



## *Prensa Participativa*

### THE WORLD'S OLDEST ILLEGAL COLONY

By Wallice J. de la Vega

As it reads on Chapter XI of the United Nations Organization Charter, a territory that doesn't govern itself is one "whose peoples have not yet attained a full measure of self-government". This is the same international body that in 1960 issued Resolution 1514 calling all colonialist countries to grant independence to their colonies. Although the U.S. voted in favor of the resolution, it still keep the world's oldest colony: Puerto Rico.

I can understand the reader's quick reaction to this statement. It is normal to propose that this Caribbean island is a U.S. "non-incorporated territory, with all the same benefits and privileges that the 328 million people that compose that nation have". However, a minority whose voices have remained suppressed understand that reality is something else.

One of those voices was Dr. José Trías Monge, who presided Puerto Rico's Supreme Court from 1974 to 1985 and dubbed the island "the oldest colony in the world". In his book, *Puerto Rico: The Trials of the Oldest Colony in the World*, he states that the island has been subjugated since Christopher Columbus' arrival, saying that "Puerto Rico was a Spanish colony since 1493 and of the United States since the 1898 invasion until present day".

A 1994 graduate from Harvard University School of Law, Escuela de Leyes de la Universidad Harvard, Trías Monge was an expert on the "Puerto Rico case". He was one of the drafters of Puerto Rico's new Free Associated State Constitution (ELA) in 1952, and then Attorney General under the local administration. Through his written legacy, he spoke widely about the 120-year relationship between the island and the north american power, always arguing that "the decolonization process should start immediately". To this day his words reinforce the truth that Puerto Rico is not a state, is not free, nor is it associated with the U.S.

According to Resolution 1541 of the United Nations Organization (UNO), the Pact of Free Association that covers such relationship un the U.S. includes only the Federated

States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. In these relationships each participant retains its sovereignty. That's not the case with Puerto Rico.

Referring to the U.S.-Puerto Rico relationship, Trías Monge said: "In today's world there's no known colonial relationship in which one people exercises such vast, almost unlimited power over another's government". His perspective is supported, for example, by the reality that the Caribbean island cannot approve laws that are not in harmony with the those of the U.S., and the territory's highest judicial authority is the federal Supreme Court.

On that line the Harvard Review journal published in April 2017 an analysis of several areas of Puerto Rico's international political situation. Its second part begins stating that: "Puerto Rico is not American. It is Puerto Rican" and comments about the mistake made by the UNO by removing the island from the Non Self-Governing Territories. "Puerto Rico is, in fact, non-governing under international law based on the UNO's Constitution Act".

The analysis concludes that "Puerto Rico doesn't meet the UNO's standards of self-government", pointing out the U.S. "significant interference in the internal matters" of the island. Such is the case of the most recent intrusion by the so called Financial Oversight and Management Board for Puerto Rico imposed by the federal government on the island in 2016 to control its finances. The board was activated by the Oversight, Management and Economic Stability Act -- whose Spanish acronym many consider to be sarcastic because it spells the word PROMESA (promise).

Since the beginning of both nations' relationship there has been a notion that the U.S. is Puerto Rico's financial benefactor, with a large portion of the population believing that the island couldn't survive by itself. It has been a wrong concept, based on ignorance, omission, and false propaganda regarding both parts' commercial relationship.

"We always see in the newspapers items about federal grants, but they never mention the earnings the U.S. extracts from Puerto Rico", said Jesús Omar Rivera, an island political commentator better known as "Boricuazo," on one of his television presentations. "It hurts me, it pains me when boricuas (a moniker for Puerto Ricans) say that we couldn't live without those grants. Colonies are for extracting profit. This is business and we are one the best clients for the U.S."

Rivera's statements were supported by Dr. Rosario Rivera, a local economist and university professor. Using data from the government's Planning Board and Banco Gubernamental de Fomento de Puerto Rico, she selected 2013 to show a federal grants yearly average received in Puerto Rico: \$4.6 billion. This is the approximate amount that generally receives the most publicity among the local population.

However, the "transferencias otorgadas" -- the taxes Puerto Rico pays back to the U.S. Treasury-- amount to some \$8.9 billions. Add to that another \$22.6 billion paid for consumer products imports, plus \$34 billion from the island's U.S.-based merchants (mainly from huge "megastores") and we see a deep disparity between the amounts the island receives versus those paid. These don't include the financial effects of Merchant

Marine Act of 1917, which forces Puerto Rico to use exclusively the U.S. Merchant Marine, the world's most expensive, for all its commercial traffic. This other payment of \$1.5 billion ends up costing \$2,000 annually to each Puerto Rican family. All in all the U.S. earnings in Puerto Rico amount to some \$71.6 billion yearly.

"The information is there, but one has to know which tables to look for. The problem is that the information is there but it doesn't say how to search, how the citizen can benefit from it", summed up Dr. Rivera.

The preceding points are only a few of those that support Trías Monge's stance when he said: "Today, the island is even farther from self-governance than it was in 1953".

On a commentary to BBC News titled "¿Why some consider Puerto Rico as the world's oldest colony?," Dr. Javier Hernández Acosta, director of the Business Administration Department at Puerto Rico's Sagrado Corazón University says: "The signing of the ELA constitution has been one of the most fascinating magic acts in history. On July 24, 1952 there was a colony recognized by the UNO, and next day disappeared and turned into a free associated state that to this day nobody knows for sure what type of (political-legal) figure it is".

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