

# Spanish American War: Puerto Rico

## Perspective 1: US Takes Control of Puerto Rico by History.com

Only one year after Spain granted Puerto Rico self-rule, American troops raise the U.S. flag over the Caribbean nation, formalizing U.S. authority over the island's one million inhabitants.

In July 1898, near the end of the Spanish-American War, William McKinley launched U.S. forces to Puerto Rico, for an invasion of an 108-mile-long, 40-mile-wide island that was one of Spain's two principal possessions in the Caribbean. With little resistance and only seven American deaths, U.S. troops were able to secure the island by mid August. After the signing of an armistice with Spain, the island was turned over to the U.S. forces on October 18. U.S. General John R. Brooke became military governor. In December, the Treaty of Paris was signed, ending the Spanish-American War and officially approving the cession of Puerto Rico to the United States.

In the first three decades of its rule, the U.S. government made efforts to Americanize its new possession, including granting full U.S. citizenship to Puerto Ricans in 1917 and considering a measure that would make English the island's official language. However, during the 1930s, a nationalist movement led by the Popular Democratic Party won widespread support across the island, and further U.S. assimilation was successfully opposed. Beginning in 1948, Puerto Ricans could elect their own governor, and in 1952 the U.S. Congress approved a new Puerto Rican constitution that made the island an autonomous U.S. commonwealth, with its citizens retaining American citizenship. The constitution was formally adopted by Puerto Rico on July 25, 1952.

Movements for Puerto Rican statehood, along with lesser movements for Puerto Rican independence, have won supporters on the island, but popular referendums in 1967 and 1993 demonstrated that the majority of Puerto Ricans still supported their special status as a U.S. commonwealth.



**Perspective 2: THE LAW THAT MADE PUERTO RICANS U.S. CITIZENS, YET NOT FULLY AMERICAN The Jones Act Was Part of a Legal Patchwork That Bolstered Commercial Ties to the Island but Treated Residents as Foreigners by <https://www.zocalopublicsquare.org/2018/03/06/> (modified)**

In the aftermath of the Spanish-American War of 1898, the United States annexed Puerto Rico. The terms of the annexation were outlined in the Treaty of Paris peace accords ratified in 1899. Unlike prior treaties of

territorial annexation, the Treaty of Paris did not contain a provision extending or promising to extend U.S. citizenship to the inhabitants of Puerto Rico.

As documented in the so-called Red Book files (the official correspondence of the negotiations between the United States and Spain), President McKinley opposed granting citizenship to the “less civilized” non-Anglo-Saxon inhabitants of Puerto Rico and the other annexed Spanish territories. Instead, Section Nine of the Treaty invented a local “nationality” that barred island-born inhabitants from either retaining their Spanish citizenship or acquiring U.S. citizenship.

This local nationality required Puerto Ricans to establish a new allegiance with the United States, while simultaneously barring their membership in the U.S. political community. It allowed the federal government to selectively rule Puerto Ricans as foreigners in a domestic or constitutional sense. However, the Treaty established that Congress could subsequently enact legislation to determine the civil and political status of Puerto Ricans.

In 1900, Congress enacted the **Foraker Act**, which established the island’s territorial status and affirmed the citizenship provision of the Treaty of Paris. Even though the United States had annexed Puerto Rico, Section Three of the Foraker Act treated Puerto Rico as a foreign territorial possession for purposes of imposing tariffs, duties, or taxes on merchandise trafficked between the island and the mainland. And Section Seven invented a Puerto Rican citizenship to describe the status of island-born Puerto Ricans. A year later, the Supreme Court affirmed Congress’ power to selectively rule Puerto Rico as a foreign territorial possession in a domestic or constitutional sense.

[The relationship that followed was a clearly colonial and imperial one throughout the 20th century, with the U.S. ruling the island through both the military and U.S.-appointed governors. The 1900 **Foraker Act** did create a House of Delegates that would be directly elected by Puerto Rican voters, but the island’s upper chamber (initially an executive council that gradually evolved into a senate) and governor continued to be appointed directly by the United States government. Similarly, the island continued to have no voting representation in Congress, a fact that became particularly significant when through a series of ... “**Insular Cases**” the Supreme Court and U.S. government deemed Puerto Rico “territory appurtenant and belonging to the United States, but not a part of the United States” as the island was “inhabited by alien races.” This ambiguous and fraught status, “foreign in a domestic sense” as the Court put it, left Puerto Ricans with far fewer Constitutional rights than their mainland counterparts.- *Considering History: U.S. Imperialism and Puerto Rican Activism* by Ben Railton]

Read as a whole, this patchwork of citizenship laws illustrate the contradictory U.S. territorial law used to rule Puerto Rico for more than a century. On the one hand, the United States continues to govern Puerto Rico as an unincorporated territory—and that is a foreign possession in a domestic or constitutional sense. Simultaneously, federal citizenship laws treat Puerto Ricans as members of the U.S. political community.

In part, these territorial laws create a two-storied home. Citizens residing in the first floor—the mainland—enjoy the full legal and political rights of membership in the U.S. political community, whereas citizens residing in the basement—or Puerto Rico—live with a second-class status determined by the laws and policies Congress and the Supreme Court extend to the island.

### Watch Bernardo Vega (video)



<https://ca.pbslearningmedia.org/resource/6e935661-bf87-4a38-8fd2-28d4ea43d38b/bernardo-vega/>

After the Spanish-American War, Puerto Ricans are in political limbo for over ten years - not fully American but not independent either. U.S. citizenship is granted to all people of the island in 1917 though without the rights of full political representation. Many Puerto Ricans take advantage of the new ability to move about the U.S., including a young Bernardo Vega. Their aspirations for coming to New York differ from the outcomes and a burgeoning community continues to grow in the Big Apple.

