Democracy and Dependence: The Case of Puerto Rico and the United States

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Introduction

This paper will examine the special relationship between the United States and its unincorporated territory Puerto Rico in order to determine if this relationship has undermined democratic governance in Puerto Rico. The paper will be divided into four interconnected sections. The first section will lay out the historical context, elaborating on the relevant interactions between the United States and Puerto Rico during the end of the colonial period and into the United States’ early acquisition of Puerto Rico. The second section will focus on Puerto Rico’s existing political structures, system of governance and relevant policies. This will reveal the level of democratic governance that exists in Puerto Rico and illustrate the level of American involvement in Puerto Rico’s governance. The third section will focus on the political and theoretical debates surrounding integration, specifically the desire to remain at the existing status of unincorporated territory versus the desire for full integration into the American system as a state. The issue of sovereignty and full independence will be briefly explored as well. The political debate regarding Puerto Rico’s status is also a reflection of the theoretical debate between dependency and neo-imperialism theories that will be explored in the third section. And finally the fourth section will be an analysis of the information presented in the first three sections to illustrate that democratic governance is in fact being undermined in Puerto Rico as a result of their unique relationship with the United States.
Historical Context

Prior to the American acquisition of Puerto Rico the country had been under Spanish rule, first as the colony of San Juan Bautista and then as province, from 1493 until 1898 (Flores, 2010). The United States was actively involved in the region, having recognized that the Spanish empire was well on its way to dissolving, before declaring war on Spain in 1898. American interests in ensuring a liberated Caribbean were primarily based on trade, however there was also an element of security in ensuring that stronger colonizers like England did not replace the Spanish and expand further in the region. Following the victory in the Mexican-American war the concept of manifest destiny also came into play in the Caribbean and there was a rise of ‘expansionists’ in the United States who believed that God had blessed the nation and it was American destiny to expand and control the region (Flores, 2010; Ramos, 2007). Economic opportunities, security for the southern states, and manifest destiny are factors contributing to the war against Spain.

The Spanish-American war was incredibly brief, only 19 days and 49 deaths total but the results were significant; with the signing of the Treaty of Paris, Cuba was liberated and control over Puerto Rico, Guam, and the Philippines was given to the United States (Flores, 2010). This transfer of power was a development that Puerto Ricans welcomed and actively sought by helping the Americans in the war. There was a deep respect and admiration towards the United States for having escaped their colonial bonds and therefore a sincere belief that the Americans would be sympathetic to Puerto Rico’s struggle for independence and grant them the sovereignty that Spain would not
Unfortunately the military occupation and subsequent congressional decisions regarding the status of Puerto Rico were not the move towards sovereignty or even statehood that Puerto Ricans had hoped for.

The Treaty of Paris, signed on December 10, 1898, not only details the transfer of Cuba, Puerto Rico, Guam, and the Philippines to American control in articles one through three and eight, it also details trade agreements (Article four), a timeline for Spain’s evacuation from the islands (Article 5), the return of prisoners of war (Article 6), and several other issues regarding Spain and American interests (Treaty of Paris, 1898). There are in fact only two articles addressing the rights of the native inhabitants of the islands, Article ten which grants them freedom of religion, and Article nine which declares that “the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress” (Treaty of Paris, 1898). As of 2012, 114 years after the signing of this document, the United States Congress continues to determine the political status of Puerto Rico.

Following a relatively brief military occupation during which the remaining Spanish institutions and governing systems were dismantled, the United States congress began addressing the issue of what to do with Puerto Rico in 1900 with the Foraker Act (Ramos, 2007; Flores, 2010). The Foraker Act, also known as the Organic Act, officially replaced the military rule with a civilian government, unfortunately for Puerto Ricans, civilian referred to U.S. citizens appointed by the President (Flores, 2010; Ramos, 2007). The President would now appoint the governor, the executive council or upper house, and the supreme court justices, and only the lower house would be elected democratically. The elected members of the lower house would have no real power as their decisions
could be vetoed by the upper house, the governor or even the U.S. congress (Ramos, 2007). Along with establishing the system of governance the Foraker Act also exported U.S. laws, currency, and economic regulations to Puerto Rico and put in place further limitations on trade and treaties with other nations (Hillman & D’Agostino, 2009). Some small progress was made with the Jones-Shafroth Act of 1917, which not only granted U.S. citizenship to Puerto Ricans but also created an elected Senate. And while this would appear as some small progress for Puerto Rican autonomy, it was mostly an illusion as the U.S. Congress still maintained the ability to veto any decisions it disagreed with, and the citizenship granted did not allow Puerto Rican’s to vote in presidential elections or have representation in the House or Senate (Flores, 2010). In 1947, the Elective Governor Act allowed Puerto Rico to elect their governor and in 1950 Puerto Rico began drafting their first constitution approved by the U.S. Congress and ratified on July 25, 1952 (Hillman & D’Agostino, 2009).

Current Political Structure

Officially called the Estado Libre Asociado de Puerto Rico, or the Free Associated State (Commonwealth) of Puerto Rico, the new constitution was overwhelmingly popular and gave new hope to Puerto Ricans that they were on their way towards statehood or independence (Hillman & D’Agostino, 2009), but as they would soon realize this would not be the case, as Flores explains:

Puerto Rico is an unincorporated, organized territory of the United States with Commonwealth status. The importance of incorporation, according to the U.S. Constitution, is that an incorporated territory would be undergoing the official
steps necessary to become a state. In addition, if Puerto Rico were actually a freely associated state with the United States, under the definition accepted by the U.S. Constitution, then it would be an independent country…(2009, p.5).

as a result of this, the political landscape in Puerto Rico has not changed significantly in the past 60 years, and the United States has retained much of its control over Puerto Rico without taking any steps toward defining and finalizing a status for Puerto Rico (Hillman & D’Agostino, 2009).

The contemporary political structure in Puerto Rico mirrors that of the United States in that it is a three-branch system of government comprised of executive, legislative and judicial branches. The elected governor is the head of the executive branch and therefore the head of government, however the head of state is the President of the United States. The legislative branch is comprised of the Senate and the House of Representatives who are democratically elected, and the judicial branch is comprised of the Supreme Court whose justices are appointed by the governor (Flores, 2010). Puerto Rico is a part of the presidential primaries however as mentioned above Puerto Rico is not a part of the electoral college and Puerto Ricans may only vote in presidential and congressional elections if they are residents of a state (Flores, 2010). Citizenship also fails to guarantee all of the constitutional protections to those living in Puerto Rico where only the fundamental freedoms apply and individual protections are not applicable, the reality of this is a “second class citizenship” for Puerto Ricans (Malavet, 2004). As Hillman and D’Agostino explain, the end result of such a political structure is

“Limited democracy” whereby the elected government has control of local matters, while a host of key areas and issues (including, in addition to defense and
foreign relations, customs, citizenship, immigration, the post office, and minimum wages) that affect the daily lives of people on the island remain under U.S. control” (2009, p.94-95)

and it is this situation of “limited democracy” that has given rise to the three political parties on the island, each representing an option for dealing with Puerto Rico’s status and ultimately their democratic governance.

Political Debates

There are two dominant parties in Puerto Rico, the New Progressive Party (PNP) which is pro-statehood, and the Popular Democratic Party (PPD), which is pro-commonwealth. There is also a third party, the Puerto Rican Independence Party (PIP), which is an independence movement advocating for sovereignty as an independent nation (Flores, 2010; Hillman & D’Agostino, 2009; State Elections Commission, 2009).

According to the state election commission, in the 2008 general election, Luis Fortuño of the PNP won the gubernatorial race with 52.84% of the vote, while Aníbal Acevedo Vilá of the PPD came a close second with 41.26% and the PIP candidate, Edwin Irizarry Mora received only 2.04% of the vote (State Elections Commission, 2009). Similar results were visible in the House of Representatives where the PNP won 31 and the PPD won 9 of the 40 districts (State Elections Commission, 2009), and in the Senate where the PNP received the most votes in all eight districts followed by the PPD (State Elections Commission, 2009). While this data would seem to indicate that Puerto Ricans are in favour of full incorporation into the American system as a state, the plebiscites (plebiscitos) held in 1967, 1993, and 1998 tell a different story.
The first plebiscite regarding the status of Puerto Rico was held in 1967 and offered voters three options: Estado Libre Asociado (Free Associated State), Estadidad (Statehood), or Independencia (Independence) (State Elections Commission, 1967). With 60.4% of the vote the majority of Puerto Ricans chose the free associated state option, followed by the statehood option with 39.0% and only 0.6% chose the independence option (State Elections Commission, 1967). However this plebiscite was not without controversy, as Malavet explains there were strong objections to the wording and threats to boycott the vote (2004). The main issue was regarding the free associated state; this did not mean a sovereign nation with strong association to the United States but rather a continuation of the existing relationship, therefore misleading voters into voting for the status quo (Malavet, 2004).

The second plebiscite was held in 1993 and again offered voters three options: free associated state, statehood, and independence (State Elections Commission, 1993). This time the results were much closer with the free associated state option having a slight majority with 48.6%, the statehood option closing in at 46.3%, and independence gaining some ground with 4.4% of the vote (State Elections Commission, 1993). The definitions for each option were similar to the previous plebiscite where free associated state again refers to maintaining the existing relationship with a few minor enhancements, and statehood seeking full incorporation. The definition for independence was much more detailed and described a scenario much closer to the true definition of a free associated state where Puerto Rico would have its sovereignty and maintain a close relationship with the United States (Malavet, 2004). The results of this plebiscite were
submitted to congress; unfortunately it did not result in any decisions regarding Puerto Rico’s status (Malavet, 2004).

The third plebiscite was held in 1998 and was slightly more complicated than the previous two, offering voters five options: Ninguna de las anteriores (none of the above or non of the previous), statehood, independence, free association, or territorial free associated state. As Malavet explains, the distinction between ‘free association’ and ‘territorial free associated state’ was a reflection of the two types of commonwealth status where free association refers to an enhanced form of commonwealth that could be used as a stepping-stone to independence, and territorial commonwealth refers to maintaining the existing status (2004). In a result that was surprising to all the ‘none of the above’ option won with 50.3% of vote and followed closely by statehood with 46.5% (State Elections Commission, 1998). Of the other three options independence was the first choice with 2.5%, followed by free association with 0.3% and territorial free associated state with 0.1% (State Elections Commission, 1998). While the PDP ultimately claimed this plebiscite as a victory, the confusing results were never put to any use.

The fourth plebiscite was held on November 6, 2012; this plebiscite was comprised of two sections, the first of which asked voters: “Do you agree that Puerto Rico should continue to have its present form of territorial status?” with the options yes or no (State Elections Commission [a], 2012). This is then followed by the statement “Regardless of your selection in the first question, please mark which of the following non-territorial options would you prefer” and the three options of statehood, independence, and sovereign free associated state (State Elections Commission [a], 2012). Unlike previous plebiscites the definition of sovereign free associate state
presented to voters is true to the legal definition and calls for independence while creating a treaty with terms for a new relationship with the United States agreed to by both nations (State Elections Commission [a], 2012). This plebiscite is in part a result of a United Nations (UN) special committee on decolonization and the pressure they, and other Caribbean nations such as Cuba, have placed on the United States to assist Puerto Rico in the self-determination process (UN Special Committee, 2009). There was no overwhelming response to the question regarding the current status, 54% of voters said they are not satisfied with the current status, and 46% said that they were (State Elections Commission [b], 2012). The majority of voters, 61%, chose the option of statehood, while 33% chose free associated state, and 5% chose independence (State Elections Commission [c], 2012). While the results of the alternative status option section does reflect the dissatisfaction Puerto Ricans expressed over their political status, it is not a decisive indication of a national preference because of those that voted yes or no regarding the current status, more than 470,000 chose not to complete the second section regarding what other option they would choose (State Election Commission [c], 2012). These results are also slightly confusing as voters chose to elect Alejandro García Padilla, of the PPD, a pro-commonwealth candidate as their governor (State Elections Commission [d], 2012). The decision to act on these results is ultimately in the hands of congress and given the multitude of political ramifications for both the United States and Puerto Rico it is not a decision that will be made quickly or easily.
Theoretical Debates

As illustrated in the previous section the political status of Puerto Rico is a widely contested issue. It is also an issue that is of deep importance to Puerto Ricans because it impacts their lives on a daily basis. Each option for the political status of Puerto Rico, statehood, independence, or commonwealth, will have positive and negative ramifications for Puerto Ricans living on the island, in the United States, and abroad. The political debates surrounding Puerto Rico’s status are also reflective of a larger theoretical debate between dependency theorists and neo-imperialists focusing on the classification of the last colonial remnants, such as Puerto Rico, Guam, and American Samoa.

Dependency theory grew out of post-colonial Latin America and generally refers to the concept of a core-periphery system. The core countries, or the developed world colonizers, exploit the periphery colonies for natural resources and primary good exports creating economic dependency (Peet and Hartwick, 2009). Dependency theory maintains that the western world could not have developed without this relationship and, in the post-colonial era, developing countries have not been able to develop as a result of exploitation and because all of the institutions and infrastructure in the country were created to service an export driven economy (Peet and Hartwick, 2009). According to the dependency theory perspective Puerto Rico can be classified in this category not only because of its colonial past with Spain but also because of its continued dependence on the United States both economically and socially. Following Spain’s departure almost all of the Spanish institutions were dismantled and replaced with American institutions based on American ideology (Ramos, 2007). As a result Puerto Rico has become
incredibly dependent on American investment and exports to sustain the island with 68.1% of exports going to, and 51.2% of imports coming from the U.S. (Government Development Bank, 2011). This unfortunately also means that any economic crisis in the United States will have a strong impact on Puerto Rico (Flores, 2010; Pérez, 2002). Political dependence is also a relevant factor from a dependency perspective as Puerto Rico has been granted significant access to federal funding, social and welfare programs and with 41.4% of the population living below the poverty line, and 16% unemployment, the majority of island residents are incredibly reliant on these programs (Pérez, 2002; Government Development Bank, 2011). As a result of the deep economic, social, and political dependence on the United States, Puerto Rico is firmly situated within the dependency theory perspective.

Neo-imperialist theory, particularly American neo-imperialism, refers to the political control that enables colonialism, however unlike traditional imperialism this new or neo-imperialism is not achieved through the use of force or military take over but rather an initial use of force if necessary that quickly shifts into control through various policy mechanisms and economic controls (Peet and Hartwick, 2009). As Peet and Hartwick explain this new kind of imperialism is on an ideological level and “takes the form of the expansion of American ideals like freedom, democracy, equality of opportunity and consumption” (2009, p.166). From this perspective the case of Puerto Rico is a shining example of American neo-imperialism at work. After a brief military occupation the United States immediately began the process of ‘Americanization’ in Puerto Rico, all while maintaining strict political domination through congress (Malavet, 2004). This was not just a political endeavour, the United States also sought to change the
culture of Puerto Rico, even going so far as to introduce English language laws (Malavet, 2004). The campaign was not entirely successful and American neo-imperialism now focuses on convincing Puerto Ricans that independence would be a disaster all while congress impedes any ambitions for statehood, because for the United States maintaining Puerto Rico’s current status is most beneficial to America (Malavet, 2004; Díaz, 2006). From a neo-imperialist perspective the case of Puerto Rico is more than just lingering dependency from a post-colonial past, it is a case of modern colonialism achieved through visible neo-imperialist mechanisms, the most obvious of which are complete political control through congress and complete economic control through trade, multinational corporations, and federal aid programs.

Analysis

Puerto Rico’s status is a serious concern for both Puerto Ricans and Americans; after exploring the current political system in Puerto Rico it is clear that there are consequences to all three political status options for both countries. Independence would eliminate certain benefits such as U.S. citizenship and important economic benefits for Puerto Rico and for American corporations operating in Puerto Rico (Malavet, 2004). Statehood would be costly for the U.S. and while it would have many benefits for Puerto Rico such as representation, it would also mean new taxes (Malavet, 2004). But it is clear that remaining in the same position, a semi-commonwealth unincorporated territory, is undermining Puerto Rico’s ability to effectively govern.

It is clear that the citizens of Puerto Rico respect and desire a democratic government in some form, and when looking at the data from the three plebiscites it
becomes clear that representation is important to Puerto Ricans (Díaz, 2006). The very fact that plebiscites are being held is an indication that Puerto Ricans are not satisfied with their current status. The people, based on its ability to provide the basic services citizens require, legitimize governments and the foundation of a democratic government is representation (Díaz, 2006). The Puerto Rican government is not able to provide some of these crucial basic services such as defense, trade, and minimum wage laws, because it is the government of the United States that has final say over those issues on behalf of Puerto Rico. Not only is this form of government not legitimate it is also not democratic because the people of Puerto Rico have no representation in the United States federal government (Díaz, 2006).

Both the dependency and neo-imperialist perspectives are accurate and useful tools for understanding the case of Puerto Rico. Rather than classifying the issues in Puerto Rico through one lens or the other, the two theories can be applied to the two actors. Neo-imperialist theory offers significant insight into the actions and motivations of the United States in their desire and approach to maintaining the status quo in Puerto Rico. Dependency theory in turn sheds light on the roots causes and deeper issues that drive Puerto Rico’s actions and motivations. What dependency theory, and to a lesser degree neo-liberalism, fail to explain is why Puerto Rico wishes to maintain the status quo and why there is so little support for the independence movement, a somewhat surprising sentiment consistently illustrated through elections, political parties and plebiscites. In this regard Antonio Gramsci’s concept of hegemony should be considered. Gramsci’s concept of cultural hegemony observed that people could be controlled through socialization and eventually they would believe that their situation was for the
best (Peet and Hartwick, 2009). For Gramsci this socialization took place through all aspects of society, institutions and in the contemporary context particularly through entertainment such as television and music (Peet and Hartwick, 2009). When this concept is applied to the Puerto Rico case, and other factors such as unemployment, the large number of Puerto Ricans living in the United States, poverty, and the amount of money Puerto Rico receives from the United States federal government through welfare and social programs, are all taken into consideration the idea that further distancing themselves from the United States may be a bad decision becomes much more understandable.

Conclusion

In conclusion, after careful consideration of Puerto Rico’s colonial history, a timeline of interactions with the United States, an exploration of the relevant policies, a detailed examination of Puerto Rico’s current political structure and systems including the results of three plebiscites, and an overview of the current political and theoretical debates it is clear that the unique relationship between the united states and its unincorporated territory Puerto Rico has historically and continues to undermine Puerto Rico’s capacity for good and democratic governance. Puerto Rico’s colonial history laid the foundations of exploitation and the sentiments of resentment and frustration at their lack of autonomy that would lead Puerto Ricans to support the United States in the Spanish-American war and their decision to welcome the U.S. as liberators following Spain’s transfer of Puerto Rico into American control. This would lead to a long and complicated relationship with the United States that was gradually worked out through a
series of policies such as the Foraker Act, the Jones-Shafroth Act, and eventually culminated in the creation of a Puerto Rican constitution. None of these policies solved the question of Puerto Rico’s political status and several plebiscites were held in the hopes that congress would take action and a resolution could be reached, unfortunately this has not happened and Puerto Rico’s status as an unincorporated territory has remained virtually unchanged since the 1950s. Puerto Rico’s modern political system is a reflection of this, and is structured in such a way that all power ultimately rests with the United States congress. It is this subservience to the U.S. federal government without any representation in congress or voting rights that is fundamentally undemocratic and prevents the Puerto Rican government from controlling vital services such as defense, economic policy, and labour policies, therefore undermining the legitimacy of the government. The political debates regarding Puerto Rico’s status are also reflective of theoretical debates between dependency theory and neo-imperialist theory, however both are useful tools in analyzing the issues in Puerto Rico. Dependency theory offers valuable insight into the root causes, economically, politically, and socially, of Puerto Rico’s continued dependency on the United States, while neo-imperialist theory exposes the American motivations for and mechanisms used to maintain this political control. A third theory, cultural hegemony, explains why Puerto Ricans would actively seek to retain their dependent relationship with the United States as a result of social conditioning. All of these factors combine to reveal that Puerto Rico is still heavily subject to American control and is in no way a legitimate or democratically governed territory. While it may appear to have a form of democracy this is only a façade and the struggle for real democracy is alive, active, and in the hearts and minds of all Puerto Ricans.
References


