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## Puerto Rico: A Sociological Analysis of Disparities in Hispanic Identification

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# PUERTO RICO

## **A Sociological Analysis of Disparities in Hispanic Identification**

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## **SPANISH SETTLEMENT**

The island, that is today known as Puerto Rico, was discovered by Christopher Columbus in 1493 when he claimed it for Spain. Puerto Rico was already inhabited by the Tainos, native Indians from South America and the Caribbean, who made a living by growing crops (Lessan 2015). Puerto Rico was eventually conquered by the Spaniards in 1509 by Juan Ponce de León, who also served as the first governor of Puerto Rico (Green 2007). The Spanish took advantage of all the resources Puerto Rico had to offer, which included cassava, tobacco, corn, and most importantly, gold. The Spanish did not exploit all these resources without resistance from the natives, who planned an attack against the Spaniards in 1511. These attacks continued throughout the 16th century, but the Spaniards continued to mistreat the natives. In the 17th century, the Spanish started to bring over African slaves to Puerto Rico. This caused the population of the native Tainos to dwindle, and the population of African slaves to increase. Slavery was abolished in 1873 by the Spanish partly because the natives and slaves continued to attack and rebel against the Spaniards (Puerto Rico Encyclopedia 2009).

During the late 1800s, Puerto Rico was not in a good condition. Puerto Rico was dealing with numerous social problems, including unemployment, poor education rates, illiteracy, and violent crimes. All of these problems were influenced by changes in political parties and drug related crimes (Green 2007). At this time, 87.3% of Puerto Ricans were illiterate and the majority of the citizens were living in extreme poverty (Brás 2011). Most of Puerto Rico's social problems stemmed from how they were treated by the Spanish. Puerto Ricans were not given equal opportunities compared to the white people living on the island, so they suffered setbacks in all aspects of life. Since most Puerto Ricans were poor, they could not afford to immigrate to

the United States or anywhere else where there would be more opportunities. This all changed when the Spanish-American War occurred in 1898.

### **AN AMERICAN TERRITORY**

The Spanish-American War was a conflict between Spain and the United States in 1898. Spain had control over Cuba during this time, and America supported Cuba in its fight against Spain for independence. America was already opposed to being on Spain's side, but the explosion of the Maine battleship in the Havana harbour is what pushed America to go to war (Brás 2011). After four months, America defeated Spain and signed the Treaty of Paris. In this treaty, America bought Puerto Rico from Spain (Green 2007). After the Spanish-American War, a large number of Puerto Ricans started to immigrate to the United States. With the support and aid of the United States, immigrating became much more of a reality for Puerto Ricans.

The mass migration of Puerto Ricans to the United States started in the early 1900s. Many Puerto Ricans went to New York, most specifically Manhattan, because they had greater employment opportunities and the accessibility to boats from the docks (Lessan 2015). Puerto Rican migrants also settled in other urban locations in the Northeast because the availability of new jobs due to industrialization.

Although Puerto Ricans in America have assimilated successfully, they still face major problems, like most minority groups. Many Puerto Ricans have white-collar jobs and the college graduation rates for them are growing. On the other side, many urban Puerto Rican areas deal with drug-related crimes and poverty (Green 2007). Another problem that comes from assimilation is the loss of culture and identity among Puerto Ricans. A census was taken in 1899

(one year after the United States came to own Puerto Rico) by the U.S. Department of War and 61.8% of Puerto Ricans identified as white instead of hispanic (Loveman and Muniz 2007). This “whitening” is attributed to the social status of Puerto Ricans. More Puerto Ricans started to get jobs, money, homes, and even partners with lighter skin. These characteristics led them to start identifying as white, which meant that the culture and history of the Puerto Ricans was starting to become less and less important.

### **COMBINED FORCES IN WWI AND WWII**

Despite the fact that this “whitening effect” can be seen, there was still a large gap between the white and hispanic groups. This can be seen by the role that Puerto Ricans played in aiding the US in both World Wars. World War I was the first war that Puerto Ricans fought in the U.S. military. Puerto Ricans have remained a part of the American military in every conflict American has taken part in since 1914. In fact, the Porto Rico Regiment of Infantry was the first American battalion to open fire in World War I (Anon 1915). The name “Porto Rico” originated in congress in 1899. Congress changed the name after it was annexed to a more English spelling in order to make it more American (Dinwiddie 1899). This misspelling actually first appeared on the Treaty of Paris. While some may argue that it was simply an ignorant typo, it makes sense that the American Government wanted to everything it could to make Puerto Rico more “American” (besides giving it statehood, of course). While World War I helped unify America economically and socially, to Puerto Ricans it seemed like they were still on the outside looking in.

Despite the fact, that World War II unified Puerto Rico and America relations, in the sense that they joined forces to fight together, oppression and close-minded segregation was still rampant. After Japan's attack on Pearl Harbor, a nationwide enforcement of the draft was in full swing and Puerto Ricans found themselves wrapped up in it as well. If a Puerto Rican was drafted, he was either segregated into a company with African-Americans if his skin was "too dark," while light skinned Puerto Ricans were kept in a separate infantry (Morris 1995). However, during World War II many more Hispanic people earned higher ranks and titles in the Armed forces. This aided the representation of the Puerto Rican people in the U.S. forces but the people still felt disjoint from America. This was made clear after the Victory in Europe and Victory in Japan Day, when some Puerto Rican people did not acknowledge the American national anthem and only stood for the Puerto Rican national anthem. This sentiment was caused by the fact Puerto Ricans never fought alongside Americans. Since they were segregated into groups, they felt as if they were fighting for Puerto Rico rather than America.

### **LEGISLATIVE AND ECONOMIC REFORM**

After WWII, the Truman Administration established major legislative changes for Puerto Rico. For example, Jesus T. Piñero was appointed as the first native Puerto Rican to be appointed as Governor in 1946. Piñero was granted this position due to the progress he made in helping the island's economy. From 1920 to 1944, Piñero was keenly interested in the agricultural development of Puerto Rico and engaged in sugarcane cultivation and the dairy business. This interest led him to political activity, particularly concerning issues of sugarcane cultivation. In 1928, he began his political career as a member of the municipal assembly of Carolina. He later

became president of the assembly and served until 1932. In 1935, he was appointed to the Puerto Rico Reconstruction Administration” (Library of Congress 2010) and ultimately governor.

“In 1940, Piñero was one of the founders of the Popular Democratic Party, headed by Luis Muñoz Marín. The same year he was elected to the Puerto Rico House of Representatives and began a four-year term. In 1944, he was elected Resident Commissioner to the U.S. House of Representatives, where he served on the Committees on Agriculture, Insular and Interior Affairs, Labor, Military Affairs, Naval Affairs, and Territories. At the request of the Legislature of Puerto Rico, Piñero introduced a bill which provided for a referendum allowing the people of Puerto Rico to choose between independence, statehood, or a dominion status. He also submitted a bill to establish a permanent political status for the Island by mutual agreement between the people of Puerto Rico and the Government of the United States” (Library of Congress 2010). In 1947, the United States government gave Puerto Rico the right to democratically elect their own governor. A year later, Luis Muñoz Marín was elected and reelected in 1952, 1956 and 1960. “Early in his career he advocated independence for the island, but later he worked for its social and economic progress in partnership with the United States.” “When the United States granted Puerto Rico the right to elect its own governor (1948), Muñoz Marín was overwhelmingly elected and then reelected in 1952, 1956, and 1960. During his governorship, he achieved a lifelong goal in changing Puerto Rico’s status to that of a commonwealth.” “He refused to run for a fifth term as governor in 1964, stepping aside to serve once again in the Senate of Puerto Rico” (Luis Munoz Marin 2016).

The legislative changes that Piñero and Marín advocated for helped the economy greatly. In 1940, dairying became one of the most popular and profitable industries in Puerto Rico only

second to sugar, having a much higher dollar output than the tobacco or coffee crops that Puerto Rico previously depended on. Furthermore profits from crops increased by 35% during this decade and contributed to what little economic success Puerto Rico was experiencing. To help boost the infrastructure on the island the government established the Puerto Rico Industrial Development Company the purpose being to shift the agriculturally based economy to one based on Industry. It created four factories that increased employment rates on the island, promoting the local economy and making the way for new goods to be exported. Along with the creation of these factories the Puerto Rico Development Bank was also created, its objective to finance the construction and operational management of the industrial parks in Puerto Rico.

### **THE START OF AN ECONOMIC DECLINE**

Despite this economic gain in Puerto Rico, it could not compare with the booming job market that was present in America; this was one of the biggest reasons why Puerto Ricans left the island and migrated to mainland. In 1947, Operation Bootstrap was a governmental program created in an attempt to industrialize Puerto Rico's market and shift it from relying on agriculture to tourism and industrialization. The Federal government created incentives for outside investment of Puerto Rico by allowing tax exemptions. Operation Bootstrap was successful in improving roads, transportation, sewage, and housing in Puerto Rico. However, "the decline of sugar production was part and parcel of the organized project of Operation Bootstrap. American capital began to invest in consumer goods industries. The legislature of Puerto Rico adopted the Industrial Incentives Act of 1947 which, as amended in 1948, granted private firms a ten-year exemption from insular income and property taxes, excise taxes on machinery and raw materials,



municipal taxes, and industrial licenses” (Wells 1990). What it was not successful in doing was creating jobs on the island.

While this major economic decline was happening, the population spiked by a quarter of a million. Emigration from Puerto Rico to the U.S was at an all time high reaching about 70,000 in 1945 at about 2,000 emigrants a year. The Puerto Ricans who left the island were in search of a better economic situation in the U.S. and were comprised of mainly skilled manual laborers and factory workers (Lessan 2015). “Employment in the home-needle industry declined by 40,000 jobs in 1950-1960. During the decade of industrialization and Operation Bootstrap, not only did employment decline in the sugar industry precipitously. It declined drastically in the home needle industry as well. Industrial employment in all the other branches increased from 55 to 82 thousand. The "modernization" of Puerto Rico did not bring about an absolute increase in manufacturing employment. On the contrary, during the first 15 years of Operation Bootstrap, total agricultural employment declined, and total industrial employment also declined (counting the home needle industry). The expansion of factory production was not able to counterbalance the collapse of the home needle industry. The decrease of 41,000 jobs in the home needle industry was greater than the increase of 27,000 jobs in new factories, adding to the already very strong push towards immigration imparted by the decline of employment in the sugar industry” (Wells 1990). Puerto Ricans who moved back to the island were met with great living conditions, but poor opportunities for jobs.

At the end of World War II in 1945, unemployment rates rose dramatically in both places. In the 1950's, about 45,000 Puerto Ricans left the island every year in the hopes of finding a job (Rodriguez 2000). The prospect of getting a job was very good at this time, but the

conditions that Puerto Ricans faced at work were not satisfactory at all. Puerto Ricans were discriminated in the job market, which lead to other problems (Thomas 2015). In the labor market, workers were often had to work under harsh conditions that barely met sanitary guidelines. Medical coverage was almost never granted, and workers were sometimes forced to buy their necessities in company stores (Sanchez Korrol 2010). Throughout the 1970's job opportunities were still declining because of the recession going on in America. Puerto Rican immigration to America slowed down because of this, and some people actually started moving back to the island. This reversal of Puerto Ricans going back home was in response to Operation Bootstrap.

### **QUALITY OF LIFE/EDUCATION IN 1950s-2000s**

The 1950's was a time of change for Puerto Ricans, both in America and back on the island. Immigration to America started before 1950, due to the Spanish-American war, but mass migration took place starting in 1950. Approximately 470,000 Puerto Ricans immigrated to America from 1950-1960 (Calzada 1988). Puerto Ricans settled in New York in overwhelming numbers. They resided in Manhattan, East Harlem, the South Bronx, and the Lower East Side (Rodriguez 2000). By 1960, about 80% of New York's Latino population was Puerto Ricans (Sanchez Korrol 2010). The Puerto Ricans were doing well in numbers, but in other aspects of life, they were suffering. One of the biggest setbacks that Puerto Ricans suffered from was education. Back on the island, it was very hard to go to school. Most of the population lived in poverty, so schools were difficult to build and maintain. Therefore, a large number of the population was illiterate. It was very difficult for Puerto Ricans, especially children in school, to

adapt to learning a new language and learning how to read simultaneously. Only 13% of Puerto Ricans over age 25 in 1960 had completed high school, and this was reflected in their children (Cordasco 1966). Puerto Rican children were not given the special instruction they needed to succeed, so they struggled in school (Thomas 2015). The amount that the children were behind in school was alarming, which can be seen in a research study done during this time: “A 1961 study of a Manhattan neighborhood showed that fewer than 10 percent of Puerto Ricans in the 3rd grade were reading at their grade level or above” (Cordasco 1966). Puerto Ricans were suffering greatly in education, and this proved to be a major problem for Puerto Ricans everywhere in America.

### **JOBS/CIVIL RIGHTS MOVEMENT**

With these rough economic and social condition, minority groups began to feel unrest. Puerto Ricans were not the only group of people who were being discriminated against in the labor market. African-Americans were also persecuted because of their race during this time period. Puerto Ricans and African-Americans both heavily populated New York at this time, so they lived closely to each other. The relationship between the two groups did not really start until both groups realized that they were being treated in the same way at work. When the Civil Rights Movement, Puerto Ricans were divided over whether to join the black people in their fight for equality. Some Puerto Rican leaders, like Joseph Monserrat, did not believe Puerto Ricans should align themselves with African-Americans (Arnau 2014). He thought that this would hurt Puerto Ricans in their own fight for equality. On the other hand, some Puerto Rican leaders like Manny Diaz formed relationships with African-American leaders and worked together to get

justice for both groups of people (Arnau 2014). The relationships that were made between Puerto Ricans and African-Americans were created out of a sense of unity and dedication to the same cause.

The 1960's was a time of oppression and discrimination for Puerto Ricans living in America. A group of young Puerto Rican radicals created an organization called the Young Lords in the 1960's. The Young Lords based their group off the Black Panther Party, and fought for the independence of Puerto Rico from America. The Lords brought to life the civil rights movement for Puerto Rico, and is an example of a nationalist group that strived for Puerto Rico to stand on its own (Fernandez 2008). The Young Lords were active at the same time African-Americans were fighting for civil rights, so the two groups often linked together. Both groups were able to put aside any differences they had to stop discrimination and oppression to minority groups in America.

### **POLITICAL IMPLICATIONS (1948-1980s)**

To help this social movement, the Truman Administration appointed a native as governor, but there was still suppression on the island. In 1948, the Gag Law made it illegal for Puerto Ricans to protest for independence. "On June 10, the Puerto Rican legislature approved the infamous Law 53, known as "La Ley de la Mordaza" (Gag Law). The Ley de la Mordaza made it illegal to display a Puerto Rican flag, to sing a patriotic tune, to talk of independence, and of course to fight for the liberation of the island. It was also known as "the Little Smith Act" because it was patterned after a similar fascist law passed for the mainland." (Rivera 2016) On a more positive note, Puerto Rico gained democratic freedom through the Public Law 600-were

able to draft their own constitution in 1950. This turned into Puerto Rico Federal Relations Act. The constitution was primarily based upon the Bill of Rights, but Puerto Rico was granted their own legislation because it is a commonwealth. Commonwealth meaning an independent country or community, especially a democratic republic.

Two Puerto Rican nationalists, Oscar Collazo and Griselio Torresola, attempted to assassinate President Truman in 1950 because they thought it would attract attention to the issues in Puerto Rico. "They familiarized themselves with the area near Blair House, across the street from the White House, where they would stage the assault. (The Truman family stayed in the Blair House during renovation of the White House from 1948 to 1952). Collazo and Torresola planned to approach the house from opposite directions and shoot their way inside. In the ensuing gun battle, Collazo and Torresola traded gunfire with White House policemen and secret service agents. They wounded three White House policemen but never reached the interior of the house. One of the wounded policemen, Private Leslie Coffelt, managed to fire one bullet and hit Torresola in the side of the head, killing him instantly. Coffelt died later that day at the hospital. Two other policemen, Donald Birdzell and Joseph Downs, were each hit more than once but recovered from their wounds. Collazo reached the steps of Blair House before collapsing with a gunshot wound to the chest. It was later found that only one shot fired by Collazo had hit anyone his first shot, which wounded Private Birdzell. Torresola had inflicted all the other gunshot wounds on the three White House policemen. President Truman was taking a nap upstairs in Blair House when the shooting began. He rushed to a window and saw Collazo below on the front steps. A White House guard saw the President in the window and shouted to him to get down. The President obeyed.

Collazo was sentenced to death for the attempt; one week before his scheduled execution in 1952, Truman commuted the sentence to life imprisonment. President Carter commuted the life sentence of Collazo in September 1979, and he was freed from prison. He died in Puerto Rico on February 20, 1994 at the age of 80.“ (Harry S. Truman Library and Museum 2016)

In 1954, four Nationalists opened fire on US Representatives during a debate on the floor of the US. Congress in 1954, wounding five men, one seriously. The Nationalists were tried and convicted in federal court and sentenced effectively to life imprisonment. In 1978 and 1979 their sentences were commuted by President Jimmy Carter to time served, and they were allowed to return to Puerto Rico. “In the U.S. Capitol, four members of an extremist Puerto Rican nationalist group fire more than 30 shots at the floor of the House of Representatives from a visitors’ gallery, injuring five U.S. representatives. Three of the Puerto Rican terrorists were detained immediately after the shooting, and the fourth was captured later. The group was protesting the new constitution of Puerto Rico, which granted the U.S. Congress ultimate authority over the commonwealth’s affairs. Exactly 17 years later, on March 1, 1971, a bomb exploded in a restroom in the Senate wing of the Capitol, causing some \$300,000 in damages but no injuries. The Weather Underground, a U.S. leftist radical group that opposed the war in Vietnam, claimed responsibility for the bombing.” (history.com Staff 2010)

There are various speculations that the reason why President Carter released these prisoners was to possibly gain Puerto Rican votes for reelection. Releasing these criminals back to their homeland gave him a political advantage and more votes in a particular area. In later years, President Bill Clinton was running for reelection and took similar action. Hillary Clinton was also running for Senate, which gave both of them political advantage. However, in Carter’s

case, he was less successful because he released the prisoners two years prior to his reelection. Numerous politicians use this tactic and it has been found to be very successful.

### **TODAY'S POLITICAL FRUSTRATION**

Puerto Rico is currently considered a 'common wealth' of the United States. However, experts say that this relationship more arguably represents a colony. Research show that the Federal Government tends to be hypocritical when handling political issues with Puerto Rico. As it stands right now the inhabitants of Puerto Rico are disenfranchised citizens of the United States. Due to the twenty-third Amendment of the Constitution which allowed the citizens in the District of Columbia the right to vote, the status of Puerto Rico and D.C are often compared to see if the same right should apply to them. Regardless of whether this is justifiable, it is evident that Federal Laws hinder the rights of citizens on the homeland. Once on the mainland, it is controversial if political institutions continue to discriminate against Puerto Ricans or if segregation is caused other factors.

In 2007, the District of Columbia House Voting Right Act was proposed and this meant the citizens would be able to send Representatives to the House and participate in Presidential Elections. Arguably, it was unconstitutional because the House was to be composed of "members chosen by people of several states" and the fact that it is not a state means that the people are not allowed to participate in this right. Supporters of the Act rebutted that Congress has used "expansive language" before to guarantee citizens' of a territory rights that the Constitution did not include; referring to the Territory Clause which basically said it is unlawful

for the Federal Government to interpret anything in the Constitution that could be considered prejudice and guaranteed its inhabitants fundamental rights (José R. Coleman Tió 2007).

This idea of how flexible Congress' "expansive language" can be and who it can extend to is where the Federal Government seems to become hypocritical. Politicians tend to refer to political ideals as unconstitutional but the term itself is vague since legislators can only infer the original purpose of our Founding Fathers words. For example, people can interpret differently why districts and territories were denied the right to vote in the Constitution. The District of Columbia was denied the right to vote for several reasons; the most obvious being that the Fathers wanted the Federal Government to have the right of protection from external influences in the state. For instance, if the people were to have representation then a form of 'state government' would have to be implemented and this state would have the power to directly affect Federal Affairs in the District of Columbia and create an unbalance in power. That is why the District of Columbia House Voting Right Act was not passed but instead an Amendment was made to the constitution that allowed the residents to vote in presidential elections (José R. Coleman Tió 2007).

In contrast, Puerto Rico does not have these implications because there is already a form of local and state level government in place and functioning. Instead, the argument is simply that since Puerto Rico is a territory, the citizens simply do not have the right to vote and allowing it would be unconstitutional. In spite of this, experts argue that the Founding Fathers never even intended for America to possess territories for extended periods of time because that tends to resort to colonization and ultimately what America rebelled against. Therefore, the only reason to possess a territory would be that the Federal Government expected the process to end with



statehood. The Northwest Ordinance is evidence of this because it states that once a territory has a certain amount of 'free inhabitants' it would be admitted and put on 'equal footing with the original states.' However, this is not how Puerto Rico has been treated, as it was under the United States rule for over a hundred years before statehood was even offered statehood (José R. Coleman Tió 2007).

Throughout this length of time Puerto Rico's economy has made barely any progress in becoming comparable with those of the states in the Union. The 2000 census stated that Puerto Rico's poverty level was forty-eight percent as compared to the United States national average of thirteen percent and their income was only half of the poorest state, which is Mississippi. Some experts claim this lag is caused is caused by Puerto Rico's reliance on United State's Foreign Direct Investment and knowledge. This reliance hinders their ability internationally because everything has to be done under the consent of the United States. For example, Puerto Rico was even denied the right to attend the Ibero-American Summit in Latin America by the Secretary of State until the Federal Government had given them permission. Also, reliance on their knowledge has resulted in failed attempts to industrialized, such as the Operation Bootstrap which failed due to international competition (Pantojas-García 2005).

Even on the mainland, research shows that it is still difficult for this minority group to escape poverty. "Puerto Ricans have the lowest median income and the highest rate of poverty of the three main hispanic groups [Cubans, Mexicans and Puerto Ricans]" according to Latin American Studies (Pantojas-García 2005). Some experts argue that this poverty level is what hinders Puerto Ricans ability to move into Anglo dominant neighborhoods, resulting in spatial segregation (Santiago 1995). However, others will take the idea further and state that this poverty

level is caused by discrimination in institutional restructuring. An example of this, is when jobs are redirected from the central city to the suburbs due to an economic decline. This model suggests that the suburbs tend to be anglo dominant and the anglo community that is left in the city would have the revenue to follow the jobs back to the suburb; resulting in the creation of a ghetto (Santiago 2005).

### **COURT CASES IN QUESTION TODAY**

In the early 2000's the United States Supreme Court received scrutiny from some experts because Puerto Rico continued to receive no representation in the United States Federal Government. This issue was never resolved and today the status of Puerto Rico is just as controversial as it has been in previous years. Due to issues, such as the Recovery Act and *Puerto Rico v. Sanches-Valle*, it has become increasingly important that there is an understanding of to what degree the Puerto Rican government is sovereign. The Recovery Act was created to deal with the \$24.8 billion dollar public corporation debt, which is less than half of its overall \$72.6 billion dollar debt that the island possess (Lubben, 553-578). This law was originally created to give the island's government more sovereign power to deal with fiscal affairs, however it continues to be edited congressional leaders (Vicens, "Congress' fix..."). In the case of *Puerto Rico v. Sanches-Valle* two men who violated gun laws were being tried by both United States Federal Courts and Puerto Rico's local courts. The local charges were dismissed by the Puerto Rican Supreme Court due to the Double Jeopardy Clause[1] of the United States Constitution. Some officials say if this ruling stands it will have taken away any sovereignty that Puerto Rico was once thought to have had (Vicens, "Puerto Rico's

Sovereignty...”;Garcia-Padilla, letter) and is still waiting to be heard by the United States Supreme Court (The George Washington Law Review). As both cases currently stand, the status of Puerto Rico is easily seen as a colony and an analysis of how this occurred will be presented.

The debate of to what degree Puerto Rico is sovereign stems from the fact it is not a state but it more than a territory, since the island has its own constitution. This right was granted to the people of Puerto Rico under the Truman administration and allowed them to have “complete autonomy in internal economic matters and in culture and social affairs under a constitution adopted by them” (Garcia-Padilla, letter). The right to govern themselves meant that elections could now be held on the island instead of having delegates sent from the United States and the United States could not make amendments to the Puerto Rican Constitution without the approval of the Puerto Rican Government. Even though this is true, Puerto Rico does not have complete autonomy over their fiscal affairs due to the fact that they are not a state and have no representation in the House of Representatives. This lack of representation cause them to be excluded from presenting revenue bills to Congress due to the Revenue Clause. In 2014, the island was on the verge of bankruptcy, with a debt of 72.6 billion and 24.8 billion of that being corporation debt. Some experts blame this partly on “the federal government [which] gives them special treatment: Interest paid on their bonds can't be taxed anywhere in the U.S. And while federal bankruptcy law allows municipalities in states to file for Chapter 9 bankruptcy, municipalities in Puerto Rico can't do the same, because it isn't a state” (Ponnuru). Therefore, Puerto Rico does not profit as much as it would as a state through taxes, which is a key factor in the commonwealth's debt.

In an attempt to restructure the debt, the Puerto Rican government created its own municipal bankruptcy law under the Recovery Act. This act was created to aid corporations but the down fault of this was that the government would not be able to pay bondholders during this time of restructuring, simply because they did not have the means to. In response to this, the bond holders said that the act violates the Bankruptcy Clause; which gives the federal government the supreme right to regulate legislation on bankruptcy. However, this broad interpretation of the Bankruptcy Clause is not even supported by the United States Supreme Court because that would mean states do not have the authority to make any adjustments to their own municipal debt; a supremacy clause was even added to give states this authority, with the exception that the federal government would only interfere if conflict was created. Even though Puerto Rico is not a state its political institutions do resemble one; therefore, the bondholder attempt to create such a broad interpretation of the Bankruptcy Clause would be unconstitutional (Lubben, 553-578).

Not only would it be unconstitutional, but some experts argue that the Federal Government is to blame, with their careless investments. An article called "Puerto Rico, en punto muerto" in the el nuevo heraldo blames this financial crisis on the United States 2006 federal tax exemption for US businesses that are based in Puerto Rico. The author pointed out that this attracted a lot of medical and pharmaceutical manufacturers and employed higher paid individuals but at the same time it created a large gap for the middle class and left them unemployed. As the economy began to drop, so did all the wages. Due to this, one in thirteen people have left the island from 2005 to 2010. As the people left, they also left their debt and studies show that these people have little intention of paying it back once they have moved off

the island; leaving the government with no option to take out more loans to try and keep the economy afloat.

The Republican Congressional leaders have recently introduced two bills which would allow for the “cities and publicly owned institutions to restructure their debt under federal bankruptcy law” but it comes at a high price according to journalist Vicens. Both of these bills give the Federal Government the power to directly appoint a board that would deal with the fiscal affairs. Republicans plan to give this board complete authority as well; the result of this means they could “take out loans for which the islands taxpayers-not the US Federal Government- would be liable (Vicens, "Congress' fix...")” without consulting the Puerto Rican government. In addition to that the plan states the interest payment would have to be \$957 million, which is a large portion considering their economic stance (Vicens, "Congress' fix..."). Increasing taxes has become the most popular plan of action among government officials but not among the people. “Puerto Rico’s government passed a significant tax increase - one expected to generate \$1.2 billion in new revenue. It should help Puerto Rico get the money it needs to stave off default” (Allen). The people of Puerto Rico do not want to pay taxes even though it is the most effective plan of action. Therefore, the tax increase upset many occupants because they had to pay the higher tax rates.

This same idea of retracting rights from the Puerto Rican Government can be seen in the case of Sanches-Valle. In this case two men were being of gun crimes in Puerto Rico’s legal system and the Federal Government. However, the Double Jeopardy Clause in the United States Constitution does state that you cannot be convicted of the same crime twice. The PRSC (Puerto Rican Supreme Court) dismissed local charges and said that since the Constitution of Puerto

Rico emanates from the United States Constitution then it means they are not separate entities and the people cannot be convicted in the separate courts. There was an appeal to this ruling because in 1988 the PRSC stated that the United States and Puerto Rico were separate sovereign entities but it was over ruled (The George Washington Law Preview, *Puerto Rico v. Sanchez Valle*). Kennedy was one of the judges on this case and he believed that the argument of the island's sovereignty is misplaced and overstated because there is a fine line when entities are considered 'separate' (Denniston, *Scotusblog.com*). However, many lawyers disagreed because "it strips Puerto Rico of the ability to enforce its own criminal laws without federal interference" (Vicens, "Puerto Rico's Sovereignty..."). The Governor of Puerto Rico, Garcia-Padilla, agreed with this claim and even took such measures as to notify the United Nations Secretary General of these events on December 23<sup>rd</sup>, 2015. The Governor obviously did not think this argument was out of place because the PRSC decided their Constitution did not emanate from the people but the United States' Constitution instead. According to Garcia, this decision was also made because the United States Congress rules that they did not have the ability "to authorize the people of a territory to engage in an exercise of popular sovereignty by democratically enacting their own constitution." This is quite controversial since the Truman administration explicitly stated that Puerto Rico had "complete autonomy" under a "constitution adopted by them."

In this notification to the United Nations, Garcia pointed out that if these rulings stand then that means Puerto Rico is not a state, not an independent nation, nor a 'commonwealth' because they are not considered separate entities; therefore, are a colony (Garcia-Padilla, letter). This idea scares not only the Puerto Rican government but also the people. The major issue separating the political parties are based off the debate on if the island should keep the status quo

of being a commonwealth, or advocating for statehood or independence. If this ruling stands then it is predicted that the party of the status quo will begin to dissolve and there will be a major political shift (Vicens, "Puerto Rico's Sovereignty..."). However, no matter what the political stance is on the island, without representation their voices will not be heard. Therefore, it is up to outside forces to pressure the Federal government to address the issues; That is why the governor contacted the United Nations and it is also important for the Puerto Ricans on the mainland to have a high participation in polls so their presence and influence will be felt.

### **VOTER PARTICIPATION AFTER THE 2000s**

“In voting rights, negative discrimination is the creation of barriers inhibiting or prohibiting voters, citizens, who belong to racial or ethnic groups who have been discriminated against historically, from either casting their rightful votes in elections or diminishing or diluting the value of their vote” (Flores). Puerto Ricans did not have the right to vote until 1965, when the Voting Rights Act was passed. This gave Puerto Ricans the idea that they had a semblance of power in the United States infrastructure. This act inspired the majority of Puerto Ricans to vote in presidential and other elections. “[Florida’s] growing non-Cuban population-especially growth in the Puerto Rican population in central Florida-contributed to president [Obama]’s improved showing among Hispanic voters” (Lopez). Figure 1 displays the Hispanic vote in presidential elections

from 1980-2012. There is a significant fluctuation but a steady increase in the amount of voter participation, especially with certain candidates that advocated for Puerto Rico.

Fifty years later, in 2015, the Voting Rights Act was revisited and had minimal additions to the document. “We reflect back upon the work of Puerto Rican advocates in New York City who paved the way for language assistance to Latinos and other language minorities with the inclusion of Section 4(e) requiring language assistance for Puerto-Rican Spanish-speaking voters in the U.S., that led to the VRA being amended a decade later to add Section 203 providing broader protections for all language minorities. At the same time, we must do more than just commemorate, we must galvanize all Americans to focus on the need for immediate Congressional action to pass the Voting Rights Advancement Act of 2015 and ensure that today’s voting rights protections continue to advance equal protection for the next generation.”  
-Jose Luis Perez, Deputy General Counsel, LatinoJustice PRLDEF” (Hong).

The Voting Rights Act gave Puerto Ricans the political power to have a say in U.S. politics. Since then, there has been a steady increase in Hispanic voter participation over the past 50 years. Slight revisions to the Act have made it more beneficial for Puerto Ricans to become more involved in government. Puerto Ricans also have the voting power to be able to elect their own leaders. Puerto Ricans may not have all of the tools and freedoms as a state, but they are slowly becoming a bigger part of the United States as a whole.

Puerto Ricans are becoming so influential that one in three eligible voters are a minority (Asian, African-American, Hispanic, ect.) for the 2016 elections, and mass emigration from Puerto Rico is considered a major factor of why this is happening. This is contributed to the naturalization of Asians and the large growth in Hispanic population. Pew's Research shows that



the white growth rate is declining and has made the overall white representation drop from 71% in 2012, to 69% today -- this can be attributed to the death of the baby boomer population (Krogstad 2016). Regardless, there is a huge increase in Hispanic populations and specifically with Millennials. Of the white voters, 27% of them are Millennials as compared to 44% of Hispanic voters being Millennials. Despite this, only half of Hispanic Millennials say they are registered to vote and only about 37% of them turn out to the poll. This is much lower than whites Millennials who have a turnout of over 50%. Some theories of why this happens is because of the fact that there is a high percentage of eligible Hispanic Millennial voters, 57% of the Hispanic population is ineligible to vote, creating a social aspect of not 'needing to participate.' Another factor that reinforces this mindset, is the fact that the states that contain a high concentration of eligible Hispanic voters (California, Texas and New York) are not usually swing states or major factors in deciding an election; these states account for 52% of the eligible Hispanic voter population (Krogstad, Lopez, et al. 2016).

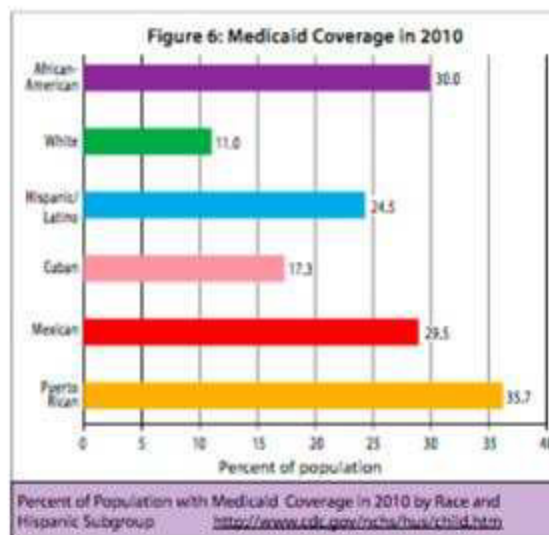
### **HEALTH CARE**

From the 2000s to now, Puerto Ricans have slowly been given more health resources over the years. They are now eligible for Medicaid and Obamacare. “Of the various Hispanic subgroups, Puerto Ricans in the United States have the highest rate of both private and public health insurance coverage of all the Hispanic subgroups (Figure 5). Approximately 15 percent of Puerto Ricans lack health insurance compared with 31 percent of all Hispanics and 16 percent of the general

U.S. population. Of Puerto Ricans younger than 18 years of age, only 5 percent of Puerto Ricans younger are uninsured” (Rosofsky). Puerto Ricans take advantage of the health care that is given to them, through living in their commonwealth.

Puerto Ricans take great advantage of public health care specifically. When President Obama passed his Obamacare bill, numerous Puerto Ricans applied and received health care.

“As Figure 6 indicates, Puerto Ricans have the highest rates of Medicaid coverage among all Hispanic subgroups and races, according to NHIS data” (Rosofsky). For example, a Puerto Rican woman moved from Puerto Rico with no kids and no job came to the United States looking for a job. She applied for health care and was granted the resources to help her find a job and medicaid until she could receive healthcare through her occupation (obamacarefacts).



## **CONCLUSION**

During this research, it has become evident that the economic and political stance of Puerto Rico has been complex and surrounded in controversy. When the United States extended the right for Puerto Ricans to become citizens, some argued it was only so they could fight in the World Wars. Also, their presence in major cities, such as New York, was needed during the time of industrialization but they often experienced horrible sanitary and working conditions, as well as discrimination. Puerto Ricans on the island have also provided the US businesses with

economic opportunities because they were able to provide cheaper labor, and in an area that was also protected by the United States Federal Government; making investment less risky than in other countries. However, the people of Puerto Rico have gotten the short end of the stick and been left in a state of humanitarian crisis, as declared in February (el nuevo heraldo, Puerto Rico, en punto muerto). Doubtfully, this has intentionally been created by the US companies or the Federal government, but more or less, a cause of our inability to think altruistically. The Puerto Ricans that come to the United States are in search of a better life but there does need to be more support within their own communities to vote and have their voices heard. As of right now there is a very low participation rate, but hopefully that can change in future years, since a large majority of the hispanic population is Millennial. A person should not have to relocate 'countries,' just to have the basic means of life to stay out of poverty; especially under American Federal support and supervision. Our group predicts, with the increase in Hispanic population and representation, combined with international pressure from the EU, the United States will seek a solution to the issues in Puerto Rico; however, how effective their efforts are will also depend on next elected President.

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