal May 23, 26, June 1, 3, OsRox to Quezon, May 28; Quezon to de las Alas (letter), May 25; Quezon to OsRox, May 25, 30, June 2, 7; Quaal to OsRox, June 6 (Quezon Mss.).

<sup>33</sup> Parker memo to SecWar, July 21, 1932, BIA 26480-a-139; New York *Herald Tribune*, Aug. 30, BIA 364-a-913; New York *Times*, Oct. 5, BIA 364-915.

<sup>34</sup> Grunder and Livezey, p. 158, citing *Cong. Rec.* 66:3, 26.

principal Philippine ports from use as naval stations. There was also a "general feeling" against a plebiscite. Under the circumstances, what chance had Senator King's Bill?

The King Bill had no chance now, Osmeña and Roxas replied, although it might have one under a Democratic administration. The mission would work for likely changes, such as in Forbes' amendments, but pointed out that the theory of all the bills was to curtail the special Philippine position in American trade, and that a harmony among many interests was necessary to pass any bill.<sup>35</sup>

After Roosevelt's overwhelming victory a few days later, Quezon was unwilling to heed Osmeña's and Roxas's counsel of moderation. He decided to send Senator Benigno Aquino to Washington as a personal envoy and delegate of the legislature, in order to bring the mission in line with sentiment in the Philippines, especially Quezon's own. He instructed Aquino to have the mission work for the King Bill, and if such proved impossible, to accept no other bill unless it (1) provided for a time of preparation not exceeding ten years, (2) restricted the power of American presidential intervention, and (3) provided a sugar quota of at least 1.2 million tons.<sup>36</sup>

Even before Aquino arrived almost a month later, Quezon had in effect entirely denied him any discretion. Upon hearing of Long's amendment cutting the sugar quota to half of the Philippine aim, and of Johnson's immigration exclusion amendment, Quezon had cabled the mission to work for immediate independence: "if this is impossible in this session let there be no bill."<sup>37</sup> Aquino, however, did not yield to this order, but

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<sup>35</sup> Quaqual to OsRox, Nov. 2, 1932; OsRox to Quaqual, Nov. 5; (Quezon Mss.).

<sup>36</sup> Quezon to Aquino, Nov. 14, 1932. Quezon based his letter chiefly on a general agreement adopted in majority caucus, Nov. 5, presumably the same which appears as "Resolucion Concurrente No. 19, Adoptada 9 de Noviembre de 1932" in the Quezon Mss. Vicente Bunuan, former chief of the Philippine Press Bureau in Washington, was sent along with Aquino as a "technical advisor." A more exact description of Bunuan's job would be a "watchdog," for he was a Quezon man, whereas Aquino was an Osmeña man.

<sup>37</sup> Quezon to OsRox, Dec. 10, 1932; (Quezon Mss.).



exceeded his instructions in a manner which no one trained in the diplomatic tradition of Western Europe could have imagined doing. Within a day after his arrival, he became an active convert to the Osmeña-Roxas point of view.

Quezon had probably chosen Aquino as an envoy in part because he was an Osmeña man, and would presumably have some influence with his leader. Quezon was never more mistaken. Osmeña convinced his follower, not necessarily in Cardinal Newman's language, but in some fashion, that only by seeing the Hawes-Cutting-Bill through, and using the opportunity of the conference to make changes, could they obtain an independence bill at all. Aquino, a proud combination of egoist and nationalist, was not one to let the opportunity slip, or to stay inactive for reasons of protocol. He cabled Quezon urging him to settle for the best bill possible. "Acceptable legislation or nothing," Quezon cabled back, and he proceeded to have the Independence Commission approve unanimously his original points of instruction to Aquino, and all subsequent cables following them up. Aquino, undeterred, reported on December 22 that the conference bill was the best possible solution and that no better could be expected in future. Quezon then flatly reprimanded him for ignoring instructions.<sup>38</sup>

Now to Quezon a provision of the bill which had gone previously unnoticed became suddenly important, one which provided that the bill would only go into effect when accepted by a concurrent resolution of the Philippine Legislature, or by a special convention called for that purpose. Although the OsRox mission had emphasized to Quezon the importance

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<sup>38</sup> Aquino to Quezon, Dec. 13, 17, 19, 22, 1932; Quezon to Aquino, Dec. 15, 18 (twice), 23; Quaqual to OsRox, Dec. 17; (Quezon Mss.).

Quintin Paredes, a Quezon lieutenant, ridiculed Aquino's change of mind with a Spanish pun: "Aquí-no; allá-sí"; "Here-no; there-yes." Osmeña, however, when asked years later "what factors, personalities, or influences" converted Aquino, replied plausibly: "In Washington, Senator Aquino rightly sensed that the U.S. Congress had given the maximum concession it was in the mood to give and felt that rejecting the Hare-Hawes-Cutting Law for another almost like it would be quibbling." Author to Osmeña, Sept. 4, 1958; Osmeña to author, Oct. 10.

of the House-Senate conference for improving the bill, his imagination was already fastened on means of defeating it.<sup>39</sup> The Philippine Legislature was, hopefully, his backstop. In the meantime there remained a last frontal tactic—presidential veto. If he could not count on Aquino, he might still rely on Hoover.

Too involved to enjoy the irony of his own predicament, Quezon tried to extract from his legislature a request for veto of the Hare-Hawes-Cutting Bill. But once again, as in November of 1931, he had reached the limits of his power and persuasion. The Filipino legislators, seeing independence at last realizable in some form, underwent a change of mood. Called together as the Independence Commission, they saved Quezon's face by again ratifying his series of instructions to Aquino. Yet they wanted a chance to act upon the bill themselves, and did not wish Herbert Hoover to end the game with a veto before they themselves had played. While expressing disappointment with the bill, they wished that Hoover might sign it. Despite Quezon, perhaps partly because of him and his autocratic tendencies, the legislature desired for itself "full liberty of action to accept or refuse" the independence act.<sup>40</sup>

All the contrary and conflicting forces involved in the question of Philippine independence now bore down on President Hoover, as the question moved into its deciding phase.

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<sup>39</sup> Quezon to Aquino, Dec. 18, 1932; Quaqual to OsRox, Dec. 19; (Quezon Mss.).

<sup>40</sup> Quaqual to OsRox, Dec. 30, 1932, (Quezon Mss.); New York *Herald Tribune*; Dec. 30, BIA 364-a-924. The Independence Commission was authorized by Concurrent Resolution No. 21 of the Philippine Legislature, adopted Nov. 8, 1932, to act during the recess of the Legislature, on questions relating to Congressional independence bills. Although the action was of questionable legality, the Independence Commission was specifically empowered to suggest amendments to the bill, or to recommend its approval through the mission in Washington. Any of its actions was to be considered "as valid as if it had been adopted by the Legislature itself." BIA 26480-160. The proportion of members at this time actually present and voting in the Independence Commission was less than half of the House, and less than two-thirds of the Senate.