# Puerto Rico: hovering between "yes" and "no"

referendum was held in Puerto Rico, December 8, 1991, or whether to vote "yes" or "no" on the Law Guaranteeing Democratic Rights. These involve six rights dealing with the island's political status. The content of the ballot was as follows:

- 1. The inalienable right to freely and democratically determine our political status.
- 2. The right to choose a fully dignified political status without either colonial or territorial subordination to the plenary powers of the U.S. Congress.
- 3. The right to vote the three status alternatives grounded in the sovereignty of the Puerto Rican people (a freely associated semi-autonomous commonwealth, statehood, and independence).
- 4. The right that the winning alternative in a referendum on status obtain more than half the votes counted.
- 5. The right that all alternatives in all referenda on status, guarantee our culture, language and identity, including our representation in international sporting events.

Can they be territorially and politically independent and still be US citizens, there lies the rub.

6. The right that all alternatives in all referenda on status, guarantee the U.S. citizenship protected by the Constitution of the United States.

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# From a Spanish to an American colony

Puerto Rico came under U.S. sovereignty in 1898, when Spain lost the Spanish-American War. From then on, the governor of Puerto Rico was named by the president of the United States. In 1949, Luis Muñoz Marín took office as the first governor elected by Puerto Rican voters.

In 1952, the island became a Commonwealth, with the door open for later changes, by mutual consent, in the relationship between the island and the U.S. For the first time, the Puerto Rican flag waved as the country's official flag, next to the American flag.

The UN recognized Puerto Rico's new status one year later. However, the UN is currently in favor of the inalienable right of the Puerto Rican people to their self-determination and independence.

#### Language and citizenship

In 1899, the U.S. government decided to change the island's name to Porto Rico, for linguistic reasons. Not until 1932 was the name Puerto Rico reinstated.

Eleven years later, the Association of Puerto Rican Teachers denounced the failure of the educational policy



Morro Fort, San Juan, Puerto Rico.

imposing the study of English, that Puerto Rico had been following for thirty years. It declared in favor of public schools teaching in Spanish once again, with English as a second language. However, it took a few years longer to implement bilingual education, with the Spanish language predominant.

Last year, the Puerto Rican government took an important step: Governor Rafael Hernández Colón signed a law making Spanish the sole official language of the island. The law abrogated the one in effect since 1902, which had established both English and Spanish as the official languages of Puerto Rico.

The Puerto Rican governor's decision was applauded by the Spanish Crown which awarded it the Príncipe de Asturias Prize in honor of its exemplary defense of the Spanish language.

Not all Puerto Ricans, however, favor doing away with the bilingual system. Sectors of the construction industry, for example, managed to get the law's period of exception extended until December 1993.



Craftsmanship is the soul and spirit of our people.



Luis Muñoz Marín (in white suit), father of modern Puerto Rico.

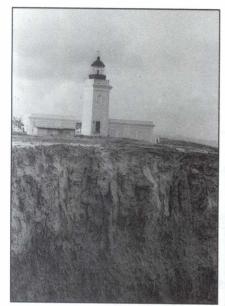
Hence, engineers, architects and surveyors may continue to submit documents in English, in view of the fact that the majority of their procedures are carried out in that language. They are even trying to obtain a permanent exception.

President McKinley signed the Foraker Act, which refers to the island's inhabitants as citizens of Puerto Rico, thus granting them citizenship in a non-existent nation, similar to the status of native Americans on the mainland. Finally, President Woodrow Wilson signed the Jones-Shafroth Act in 1917, granting Puerto Ricans U.S. citizenship.

# Culture versus well-being?

In the Puerto Rican newspaper *El Nuevo Día* (December 7, 1991), María Judith Luciano pointed out that the referendum scheduled for the following day had caused utter confusion among the Puerto Rican people. She blamed the intensity of political debate on either side during the campaign, the rush to hold the referendum, and the many questions arising from the fact that six points were being voted under a single mark on the ballot. Four factors surrounding the debate influenced the final vote: the alliance of political parties in favor, the question of cultural identity, the territorial pact with the U.S., and the question of citizenship.

- 1. The referendum was organized by the administration of Rafael Hernández Colón, who is not only governor but president of the Popular Democrátic Party (PPD), which enjoys the support of the Puerto Rican Independence Party (PIP) and the opposition of the New Progressive Party (PNP). These three parties constitute the island's main political forces. In her article, María Judith Luciano stated that "not only does the prostatehood sector denounce and reject the PPD-PIP combination. but thousands of PPD rank and file, identified as pro-U.S. are not too happy about the PPD having the PIP as a partner."
  - 2. The PNP warned that the fifth right under the Law submitted for referendum was one of the most deceptive. The party's president, Pedro Rosselló, remarked that, "The preamble to our Constitution underscores the importance of the coexistence of the two cultures and



Lighthouse, West coast.

we are opposed to the inclusion of that (fifth) point in the Constitution, because it permits politicians in office to decide what is culturally permissible... and that is against the essence of being Puerto Rican and against freedom of expression. It is cultural control. And if Spanish is the language for some, for me and many others it is bilingualism."

3. Under the Territorial Clause, Puerto Rico is subject to the plenary powers of the U.S. Congress. To be able to work out another agreement with the U.S., the current one would have to be abrogated. This would mean transferring power to Puerto Rico so that it could negotiate. In this context former Puerto Rican governor, Carlos Romero Barceló (El Nuevo Día, 17 November 1991), warned that, "if the 'yes' should win, both Congress and federal authorities would perceive it as a growth in the number of separatists and communists on the island...they will interpret it as a rejection of the United States by the people." Puerto Rican journalist Rechani Agralt (El Nuevo Día, 3 December 1991) wrote, "Voting 'yes' is

asking to deprive our workers of the protection of federal laws that guarantee them better working conditions and higher wages...it sends the US the message 'Yankee go home.' Congress seems already to have acknowledged receipt and has begun sending its own messages. Last week, it stripped Puerto Rico of benefits from a law providing multimillion-dollar disaster aid, the kind that was granted to the Virgin Islands and other U.S. territories. They deliberately and specifically excluded us.. classifying us with the Associated Republics of Micronesia who have no right to those funds because they lack the protection of U.S. citizenship."

4. Intimately related to the preceding is the issue of preserving U.S. citizenship, contained in the sixth right submitted for referendum. This is the most sensitive point for a large sector of the Puerto Rican people. For Governor Hernández Colón, voting 'yes' for this right meant, "That the legislation being submitted to the people, offering the choice between retaining commonwealth status or seeking statehood or independence, must guarantee U.S. citizenship...the U.S. Congress must previously go on record in cases of statehood or independence, otherwise, U.S. citizenship would not be duly guaranteed." However, the Republican (minority) leader of the Congressional Subcommittee on Insular and International Affairs. Robert Lagomarsino, a staunch defender of statehood (El Nuevo Día, 7 December 1991), warned, "The question the people of Puerto Rico have to ask themselves on

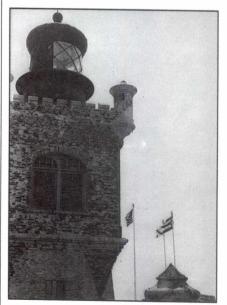
December 8 is: "Do you want

to separate from the United

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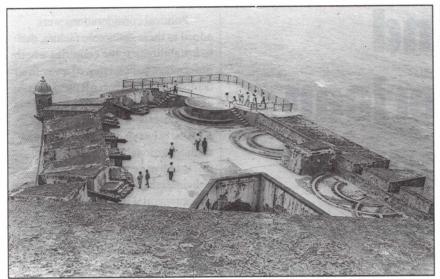
States?...The people have been led to believe that a 'yes' vote would guarantee U.S. citizenship under independence or a Commonwealth outside the plenary powers of the Congress, but the United States has set a precedent with the Republic of the Philippines and the Commonwealth of Micronesia. taking U.S. citizenship away from their inhabitants." The Justice Department (El Nuevo Día, 27 December 1991) also warned, "Puerto Ricans are granted U.S. citizenship pursuant to a law which is not the equivalent of the citizenship guaranteed under the 14th Amendment to the U.S. Constitution, so that it would, in theory, be possible for Congress to revoke or qualify such citizenship."

This was the prospect that led the Puerto Rican people to vote 'no' last December 8. This does not mean Puerto Ricans have turned their back on their cultural identity. On the contrary there is, now, a noticeable enthusiasm on the island for rescuing Puerto Rico's human and material values, for preserving its history and individuality.



Light tower Morro Fort, San Juan.

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Colonial coastal artillary, Morro Fort.

# The fall of the 'no'

Rafael Hernández Colón was first elected governor of Puerto Rico in 1972. He was defeated twice by Carlos Romero Barceló, returning to power in 1985 and reelected in 1988. Before the referendum, he had voiced his intention of running for a fourth term, but in his New Year's message, he announced his retirement from public life, one year in advance.

Thus, due to political miscalculation, a woman from his own political party is preparing to run for governor of Puerto Rico: Senator Victoria Muñoz Mendoza, known to Puerto Ricans as Melo. She has the advantage of a distinguished political heritage: her father and grandfather were eminent Puerto Rican statesmen. Her grandfather, Luis Muñoz Rivera, is considered the George Washington of Puerto Rico, because of his pioneering role in the movement for autonomy, while her father, Luis Muñoz Marín, is credited with forging modern Puerto Rico.

Muñoz Marín was governor of the island from 1949 to 1964, the year he retired. During his fifteen year tenure, Puerto Rico made spectacular progress in public health, education, housing, industry and trade. The other important contender is Pedro Rosselló, the president of the PNP, whose party believes its popularity was reinforced by the results of the referendum.

# Referenda and plebiscites in Puerto Rico

- Liquor Laws (prohibiting the consumption of alcoholic beverages) July 16, 1917 Registered voters: 244,530 Voter turnout: 166,650 Voter participation: 68% Yes: 102,423; No: 64,227
- Law 600 (providing for the organization of constitutional government for Puerto Rico) June 4, 1951
  Registered voters: 781,914
  Voter turnout: 506,185
  Voter participation: 65%
  Yes: 387,016; No: 119,169
- Constitution of the Commonwealth March 3, 1952
   Registered voters: 781,914
   Voter turnout: 457,572
   Voter participation: 58%
   Yes: 374,649; No: 82,923
- Amendments to the Constitution (to bring it into line with federal law)

November 4, 1952 Registered voters: 883,219 Voter turnout: 477,719 Voter participation: 54% Yes: 419,515; No: 58,204

- Supreme Court November 8, 1960 Registered voters: 941,034 Voter turnout: 485,271 Voter participation: 52% Yes: 385,523; No: 104.748
- Pre-state Margin December 10, 1961 Registered voters: 802,032 Voter turnout: 465,593 Voter participation: 58% Yes: 385,369; No: 80,224
- Plebescite on Status July 23, 1967 Registered voters: 1,067,349 Voter turnout: 703,692 Voter participation: 66% Yes to Commonwealth: 425,132 Yes to statehood: 279,312 Yes to independence: 4,248
- Amendment to the Constitution (eliminating special elections to fill vacancies for district representative) November 3, 1964 Registered voters: 1,002,000 Voter turnout: 400,332 Voter participation: 40% Yes: 310,431; No: 89,901
- Voting Age: 18 years: November 1, 1970
   Registered voters: 1,043,733
   Voter turnout: 362,696
   Voter participation: 35%
   Yes: 213,782; No: 147,037 ¥

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