

THE EMPIRE AND THE INDEPENDENT ISLAND. Part II

The Application of the Platt Amendment and the Establishing of the Guantanamo Naval Base as a Framework for Relations between Cuba and the United States.

By the end of 1901, the electoral process which resulted in the triumph of Tomás Estrada Palma, without opposition and with the support of 47 percent of the electorate, had begun. On April 17, 1902, the President-elect in absentia left the United States for Cuba where he arrived three days later. The inauguration of the new President took place on May 20, 1902 at 12 noon. The Congress of the Republic had already been constituted. Leonard Wood set sail for his country in the battleship "Brooklyn".

In 1902, shortly before the proclamation of the Republic, the United States government informed the newly elected President of the Island about the four sites selected for the establishing of naval bases -Cienfuegos, Bahía Honda, Guantanamo and Nipe - as provided by the Platt Amendment. Not even the Port of Havana escaped consideration since it was contemplated as "the most favorable for the fourth naval base".

From the beginning, despite its spurious origins, the Government of Cuba, in which many of those who fought for independence participated, was opposed to the concession of four naval bases since it considered two to be more than enough. The situation grew tenser when the Cuban government toughened its stand and demanded the final drafting of the Permanent Agreement on Relations, with the goal of "determining at the same time and not in parts, all the details that were the object of the Platt Amendment and setting the range of their precepts".

President McKinley had died in September 14, 1901 as a result of gunshot wounds he had sustained on the 6th of that month. Theodore Roosevelt had advanced to such a degree in his political career that he was already Vice President of the United States and so he had assumed the presidency after the shooting of his predecessor. Roosevelt, at that time did not deem it to be convenient to specify the scope of the Platt Amendment, so as not to delay the military installation of the Guantanamo Base, given what that would mean for the defense of the Canal whose construction France had begun and later abandoned in the Central American Isthmus, and which the voracious government of the empire intended to complete at all costs. Nor was he interested in defining the legal status of the Isle of Pines. Therefore, he abruptly reduced the number of naval bases under discussion, removed the Port of Havana suggestion and finally agreed to the concession of two bases: Guantanamo and Bahía Honda.

Subsequently, in compliance with Article VII of the constitutional appendix imposed on the Constitutional Convention, the Agreement was signed by the Presidents of Cuba and the United States on February 16 and 23, 1903, respectively:

"Article I. - The Republic of Cuba hereby leases to the United States, for the time required for the purposes of coaling and naval stations, the following described areas of land and water situated in the Island of Cuba:

"1st. In Guantanamo"...(A complete description of the bay and neighboring territory is made.)

"2nd. In Bahia Honda..." (Another similar description is made.)

This Agreement establishes:

"Article III. -While on the one hand the United States recognizes the continuance of the ultimate

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sovereignty of the Republic of Cuba over the above described areas of land and water, on the other hand the Republic of Cuba consents that during the period of the occupation by the United States of said areas under the terms of this agreement the United States shall exercise complete jurisdiction and control over and within said areas with the right to acquire for the public purposes of the United States any land or other property therein by purchase or by exercise of eminent domain with full compensation to the owners thereof."

On May 28, 1903, surveying began to establish the boundaries of the Guantanamo Naval Station.

In the Agreement of July 2, 1903, dealing with the same subject, the "Regulations for the Lease of Naval and Coaling Stations" was passed:

"Article I.- The United States of America agrees and covenants to pay the Republic of Cuba the annual sum of two thousand dollars, in gold coin of the United States, as long as the former shall occupy and use said areas of land by virtue of said agreement."

"All private lands and other real property within said areas shall be acquired forthwith by the Republic of Cuba."

"The United States of America agrees to furnish to the Republic of Cuba the sums necessary for the purchase of said private lands and properties and such sums shall be accepted by the Republic of Cuba as advance payment on account of rental due by virtue of said Agreement."

The Agreement which governed this lease, signed in Havana by representatives of the Presidents of Cuba and the United States respectively, was passed by the Cuban Senate on July 16, 1903, ratified by the President of Cuba a month later on August 16, and by the President of the United States on October 2, and after exchanging ratifications in Washington on October 6, it was published in the Gazette of Cuba on the 12th of the same month and year.

Dated on December 14, 1903, it was informed that four days earlier on the 10th of the same month, the United States had been given possession of the areas of water and land for the establishing of a naval station in Guantanamo.

For the United States Government and Navy, the transfer of part of the territory of the largest island in the Antilles was a source of great rejoicing and they intended to celebrate the event. Vessels belonging to the Caribbean Squadron and some battleships from the North Atlantic Fleet converged on Guantanamo

The Cuban government appointed the Head of Public Works of Santiago de Cuba to deliver that part of the territory over which it technically exercised sovereignty on December 10, 1903, the date chosen by the United States. He would be the only Cuban present at the ceremony and just for a brief time since, once his mission was accomplished, without any toasts or handshakes, he left for the neighboring town of Caimanera.

The Head of Public Works had boarded the battleship "Kearsage", which was the U.S. flagship, where he met Rear Admiral Barker. At 12:00 hours a 21-gun-salute was given and along with the notes of the Cuban National Anthem, the Cuban flag which had been flying on board that vessel was lowered, and immediately the United States flag was hoisted on land, at the point called Playa del Este, with an equal number of salvos, thus concluding the ceremony.

According to the articles of the Agreement, the United States was to dedicate the leased lands exclusively for public use, not being able to establish any type of business or industry.

The U.S. authorities in said territories and the Cuban authorities mutually agreed to surrender fugitives from justice charged with crimes or misdemeanors subject to the laws of each party, as long as it was

required by the authorities who would be judging them.

Materials imported into the areas belonging to said naval stations for their own use and consumption would be exempt from customs duties, or any other kind of fees, to the Republic of Cuba.

The lease of these naval stations included the right to use and occupy the waters adjacent to said areas of land and water, to improve and deepen the entrances to them and their anchorages and for anything else that would be necessary for the exclusive use to which they were dedicated.

Even though the United States acknowledged the continuation of Cuba's definitive sovereignty over those areas of water and land, it would exercise, with Cuba's consent, "complete jurisdiction and domain" over said areas while they occupied them according to the other already quoted stipulations.

In the so-called Permanent Treaty of May 22, 1903, signed by the governments of the Republic of Cuba and the United States, future relations between both nations were detailed: in other words, what Manuel Márquez Sterling would call "the intolerable yoke of the Platt Amendment" was thus put firmly in place.

The Permanent Treaty, signed by both countries, was approved by the United States Senate on March 22, 1904 and by the Cuban Senate on June 8 of that year, and the ratifications were exchanged in Washington on July 1st, 1904. Therefore, the Platt Amendment is an amendment to an American law, an appendix to the Cuban Constitution of 1901 and a permanent treaty between both countries.

The experiences acquired with the Guantanamo Naval Base were useful to apply measures in Panama that were equal or worse, in the case of the Canal.

In the United States Congress, it is customary to introduce amendments, whenever a law which is of urgent necessity for its content and importance is being debated. This frequently obliges legislators to put aside or sacrifice any conflicting criteria. Such amendments have more than once affected the sovereignty for which our people tirelessly struggle.

In 1912, the Cuban Secretary of State, Manuel Sanguily, negotiated a new treaty with the U.S. State Department whereby the United States would relinquish its rights over Bahia Honda in exchange for enlarging the boundaries of the Guantanamo station.

That same year, when the uprising of the Partido de los Independientes de Color (Independent Colored Party) took place, which the Liberal Party government of President José Miguel Gómez brutally repressed, American troops came out of the Guantanamo Naval Base and occupied several towns in the former Oriente Province, near the cities of Guantanamo and Santiago de Cuba, with the pretext of "protecting the lives and properties of U.S. citizens".

In 1917, because of the uprising known as "La Chambelona" carried out by the elements of the Liberal Party in Oriente who were opposed to the electoral fraud that had re-elected President Mario García Menocal of the Conservative Party, Yankee regiments from the Base headed for various points in that province of Cuba, under the pretext of "protecting the Base water supply".

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