

that the Secretary of State is not only a member but a founder of the Society and an editor of its JOURNAL, and that the Judge Advocate General of the Army is likewise a member of the Society. It is peculiarly fitting that the persons appointed from civil life to Judge Advocates should be versed in international law, because, in our Army, the Judge Advocate General advises the War Department as to the laws of war, and the Judge Advocate of each division will be called upon to express his opinion as to the laws of war; for in the conception of the United States the laws and customs of war are not national but international.

JAMES BROWN SCOTT.

#### THE PORTO RICAN ASSOCIATION OF THE UNITED STATES OF AMERICA

Among the many societies of a quasi-international nature which are daily organized in this country, the Porto Rican Association of the United States of America, which has just been founded in Washington for the specific purpose of "fostering and stimulating in the United States of America, and especially in the capital city thereof, as the seat of the Government, a warm interest in Porto Rico, which may give rise to the establishment of closer bonds of friendship and culture between Porto Ricans and Americans and thereby tend to solve beneficially and definitively the legal and political status of the Island," has a claim to a friendly welcome and support by the American people.

In view of the present conditions in the world, and of the recent passage of the so-called Jones-Shafroth Act "to provide a civil government for Porto Rico," which was printed in the Supplement to this JOURNAL for April, 1917, p. 66, it becomes interesting to examine the present legal and political status of the island in order to ascertain with some sort of accuracy, what the real aims and purpose of this association are.

As it is well known, the island was ceded by Spain to the United States as a result of the Spanish American War, and Congress, after some hesitation as to the disposition which should be made of the island, passed the so-called Foraker Act as a temporary measure to provide a form of civil government for the island. When the question of the status of Porto Rico came up for decision by the Supreme Court in the so-called Insular Cases, it decided under this law by a divided court, that while Porto Rico was not a foreign country for international purposes, yet, in the constitutional sense it was no part of the United

States, but territory belonging and appurtenant thereto. As to the status of the inhabitants of the island, it was held that the Porto Ricans were not aliens within the meaning of the immigration laws, and although there is not a decision precisely in point upon the subject, it was taken for granted, by reason of the many *dicta* in the Insular Cases, that Porto Ricans were not citizens of the United States. As Congress, whether from neglect or legislative slowness, did not see fit further to legislate on this subject until the recent passage of the Jones-Shafroth Act, the island and its inhabitants went along courageously and hopefully laboring for over eighteen years under a law which, though wise as a temporary measure, was quite unjust and unsatisfactory for a number of reasons, among which were the very conditions which it had brought about regarding the status of the island and of the Porto Ricans.

The Jones-Shafroth Act has fixed the status of Porto Ricans by extending to them the privilege of citizenship. It also extends to the island a large measure of self-government, for which the Porto Ricans will, no doubt, show themselves to be fully prepared. But, so far as the status of the island is concerned, the new law leaves it in the same condition as before; that is to say, in the uncertain position of a piece of territorial property belonging and appurtenant to the United States. This is so probably because Congress is not quite sure as yet of the ultimate disposition to be made of the island.

The Porto Rican Association aims to fill this void in the relations between Porto Rico and the United States, and for this purpose it proposes to collect and distribute, judiciously and as far as possible, trustworthy information of all sorts concerning Porto Rico, which may be calculated to spread in this country a greater knowledge of the island and its inhabitants and dispel mutual errors and misconceptions. For this purpose, it will invite the coöperation of the Government of Porto Rico and the Bureau of Insular Affairs at Washington, and of all institutions, persons and corporations, whether Porto Rican or American, ~~as~~ may be best qualified to render valuable assistance to the association. It will also invite men of distinction in the various professions to lecture in this country upon selected Porto Rican topics of interest to the American people; publish a journal in English and Spanish as the official organ of the Association, and issue from time to time such publications as may be advisable or necessary fully to accomplish its aims. It hopes to open in Washington a Porto

Rican library of books, periodicals and other publications of a literary, scientific, historical and statistical interest relating to Porto Rico, as well as rooms for the exhibition of natural, industrial and artistic products of the island. The association will be extended throughout the United States by means of branch associations to be established in as many cities of the Union as possible, and it will take such other measures and establish and carry out as far as possible such other means and initiatives as may be deemed to contribute toward the success of its labors and the realization of its purposes.

This is an ambitious program on the part of the friends of Porto Rico in the United States, and notwithstanding its largeness and the difficulty of carrying it into effect, all citizens of the United States will wish it success, for the people of Porto Rico are our fellow-countrymen and our fellow-citizens, and whatever inures to the advantage of one section inures to the advantage of all; whatever helps the good people of Porto Rico by so much helps the citizens of the United States.

JAMES BROWN SCOTT.