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Author(s): Rubén Berríos Martínez

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Puerto Rico's Decolonization

Rubén Berríos Martínez

THE TIME IS NOW

QUIETA, NON MOVERE, was the motto of the statesman Robert Walpole, who for most of the eighteenth century inspired Britain's policy toward its American colonies. The U.S. Congress for more than four decades has followed a similar don't-rock-the-boat territorial policy regarding Puerto Rico, one of the few remaining colonies in the world even after the U.N. General Assembly in 1988 declared the 1990s the "International Decade for the Eradication of Colonialism." Yet if the trends of the last half-century continue, a change in political status seems inevitable for the 3.8 million inhabitants of the Caribbean commonwealth, a U.S. possession since the Spanish-American War of 1898. If the United States remains in a state of Walpolean inertia, it may soon face a challenge to the very nature of American federalism and to its relationship with Latin America.

Fortunately, the traditional policy of congressional immobility on Puerto Rico seems to be losing ground, though it is still a tempting option for a Congress with a propensity for crisis management. A bipartisan bill, sponsored by Representative Don Young (R-Alaska), authorizing a federally sponsored plebiscite on Puerto Rico's status was overwhelmingly approved 44 to 1 by the House Committee on Resources this summer and awaits final approval by the 105th Congress. The pending congressional process, however, should entail an open examination of the premises that underlie the complex debate on the

RUBÉN BERRÍOS MARTÍNEZ is a Senator in the Legislative Assembly of Puerto Rico and President of the Puerto Rican Independence Party.

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CORBIS - BETTMANN

The movement for Puerto Rican independence has matured from violent acts to political arguments. Oscar Collazo lies at the steps of Blair House after the attempted assassination of President Truman, November 1, 1950.

island's political status. Some of the premises of the Young Bill are either fantasy or glaringly inconsistent with the legitimate interests of the United States and Puerto Rico. Unless those premises are changed, and the United States adopts a principled and rational policy while alternatives are still available, Puerto Rico is likely to opt for statehood. The Senate should be forward-looking. It should exclude outmoded colonial commonwealth as an option, address itself candidly to the consequences of statehood—which would burden the United States and preserve the economic problems of Puerto Rico while

furthering its cultural assimilation—and adopt a policy that will pave the way for Puerto Rican independence.

A statehood petition would be the direct result of U.S. Cold War policies that de facto criminalized the island's independence movement, which was supported by a majority of the Puerto Rican people until the 1940s. For the last half-century, those policies have also fostered dependence on federal welfare payments and on tax-sparing arrangements for U.S. corporate investors. In 1996 a budget-conscious Congress repealed what it called corporate welfare and began cutting back on social programs as part of welfare "reform." Puerto Ricans, once again reminded of their colonial vulnerability, have thus been induced to seek the greater federal largess that would purportedly accrue under statehood and consequent representation in Congress.

The implications of statehood for a territory populated by Spanish-speaking Latin Americans (and not a minority, culturally isolated or overwhelmed by a ruling majority identified with Anglo-American culture, as was the case in Texas) with a per capita income one-third that of the United States and half that of Mississippi should not be underestimated. In a Caribbean nation where half the families receive food checks under the federal Nutritional Assistance Program, "Statehood is for the poor," as Carlos Romero-Barceló, now Puerto Rico's pro-statehood resident commissioner, said in 1973, was an effective slogan. But the founding fathers did not intend statehood as a ticket for a poor nation to a cornucopia of federal welfare payments. More important, it was not designed with anything like Puerto Rico in mind. It is one thing to accept individual Jamaicans or Dominicans as immigrants; it is quite another to annex entire nations like Jamaica or the Dominican Republic as states.

PUERTO RICO IS A NATION

PUERTO RICO'S heart is not American. It is Puerto Rican. The national sentiment of Puerto Ricans is entirely devoted to our *patria*, as we call our homeland in Spanish, our language. We are Puerto Ricans in the same way that Mexicans are Mexicans and Japanese are Japanese. For us, "we the people" means we Puerto Ricans. Only through the distorted prism of Coca-colonization would any observer confuse

U.S. cultural influence in Puerto Rico with inclusion in the melting pot that has kept the United States *e pluribus unum*. Puerto Ricans are U.S. citizens, but they are not Americans. Although Puerto Rico is not a politically independent nation, it is no less distinguishable from the United States than the non-independent Palestinian nation is from Israel.

The present commonwealth arrangement is an outmoded remnant of the Cold War. According to Sections 1 and 9 of the Federal Relations Act, which provided the legal framework for commonwealth in 1952, all U.S. laws enacted by Congress apply to "Puerto Rico and adjacent islands [offshore Puerto Rican municipalities] belonging to the United States," except when deemed locally inapplicable. But territory under the U.S. Constitution was never intended to be permanent, and a growing majority of Puerto Ricans repudiates the present status. In a 1952 yes-or-no referendum, 81 percent of voters backed commonwealth and 19 percent opposed it. In a 1993 plebiscite sponsored by the Puerto Rican government, by contrast, the percentage for commonwealth had decreased to 49 percent, while statehood had increased to 46 percent, and independence, in spite of decades of discrimination and persecution, garnered 4 percent.

The issue of Puerto Rico's status can no longer be shunted aside. Unless it addresses it directly, the United States may, at the very least, risk international embarrassment by retaining a colony that lacks even the appearance of majority support while denying a statehood petition that would weaken the unitary nature of the federation.

GEOPOLITICS AND NATIONALITY

NINETEEN NINETY-EIGHT marks the centennial of the U.S. invasion of Puerto Rico. Since then, geopolitical and military considerations have governed U.S. policy, although commercial and economic interests have also influenced it. At the end of the nineteenth century, control of Puerto Rico was basic to the extension of U.S. influence over Latin America in general and the Caribbean in particular. The invasion and acquisition of Puerto Rico, which guarded the eastern approaches of the Caribbean Sea, was inextricably tied to the decision to build a canal connecting the Atlantic and Pacific Oceans.

American policies have repressed the Puerto Rican independence movement.

The United States was “interested in the cage, not the birds,” stated Pedro Albizu Campos, founder of Puerto Rico’s modern independence movement, in the 1930s. Yet the island was populated in 1898 by almost a million people that had developed a distinct national identity and consciousness as an integral part of the Latin American family of nations. Since the Foraker Act of 1900, which ended two years of U.S. military government and provided for an all-powerful appointed governor and an elected but powerless House of Delegates, Puerto Ricans have been struggling to end American colonialism. Whenever the forces of nationality and independence were on the ascent, world events reminded Americans of the island’s geopolitical importance.

As early as 1914, the Union Party, Puerto Rico’s majority party, proclaimed independence as its final-status aspiration, but as U.S. participation in World War I became imminent, the United States tightened its hold on the Caribbean. It invaded Haiti in 1915 and the Dominican Republic in 1916 and formalized its will to occupy Puerto Rico permanently by unilaterally imposing U.S. citizenship through the Jones Act of 1917, over the unanimous objection of the House of Delegates. The Jones Act included some reforms, such as an elected Senate, but the fundamental disenfranchisement remained.

By the 1930s, Puerto Rico’s economy, which had been characterized before the American invasion by small and medium-sized farms producing primarily for local consumption—the principal export being coffee for the European market—became under the stimulus of U.S. tariff laws a large sugar plantation dominated by absentee landowners in the United States and tilled by a pauperized peasantry. The ensuing discontent of the Puerto Rican political class and the social unrest of the Great Depression gave rise in the 1930s to a powerful pro-independence movement. Albizu Campos, a Harvard-educated lawyer influenced by the contemporaneous Irish independence struggle, led the most formidable challenge to American rule. From 1927 to 1936 he transformed the previously elitist Nationalist Party into a combative, anti-imperialist movement with far-reaching popular sympathy. The Nationalist Party

boycotted the 1936 legislative elections, but the Liberal Party declared independence as its goal and became Puerto Rico's most popular party, winning 46 percent of the vote.

As World War II loomed, Puerto Rico became the Caribbean Gibraltar. The carrot-and-stick response by the United States to the upsurge of independence sentiment was swift. On one hand, violent repression was unleashed against the Nationalist Party and its followers, and on the other, Roosevelt's New Deal established social programs aimed at mitigating the discontent of widespread poverty.

In 1936 trumped-up charges under the wartime Sedition Act of 1918 were brought against Albizu Campos and other Nationalist leaders, resulting in their imprisonment for almost a decade in the federal penitentiary in Atlanta. In 1937, under instructions of General Blanton Winship, the U.S.-appointed governor, police fired on a group of unarmed Nationalist Party members in the city of Ponce. Twenty-two were killed and 97 wounded. With the Nationalist leadership imprisoned, many party sympathizers and most *independentistas* in the Liberal Party joined forces in 1938 to form the Popular Democratic Party (PDP) under the leadership of Luis Muñoz Marín. The PDP won the 1940 elections with a pro-independence stance and a promise to solve the status issue at the end of the war.

THE COLD WAR AND COMMONWEALTH

IN 1943 the non-partisan pro-independence Congress, which represented, according to Muñoz Marín, "the ideals that are undoubtedly those of the majority of Puerto Ricans," petitioned the United States for independence. After World War II, however, Cold War strategy took center stage, and Puerto Rican independence became anathema to Washington. The United States developed a strategy to divert the island from the road to independence while placating Puerto Rican nationalism. Bowing to American pressure, the PDP expelled *independentistas* from its ranks in February 1945. This purge led in October 1946 to the foundation of the Puerto Rican Independence Party (PIP), which became the main opposition. As a reward for Muñoz Marín's changed view toward Puerto Rico's status, in 1947 the U.S. Congress

issued the Elective Governor Act, under which he became Puerto's Rico's first elected governor in 1948.

As the next step in the anti-independence strategy, the Commonwealth of Puerto Rico was established in 1948-52. Congress left intact all sections of the 1917 Jones Act, henceforth to be known as the Federal Relations Act, pertaining to relations between the United States and Puerto Rico. Likewise, all articles and matters referring to Puerto Rico's elected House, Senate, and governor, while practically unaltered, were incorporated into a much-touted local constitution after being approved by a so-called Constitutional Convention and confirmed—with congressional deletions and amendments—in a yes-or-no referendum. The vote was a sham; no other status options were provided. Yet the end of the colonial era was grandiosely proclaimed.

A massive anti-independence government propaganda campaign was launched. The words *patria* and *nación* (nation) were proscribed for decades. In 1948 the Puerto Rican legislature approved the infamous Ley de la Mordaza (Gag Law), a version of the 1940 Smith Act prohibiting seditious speech, under which *independentistas* were arrested and imprisoned for almost any reason, including reciting patriotic poetry, making speeches, and unfurling the Puerto Rican flag.

Albizu Campos, released from federal prison after seven years, led a Nationalist uprising that was accompanied by armed attacks on Blair House in Washington, where President Truman was then living, in 1950 and on the U.S. Congress in 1954. The Puerto Rican government's response was brutal and indiscriminate. Practically all Nationalist Party members and more than a thousand leaders and members of the PIP, which did not advocate armed struggle, were imprisoned, most of them on the basis of blank arrest warrants. The police (with the active collaboration of U.S. intelligence agencies) compiled a huge blacklist of independence supporters, who were then discriminated against and harassed. The practice continued until 1988, when the Puerto Rican Supreme Court declared it unconstitutional and ordered the release of more than 100,000 files in 1992. The Puerto Rican electorate had been driven away from independence by terror.

The anti-independence stance of the PDP and the island's increasing dependence on U.S. transfer payments made inevitable its displacement by pro-statehood forces. A powerful pro-statehood movement

displaced the PIP as the main opposition, and its electoral support grew from 16 percent in 1952 to 51 percent in the 1996 local elections. When the favorable postwar economic conditions changed, the Puerto Rican economy stagnated. Even though capital-intensive U.S. companies, under Section 936 of the Internal Revenue Code, repealed in 1996, reaped enormous profits exempt from federal taxes—\$154 billion between 1976 and 1995—real output per capita crept upward at a dismally low 1.2 percent annually during the period. Migration increased, and U.S. welfare and other transfer payments to individuals (excluding Social Security and veterans' benefits) increased astronomically—from \$7 million in 1973 to \$1.7 billion in 1995, for a total of \$24 billion, at current prices, during the period. Federal transfers to the local government amounted to an equivalent sum. The “association” rhetoric of commonwealth was supplanted by a “permanent union” credo. Independence was equated with hunger and dictatorship, and U.S. citizenship (curiously labeled “common citizenship”) was exalted. Statehood came to be seen as the ultimate guarantee against the loss of the economic safety net underwritten by U.S. taxpayers.

EXHAUSTED COMMONWEALTH

THE YOUNG Bill, now pending in the U.S. Congress, recognizes that commonwealth cannot provide a solution to Puerto Rico's colonial problem. It acknowledges that commonwealth is territorial under U.S. law, which in turn is colonial under international law. Nevertheless, it includes commonwealth as a provisional option until Puerto Ricans choose full self-government by voting for one of the two other options, statehood or Puerto Rican sovereignty, either in the proposed 1998 referendum or in others to be held periodically if commonwealth prevails.

To divert Puerto Rico from independence during the Cold War, U.S. economic and political support of commonwealth was an accepted cost of doing business. But conditions have changed radically in the last half-century, and Congress has formally begun to recognize commonwealth as a colonial anachronism, in effect joining the international community in refusing to accept colonialism as legitimate under any guise. Such a recognition was inevitable. The social and psychological realities that have led people to outlaw a labor contract to work for

less than the minimum wage, however voluntarily reached, led to the 1960 U.N. General Assembly Resolution on the Granting of Independence to Colonial Countries and Peoples recognizing that national self-determination is an inalienable right, and that colonialism is not a normal condition to which human beings can voluntarily consent.

INVIABLE STATEHOOD

Statehood provides a legal solution to the lack of Puerto Rican representatives' right to vote in the U.S. Congress. Puerto Rico's basic problem, however, is the dependence and subordination inherent in colonialism, not only legal and political, but also economic, cultural, social, and psychological. Statehood for Puerto Rico would merely be another form of dependence and subordination—colonialism with another mask—that would make dependence more acute.

As a state, Puerto Rico is bound to pay the heaviest of prices: cultural assimilation. In the American system the only way out of an ethnic ghetto is through cultural assimilation into the Anglo-American mainstream, which would subordinate the island's Spanish language and distinct culture. Latin Americans, particularly Puerto Ricans, even when living in the mainland United States, where they are by definition a minority, have proved more resistant to assimilation than other immigrants, particularly Europeans. In any case, assimilation is unacceptable to Puerto Ricans, including statehooders. Even the current pro-statehood governor, together with the former pro-commonwealth governor and myself as president of the PIP, addressed a letter to the congressional leadership in 1990 stating that "all of us agree on the following: Spanish belongs to all Puerto Ricans, it is not negotiable under any circumstance or political status." If loss of culture and identity did not occur, the U.S. body politic would be stuck with an anomaly—a state of citizens who refuse to become Americans.

After nearly 100 years of American colonial rule, Puerto Ricans remain a distinct and homogeneous Latin American nationality. Spanish is the only language of common understanding as well as of high culture, and less than one-third of the population understands English, even as a foreign language. Renowned Puerto Rican writers, painters, and other artists, heirs to a distinguished centuries-old

tradition, have made significant contributions to twentieth-century Latin-American culture. Our folklore and popular arts, a rich blend of the island's Spanish, African, and Taino inheritance, and Caribbean customs and traditions contribute to our national culture, proud and defiant even under the constant threat of assimilation.

From an economic perspective, Puerto Rico's limited fiscal autonomy—most federal taxes do not apply—would disappear with statehood. Unemployment would mushroom because the investment and fiscal autonomy

Puerto Rico needs to develop its economy would be impossible under statehood. The uniformity mandated by the U.S. Constitution would not allow the kind of economic incentives necessary to attract foreign investment. Thus Puerto Rico would become a permanently depressed region of the United States, with most educated people migrating to the mainland, leaving most of the rest to survive on increasing doses of federal welfare secured by the island's congressional delegation. Market forces are inexorable, as Appalachia, the South Bronx, and other chronically depressed areas of the United States illustrate.

What would Puerto Rican statehood mean to the United States? Puerto Rico would be the poorest state, pay the least in federal taxes, and receive the most in per capita federal transfers. In 1991 the Congressional Budget Office estimated that over a ten-year period statehood would cost the U.S. Treasury \$35 billion more than the \$56 billion Puerto Rico would receive under its present status. Although the cost of statehood may be reduced somewhat by federal welfare reform (federal welfare spending in Puerto Rico has always been severely capped), it would be more expensive than commonwealth because the U.S. Supreme Court held in 1980 that Congress is under no constitutional obligation to extend any federal social welfare program to Puerto Rico.

The political and social consequences of statehood would be even more far-reaching and potentially explosive for the United States. As a state, Puerto Rico would have a congressional delegation of 2 senators and 6 representatives—at least as many as 29 other states. Such an ethnically and culturally distinct Spanish-speaking Latin American state would disrupt U.S. federalism, its congressional delegation a

The United States could be stuck with citizens who refuse to become Americans.

potential rallying point for minority demands when the United States is trying to ease its ethnic and social tensions.

Finally, what would the United States do with the hundreds of thousands of Puerto Ricans who adamantly oppose statehood? *Independencistas* have vowed to continue the struggle for independence—indeed for secession—under statehood. And who can speak for the next generations? Is the United States willing to risk a Caribbean Quebec or a tropical Northern Ireland?

A POLITICAL AND SPIRITUAL IMPERATIVE

UNDER THE Puerto Rican or separate sovereignty option, the Young Bill provides for independence and free association alternatives. The United States has entered into free association agreements with the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, all former U.S. trust territories in the Pacific. A valid association does not amount to independence, however, since specific sovereignty powers are delegated by the associated state to its partner in the association agreement. Such delegation is limited in turn by the principle of revocability whereby the associated state reserves the right to terminate the association unilaterally and fully exercise its sovereignty.

Independence, on the other hand, by definition provides the framework for full democratic self-government and for the full flowering and perpetuation of a nationality. As Edmund Burke phrased it: “A nation is not an idea only of individual momentary aggregation. It is a deliberate election of the ages and generations, a partnership not only between those who are living, but between those who are dead, and those who are to be born.”

Independence is also necessary to provide Puerto Rico with the power and flexibility that would assure sound economic development in the modern world. The basic economic problem of Puerto Rico is economic stagnation and dependence on U.S. subsidies. More than one-third of our population has emigrated in the last 40 years, mainly seeking work. The island has among the highest crime and drug addiction rates in the world—treat a nation like a ghetto and it will behave like a ghetto. In 1993, there were 24 homicides in Puerto Rico per

100,000 inhabitants, compared with 9 in the United States, 4 in Costa Rica, and 1 in the United Kingdom. In 1991 Puerto Rico had 1,972 drug addicts per 100,000 inhabitants, compared with 1,176 in the United States and 179 in the United Kingdom.

To overcome such conditions, Puerto Rico must take full advantage of its location, an infrastructure more advanced than that of virtually any nation at the moment of attaining independence, and a highly skilled labor force and educated managerial class. Forty-seven percent of the island's labor force has some post-secondary education; 25 percent of those working are professionals and managers. The productive capacity of these resources under the constraints of the colonial system has reached its limits.

Puerto Rico must develop a more modern, diversified, competitive, and knowledge-based economy, centered on manufacturing and services and to a lesser extent on modern agriculture. Puerto Rico must develop an economic strategy responsive to its own needs, not subject to rules and regulations designed for the much wealthier continental U.S. economy. Puerto Rico must have the authority to enter into international tax and commercial treaties in order to increase and diversify foreign investments, widen its export market, and lower import costs. It must be able to allocate production rationally for internal consumption and gear monetary and fiscal powers toward greater capital formation and productivity.

Many small independent countries, which in 1970 were far behind Puerto Rico in economic development, have used such mechanisms in the recent decades to achieve impressive income gains. In 1995 Trinidad and Tobago had a per capita GDP (at purchasing power parity) of \$8,610; St. Kitts and Nevis, \$9,410; Barbados, \$10,620; Malta, \$11,570; Cyprus, \$14,060; and Singapore, \$22,770. These countries have far surpassed Puerto Rico's per capita GDP of \$7,670, while Puerto Rico has overtaken no one during the last quarter-century. They did not receive the presumed benefit of billions of dollars in welfare payments, but they enjoyed the power and flexibility of sovereignty. An independent Puerto Rico, particularly in this era of interdependence, could become the catalyst for a

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Caribbean common market and for the revival of the century-old idea of an economic and political Antillean Confederation, conceived by the Puerto Rican abolitionist Ramón E. Betances, educator Eugenio María de Hostos, and the Cuban poet and essayist José Martí, who were also the leaders in the struggle for Cuban and Puerto Rican independence.

Culturally, independence would end Puerto Rico's lifeless imitation of its colonizer, typical of colonies. It would release the full spiritual energies of a nationality whose self-esteem has been trampled on. It will also help break the stranglehold of the defensive, nativist, and sometimes suffocating insularism many on the island have pursued as a refuge against assimilation. Independence would clear the way for a modern, forward-looking society, open to all cultural influences but subject to none and proud of its own. Those who desire Puerto Rican independence, in the words of Gandhi, "want all the cultures of all lands to be blown about [our] house as freely as possible, but refuse to be blown off our feet by any."

From the U.S. perspective, Puerto Rican independence would do more than stop the drain on the federal treasury. It would help the United States finally put an end to the contradiction of aspiring to be the leader of democracy worldwide while remaining the last colonial power. Colonialism denigrates the colonized, but it also demeans the colonizer.

The Latin American family of nations would be permanently resentful after seeing one of its members swallowed by their powerful northern neighbor. In this postcolonial, noninterventionist era of interdependence, the United States should instead develop a common policy toward the Caribbean as a whole. This new, more enlightened policy should promote political stability, democracy, and economic development in order to guarantee U.S. national security in the region. Such a policy should envision the Caribbean as a more vigorous regional trading partner whose economic prosperity would inhibit illegal migration to the United States. An independent Puerto Rico intimately tied to the Caribbean and with strong relations with the United States could play an important role in the implementation of such a policy.

THE NEAR FUTURE

WHILE THOSE in Congress who oppose statehood may be tempted to derail the Young Bill, such a strategy would be counterproductive. With every passing day there is a greater danger that the irrational statehood bandwagon in Puerto Rico will be joined in the United States by an equally irrational bandwagon of pluralism. As Hispanic voters become a larger percentage of the American electorate, in the desire not to appear to oppose multiculturalism, many voters and politicians will in fact be promoting multinationalism. This can only lead to Balkanization and a backlash against multiculturalism and minorities. Members of American minorities will not constitute a mathematical majority until the middle of the next century, but their increasing electoral weight will soon become a politically determinant factor in the complex and heterogeneous American society. If the Senate succumbs to the Walpolean temptation of inaction, it will merely be postponing an issue that will come back to haunt Congress in ever more menacing ways. If, on the other hand, prudence and good policy prevail, the Senate will amend the Young Bill or approve a bill of its own.

There is still time. The Senate can exclude the option of territorial commonwealth from the referendum and include only options that guarantee full self-government, namely statehood and separate sovereignty, which includes independence and free association. By including territorial commonwealth as an alternative, the Young Bill as it stands contradicts its avowed decolonization purpose. Territorial commonwealth is the problem, not the solution.

In any case, the Senate should—as the House has done by exposing commonwealth's colonial nature—strive to demythologize the statehood option so as to guarantee a fair process and not give rise to false expectations. If Puerto Ricans are told that English will have to become the primary and common language on the island, that for budgetary reasons statehood will not be considered until Puerto Rico approaches the per capita income of the poorest state, and that statehood must be supported by an overwhelming majority in Puerto Rico—that alternative would be defeated in the referendum. The United States should then take no for an answer, discard state-

hood, and proceed to dispose of commonwealth. Regarding independence and free association, the Senate should be even more forthright than the House in providing the necessary guarantees and specificity so as to compensate, at least partially, for almost a century of anti-sovereignty propaganda.

If statehood wins, Congress should bite the bullet and deny the statehood petition. There is no right to statehood, and Congress should always act to further U.S. national interests, particularly when the variables are under its control. It should then promote the conditions for sovereignty with the same thoroughness, but with more compassion, that it used to promote Americanization.

The end of the Cold War, the need for a new U.S. policy in the Caribbean, the consensus for change in Puerto Rico, and the symbolic value of the centennial of the U.S. invasion mark the close of an era and should signal the beginning of a new one. The United States must look toward the 21st century. There will be no more appropriate and less traumatic moment than the present. The United States must act now to safeguard its national interests and recognize the inalienable right of Puerto Ricans to command their own destiny.🌐