

## Does the Philippine Republic Have a Constitution?

Joaquin G. Bernas, S.J.

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The Article examines whether the Philippine Independence Law, also known as the Tydings-McDuffie Law, allowed the drafting of a constitution not only for the Philippine Commonwealth but also for the Philippine Republic, with the latter automatically succeeding the former after ten years. This issue was tackled by looking into the convention debates as well as the legislative history of the Tydings-McDuffie Law.

The Article explores the convention debates by looking into the different arguments presented by the delegates for and against the proposition that the Tydings-McDuffie Law allowed the drafting of the constitution even for the Philippine Republic. The arguments presented were divided into two categories: the general constitutional theory and the theory on statutory construction.

The Author then posits several observations regarding the issue by discussing the “mind” of the Congress and by tackling the issue on whether an independent nation can be limited in drafting its own constitution by the United States Congress. Finally, the Author discusses the validity of the then-Constitution and the failure of the then-young Republic to review it. To this he asks — is a general review really necessary?