

## July 25, 1952

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In my previous column titled “July 4, 1776,” I touched upon the meaning of the U.S. Declaration of Independence; the causes of the American Revolution, the exercise of absolute power over the 13 colonies by the British King; and the principles upon which the declaration rested and their realization in the daily life of all Americans throughout the scope of U.S. History. In particular, I focused on the principle that “governments are instituted among men [and women] deriving their just power from the consent of the governed” and how this principle was sidestepped by the McKinley administration in regard to the Spanish-American War and by the Supreme Court in the Insular Cases, leaving Puerto Rico under the plenary powers of Congress, just as the 13 colonies were under the British King.

When the Popular Democratic Party was re-elected in 1944, Luis Muñoz Marín, who had pledged in the campaign that when World War II was over a plebiscite on status would be held, was eager to push for independence but on economic and political terms favorable to Puerto Rico. The time was ripe for such a move. Colonialism and anti-imperialism had come front and center on the international agenda. The U.S., harking back to the principles of the Declaration of Independence, was the champion of democracy and a prime mover in the organization of the United Nations, which placed self-government for all colonial peoples as a goal within the charter. The outset of the Cold War and the emergence of the Third World created an ideologically competitive international scenario where colonial matters were issues of critical importance.

What occurred in Puerto Rico and in Congress between 1945 and 1946 is reminiscent of what has occurred in recent years regarding plebiscite bills. There was much debate as to holding one under the initiative of our Legislature and many efforts to get a congressionally mandated one. The Legislature approved, with a concurrence of all political parties, a resolution demanding from Congress a solution to the colonial problem, and a commission, headed by Muñoz but with pro-statehood members, was established to lobby in Washington for the solution the Legislature demanded.

Muñoz and the commission weren't the only players on Capitol Hill. Gilberto Concepción de Gracia, president of the Pro-Independence Congress, wielded a lot of clout because of his relationship with Sen. Millard Tydings from Maryland, who was the sponsor of an independence bill that went to public hearings in the Senate.

Muñoz didn't favor Tydings' independence bill because of its unfavorable economic conditions and its denial of U.S. citizenship and federal assistance to the island. At the hearings, committee members apprised Muñoz that the U.S. couldn't grant the type of independence with the very favorable economic conditions he wanted because of the most-favored-nation treatment in treaties the U.S. had with many

countries. Nonetheless, he insisted on such a bill, but his proposal got nowhere. The Pro-Independence Congress favored the Tydings Bill with more favorable economic conditions, but not of the magnitude Muñoz wanted. The bill was killed by the testimony of Ben Dorfman, senior economist of the U.S. Tariff Commission.

Dorfman described the miserable economic conditions that existed in Puerto Rico because of overpopulation. “It is doubtful there exists anywhere in the world,” said Dorfman, “another area primarily dependent on agriculture that has a high a ratio of population to cropland as Puerto Rico.” If matters weren’t worse, Dorfman said, it was because of the economic relationship between Puerto Rico and the U.S. from which we derived considerable financial assistance and the benefits of free trade. Puerto Rico’s independence as provided for in the Tydings Bill “undoubtedly would create an economic situation that would render hopeless all prospects of the island maintaining its present low standard of living much less any likelihood of bettering it.” Due to federal taxation, statehood would be worst than independence for the Puerto Rico economy.

After the demise of the Tydings Bill, Muñoz, the Legislative Commission, and the Pro-Independence Congress, continued their efforts in Washington to get a plebiscite bill. Intense lobbying with Congress and with the administration was conducted throughout the remaining months of 1945 and the first six months of 1946. Muñoz spent most of his time in Washington during this time period trying to obtain a plebiscite bill with favorable conditions for independence to no avail.

This experience convinced him that independence wasn’t a realistic alternative through which to decolonize Puerto Rico for two reasons: One, the U.S. wouldn’t grant the necessary economic conditions for Puerto Rico’s economic well-being, and second, because without such conditions he couldn’t in good conscience lead the people of Puerto Rico to independence, and should he try to do so, they wouldn’t follow.

It was at this point that Muñoz turned to autonomy as opposed to independence, although he had been advancing in Washington a type of independence that was criticized by Concepción de Gracia as an autonomous status. In June 1946, he published two articles in *El Mundo* titled “New Paths to Old Objectives,” in which he proposed a new way of thinking about status. Instead of thinking abstractly about status ideals such as statehood or independence, he proposed we look toward Puerto Rican realities as they were—economic, cultural, geographic, and demographic—and to such values as liberty and sovereignty, and structure from those foundations the type of status that would resolve the colonial problem and best suit Puerto Rico.

From the lessons learned in that struggle against colonialism came the Commonwealth as we know it. It was initiated in Congress through Law 600 of 1950 to provide for a new relationship, which was to be submitted to the qualified voters of Puerto Rico for acceptance or rejection, that is, putting in practice the principle of government by consent written into the Declaration of Independence.

The essence of the new relationship appears in the first section of the bill: “Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that, fully recognizing the principle of government by consent, this Act is now adopted in the nature of a compact so that the people of Puerto Rico may organize a government pursuant to a constitution of their own adoption.”

The bill went on to repeal, if the people of Puerto Rico accepted, the original provisions of the Jones Act, which organized the territorial government, including the provision reserving for Congress the right to repeal the laws of the Puerto Rico Legislature, and to establish the new Federal Relations Act that maintained U.S. citizenship for Puerto Ricans, plus the economic conditions—free trade with the mainland and no federal taxation—necessary for the economic development of Puerto Rico.

The people of Puerto Rico voted in favor of the bill, ordained their Constitution, and Congress ratified the Constitution and the Federal Relations Act as a compact with the people of Puerto Rico in 1952 through Law 447.

This development, advancing the principle of government by consent of the Declaration of Independence, although not perfect, is a landmark in U.S. constitutionalism and has been held by the U.S. Supreme Court as providing us with the same sovereignty accorded to the states of the union. The quest for a more perfect Commonwealth or for another alternative is the task of present generations. Let us all today not forget the lessons of the past and be grateful for that which our forefathers achieved.