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The Constitution and the Flag in Porto Rico.

Speech of Hon. Federico Degetau of Porto Rico
in the House of Representatives, Thursday
January 19, 1905.

If we open the history of my native country, we shall find, Mr. Chairman, that the people who have, without recourse to violence, accomplished as great reforms as any other people ever accomplished, do not need military force to coerce them into the performance of their present duty. I fear that on hearing me refer in this way to my people's record, some gentleman may ask, "Can any good thing come out of Nazareth?" Can any contribution to the welfare of the human race or to the cause of human liberty come from that poor little island which we but the other day rescued from Spanish oppression? Such a question as that might be formulated by somebody not familiar with the history of Porto Rico.

With a profound faith in right and justice, Porto Rico obtained, without shedding a drop of blood, the civil, political, and administrative privileges and liberties for which other less happy countries—alluded to by my distinguished friend from Texas—have expended countless treasures and human lives.

To quote an example, I will cite the way in which so great a reform as the abolition of slavery was accomplished in the island. It was certainly a great task. If you consider the position of the powers of the world that more directly could influence the solution of the problem, you will certainly not

fail to admire the record of the leaders of the Porto Rican people, and of the people themselves, in that wonderful struggle during the first three quarters of the last century. They were opposed by the traditional elements of the Spanish monarchy viewing the doctrine of the reformers as revolutionary and subversive theories. The next power to influence our destinies, the United States, was at that time in full accord with the maintainers of the status-quo. The plain instructions of Adams to the ministers of the United States in 1823 in regard to what he called "the natural appendages" to the North American Continent, give an idea of the difficulties found by the Porto Rican patriots. They were, however, not discouraged.

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Three of the four commissioners elected by Porto Rico for that purpose in 1866 demanded the immediate abolition of slavery, (with indemnification to the owners of the slaves or without it, if the first could not be done.)

If you take into consideration the circumstances surrounding these three Porto Rican commissioners in Madrid; if you remember that here in the United States President Lincoln, three years before, in 1863, recommended a gradual abolition with indemnification to the owners, you will duly appreciate the civic spirit and moral courage of these three men, without any other army behind them than the firm faith of their insular people in their preparedness and ability to serve, there and then, the cause of

justice. The exterior governmental opposition was at last vanquished. Our representatives in the Spanish Cortes-made a brilliant campaign. In the Island the reformers awakened in every home a sentiment in favor of the abolition of slavery so extended and so strong that when in 1873, the official abolition was accomplished out of 200,000 colored people formerly in bondage there remained only 31,000 to be freed. The action of our commissioners voicing in Madrid the sentiments of the people was described by Castelar, the great Spanish orator and statesman, in his famous speech delivered in the Cortes in June, 1870, in the following words:

"The commissioners from Porto Rico made a report that shall be their honor, their glory; a report that in the future will be placed beside the Declaration of the Rights of Man, on the 26th of August, 1789".

And again—

"Allow me, gentlemen, to consecrate to those illustrious men an eulogy in which every member of the assembly will unite. Since the renunciation by the feudal lords of their privileges in the French Constituent Convention such a sublime abnegation has not been seen. The colonial lordships does not offer in any part of the world such an example".

Of the credit that the high political sense of the insular people obtained from the Government of Spain, an idea is afforded by the passage on August 6, 1873, by the Spanish Cortes of the

law extending to Porto Rico Title I of the Constitution of 1869. The preamble of the law explains this action as follows:

"Whereas the present political situation of the Spanish nation is based on the principles of democracy whose first tenet is that of the natural rights of men anterior and superior to all positive law;

Whereas these rights are affirmed in Title I of the Constitution of 1869;

Whereas the succeeding titles refer to the organization of public powers, which matter the present Cortes is specially called to consider and finally settle;

Whereas the culture of the inhabitants of the island of Porto Rico, in itself should be sufficient, if other reasons of right did not exist, to proclaim in that Island all the liberties required by civilized countries;

Whereas the Governor of that Island has deemed that the conditions there demanded the proclamation of freedom of the press and the right of the people to assemble in reunions and associations and has administratively promulgated these measures;

Whereas these measures, like the abolition of slavery had fully produced the most desirable effects;

Whereas reasons of justice united to those of convenience make it possible to postpone for a single moment on any pretext, the inherent rights of the human personality in the enlightened, peaceful, and loyal island of Porto Rico".

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The translation of the phrases of the great Spanish orator may be completed by quoting the splendid verses of the inspired Porto Rican poet, Gautier Benítez, on the results of the emancipation.

Y ni una sola represalia impía,
Ni una venganza profanó su suelo,
Bendiciones y cantos, patria mía,
Perdiéronse en las bóvedas del cielo.

And not one impious reprisal,
Not one vengeful act profaned thy soil,
Blessings and songs, my fatherland,
Were lost in the arch of heaven.

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When I said a moment ago that the Porto Rican people had won their American citizenship, I was thinking of the way in which they decided their fate at the landing of the American troops, And I was thinking also of these Porto Rican officers in the Spanish army, surrounded by their own people, among their own brethren, who warmly saluted and welcomed the American soldiers as the heralds of these American institutions which their leaders had taught them to love. I was thinking of the conduct of these Porto Rican officers who remained loyal to the flag that they had sworn to support. What a terrible trial for them! But no one hesitated. The people were with you; they were with their duty. The people heard the voice of their military honor. On such a solemn occasion there was not a traitor among all the Porto Rican officers in the Spanish army. (Applause.)

The Porto Rican in civilian life, with a clear intuition of the higher duties that await us in this community of communities—no matter what the present difficulties might be—welcomed your army and decided at once their future; the Porto Rican officers in the Spanish army, as gentlemen and as soldiers, rightly understood that they were honoring their native country by loyally remaining at their post. I am proud of these officers for their convictions of duty as of my people for their ambition to serve higher ideals in the political uplifting of the human race.

(Applause.)

Let us now see why, as Americans, we are proud of the existence of that armed body of native Porto Ricans.

From this point of view we are proud of our Porto Rican regiment because we understand that we are American citizens. (Applause.)

If we were placed in an inferior civic condition I can not conceive that we could be proud of our regiment. To have some of our countrymen rendering paid services to a power, temporarily charged with our government, would not afford great incentive to patriotic pride.

I am not going to analyze the moral reasons that have determined in the popular mind the sentiment that we are permanently united in the same political community with the other inhabitants of the United States. Nor am I going to enter into a detailed explanation of the construction of the articles of the treaty of

Paris and of the law that was passed by the Congress of the United States and approved by President McKinley, on April 12, 1900, under whose provisions I understand that we are citizens of this Republic as well as citizens of her Porto Rican territory. I do not consider that this is the place or the moment to enter into a technical discussion of the subject. As far as it is matter of judicial construction, the solution of this problem is now before the judicial branch of our Government, and we have to await the finding of the courts. But from a political standpoint I have, here and now, only one observation to submit to your consideration.

When the change of nationality of that territory took place; when, in persuance of the protocol signed at Washington, on August 12, 1898, the President of the United States appointed a Commission of evacuation to take charge of Porto Rico, in his instructions to the Commissioners the beloved martyred President, with words that after his death sound with the character of a prophecy, said to them.

"You will bear in mind that Porto Rico and the other islands mentioned, except Cuba, are to become territory of the United States. (Applause.)

You will find these instructions in Foreign Relations of the United States, 1898, page 911.

I will not refer to General Miles' proclamation, well known to you, in which, in exchange for "the cheerful acceptance of

the Government of the United States" from the inhabitants, he offered us "the immunities and blessings of the liberal institutions of Government". (Annual Reports of the War Department, Part 3, Report of the Military Government of Porto Rico on Civil Affairs, Washington, 1902, p. 19). Note the language, "the liberal institutions of our Government", not a bureaucratic system. I will not refer to the declaration of that noble soldier, that just governor, Gen. Guy V. Henry, before the enthusiastic mayor and citizen of Ponce on the solemn occasion of raising the American flag in the Island, when he assured us that— .

"The forty-five States represented by the stars emblazoned in the blue field of that flag unite in vouchsafing to you prosperity as citizens of the American Union".

I only desire to recall the fact that, in compliance with military orders, given in pursuance of the quoted instructions of President McKinley, the inhabitants of Porto Rico, who did not preserve other allegiance and who acted in any public capacity, took the oath to renounce forever all foreign allegiance and to support and defend the Constitution of the United States against all enemies, home or foreign. Then you legislated for us. In section 8 of the Porto Rican act you confirmed the legal force of the military orders. But in the act of April 12, 1900, you did something more than to confirm the legal force of that tie. Section 16 of the Porto Rican act provides that all officials authorized by said act shall take an oath to support the Constitution

of the United States.

I do not know, Mr. Chairman, I do not know, my friends, in this patriotic relation anything superior, anything higher than the American Constitution. I do not conceive anything more sacred than the oath to support it. (Applause.)

Who is strong enough to break the sanctity of that oath? Who has power among men to destroy the permanent tie, lawfully contracted? Every Porto Rican who is aware of the sacredness of this civic duty feels proud of every opportunity that may be offered to him in the military as well as in the civic avenues of life of maintaining and defending, with the other American citizens, for the welfare and progress of mankind, the same ideal of justice articulated in the Constitution and symbolized in the flag. (Great applause.)