

## **Don't Make Puerto Rico a State Now**

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Puerto Ricans went to the polls on November 3 to elect a new governor and hundreds of other officials, and yes to vote on whether their colonized archipelago should become the 51<sup>st</sup> American state. The results signaled a resounding rejection of both major political parties. They also revealed a far more ambivalent attitude towards the status question than pro-statehood proponents will admit.

The New Progressive Party's (PNP) gubernatorial candidate garnered 32.9% of the vote, besting his Popular Democratic Party (PPD) opponent by 1.4%. These two political parties have dominated politics for over half a century: the PPD a proponent of the current failing commonwealth status and the PNP, a fierce ideological proponent of statehood. Although support for both has been waning, the gains made by new opposition political parties was a shock. Puerto Rican Independence Party (PIP) received 13.7% of the vote, the most it has received in decades. The upstart Movimiento Victoria Ciudadana (MVC) in its first time on the ballot got 14.2%, and even the Christian fundamentalist Proyecto Dignidad, which was established just this year, became a player with 6.9% of the vote. This means that 67% of the voters rejected the PNP, a party that has based its entire existence on delivering statehood to the archipelago. Voter participation has been declining steadily, but this year's steep drop jolted Puerto Rico's political class. Participation plummeted to 53% from 79% in 2008, the lowest in Puerto Rico's post World War II history. The 2020 elections revealed how tenuous the PPD and PNP's hold over the electorate had become, and suggests a fundamental political realignment is taking place.

Fifty-three per cent voted "yes" for statehood, while 48% voted no. At first glance the results of the so-called plebiscite appear to be a ringing endorsement for statehood. In a New York Times op-ed, Cristina Ponsa-Kraus wrote that this was a "historic vote" and proof that Puerto Ricans are clamoring statehood. But as City University of New York Professor Ana López pointed out, when you look at the figures this bullish claim is questionable. In reality

about 26 % of the electorate expressed a preference for statehood since just over half of the voters turned out on election day. It is inconceivable that a decision as momentous as Puerto Rico's political destiny can be left to a quarter of the eligible electorate.

Unlike previous plebiscites, this plebiscite was inexplicably timed by the PNP to coincide with the general elections. Proponents of statehood conveniently ignore the political realignment that is taking place in the wake of the massive popular uprising in summer 2019. The historic protests not only forced a despised governor to resign, but they set-in motion the extraordinary electoral gains made by anti-PPD/PNP forces. According to political commentators, the 2020 election marks beginning of the end of bipartisan political rule. In this context, few serious students of Puerto Rican politics would accept the yes-no statehood popularity contest as anything more than a political stunt by the statehood party to rally its aging base to the polls and sustain the myth that statehood is attainable.

On December 30, the eve of her last day in office, Governor Wanda Vasquez signed two measures into law. One authorizes the government to conduct elections to select six full time lobbyists who will be appointed to the Puerto Rico Equity Commission, and work full time at the Puerto Rico's Federal Affairs Administration in Washington DC to promote Puerto Rico Statehood. In January 2021, incoming Governor Pierluisi asked the state electoral commission to organize the special elections, which are projected to cost \$8.9 million. The second measure authorized Governor Pedro Pierluisi to hold a plebiscite in May 2021. But in a marked departure from past practice, the plebiscite "definitions will be decided by decree, without approval of the. According to the law, which some legislators claim is unconstitutional, the governor alone will decide the status alternatives that will be on the ballot. The non-binding plebiscite will be held without the federal government's authorization. The measures were immediately denounced by the opposition Partido Democrático Popular "as antidemocratic." The Puerto Rican Independence Party warned that the legislation would "convert the governor into a colonial dictator."

But the significant take away from the elections is the people's repudiation of the politics of status. The majority of Puerto Ricans don't blame only colonialism for the unemployment and poverty, environmental despoilation, the collapsed health system and the deteriorated infrastructure that torment their daily. Voters punished the PPD and PNP because both are also responsible for Puerto Rico's dystopian reality. Neither the majority of Puerto Ricans believe

these problems can be resolved by either the PNP or PPD. The legitimacy of both political parties has been damaged by a history of corruption, incompetence, and support for wrenching austerity measures. Voters expressed their frustration with the status quo by supporting other political parties and wanted to break the cycle of bipartisan rule. Indeed, MVC and PIP legislators have introduced a slew of measures to confront corruption and governmental waste, to protect labor rights and pensioner's benefits, and to curtail the practices of environmental polluting industries. Many of the progressive initiatives to transfer the function of the state and redirect its resources to helping abandoned communities come from grass roots organizations and mutual aid societies. The MVC and PIP, as well as politically active independent organizations, including the *Comedores Sociales* and *Casa Pueblo* are challenging the political class's embedded mentality that that Puerto Rico will forever be dependent on the United States. The new political forces reject the idea that state subsidized foreign capital accumulation is the only way to grow the economy. New plans for a smaller national economy, more inwardly oriented, that rationally uses the available and material resources are being proposed by these new political actors.

After decades of trying, Puerto Ricans are resigned to the futility of pressuring Congress to change their archipelago's territorial status. The best that can be achieved under colonial rule is to elect responsible officials who will enact policies to alleviate widespread economic and social suffering. This is another key reason that the PIP experienced an unexpected resurgence, while the MVC and Proyecto Dignidad made unforeseen political gains. Young people were particularly energized for the elections and appear to have voted in greater numbers than older voters for the PIP and MVC. Young adults launched #VOTAYSACALOS (Vote and Take Them Out), an electoral campaign to increase voter turnout among younger voters who make up about 35 percent of the electorate. So, it is very likely that Puerto Rico's political realignment was propelled by a new generation of voters. Through their social activism and participation in progressive causes young voters have created an ideological crisis for the political class, who continues to stake its fortunes on the interminable politics of status. In the context of the political realignment that is unfolding demands to "Make Puerto Rico a State Now" are ill-timed.

Since its inception, the PNP has campaigned on the promise that statehood is the only way out of poverty. PNP patriarch Luis Ferré coined the term "estadidad jibara," in 1968. Under estadidad jibara "all that is good about our culture and our traditions as well as our Spanish

language” would be preserved, while the “financial resources of the federal government that are necessary to solve our serious problems,” would flow into the archipelago. Twenty-three years later Rubén Berríos, PIP president chided the PNP for promoting welfare dependency to gain support for statehood. Testifying before a Senate committee, Berrios commented that the patriotic PNP’s “battle cry is ‘Statehood is for the poor,’ a far, far cry from ‘Give me liberty or give me death.’” PNP governor Carlos Romero Barcelo, Ferré’s successor, also assured Puerto Ricans that “If it were a state, Puerto Rico would be absolutely assured of enormous amounts of federal money.”

To this day the PNP’s key message is that under statehood Puerto Ricans can be assured of increased federal transfers to individuals. Noted columnist Benjamin Torres Gotay recently penned an essay cleverly titled the “la virtud de depender.” He observed that the PNP promises “More money for this, more money for that. Millions here, millions there. Dependency has stunted the entire value system of our society.” Moreover, Torres Gotay questioned whether the plebiscite result was an accurate measure of support for statehood since the PNP made no effort to educate the people about their “responsibilities as members of the American federation.” Puerto Rico’s propensity to become an immense welfare burden on the U.S. has been a constant preoccupation in Congressional deliberations on Puerto Rico’s status.

If indeed the PNP’s major concern is federal funding equity for Puerto Ricans, the party could petition Congress to convert Puerto Rico into an incorporated territory. The Uniformity Clause of the constitution would then apply, and Puerto Ricans would no longer be subject to discriminatory funding decisions made by federal bureaucrats. Incorporation would not alter Puerto Rico’s status as a possession of the United States. Congress would continue to exercise its plenary powers, and could still grant Puerto Rico independence if it chose to do so. While incorporated status means a territory is destined for statehood, the process can take decades. Nor does incorporation guarantee that the territory will ever be admitted into the Union as a state.

The experiences of Arizona and New Mexico territories are instructive. For decades Congress refused to grant these territories statehood, even though the inhabitants had been collectively naturalized. Arizona and New Mexico were admitted as states only after white settlers had displaced Mexicans as the majority of the population. Why did it take Congress so long to act? Because of racism. In 1899 a prominent Yale legal scholar explained that “the character and traditions and laws of a Latin race are still so deeply stamped upon her people and

her institutions' that no demand of party exigency has been strong enough to secure her admission to the privilege of statehood." The perception that Puerto Ricans cannot fully be Americans because of their culture and language is as potent among members of Congress today as it was over a century ago.

Racism was also at the root of the Supreme Court's 1901 decision not to incorporate Puerto Rico as a territory because its inhabitants were of "an alien race." In 1990 racist attitudes doomed a status referendum bill that was under consideration by a Senate committee. New York Senator Bill Moynihan denounced the behavior of his colleagues as the "most shameful display of nativism I have yet to encounter in my 15 years in the Senate. One Senator after another took occasion to say he was not sure Puerto Ricans belong in American society." Patrick Buchanan, a prominent right political commentator, has a relentless opponent of Puerto Rican statehood. In 1998, he argued that Puerto Ricans "are a distinct people, an embryonic nation whose culture, language, faith and traditions look back across the sea to Madrid." Buchanan was certain that "statehood would make seditionists of Puerto Rican patriots." Puerto Rico would become America's Quebec, a French speaking, fiercely nationalist province of Canada with a long-standing secessionist movement. Ironically, the Summer of 2019 uprising proved Buchanan's point. More than just a repudiation of a corrupt administration, the protests were a massive and jubilant expression of Puerto Rico's multifaceted culture and distinctive national identity. After 122 years of colonial rule Puerto Ricans have shown they refuse to succumb to the homogenizing ideology of Americanization.

The PNP doesn't mention "estadidad jibera" when it lobbies for statehood in the halls of Congress. Instead, it tries to convince Congress it is indefensible to refuse Puerto Rico statehood. The PNP also tries to shame Congress into acting morally by calling on it to end its discriminatory treatment of Puerto Rico. The United States is clinging to a racist policy enunciated by the Supreme Court in 1901. But the PNP argues since Puerto Ricans have been U.S. citizens since 1917 it is high time they have the same rights and privileges as citizens who reside in the United States.

But this argument specious. Puerto Ricans, as well as non-Puerto Ricans who live in the archipelago, are assigned a special category of citizenship reserved for the residents of a territory that belongs to but is not part of the United States. Puerto Ricans are denied the 14<sup>th</sup> amendment citizenship not because of their nationality, but because of where they live. The inhabitants of

Puerto Rico are disenfranchised at the national level since they cannot vote for the president and congressional representatives. Unfortunately, the only way to attain the rights and privileges guaranteed by 14<sup>th</sup> amendment is if Puerto Ricans, either island-born or resident migrants, establish residency in a state in the U.S. The residents of Puerto Rico have a statutory and territorially based citizenship. In 1940 the Congress decided that people born in Puerto Rico had birthright citizenship, or the same citizenship as people born in the U.S. But this citizenship is not the same as the 14<sup>th</sup> amendment citizenship that is enshrined in the constitution. It is a citizenship conferred by Congressional statute. Since the Supreme Court has not been asked to decide if the citizenship granted by Congress is tantamount to U.S. birth right citizenship and thus irrevocable, it leaves Puerto Ricans born and living on archipelago in a legal limbo.

Puerto Ricans have proven their loyalty and patriotism to the United States. Puerto Rican men and women have fought and died in every one of America's foreign wars. They have shed blood to protect American interests. The PNP wants Congress to acknowledge these sacrifices by making Puerto Rico a state. This is a compelling argument, but ultimately inconsequential. Puerto Ricans are in a situation similar to that of non-citizens in the United States who are politically disenfranchised but serve in the armed forces. Neither is Puerto Rico different from American Samoa when it comes to military service. Samoans have the highest rate of per capita military enlistment of any U.S. state or territory. Like Puerto Rico, American Samoa is an unincorporated territory. But unlike Puerto Ricans how are U.S. citizens, Samoans are "nationals." Hundreds of thousands of U.S. resident non-citizens and nationals have served in the military, and thousands have been wounded or perished in combat. The sacrifices Puerto Ricans have made in fighting America's foreign wars cannot be diminished. But it is morally unsustainable to argue that the United States is obligated to grant statehood because Puerto Ricans have paid a "blood tax." America's debt to Puerto Rico is no greater or less than its debt to politically disenfranchised people, the majority of whom are black and brown, who served in the military and live in the mainland and in the territories

The PNP wants to convince Puerto Ricans that as a state the racism which has characterized U.S. treatment of its colony will vanish. The PNP propagates the notion that Puerto Ricans would enter the American polity as equals to white citizens, and would be spared institutionalized and systemic racism. But the PNP willfully ignores America's centuries-long ignominious treatment of African Americans, Mexican Americans, Native Americans, Filipinos

and Asian Americans. The American empire was built on the exploitation of these racialized populations, and they continue to be economically marginalized and portrayed as threats to society. American citizenship does not correlate with equality before the law, nor with racial equality. Puerto Ricans in the diaspora are routinely victims of discriminatory labor, educational and housing policies and targets of police brutality. In response Puerto Ricans created a myriad of organizations to confront the racism that denied them equal opportunity. It remains to be seen if America's enduring racism will affect how the state of Puerto Rico will be treated in Congress.

No number of plebiscites will move Congress to end Puerto Rico's colonial status. Congress will act when it is in the best interests of the United States. In today's ideologically fraught political climate, it is unlikely that a divided Congress will act to change Puerto Rico's status. Republicans oppose admitting Puerto Rico into the Union. Recently Republican Senate Majority Leader Mitch McConnell, warned that the Democratic controlled House might try to "make Puerto Rico a state" in a move that "would give them two more Democratic senators. "Adding stars to the American flag cannot be allowed, yeah, as long as I am majority leader in the Senate, none of that stuff is going anywhere." Congress has opposed granting Puerto Rico statehood for over 120 years. That is not about to change any-time soon.

Now more than ever, it is time to dismiss the clarion calls to make Puerto Rico a state.