

# Puerto Rico as colonial palimpsest

## A microhistory of translation and language policy

Christopher D. Mellinger

University of North Carolina at Charlotte

This article presents a microhistory of Puerto Rico that investigates the role of translation and language policy during the transition from Spanish to U.S. colonial rule. Two specific periods, namely the transitional military government from 1898 to 1900 and the first civilian government from 1900 to 1917, provide the framework within which the study is conducted. Analyses of official language and translation policies, as well as historical documents from governmental and educational contexts, illustrate the multiple, conflicting agendas employed by the new colonial power to Americanize the island. Results also demonstrate how codified policies do not fully account for the linguistic and cultural landscape in colonial contexts, thereby requiring closer examination of translation practices and beliefs and their interplay with translation policy.

**Keywords:** Puerto Rico, language policy, translation policy, Spanish-American War, microhistory, colonialism

### 1. Introduction

The conclusion of the Spanish-American War in 1898 marked the end of Spanish colonial rule of Puerto Rico, Cuba, and the Philippines and the subsequent assumption of control by the United States. This “splendid little war” – a term coined initially by U.S. Secretary of State John Hay in a letter to President Theodore Roosevelt (Gable 1991) – lasted six months and ultimately led to a significant increase in the U.S. presence and influence in the Caribbean and the Pacific. Americanization efforts in the newly-acquired colonies were swift and deliberate, and scholars note the various mechanisms by which U.S. rule was imposed, along with the complex political, cultural, and governmental shifts brought about by this change in power. In the Puerto Rican context, for instance, Thompson (2014) outlines techniques related to sovereignty, discipline,

and governmental rationality that were employed during annexation to extend and deepen Spanish colonial practices and to transition ultimate control to the United States. Schmidt-Nowara (2012) similarly describes the American practice of imitation and affiliation with the previous colonial power to endow the island with a continuous, respected history to justify American expansion into the territory. In particular, the U.S. government crafted “a historical lineage grounded in the Spanish conquests” (Schmidt-Nowara 2012, 161) by appropriating Spanish history and imagery in the Puerto Rican context in order to “[carry] out the ideological work of empire far beyond the elite circles of Washington and New York or the military bases around the Pacific and Caribbean” (165).

Largely absent from historical discussions of the transitional period in Puerto Rico is explicit reflection on translation and language policy. The imposition of English as the official language of the education system has been argued as a means of ideological control (Navarro 2002) and a site for cultural negotiation (Moral 2013), yet translation is often taken for granted as a *de facto* linguistic representation of English texts in Spanish. This perspective is echoed in a number of contexts, including the highest levels of government and diplomacy. For example, a comment on translation that illustrates the utilitarian, albeit underestimated, role of translation in diplomatic communication can be seen toward the beginning of negotiations between Spain and the United States. Enrique Dupuy de Lôme, who was Spanish Minister to the United States at the time, comments in a telegraph on the translation of his communiqué. He states that he has sent:

un largo extracto telegráfico, acompañando hoy una traducción de dicha Nota, que he dictado, procurando verterla al castellano lo más literalmente posible. [...] Creo inútil extenderme en largas consideraciones sobre ella. Su estilo es claro y preciso, sus propósitos no ofrecen duda, y no necesito comentarla, puesto que V.E. conoce por mi correspondencia oficial y oficiosa la evolución de las ideas del Secretario de Estado que ha producido la explícita definición de la política de Mr. Cleveland, contenida ese importante documento.

a long telegraph excerpt, accompanied today by a translation of said note that I have dictated, attempting to turn it into Spanish as literally as possible. [...] I find it useless to enter into a long discussion about the translation. Its style is clear and precise, its aims leave no room for doubt, and I do not need to offer comment since you know from my official and unofficial correspondence the evolution of the Secretary of State's ideas produced by the explicit definition of the policies of Mr. Cleveland contained in that important document.<sup>1</sup> (ASV 628, 546)

---

1. All translations are my own unless otherwise indicated. References to ASV are to the archival material listed at the end of the article.

As seen in the Minister's comments, translation was viewed by some as being a mere re-representation of a document in another language rather than being ideologically motivated or a colonial instrument for rule and governance. Nevertheless, this functional and unobtrusive view of translation at the diplomatic level does not demonstrate the extent to which translation and interpreting services were deployed in relation to language policy, nor does it capture imperialist attempts to use language policy to take control of the Puerto Rican populace. Research on similar colonial contexts at the end of the Spanish-American War in the Filipino colonial context has been illustrative of the power of translation, with Rafael (2016) describing the weaponizing of language in sustaining and subverting power relations. Similar reflections on translation in colonial and post-colonial contexts (e.g., Robinson [1997] 2011; Valdeón 2014) also attest to the influence of translation in the creation of empire.

However, the Puerto Rican case is unique, insofar as U.S. influence and rule were superimposed on a Spanish colonial structure that spanned over 400 years. With primarily two colonial powers in place for over half a millennium,<sup>2</sup> Puerto Rico is situated as a colonial palimpsest, with rewritten layers of law, bureaucracy, and norms in two languages and from two cultures. Thus, the linguistic and cultural landscape does not fully align with previous studies of U.S. empire and its relationship to translation and language politics. As Goldstein (2014, 3) suggests in relation to the study of U.S. empire, "the overlapping, sedimented, and variable conditions and practices of colonization are in this regard fundamental for understanding the complexity and specificity of the United States historically and in the present." The heterogeneous nature of U.S. empire, therefore, merits investigation in its own right to better understand the ways in which language and translation policy intersect with Americanization and empire-building efforts on the island.

Consequently, this article presents a microhistory of the interplay of U.S. language policy and translation during the transitional period, defined here as the initial acquisition of Puerto Rico in 1898 to the adoption of the Jones-Shafroth Act in 1917. Both explicit and implicit translation policy served to impose hegemonic values and regulations, particularly in educational and governmental settings. These efforts took various forms, including translations of Spanish laws and documentation into English and the imposition of English as the language of instruction. The explicit attempts to reorganize and control government activities were augmented by more implicit efforts, such as the presentation of translations

---

2. The United States and Spain are the two colonial powers that are often cited; however, there were several moments in history at the end of the sixteenth century in which the English were in possession of the island. See Trias Monge (1997) for a historical overview. Brau (1904) also provides an overview of the unsuccessful attempt of the Dutch to capture Puerto Rico.

as originals in educational contexts. However, U.S.-led initiatives to Americanize the Puerto Rican populace were not wholly successful, and (non-)translation was used by Puerto Ricans to subvert Americanization efforts.

To contextualize the present study, the literature on language and translation policy and its relationship with empire building are reviewed, followed by a historical overview of Americanization efforts during the period under discussion. Data are drawn from a range of documents, including those drafted by the U.S. Congress and military as well as educational materials, textbooks, and newspaper articles. The historical record suggests that transcultural and interlinguistic translation are not unidirectional and instead can be used in the service of multiple, often conflicting, agendas. Moreover, this article argues that explicit language and translation policies may not fully describe the linguistic and cultural landscape in colonial contexts.

## 2. Language policy and translation in colonial contexts

Language policy has been the subject of considerable inquiry with respect to language planning, language rights, and language preservation. Defining these terms and their relationships, however, is challenging, given the various angles from which scholars have approached these topics. For instance, Kaplan and Baldauf (1997) describe language policy in relation to language planning, which leads to the development of government-level policy. An overarching administrative or gubernatorial framework then directs this type of top-down policy. Spolsky (2004) moves beyond a discussion focused solely on language planning to include the practices, beliefs, and ideology surrounding language. This broader conceptualization provides space to discuss efforts to modify or influence language practices. Moreover, others such as McCarty (2011), emphasize that language policy is a sociocultural process that is mediated by relations of power.<sup>3</sup> Differentials in status and power of the various parties involved in language policy are crucial to consider, particularly when examining colonial contexts. The issue of power relations and language policy will be addressed in greater detail below.

It is important to recognize with regard to language policy that such policy extends beyond the governmental and institutional level and can occur in a variety of contexts (Ricento 2006). For instance, language policies can be explicitly outlined in organizations or groups or implied within the context of family and social circles. Johnson (2013,9) presents a matrix to examine the multifaceted

---

3. For an overview of various perspectives on language policy, see Ricento (2006) or Spolsky (2012a).

nature of language policy, which includes not only official regulations and policy texts or discourses, but also the unofficial, covert, and implicit mechanisms that shape language practices. These mechanisms are not always positive, as is perhaps the case when considering efforts to secure language rights for minority populations or language preservation efforts. Instead, these policies run the gamut from being beneficial and supportive to hostile with aims to constrain use. Moreover, Johnson (2013) recognizes that language policy is both a product and a process, wherein a single document or source is likely to be insufficient to fully understand the implications of a specific language policy.

Translation and interpreting as forms of interlinguistic mediation figure into discussions of language policy. Their roles have been explored in a number of contexts by translation studies scholars; however, as Meylaerts (2011) and González Núñez (2016) indicate, translation policy has often been loosely defined. As in the case of language policy, competing definitions make cross-study comparisons difficult when the theoretical frameworks used to describe translation policy are distinct. To address the conceptual challenges, González Núñez (2016) draws on definitions of language policy to propose one more suited for translation. The definition of translation policy mirrors Spolsky's (2012b) definition of language policy, insofar as translation policy encompasses: (1) translation management; (2) translation practice; and (3) translation beliefs. These three categories account for explicit policies designed to influence the provision and practice of translation (i.e., translation management), as well as implicit policies resulting from beliefs about translation or its practice. This broad definition helps address both overt and covert practices in conjunction with legal and regulatory frameworks that govern language use and shape beliefs about language.<sup>4</sup>

The identification of both implicit and explicit translation policies in colonial contexts is essential, not only because of the potential for competing practices and beliefs about language, but also because of the ends to which they are used. For instance, Rafael (1993) demonstrates how official rules regarding translation by the Spanish in colonial Philippines were subverted by translation practices and beliefs of the colonized Tagalog. While explicit policy is often much easier to examine, it only presents part of the complex linguistic landscape in colonial contexts. In later writings, Rafael (2016, 9) puts a sharper point on this reality when describing U.S. colonial rule in the Philippines: "attempts at linguistic and social domination seek to recruit translation as a means for waging war on the complications within,

---

4. In a similar vein, Córdoba Serrano and Díaz Fouces (2018) examine the intersection of translation policy, language planning and policy, and minority languages to provide a more nuanced view of how translation can be viewed within the context of language policy and planning.

as well as across, languages.” However, implicit or covert policies, as Rafael points out, often resist this attempt at domination, with language functioning as an insurgent to upend these power differentials.

Rafael’s comments are echoed by historians and translation studies scholars who work in other colonial contexts while examining the use of translation and interpreting as tools to impose colonial rule and hegemonic values. One illustration of the utility of translation and interpreting in this manner is Spain’s conquest of the Americas, in which the colonizing country sought not only to govern its wide-ranging empire, but also to convert native peoples to Catholicism and to establish educational practices (Valdeón 2014). The Spanish, through a variety of mechanisms – for instance, the imposition and standardization of language, naming policies, and language of instruction – colonized and ruled multiple overseas territories. Translation in this context is documented as an act of resistance and the mutual influence resulting from both explicit and covert translation policies and behaviors.

To identify these policies, practices, and behaviors, Johnson’s (2013) framework of language policy is useful because it acknowledges that language policy occurs beyond governmental or national-level policies. Since translation and interpreting occur in many contexts outside of direct interaction with government officials or institutional entities, the framework allows for a more nuanced view of translation policy than an examination of official policy alone. Though Johnson’s work is specific to language policy, its ability to inform scholarship on translation policy allows for parallels to be drawn (González Núñez 2016; see also Córdoba Serrano and Diaz Fouces 2018). Moreover, translation policy and language policy are deployed simultaneously in colonial contexts, thereby requiring both to be considered in tandem to account for the multi-pronged approaches used by colonial forces to impose rule and cultural values.

The following sections present a microhistory of the translation and language policy of Puerto Rico from the end of the Spanish-American War in 1898 to the signing of the Jones-Shaforth Act in 1917. To borrow Santoyo’s (2006) term, this “blank space” in translation history presents an opportunity to understand not only the intersection of language policy and translation, but also the historical influence on both the colonizers and the colonized. While language policy in Puerto Rico has been examined in a number of more contemporary contexts (e.g., Archibald 1997; Barreto 2001), the turn of the twentieth century has not received as much consideration with respect to translation policy.

This article divides the temporal scope of the study into two parts, with the first timespan encompassing the transitional military government from 1898 to 1900. This government structure is treated separately from the civilian government in power during the second period, 1900–1917, which was still under the

auspices of an appointed leadership from the U.S. Congress. The microhistory ends in 1917 with the granting of U.S. citizenship to Puerto Ricans and with the election of a residential commissioner, a position that was appointed until that time. Throughout this section, the administration of the island and various Americanization efforts centering on language policy will be reviewed with a critical eye toward translation and interpreting to better understand the role of these activities during the period.

### 3. Administration and Americanization

In order to understand the role of language policy and translation during this period, this section first presents an overview of the events during the period under investigation. This historical context provides the backdrop against which language use, policy, and practice can then be discussed. U.S. interest in the Caribbean dates to the earliest presidents, who had aspired to expand their control beyond the contiguous United States, and the attraction of acquiring Cuba became more prominent by the middle of the nineteenth century. In a historical overview of the events leading up to the annexation of Puerto Rico, Trías Monge (1997) notes prolonged political interest in obtaining such territories. For example, the Ostend Manifesto written in 1854 demonstrates the United States' resolve to expand into the Caribbean, either by means of purchasing Cuba from Spain or by "wresting it from Spain if we possess the power." While this perspective was not shared by all political figures in the U.S., this bellicose narrative is perhaps prescient of the war several decades later. Precipitated by the explosion of the USS *Maine* in Havana in 1898 and amid turbulent relations between the U.S. and Spain over Cuban interests in independence, the Spanish-American War was a short-lived military engagement that came to a close with the Treaty of Paris in 1898.

While much of the fighting took place in Cuba and the Philippines, the U.S. Navy entered Guánica in southwestern Puerto Rico on July 25, 1898, under the command of General Nelson A. Miles. The fighting lasted only a few hours, and the municipality of Yauco was overtaken before dawn. Scholars such as Trias Monge (1997) and Baralt (2004) note that anti-Spanish sentiment ultimately led to little resistance. In fact, in the case of the town of Ponce, there were celebrations at the prospect of U.S. occupation (e.g., Baralt 2004; Trías Monge 1997). The positive reaction is largely attributed to a group of Puerto Rican leaders who believed that U.S. rule would continue the policies of greater independence recently afforded by the Spanish crown. The armistice was declared on August 12, with General Nelson A. Miles in charge of the military occupation until October 18, when General John R. Brooke became the first military governor of the island.

Just over five months after the first troops landed, the Treaty of Paris was signed on December 10, 1898, which called for the cessation of hostilities between the U.S. and Spain. Additionally, the treaty dispossessed Spain of its colonial territories. In doing so, the U.S. took possession of the Philippines, Cuba, Guam, and Puerto Rico. The expansionist, imperial aspirations articulated by some U.S. politicians, however, were not held by all. Senator George Hoar, in discussions surrounding the ratification of the treaty, stated quite plainly: “[t]his treaty will make us a vulgar, commonplace empire, controlling subject races and vassal states, in which one class must forever rule and other classes must forever obey” (cited in Bowden 2009, 151). The recognition of the colonial imposition of power ultimately served as a point of contention in Congress, but the treaty was ratified in early February 1899.

### 3.1 Transitional military government

U.S. possession of Puerto Rico is a unique historical situation in light of the 400-year history of colonial rule preceding its acquisition. Long used as a common language between colonizer and colonized, Spanish was common on the island and was the working language of government. With the establishment of a U.S. military government, English as an administrative language necessitated the use of translators and interpreters to communicate and to rationalize the occupation. General Nelson A. Miles, in an effort to foster pro-U.S. sentiment prior to the official start of the U.S. military government, issued a proclamation that read, in part: “this is not a war of devastation, but one to give to all within the control of its military and naval forces the advantages and blessings of enlightened civilization” (Office of the Commonwealth of Puerto Rico 1948, 55; also quoted in Trias Monge 1997, 30). This proclamation, in line with General Order 101 of the Department of War, was translated into Spanish by Félix Mato-Bernier, a Puerto Rican who welcomed the ousting of Spanish rule, published by Listín Comercial’s print shop in Ponce, and circulated throughout the island (Baralt 2004). The translation itself is relatively unremarkable, insofar as it communicates Miles’s ideas in Spanish; however, the translator being a Puerto Rican supportive of Miles’ cause in some respects lends credibility to the U.S. proclamation more so than if the translation had a different provenance.

Beyond the military’s initial use of translation and language to foster goodwill toward the occupying U.S. forces, diplomatic language established control through naming. As Derrida (1998, 39) describes, “mastery begins [...] through the power of naming, of imposing and legitimating appellations.” The practice of naming as a means of taking possession is not unique to the Puerto Rican context, as evidenced by the Spanish in their colonization of the Caribbean several cen-

turies earlier (Valdeón 2014, 24, 35). Moreover, naming may serve as a means to frame or represent the Other, which presents considerable challenges with respect to the characterization of a colonized native population (Niranjana 1992).

The most conspicuous act of renaming occurs in the Treaty of Paris of 1898, which changes the name of the island itself from *Puerto Rico* to *Porto Rico*. The orthographic change has been argued to be in line with English conventions or as a mistake introduced in the Treaty of Paris; however, the first military governor John Brooke ordered the island's name to be changed (Morris 1995). Support for renaming the island can be seen in a piece that ran in the *New York Times* in 1900 following initial publication as part of *Leslie's Weekly*, a newspaper also published in New York state. The column, titled "Common Sense in Spelling," describes the Senate decision on the nomenclature to be used for the island, and argues that "Porto Rico" should prevail:

It is the easiest and simplest form and in accordance with common-sense principles. Whenever an opportunity presents itself, as in this case, to choose between a phonetic form of spelling and an intricate or more involved form, the former ought always to be adopted. Silent letters and fantastic combinations in words impose a useless and wholly unnecessary tax upon the memory and intellect, and they ought to be ruled out of the English language as rapidly as possible. Life is too short and time too precious to be spent in trying to master the absurdities of the spelling book, which have no excuse for existence. (NYT 1900, 29)

The sentiment expressed in this column aligns with some of the comments espoused by Webster in his discussion of English language use and the need for standardization of spelling. In his analysis of Webster's views, Rafael (2014) describes Webster's efforts to standardize American English that function as a form of intralingual translation. Rafael attests that Webster's simplification of spelling conventions aims to contain dialectal variation on the one hand, while on the other it positions the United States as distinct from its colonial roots by establishing differences from British spelling conventions. This homogenization of language ultimately functions as a means of imposing the often cited, albeit erroneous, conception that the United States was and should be intended to be a monolingual nation.

Therefore, the decision to rename the island, either as an explicit exertion of control or in the service of orthographic simplicity, supports an imperial goal. This change did not go unnoticed on the island and was contentious from its initial implementation. Resistance to this change was subtle, insofar as the Spanish spelling was retained in translations of English documents or those drafted originally in Spanish as well as toponyms with Arawak and Taíno roots that predated Spanish colonization. For example, legal cases filed and heard in the Supreme

Court used the official term of “Porto Rico” in their filing (cf. *Royal Insurance Co. v. Martin*, 192 U.S. 149 [1904]), employing the English term that followed the official policy and name change that had occurred several years before. Yet decisions issued in Spanish by the Supreme Court of Puerto Rico retained the Spanish spelling “Puerto Rico” of the court itself (cf. *Rodriguez v. Bravo*, 13 D.P.R. 16 (1907)). While prevailing wisdom typically suggests that proper names be retained in the target language, translations into Spanish failed to heed the new spelling. Moreover, general animosity to the island’s new name was such that the name was changed back to the Spanish spelling of Puerto Rico in 1932 through several judicial and legislative measures (Malavet 2004).

Official language policy on the island also elevated the status of English in 1899 during the military government, with any texts written in English and accompanied by a Spanish translation granted the same force as a Spanish language original. The establishment of both languages as equal was out of necessity on the part of the colonial power, and translation was the means by which the colonial government could ultimately function. Brau’s (1904, 309) history of Puerto Rico recognizes that the U.S. had a “language problem” upon their acquisition of the island. As former Puerto Rican Senator Fernando Martín describes (quoted in Barreto 2001, 17), the government appointed by the U.S. Congress did not speak Spanish, and “English had to be one of the official languages of Puerto Rico. If not the North American colonial administration would not have been able to function.” Therefore, while the U.S. government’s position was one to allow local customs and traditions – the Spanish language, in this case – to remain in place so long as they did not interfere with military occupation (see Trías Monge 1997), the veiled benefit of translation ultimately allowed colonial rule to operate.

The English language, as a co-equal of Spanish, would also be the language of the courts and the school system. The Foraker Act in 1900, for instance, indicated that English would be of exclusive use in the federal court system. This language policy will be discussed in greater detail in the section that follows; however, one challenge was brought quite deliberately in the legislature by José de Diego against this policy. As Muñiz Argüelles (2005) recounts, in 1913 de Diego, who was an influential political leader in Puerto Rico as well as a poet and an attorney, introduced a bill to change the language of instruction on the island to Spanish and to require that all texts, regardless of whether they were written in English or in Spanish, be printed on the island. Moreover, English was to be replaced by Spanish for judicial procedure and court decisions, and official documents drafted in English would be translated into Spanish. Nevertheless, as Muñiz Argüelles (2005) indicates, the U.S.-appointed governing body did not endorse the bill, ultimately leaving intact prevailing practices.

The power of translation did not escape the notice the last military governor, General George W. Davis. In his report to Congress, he writes about progress made on the island with respect to a number of initiatives. In doing so, he describes the importance of translation, stating:

a simple translation is not sufficient as a rule, but the explanation must follow. This failure of officials to make clear the meaning as well as the words of what is said in orders, etc., intended to benefit the Puerto Ricans has had much more to do with delaying progress than would ever be supposed. (Davis 1900, 302)

His comments suggest that language mediation, or a lack thereof, had impeded the ability of the administration to implement policies and changes on the island. Moreover, Davis articulates both that language has been an ongoing challenge and that translation or interpreting has been insufficient to overcome that challenge. The ability to blame translation for a lack of progress suggests that interlinguistic mediation was a friction point and possible area for resistance. Documentation during this time is limited; therefore, it is often difficult to do more than postulate. Nevertheless, it is a viable assumption that translation was an explicit means to subjugate and resist based on the available data.

### 3.2 From Foraker to Jones-Shafroth

The transition from military government to formal U.S. administration officially occurred with the passage of the Organic Act of 1900, Pub. L. 56–191, 31 Stat. 77, which was commonly referred to as the “Foraker Act” after its congressional sponsor, Ohio Senator Joseph B. Foraker. Although the primary purpose of the Foraker Act was the establishment of a civilian government on the island, the practical effect of the legislation was to cast a broad colonial net over the island by insinuating U.S. common and statutory law into the fabric of the new provincial government. Headed by Charles H. Allen as the first appointed civil governor, the government was tasked with implementing the sweeping reform contained in the Foraker Act. A number of the sections of the Act contained U.S. congressional endorsements of the Americanization of the island (cf. Cabán 1999). The Foraker Act brought changes with respect to finances, taxation, and administration, and it was heavily criticized when initially submitted for consideration in Congress. During these deliberations, very little, if any, representation was present on behalf of Puerto Ricans, and much of the debate centered on the ability of Puerto Rico to self-govern and maintain its own legislature. Moreover, the bill’s namesake had initially suggested that citizenship be granted to Puerto Ricans, yet when the bill was signed into effect, this provision had been removed as a result of the criticisms levied against the bill (Trías Monge 1997).

Debates surrounding citizenship and self-governance were centered, at times, on the ability of the U.S. to provide “political education” with respect to administration and governance. Reports by the Secretary of War, Elihu Root, describe Puerto Rico as being in need of governmental tutelage (Clark 1973). As Go (2000, 334) describes in his review of Root’s report on the island: “Under America’s ‘strong and guiding hand,’ the colonized populations would receive a ‘course of tuition’ and acquire the ‘character and habits of thought and feeling’ necessary for ‘free self-government.’” The same can be said of Allen’s characterization of initial electoral procedures to establish a legislative body on the island. In his description of the transition to civil government, Allen (1902, 167) labels this process as “an electoral kindergarten” in light of how “simple” some of the questions raised of the newly-imposed system were.

However, the instructional approach to government was not the only area in which education was of concern to U.S. officials; the educational system on the island was of particular interest to U.S. officials as a means to Americanize the island. As Resnick (1993) attests, the U.S. language policy was assimilationist in its approach to the removal of Spanish from the classroom and imposing English as the language of instruction. The various language policies in the Puerto Rican classroom have been the subject of a number of studies, which argue that English as an official language was a means of ideological control (Navarro 2002) and cultural negotiation (Moral 2013).<sup>5</sup> As Walsh (1991, 5) argues,

through the social and linguistic policies of English imposition, deculturation, and the implantation of American values, schools have attempted to refashion the voices of the Puerto Rican masses, debilitating their history and national identity and promoting a dependence on and an alliance with imperialist rule.

Efforts to Americanize the Puerto Rican populace included policies in schools that mandated the use of English at all grade levels and made attendance in such English-speaking classrooms compulsory. The first language policy, instituted in 1898, aimed to remove Spanish from the classroom. Victor Clark, the administrator of the Puerto Rican school system at the time, advocated this English-only approach in light of the low literacy rates on the island (Resnick 1993). Moreover, Clark anticipated that the imposition of English would likely be opposed only by “the very small intellectual majority” (Osuna 1949, 342).<sup>6</sup> The recognition of resistance

---

5. The relationship between these educational language policies and Puerto Rican culture and identity surface in linguistic politics that are still very much in debate today (e.g., Barreto 2001).

6. Scarano (2012) makes the observation that the Puerto Rican population cannot be considered a homogenous entity, given the competing ideas surrounding annexation, statehood, and independence as well as the racial and class divides.

and the power that education could have to undermine Puerto Rican identity is clearly linked to the educational language policy and the lack of translation as a means to bridge the disconnect between the commonly-spoken language on the island and the language of instruction. Subsequent policies changed the extent to which English and Spanish co-existed in educational settings (Resnick 1993); however, none of the policies were particularly effective during this period to achieve their ultimate goals.

Instructional texts in the classroom were translations of textbooks that were originally written in the United States. The 1901 Annual Report of the Governor of Puerto Rico lists a number of books that could be requested from the Commissioner of Education to be used in classes, such as the Spanish *Dirección de las escuelas*, written by Baldwin (Allen 1901, 381). Originally titled *The Art of School Management* when it was published in English in 1881, *Dirección de las escuelas* is an example of one of the many translated textbooks originally intended for American audiences. The preparation of these textbooks varied with respect to the overall care and ability of the translators and publishers. In many cases, the books “lacked necessary adaptation” that would make these resources more accessible to students (Fernandez García, Hoadley, and Astol 1923, 386–387). In the case of Baldwin’s book, no overt mention is made to the text being a translation; however, this pseudo-original serves as an example of how American views were directly imported to the island.

The use of English in schools correlates directly with efforts by the U.S. government to establish the use of English in administrative and legal settings. The Official Languages Act of 1902, in addition to establishing English as being legally equivalent to Spanish, presented translation and interpreting as a means to overcome language barriers. The Languages Act explicitly states that Spanish and English will be “used indiscriminately,” and continues:

y cuando sea necesario, se harán traducciones é interpretaciones orales de un idioma al otro, de modo que las partes interesadas puedan comprender cualquier procedimiento ó comunicación en dichos idiomas. / [...] que para llevar á cabo las disposiciones de esta Ley, todo Departamento, así como los Tribunales y los jefes de oficinas públicas emplearán cuando necesario fuese, intérpretes y traductores competentes.

And when necessary, translations or oral interpretations from one language to another will be made, so that the interested parties can understand any proceeding or communication in said languages. / [...] in order for the disposition of the Law to be executed, any Department, as well as the Courts and the heads of public offices will employ, when necessary, competent translators and interpreters.

Importantly, the Languages Act does not dictate which version of the text will prevail should there be a discrepancy between the source and target language documents. Instead, as the excerpt above illustrates, the Languages Act simply provides for translation and interpreting to be provided on an as-needed basis to afford Spanish and English language users equal access to documents in legal or administrative settings.

However, the official, codified language policy does not fully account for the implicit language bias of the U.S.-appointed justices of the Supreme Court of Puerto Rico, which influenced their application of the law. *Cruz v. Dominguez*, 8 D.P.R. 580 (1905) was the first case specific to language and it addressed the construction of Article 164 of the Revised Civil Code of 1902 and whether the English or Spanish language text should prevail when both were present. As Colón García et al. (1998, 313) write: “The Supreme Court, through the opinion of Associate Justice Wolf, resolved that ‘there should not be any doubt that the English text which was signed by the Governor, is the law of the case.’” In the case of *People v. Agosto*, an appeal from the District Court of San Juan, which was decided on April 16, 1906, several justices opined with respect to the translation of the penal code:

It has been repeatedly decided by this court that the English statutes passed by the Legislative Assembly of Porto Rico and signed by the Governor are the originals, and that the Spanish version is only to be regarded as a translation of the English, and that consequently, where there is a discrepancy between the two, the English must be followed. (Castro 1906, 427)<sup>7</sup>

This case, which reversed and remanded the lower court decision, illustrates how the equal status of language in the original statutory language policy was interpreted by the justices, who in their ruling favored English over Spanish. Moreover, despite the legislated equivalence of the languages and the mandated use of translation and interpreting to allow both to be used in legal and governmental settings, English ultimately prevailed as the governing language.

Muñiz-Argüelles (1989) has argued that this situation is the result of the order in which laws were signed. While this policy is not explicitly stated, the U.S.-appointed governors did not speak Spanish; therefore, the document that was customarily signed first was the English version. This implicit translation policy led to case law that established the English version as the prevailing document. The literature has identified several instances in which the Spanish-language originals have prevailed in court settings; however, these are in the minority (Muñiz-Argüelles 1989, 467n35). Nevertheless, the implicit policy to consider the order in which laws were executed suggests that the official language

---

7. *El Pueblo v. Agosto*, 10 D.P.R. 449 (1906).

and translation policy does not fully account for the role played by translation. Moreover, the provision of translations at the time of drafting laws and administrative texts could be considered another mechanism by which the colonial power could exert control over the island since both languages appear to be on equal footing when in reality the English text prevailed in most cases. The language in which these texts were drafted is not always readily apparent, and therefore it remains unclear whether the drafting language had an influence on the prevailing document. However, the presence of translation suggested an equality of language which, in practice, was not always existent.

Official laws, however, are not the only context in which translation is a point of contention, and the 1902 Languages Act often figures into later legal cases related to translation and language use. The Supreme Court of Puerto Rico noted in the 1956 opinion of *R.C.A. Communications Inc. v. Registrador*, 79 D.P.R. 77 (1956) that an English filing with the register's office need only be accompanied by a translation when necessary (Muñiz-Argüelles 1999). Moreover, the court held that it was not within its purview to determine the language to be used in the public office, since the languages could be used indiscriminately. Nevertheless, the dissenting opinion issued by Associate Justice Emilio S. Belaval observed that despite concerted efforts toward Americanization, the majority of Puerto Ricans were not "acquainted" with English. Thus, although "there can be no doubt that all contracts may be drafted in either English or Spanish" as between contracting parties (*R.C.A. Communications*, 79 D.P.R. 77 at 88, cited in Muñiz-Argüelles 2012, 445n), Belaval argued that equity required the documents to be recorded in the public registry in the vernacular for the benefit of the third-party populace.

The initial legislative enactments, such as the Foraker Act and the 1902 Languages Act, as well as the interpretation of the statutes, considerably shaped language and translation policy on the island, not only up until the Jones-Shafroth Act in 1917, but to the present day. The continued role of the 1902 language policy in legal cases, language politics, and educational settings is illustrative of translation's influence since the U.S. took possession of Puerto Rico. And while these laws continue to evolve vis-à-vis legal decisions and case law, the co-equal status of English and Spanish that is mediated by translation and interpreting is juxtaposed by a population that can still not be considered fully bilingual.

#### 4. Puerto Rico as colonial palimpsest

By examining language and translation policy, the present microhistory illustrates the conflicting overt and covert translation practices and beliefs during the early years of U.S. colonization in Puerto Rico. Moreover, the range of language policies

in place in legal and educational settings demonstrate translation as a mechanism by which colonial rule and values are imposed. Yet despite concerted efforts to implement sweeping policies that greatly reduced or eliminated ties to the former colonial power vis-à-vis language use and translation, Spanish as the common language on the island remained. These efforts were ultimately unsuccessful in imposing American values throughout the island.

This microhistory also provides an opportunity to reflect on Goldstein's (2014) argument against the notion of a naturalized border or periodization of U.S. colonialism and empire to account for the multiple contexts in which it occurs. Puerto Rico represents a unique colonial context that resists classification within a specific set of borders or regions. With its Spanish past, the island and its people perhaps align more closely with Latin American traditions that share the same language. However, Americanization efforts from the time of U.S. possession have aimed to align Puerto Rico more closely with its North American neighbors. The superimposition of one colonial power aimed to sweep away the vestiges of previous colonial rule; however, despite U.S. attempts to supplant Spanish rule, traces of its previous colonial past "emerge intermittently from beneath the veneer" (Goldstein 2014, 3).

The translation of entire conceptual systems onto the island is one potential trace that merits further inquiry. As noted above, the imposition of American-style management of schools constitutes a translation of traditions that entails more than linguistic mediation as a means to influence change. Moreover, judiciary opinions during the early years of civilian government have been shown to have interpreted Spanish Civil Laws in light of U.S. case law doctrine (Muñiz-Argüelles 1989, 459n8). By laying a legal tradition on top of existing legislation, previous Spanish traditions find their way into decisions that would not otherwise appear had Americanization efforts wholly removed Spanish colonial rule. Nevertheless, an understanding of translation as the imposition of conceptual systems may allow scholars to move beyond specific translation and language policies to better understand the interplay between two colonial systems that still influence Puerto Rico and its people today. The present study aims to inform future work by presenting the linguistic and colonial landscape during these early colonial years and describing the multiple, and at times, conflicting policies in place.

## Acknowledgements

This work was supported, in part, by funds provided by the University of North Carolina at Charlotte. Portions of the archival work were made possible by the Archivo Segreto Vaticano (ASV), Vatican City. I would also like to thank Danilo Mori and Scott St. Amand for their support of this project.

## Archival material

ASV 628, Tit. V., Rúb. II, Section II, No. 4. Archivo Segreto Vaticano. Vatican City.

## References

- Allen, Charles H. 1901. *Annual Report of the Governor of Porto Rico*. Washington, DC: Government Printing Office.
- Allen, Charles H. 1902. "How Civil Government Was Established in Porto Rico." *The North American Review* 174 (543): 159–174.
- Archibald, James. 1997. "The Pragmatics of Professionalism: Translation and Interpretation in Puerto Rico and Quebec." *Meta* 42 (4): 649–660. <https://doi.org/10.7202/001900ar>
- Baralt, Guillermo A. 2004. *History of the Federal Court in Puerto Rico: 1899–1999*. Translated by Janis Palma. Hato Rey, Puerto Rico: Publicaciones puertorriqueñas.
- Barreto, Amílcar Antonio. 2001. *The Politics of Language in Puerto Rico*. Gainesville, FL: University Press of Florida.
- Bowden, Brett. 2009. *The Empire of Civilization: The Evolution of an Imperial Idea*. Chicago, IL: University of Chicago Press. <https://doi.org/10.7208/chicago/9780226068169.001.0001>
- Brau, Salvador. 1904. *Historia de Puerto Rico*. New York: Appleton.
- Cabán, Pedro A. 1999. *Constructing a Colonial People: Puerto Rico and the United States: 1898–1932*. New York: Routledge.
- Castro, Antonio F. 1906. *Reports of Cases Adjudged in The Supreme Court of Porto Rico*. Vol. 10. San Juan, Puerto Rico: Bureau of Supplies, Printing, and Transportation.
- Clark, Truman R. 1973. "Educating the Natives in Self-Government: Puerto Rico and the United States, 1900–1933." *Pacific Historical Review* 42 (2): 220–233. <https://doi.org/10.2307/3638468>
- Colón García, Ennio M., et al. 1998. "Puerto Rico: A Mixed Legal System: The Linguistic Factor." *Revista Jurídica Universidad Interamericana de Puerto Rico* 32, 310–319.
- Córdoba Serrano, María-Sierra, and Oscar Diaz Fouces. 2018. "Building a Field: Translation Policies and Minority Languages." *International Journal of the Sociology of Language* 251, 1–17. <https://doi.org/10.1515/ijsl-2018-0001>
- Davis, George Whitefield. 1900. *Report of Brig. Gen. Geo. W. Davis, U.S.V., on Civil Affairs of Puerto Rico: 1899*. Washington, DC: Government Printing Office.
- Derrida, Jaques. 1998. *Monolingualism of the Other, or, The Prosthesis of Origin*. Translated by Patrick Mensah. Stanford, CA: Stanford University Press.

- Fernandez García, E., Francis W. Hoadley, and Eugenio Astol. 1923. *The Book of Puerto Rico*. San Juan, Puerto Rico: El Libro Azul Publishing Company.
- Gable, John A. 1991. "Credit 'Splendid Little War' to John Hay." *The New York Times* 9 July.
- Go, Julian. 2000. "Chains of Empire, Projects of State: Political Education and U.S. Colonial Rule in Puerto Rico and the Philippines." *Comparative Studies in Society and History* 42 (2): 333–362. <https://doi.org/10.1017/S0010417500002498>
- Goldstein, Alysosha. 2014. "Toward a Genealogy of the U.S. Colonial Present." In *Formations of United States Colonialism*, edited by Alysosha Goldstein, 1–30. London: Duke University Press.
- González Núñez, Gabriel. 2016. "On Translation Policy." *Target* 28 (1): 87–109. <https://doi.org/10.1075/target.28.1.0490n>
- Johnson, David Cassels. 2013. *Language Policy*. Basingstoke: Palgrave Macmillan. <https://doi.org/10.1057/9781137316202>
- Kaplan, Robert, and Richard B. Baldauf. 1997. *Language Planning: From Theory to Practice*. Clevedon: Multilingual Matters.
- Malavet, Pedro A. 2004. *America's Colony: The Political and Cultural Conflict between the United States and Puerto Rico*. New York: New York University Press.
- McCarty, Teresa L. 2011. "Introducing Ethnography and Language Policy." In *Ethnography and Language Policy*, edited by Teresa L. McCarty, 1–28. London: Routledge.
- Meylaerts, Reine. 2011. "Translation Policy." In *Handbook of Translation Studies*, vol. 2, edited by Yves Gambier and Luc van Doorslaer, 163–168. Amsterdam: John Benjamins. <https://doi.org/10.1075/hts.2.tra10>
- Moral, Solsiree del. 2013. *Negotiating Empire: The Cultural Politics of Schools in Puerto Rico, 1898–1952*. Madison, WI: The University of Wisconsin Press.
- Morris, Nancy. 1995. *Puerto Rico: Culture, Politics, and Identity*. Westport, CT: Praeger.
- Muñiz-Argüelles, Luis. 1989. "The Status of Languages in Puerto Rico." In *Langue et droit. Actes du premier Congrès de l'Institut international de droit linguistique comparé, 27–29 avril 1988, Université du Québec à Montréal*, edited by Paul Pupier and José Woehrling, 457–472. Montreal: Wilson & Lafleur.
- Muñiz-Argüelles, Luis. 1999. "Las normas puertorriqueñas en relación al uso de las lenguas en el ámbito de la institución registral." *Revista Jurídica U.I.P.R.* 34 (1): 79–98.
- Muñiz-Argüelles, Luis. 2005. "La legislación lingüística en Puerto Rico." In *Lenguas en contacto: Una mirada cultural y pedagógica a la enseñanza de lenguas extranjeras*, edited by Lourdes Suárez Valle, 55–65. Río Piedras, Puerto Rico: Gaviota.
- Muñiz-Argüelles, Luis. 2012. "Puerto Rico" In *Mixed Jurisdictions Worldwide: The Third Legal Family*, edited by Vernon Valentine Palmer, 381–451. Cambridge: Cambridge University Press. <https://doi.org/10.1017/CBO9781139028424.011>
- Navarro, José-Manuel. 2002. *Creating Tropical Yankees: Social Science Textbooks and U.S. Ideological Control in Puerto Rico 1898–1908*. New York: Routledge.
- Niranjana, Tejaswini. 1992. *Siting Translation: History, Post-Structuralism, and the Colonial Context*. Los Angeles, CA: University of California Press.
- NYT. 1900. "Common Sense in Spelling." *The New York Times* 18 March, 29.
- Office of the Commonwealth of Puerto Rico. 1948. *Documents on the Constitutional History of Puerto Rico*. Washington, DC: Office of the Commonwealth of Puerto Rico.
- Osuna, Juan José. 1949. *A History of Education in Puerto Rico*. Río Piedras, Puerto Rico: Universidad de Puerto Rico.

- Rafael, Vicente L. 1993. *Contracting Colonialism: Translation and Christian Conversion in Tagalog Society under Early Spanish Rule*. Durham, NC: Duke University Press. <https://doi.org/10.1215/9780822396437>
- Rafael, Vicente L. 2014. "Translation, American English, and the National Insecurities of Empire." In *Formations of United States Colonialism*, edited by Alyosha Goldstein, 335–359. Durham, NC: Duke University Press.
- Rafael, Vicente L. 2016. *Motherless Tongues: The Insurgency of Language amid Wars of Translation*. Durham, NC: Duke University Press. <https://doi.org/10.1215/9780822374572>
- Resnick, Melvin C. 1993. "ESL and Language Planning in Puerto Rican Education." *TESOL Quarterly* 27 (2): 259–273. <https://doi.org/10.2307/3587146>
- Ricento, Thomas, ed. 2006. *An Introduction to Language Policy: Theory and Method*. Oxford: Blackwell Publishing.
- Robinson, Douglas. (1997) 2011. *Translation and Empire*. Manchester: St. Jerome.
- Santoyo, Julio-César. 2006. "Blank Spaces in the History of Translation." In *Charting the Future of Translation History*, edited by Georges L. Bastin and Paul F. Bandia, 11–43. Ottawa: University of Ottawa Press. <https://doi.org/10.2307/j.ctt1ckpfxh.5>
- Scarano, Francisco A. 2012. "Pro-imperialist Nationalists at the End of Spain's Caribbean Empire." In *Endless Empire: Spain's Retreat, Europe's Decline, America's Decline*, edited by Alfred W. McCoy, Josep M. Fradera, and Stephen Jacobson, 136–159. Madison, WI: The University of Wisconsin Press.
- Schmidt-Nowara, Christopher. 2012. "The Broken Image: The Spanish Empire in the United States after 1898." In *Endless Empire: Spain's Retreat, Europe's Decline, America's Decline*, edited by Alfred W. McCoy, Josep M. Fradera, and Stephen Jacobson, 160–168. Madison, WI: The University of Wisconsin Press.
- Spolsky, Bernard. 2004. *Language Policy*. New York: Cambridge University Press.
- Spolsky, Bernard, ed. 2012a. *The Cambridge Handbook of Language Policy*. Cambridge: Cambridge University Press. <https://doi.org/10.1017/CBO9780511979026>
- Spolsky, Bernard. 2012b. "What is Language Policy?" In Spolsky 2012a, 3–15.
- Thompson, Lanny. 2014. "Governmentality and Cartographies of Colonial Spaces: The 'Progressive Military Map of Porto Rico,' 1908–1914." In *Formations of United States Colonialism*, edited by Alyosha Goldstein, 289–315. Durham, NC: Duke University Press. <https://doi.org/10.1215/9780822375968-012>
- Trías Monge, José. 1997. *Puerto Rico: The Trials of the Oldest Colony in the World*. New Haven, CT: Yale University Press.
- Valdeón, Roberto A. 2014. *Translation and the Spanish Empire in the Americas*. Amsterdam: John Benjamins. <https://doi.org/10.1075/btl.113>
- Walsh, Catherine. 1991. *Pedagogy and the Struggle for Voice: Issues of Language, Power, and Schooling for Puerto Ricans*. Toronto: OISE Press.

## Address for correspondence

Christopher D. Mellinger  
Department of Languages and Culture Studies  
University of North Carolina at Charlotte  
9201 University City Blvd.  
CHARLOTTE, NC 28223  
USA  
cmelling@uncc.edu  
 <https://orcid.org/0000-0003-4915-8821>

## Publication history

Date received: 9 January 2019  
Date accepted: 9 February 2019  
Published online: 26 February 2019