

The fallacy of statehood win in Puerto Rico elections

written by Professor Ana M. López
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Graphic featuring the image of Lolita Lebron projected on the side of the Museum of

the American Indian with the Capitol Building in the background. Photo: John Melendez Rivera

Nov. 17 — It is a fallacy that this consultation constituted a majority vote and that the people of Puerto Rico “staked their claim to admission as the 51st State of the Union.” (New York Times: [Make Puerto Rico a State Now](#). With a historic vote, its people staked their claim to statehood. Nov. 4, 2020)

First, elections in a colonial regime cannot be a binding expression of a people since the people of Puerto Rico are not free to engage in a democratic process because of 122 years of U.S. military occupation and colonial rule. What takes place in Puerto Rico every four years is of little utility to the people of Puerto Rico. Whomever wins colonial elections merely becomes an administrator of the colony for the interests of the U.S. and Wall Street. Additionally, colonial elections have no real authority, and the elected officials have no real power since all local economic decisions are made by the Financial Supervisory and Management Board created by federal legislation (PROMESA, 2016). This fiscal board was not an elected body by and of the people of Puerto Rico, but is instead authorized and executed by the U.S. Congress, where there is no Puerto Rican voting representation. Furthermore, Congress specifically addressed this so-called plebiscite and stated that it will not be binding.

What is the fuss about this statehood win?

The “yes” or “no” vote for statehood in Puerto Rico on Nov. 3, 2020, is neither a “plebiscite” nor a “referendum”. It constitutes a mere consultation, poll or survey of approximately 50 percent of the registered voters’ opinions. Fewer voters turned out for this election than ever before. A real plebiscite would be supervised by the United Nations and would outline the consequences of the peoples’ decision. Puerto Rico, as a colony of the U.S., is reviewed every year by the United Nations Decolonization Committee and their resolutions have consistently called upon the United States to immediately transfer power to the people of Puerto Rico to enable

the free exercise of their self-determination and inalienable right to independence in accordance with General Assembly Resolution 1514 (XV). Since “plebiscites” have often been used to annex a territory or country, another viable alternative is to utilize a people’s constituent assembly for creating a new government and constitution for an independent nation. It would be consistent with how the original 13 U.S. colonies went about their independence against Britain. The indignant question posed to the Puerto Rican people on Nov. 3, 2020, was also not a referendum. So, what is the distinction between a plebiscite and a referendum?

A plebiscite is a direct vote of the qualified voters of a state in regard to some important public question or the vote by which the people of a political unit determine independence or annexation with another country. Originally plebiscites were used by the Roman Empire to incorporate occupied territories and later used by Napoleon Bonaparte to do the same in Europe for France.

In Europe, plebiscites are elections held to decide two paramount types of political issues: government legitimacy and the nationality of territories contested between governments. Following the French Revolution in 1789, the plebiscite was widely popular in France, rooted as it was in the ideas of nationalism and popular sovereignty. In the 20th century, totalitarian regimes have employed plebiscites to legitimize their rule. Plebiscites also have been used as a device for deciding the nationality of territories. For example, after World War I, the League of Nations proposed 11 such plebiscites, the most notable of which was held in 1935 in the Saar, where its inhabitants chose overwhelmingly to return to Germany rather than become a part of France.

In contrast, a referendum is the right reserved to the people to approve or reject an act of the legislature, or the right of the people to approve or reject legislation that has been referred to them by the legislature. The referendum power is created by state constitutions and is conferred on the citizens of a state or a local subdivision of

the state. Referendums provide the people with a means of expressing their opinion on proposed legislation before it becomes operative as a law. A referendum does not permit the people to invalidate a law that is already operative but rather suspends or annuls a law that has not yet gone into effect. In this sense, a referendum is similar to a governor's veto power. Also, by referendum, the people may reinstate an act that the legislature has expressly repealed.

It is a fallacy that the statehood option promoted by the Partido Nuevo Progresista (PNP) which received a 52 percent "yes" vote in the polls represented a "majority" of the Puerto Rican people. It was not a majority when only half of the registered voters participated. Almost half of the participating voters cast a "No" vote to statehood. Therefore, only approximately 26 percent of voters casted a "Yes" vote. That is clearly not a majority. What is significant is that 50 percent of eligible voters essentially boycotted these colonial elections and did not participate in this farce. Historically, Puerto Rico has had a high voter turnout culture. In the 1990s, 93 percent of registered voters participated. Over the last 20 years with the rise of governmental corruption and abuse, the electorate has shown their discontent with corrupt governance and the dysfunction of the colonial two-party system by not voting. Recall the summer of 2019 and the people's uprising that ousted the pro-statehood governor, Ricardo Roselló, due to corruption, immorality, an economic crisis, poor handling of Hurricane María, allegedly stealing hurricane relief funds, lying about the 4,645 deaths, etc. When looking at the governor's election results and the "statehood" status consultation, it is evident that the statehood party has received fewer votes than in previous elections. This year the statehood advocates PNP received 35 percent of the votes in the governor's race due to the insertion of other political parties. The Partido Independentista Puertorriqueño (PIP) and Movimiento Victoria Ciudadana (MVC) combined obtained almost 30 percent of the votes and Partido Popular Democrático (PPD) the other 33 percent.

The 6 million Puerto Ricans dispersed throughout the U.S. live "statehood" every

day and it “isn’t pretty.” The imposed U.S. citizenship of 1917 does not grant Puerto Ricans the same “privileges and immunities” of the U.S. Constitution. We are treated as “second-class citizens” and suffer the same social, economic and racial inequalities that other racial groups are subjected to, like the Black, Mexican and Native American communities. Puerto Ricans go from being an “external colony” to an “internal colony” community in the U.S. A vote for statehood is not progressive; it is the culmination of the immoral colonial objective — the extinction of the Puerto Rican nation and the annihilation of the Puerto Rican nationality.

Finally, the illegality and immorality of making Puerto Rico a state lies exclusively in the hands of the U.S. Congress and not in Puerto Rico. The Senate and the House of Representatives will have to vote to approve on whether it incorporates Puerto Rico into the federal union. That a nation could be incorporated into another nation without negative consequences for the country being absorbed is farfetched. Puerto Rico is a Spanish speaking country and a part of Latin America historically and culturally. Twenty-six percent of Puerto Rican voters may think they want to become a state, but the U.S. Congress has never expressed that interest after 122 years. If asked appropriately, most Puerto Ricans would want to maintain their nation, national identity, island territory and culture. The U.S. prefers to maintain the status quo and keep Puerto Rico a colony.

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