Prior to World War II the United States and the Philippines had agreed to eliminate almost completely United States bases in the Philippines after the granting of independence. When the Philippines became independent in 1946, however, the two countries mutually agreed that due to the effects of the war, it was necessary, to retain United States bases in the Philippines. This chapter will discuss both the pre-independence developments regarding the retention of the bases and the post-independence negotiations which led to the signing of the Military Bases Agreement of 1947.

Pre-Independence Developments—Background to Negotiations

Hare-Hawes-Cutting Act of 1933. As was noted in Chapter I, the President of the United States under the authority granted him by the Organic Act of 1902 and the Jones Act of 1916, set aside land in the Philippines for numerous military and naval reservations. However, no attempts were made to provide for the statutory post-independence status of these reservations until the drafting of the first independence act in 1933. This act, the Hare-Hawes-Cutting Act, provided in section 3 for the turnover of “all the property and rights” of the United States to the proposed Commonwealth of the Philippine Islands “except such land or other property as has heretofore been designated by the President of the United States for military and other reservations of the Government of the United States...” Section 2 further stated that

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2 47 Stat. 761 (1933). This act was vetoed by President Hoover who felt that it was unfair to the Filipinos because: (1) the period for economic adjustment was too short; (2) there was no military force in the Philippines to maintain internal order besides that of the United States; and (3) the independence of the Philippines possibly would be threatened by external dangers. For Hoover’s veto message, see U.S., Congress, House Document 254, 72nd Cong., 2d Sess. (1933). Congress, however, repassed the act over the President’s veto. See Hayden, p. 357.
3 47 Stat. 761, 764 (1933).
the constitution formulated by the Filipinos to establish the Commonwealth had to

contain provisions to the effect that, pending the final and complete withdrawal of the sovereignty of the United States over the Philippine Islands... the Philippine Islands recognizes the right of the United States to expropriate property for public uses, [and] to maintain military and other reservations and armed forces in the Philippines... ⁴

According to these provisions the power of the United States to retain existing bases and to designate additional bases was to be extended into the Commonwealth period.

Section 10 of the Hare-Hawes-Cutting Act, however, stated that ten years after the Commonwealth came into existence

the President of the United States shall by proclamation withdraw and surrender all rights of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States in and over the territory and people of the Philippine Islands, including all military and other reservations of the Government of the United States in the Philippines (except such land or property reserved under section 5 as may be redesignated by the President of the United States not later than two years after the date of such proclamation), and, on behalf of the United States, shall recognize the independence of the Philippine Islands... ⁵

This would mean that, at least theoretically, the President could extend United States base privileges into the indefinite future. This provision in particular was objected to strongly by a number of influential Filipinos, including President Quezon. ⁶ It was reported that "one of the basic reasons for... Quezon’s opposition to the Hare-Hawes-Cutting Act was the provision relating to American military bases in the Philippines after independence." ⁷ As a result of this opposition, the Philippine Legislature refused to accept the act under the provisions of section 17. ⁸

Tydings-McDuffie Act of 1934. This refusal led to the passage by the United States Congress of the second independence act, the Tydings-McDuffie Act of 1934. ⁹ The new act contained only one change of substance from the provisions of the Hare-Hawes-Cutting Act. This change occurred in the controversial section 10. As in the Hare-Hawes-Cutting Act, section 10(a) of the Tydings-McDuffie Act provided that ten years after the inauguration of the new government the United

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⁴ Ibid., pp. 761–762.
⁵ Ibid., p. 768.
⁶ For Filipino criticisms of the Hare-Hawes-Cutting Act, see 78 Congressional Record 4831–4842 (1934).
⁷ Sergio Osmeña [Vice-President of the Commonwealth government], Philippines Free Press [hereafter Free Press], August 20, 1960, p. 57.
⁸ Section 17, Hare-Hawes-Cutting Act, 47 Stat. 761, 770.