

History of the American Union and Her States **51**

After several years of rebellion against the tyranny of the British Empire on July 4, 1776, the 13 American colonies signed the Declaration of Independence and so began the struggle toward nationhood.

This Declaration dissolved all political connection with Britain and acknowledged for the first time in history these basic human rights: “We hold these truths self-evident: that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness; ... “

To secure these rights, the political formula in which the King ruled by divine right was replaced by a government where the power to rule comes from the people to whom God granted that power by natural law. It was established that “government is by consent of the governed.”

In 1787 the Constitution of the United States was approved “In order to form a more perfect union, establish justice, insure domestic tranquility, tend to the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity ... “.

A century later, after becoming a powerful nation, the U.S. declared war against Spain (April 1898) after the American war ship “Maine” sank in Havana, Cuba during the war for Cuban independence. In just 10 weeks the U.S. defeated Spain in the same year and the end of the war was proclaimed. As a result the Treaty of Paris was signed, by which Spain ceded to the US temporary control over Cuba and absolute control over the colonies of Puerto Rico, Guam and the Philippines.

In the last part of Article IX, the Treaty of Paris stated that “The civil rights and political status of the territories hereby ceded to the United States shall be determined by Congress.”

The Political Relationship between the U.S and Puerto Rico

In 1898 U.S.A. took possession of P. R. and established a military government at the end of the Spanish-American War.

In 1899 Don José Celso Barbosa founded the Republican Party of Puerto Rico with the goal of making P.R. a state of the U.S.

In 1900 The U.S. Congress passed the Foraker Act which established a civil government for P.R. with a governor appointed by the President. The law also created a bicameral legislature with an unelected Senate, and a House of Representatives with 35 members elected by the people, and a judicial system. The law also established the Federal Court in P.R. and created the position of Resident Commissioner to represent P.R. in the Federal Congress, but this individual has no vote in the Federal Court; nor did the law provide P.R. with any representation in the Federal Senate.

In 1917 Congress passed the Jones Act which granted Puerto Ricans United States Citizenship and the ability to elect senators in the Puerto Rican Legislature.

In 1947 Congress gave P. R. the right to elect their own governor.

In 1950 Congress passed Federal Law 600 giving P.R. the right to create its own constitution.

In 1952 P. R. submitted the Constitution of Puerto Rico to Congress, which removed and changed several clauses. This gave the people the right to organize their own government, but only for internal and local affairs, as long as they are not in conflict with federal law, which remains supreme in all instances. This law and the Constitution of P.R. did not change the political, social and economic relationship of P.R. with the U.S.

From 1898 to the present, the relationship of P.R. and the U. S. has been governed under the Territorial Clause of the Constitution of the United States which states that “Congress shall have Power to dispose of and make all needful rules and regulations concerning the Territory or other Property belonging to the United States ...”. (Article IV, Section 3, Clause 2)