

## SSHA Extended Abstract

In mid-1902, a pregnant and unmarried Isabel Gonzalez—only twenty years old—traveled from Puerto Rico to the U.S. seeking a better life. By 1902, Puerto Rico had been under the jurisdiction of the U.S. for nearly four years. When Gonzalez arrived at Ellis Island, she was turned away by officials who deemed her a “public charge.” Despite explaining that she was widowed and had traveled to the US to reunite with a man who agreed to marry her, Gonzalez was detained at Ellis Island. What seems at first an unfortunate but all-too-common story of discrimination became a consequential constitutional debate over the political status of Puerto Rico and her residents. How could it be that Puerto Ricans, formally subject to US jurisdiction, were considered aliens and able to be barred from entry?

The case eventually reached the Supreme Court, and in January 1904 the Court ruled that Puerto Ricans were not aliens, but importantly, neither were they US citizens. Instead, Puerto Ricans were considered “non-citizen nationals,” a vague and intermediary status neither citizen nor alien but somewhere in between. This ambiguous status affirmed Puerto Rican allegiance to the US government while at the same time denying citizenship. Over a decade would pass until Puerto Ricans would be US citizens, when the US Congress passed the Jones Act of 1917 and millions of Puerto Ricans became US citizens virtually overnight. Soon after, the Indian Citizenship Act of 1924 collectively naturalized an estimated 125,000 Indians.

These statutes represent only two out of six times in US history in which Congress has elected to collectively naturalize entire populations. In other words, Congress passes a law (which is then affirmed by the president) that automatically makes a group of people US citizens. Other cases include African Americans via the Fourteenth Amendment in 1868, Guamanians in 1950, US Virgin Islanders in 1927, and Mariana Islanders in 1976.

This timing of citizenship conferral in each case is perplexing: why were African Americans incorporated under the Fourteenth Amendment, but Native Americans were not? Native Americans remained non-citizens for an additional fifty-six years. Cuba, Guam, and the Philippines were subject to US rule under the terms of the 1898 Treaty of Paris, yet Cubans and Filipinos were excluded from birthright citizenship and Guamanians waited over fifty years for it, while US Virgin Islanders were non-citizens for ten years, a disproportionately shorter amount of time. Even more puzzling is that American Samoans remain under US governance since annexation in 1900, and to this day Congress has not extended birthright citizenship.

Thus the broad question that motivates this research agenda is what are the motivations and consequences of collective grants of citizenship? More specifically, I want to know what incentives or motivations members of Congress faced when they contemplated extending citizenship and the ways in which the collective grant of citizenship shaped discourse and claims making within these incorporated communities.

Countless activists like Isabel Gonzalez have fought for and won US citizenship not simply for themselves, on an individual basis, but for broad populations and future generations. The Fourteenth Amendment, guaranteeing citizenship for African Americans after the Civil War, and the Supreme Court case *Wong Kim Ark*, which established birthright citizenship, are rightly lauded as some of the most important victories in US history. We celebrate citizenship as the ultimate form of political inclusion and the recognition of inviolable rights, the affirmation of membership and belonging. So much is gained through citizenship. But is it possible that something is lost by becoming a citizen as well, particularly when an entire population is automatically naturalized through congressional statute? For better or for worse, citizenship shapes political identities and

avenues of claims-making. Newly gained citizenship might constrain a group's opportunities for self-determination, once they are wholly part of the national polity. Moreover, granting citizenship ensures the government broader and deeper access to the newly incorporated population. Appropriately lauded citizenship gains should not obscure other consequences of citizenship.

Extant theories of collective citizenship grants, including citizenship as a reward for Puerto Ricans' military service in World War I, or citizenship as a means of ensuring resource extraction from the colonized populations, ultimately fail to explain the timing of these citizenship grants. Instead, I hypothesize that what really explains the timing of these cases of collective naturalization is Congress's desire to demobilize independence movements, or at the very least, intended to narrow the scope of political possibilities for certain populations. The independence movements, or threat of independence movements can be politically costly to the US government. They have the potential to undermine US control of the region and legitimacy of US rule. Rather than risk political instability, such as protests or violence, the US grants citizenship to coopt potentially risky politics. It becomes much more difficult for a group to claim sovereignty from within the state, as citizens, than from outside of it. This cooptation undermines claims of sovereignty and channels claims-making through existing institutional channels such as the Supreme Court and legislative politics.